



AGENDA

Coordination Committee Meeting

Tuesday 23 January 2018
commencing at 10.30am

Strathpine Chambers
220 Gympie Road, Strathpine

COUNCILLOR:

NOTICE IS HEREBY GIVEN, that a meeting of the Coordination Committee will be held on Tuesday 23 January 2018 commencing at 10.30am in Strathpine Chambers, 220 Gympie Road, Strathpine to give consideration to the matters listed on this agenda.

Anthony Martini
Acting Chief Executive Officer

18 January 2018

Membership = 13
Mayor and all Councillors

Quorum = 7

[Agenda for public distribution](#)

LIST OF ITEMS

1 GOVERNANCE SESSION (Cr Allan Sutherland, Mayor)

ITEM 1.1 **6**

DELEGATIONS - BUILDING ACT 1975, PUBLIC HEALTH (INFECTION CONTROL FOR PERSONAL APPEARANCE SERVICES) ACT 2003, PUBLIC HEALTH ACT 2005 & PUBLIC HEALTH REGULATION 2005 AND LIQUOR ACT 1992 - REGIONAL

REPORT DETAIL

SUPPORTING INFORMATION

#1 Schedule to delegation Council-114 - Building Act 1975

#2 Schedule to delegation Council-115 - Public Health (Infection Control For Personal Appearance Services) Act 2003

#3 Schedule to delegation Council -116 - Public Health Act 2005 and Public Health Regulation 2005

#4 Schedule to delegation Council -117 - Liquor Act 1992

ITEM 1.2 **23**

PROPOSED MORETON BAY REGIONAL COUNCIL AMENDMENT SUBORDINATE LOCAL LAW NO. 1 (ADMINISTRATION) 2018 - REGIONAL

REPORT DETAIL

SUPPORTING INFORMATION

#1 MBRC Amendment Subordinate Local Law No.1 (Advertising Devices) 2018

#2 MBRC Adopted Local Law Making Process

#3 Possible Anti-Competitive Provisions

2 PLANNING & DEVELOPMENT SESSION (Cr Mick Gillam)

ITEM 2.1 **75**

DEVELOPMENT APPLICATION DA/34554/2017/V3RL - RECONFIGURING A LOT - DEVELOPMENT PERMIT FOR SUBDIVISION (11 INTO 173 LOTS + 8 BALANCE LOTS + DETENTION BASIN + EASEMENTS IN 7 STAGES), LOCATED AT 51-65 AND 77 CLARK ROAD AND 54-100 ROBBS ROAD, MORAYFIELD - DIVISION 12

SUPPORTING INFORMATION

#1 Aerial Photograph

#2 Locality Plan

#3 Zoning Map

#4 Proposal Plans

ITEM 2.2 **129**
DEVELOPMENT APPLICATION DA/34873/2017/V3RL - RECONFIGURING A LOT -
DEVELOPMENT PERMIT FOR SUBDIVISION (5 INTO 99 LOTS IN 2 STAGES), LOCATED
AT 263-267 AND 269-279 OAKLEY FLAT ROAD AND 75, 84 AND 88 BURBURY ROAD,
MORAYFIELD - DIVISION 12

REPORT DETAIL

SUPPORTING INFORMATION

#1 Aerial Photograph

#2 Locality Plan

#3 Zoning Map

#4 Proposed Reconfiguration Plan

3 CORPORATE SERVICES SESSION (Cr Adrian Raedel)

ITEM 3.1 **166**
MONTHLY REPORTING PACKAGE - NOVEMBER 2017 - REGIONAL

REPORT DETAIL

SUPPORTING INFORMATION

#1 Monthly Financial Report - Year to date result as at: 30 November 2017

ITEM 3.2 **181**
MONTHLY REPORTING PACKAGE - DECEMBER 2017 - REGIONAL

REPORT DETAIL

SUPPORTING INFORMATION

#1 Monthly Financial Report - Year to date result as at: 31 December 2017

ITEM 3.3 **196**
MBRC NETWORK CONNECTIVITY

REPORT DETAIL

4 ASSET CONSTRUCTION & MAINTENANCE SESSION (Cr Peter Flannery)

ITEM 4.1 **199**
MORETON BAY REGION LOCAL DISASTER MANAGEMENT GROUP - MEETING
MINUTES OF 6 DECEMBER 2017 - REGIONAL

REPORT DETAIL

SUPPORTING INFORMATION

#1 Moreton Bay Region Local Disaster Management Group - Minutes 6 December
2017

ITEM 4.2 **220**
BURPENGARY - BURPENGARY / NEW SETTLEMENT ROADS AND
DAKABIN/NARANGBA - OLD GYMPIE / BOUNDARY ROADS - INTERIM INTERSECTION
UPGRADES - TENDER - DIVISIONS 2, 7 AND 11

REPORT DETAIL

SUPPORTING INFORMATION

Confidential #1 Tender Evaluation

5 PARKS, RECREATION & SPORT SESSION (Cr Darren Grimwade)

6 LIFESTYLE & AMENITY SESSION (Cr Matt Constance)

ITEM 6.1

228

LIBRARIES SUPPLY SHELF READY AV ITEMS - REGIONAL

REPORT DETAIL

SUPPORTING INFORMATION

Confidential #1 Tender Evaluation Summary Sheet

Confidential #2 Tender Evaluation Sheet

7 ECONOMIC DEVELOPMENT & TOURISM SESSION (Cr Julie Greer)

8 GENERAL BUSINESS

ATTENDANCE & APOLOGIES

Attendance:

Committee Members:

Cr Allan Sutherland (Mayor) (Chairperson)

Officers:

Apologies:

The Mayor is the Chairperson of the Coordination Committee.

Coordination Committee meetings comprise of Sessions chaired by Council's nominated Spokesperson (or Proxy) for that portfolio, as follows:

Session	Spokesperson	Proxy
1 Governance	Cr Allan Sutherland (Mayor)	Cr Mike Charlton (Deputy Mayor)
2 Planning & Development	Cr Mick Gillam	Cr Adam Hain
3 Corporate Services	Cr Adrian Raedel	Cr Allan Sutherland (Mayor)/ Cr Mike Charlton (Deputy Mayor)
4 Asset Construction & Maintenance	Cr Peter Flannery	Cr Allan Sutherland (Mayor)/ Cr Mike Charlton (Deputy Mayor)
5 Parks, Recreation & Sport	Cr Darren Grimwade	Cr Denise Sims
6 Lifestyle & Amenity	Cr Matt Constance	Cr Brooke Savige
7 Economic Development & Tourism	Cr Julie Greer	Cr Allan Sutherland (Mayor)/ Cr Mike Charlton (Deputy Mayor)
8 General Business	Cr Allan Sutherland (Mayor)	Cr Mike Charlton (Deputy Mayor)

1 GOVERNANCE SESSION

(Cr Allan Sutherland, Mayor)

ITEM 1.1

DELEGATIONS - BUILDING ACT 1975, PUBLIC HEALTH (INFECTION CONTROL FOR PERSONAL APPEARANCE SERVICES) ACT 2003, PUBLIC HEALTH ACT 2005 & PUBLIC HEALTH REGULATION 2005 AND LIQUOR ACT 1992 - REGIONAL

Meeting / Session: 1 GOVERNANCE

Reference: A15528414 : 16 January 2018 - Refer Supporting Information A15935904, A15734803, A15734662 and A15660938

Responsible Officer: AM, Director Executive and Property Services

Executive Summary

This report recommends that the powers under the *Building Act 1975*, the *Public Health (Infection Control for Personal Appearance Services) Act 2003*, the *Public Health Act 2005* and Public Health Regulation 2005, and the *Liquor Act 1992* (as detailed in the supporting information to this report), be delegated to the CEO in order that the CEO may sub-delegate powers as required to appropriately qualified employees or contractors of the Council.

OFFICER'S RECOMMENDATION

1. That Council, pursuant to section 257 of the *Local Government Act 2009*, delegates to the Chief Executive Officer its powers under the *Building Act 1975* as specified in supporting information #1 to this report (Council-114).
2. That Council, pursuant to section 257 of the *Local Government Act 2009*, delegates to the Chief Executive Officer its powers under the *Public Health (Infection Control for Personal Appearance Services) Act 2003* as specified in supporting information #2 to this report (Council-115).
3. That Council, pursuant to section 257 of the *Local Government Act 2009*, delegates to the Chief Executive Officer its powers under the *Public Health Act 2005* and the Public Health Regulation 2005 as specified in supporting information #3 to this report (Council-116).
4. That Council, pursuant to section 257 of the *Local Government Act 2009*, delegates to the Chief Executive Officer its powers under the *Liquor Act 1992* as specified in supporting information #4 to this report (Council-117).

ITEM 1.1 DELEGATIONS - BUILDING ACT 1975, PUBLIC HEALTH (INFECTION CONTROL FOR PERSONAL APPEARANCE SERVICES) ACT 2003, PUBLIC HEALTH ACT 2005 & PUBLIC HEALTH REGULATION 2005 AND LIQUOR ACT 1992 - REGIONAL - A15528414 (Cont.)

REPORT DETAIL

1. Background

Council has certain powers under the *Building Act 1975*, the *Public Health (Infection Control for Personal Appearance Services) Act 2003*, the *Public Health Act 2005* and Public Health Regulation 2005, and the *Liquor Act 1992*.

It is appropriate to delegate certain of those powers to the CEO in order that the CEO may sub-delegate powers as required to appropriately qualified employees or contractors of the Council.

2. Explanation of Item

Pursuant to section 257 of the *Local Government Act 2009*, the Council may resolve to delegate certain statutory powers to the CEO. Subsequently, section 259 of the *Local Government Act 2009* provides that the CEO may delegate his/her powers to appropriately qualified employee/s or contractor/s of the local government.

It is recommended that the powers under the *Building Act 1975*, the *Public Health (Infection Control for Personal Appearance Services) Act 2003*, the *Public Health Act 2005* and Public Health Regulation 2005, and the *Liquor Act 1992* (as detailed in the supporting information to this report), be delegated to the CEO in order that the CEO may sub-delegate powers as required to appropriately qualified employees or contractors of the Council.

3. Strategic Implications

3.1 Legislative/Legal Implications

Delegations made under section 257 of the *Local Government Act 2009* must be reviewed by the Council annually.

A delegation of the Council's powers does not prevent the Council from exercising any of those powers itself.

3.2 Corporate Plan / Operational Plan

Strengthening Communities: Strong local governance - strong leadership and governance.

3.3 Policy Implications

There are no policy implications that are directly related to this report.

3.4 Risk Management Implications

There are no risk management implications that are directly related to this report.

3.5 Delegated Authority Implications

The CEO will be delegated authority to exercise various powers of Council under the *Building Act 1975*, the *Public Health (Infection Control for Personal Appearance Services) Act 2003*, the *Public Health Act 2005* and Public Health Regulation 2005, and the *Liquor Act 1992*.

The CEO may sub-delegate these powers to appropriately qualified employees or contractors of the Council.

The recommended delegations, once adopted, will supersede any existing delegation/s relating to the respective legislation.

3.6 Financial Implications

There are no financial implications that are directly related to this report.

Moreton Bay Regional Council

ITEM 1.1 DELEGATIONS - BUILDING ACT 1975, PUBLIC HEALTH (INFECTION CONTROL FOR PERSONAL APPEARANCE SERVICES) ACT 2003, PUBLIC HEALTH ACT 2005 & PUBLIC HEALTH REGULATION 2005 AND LIQUOR ACT 1992 - REGIONAL - A15528414 (Cont.)

3.7 Economic Benefit

There are no economic benefits that are directly related to this report.

3.8 Environmental Implications

There are no environmental implications that are directly related to this report.

3.9 Social Implications

There are no social implications that are directly related to this report.

3.10 Consultation / Communication

Consultation has been carried out with the Chief Executive Officer, Directors and relevant Managers of the Community & Environmental Services and Planning & Economic Development directorates and Legal Services.

SUPPORTING INFORMATION

Ref: [A15935904](#), [A15734803](#), [A15734662](#) and [A15660938](#)

The following list of supporting information is provided for:

ITEM 1.1

DELEGATIONS - BUILDING ACT 1975, PUBLIC HEALTH (INFECTION CONTROL FOR PERSONAL APPEARANCE SERVICES) ACT 2003, PUBLIC HEALTH ACT 2005 & PUBLIC HEALTH REGULATION 2005 AND LIQUOR ACT 1992 - REGIONAL

#1 Schedule to delegation Council-114 - Building Act 1975

#2 Schedule to delegation Council-115 - Public Health (Infection Control For Personal Appearance Services) Act 2003

#3 Schedule to delegation Council -116 - Public Health Act 2005 and Public Health Regulation 2005

#4 Schedule to delegation Council -117 - Liquor Act 1992

ITEM 1.1 DELEGATIONS - BUILDING ACT 1975, PUBLIC HEALTH (INFECTION CONTROL FOR PERSONAL APPEARANCE SERVICES) ACT 2003, PUBLIC HEALTH ACT 2005 & PUBLIC HEALTH REGULATION 2005 AND LIQUOR ACT 1992 - REGIONAL (Cont.)

#1 Schedule to delegation Council-114 - Building Act 1975



Schedule to delegation Council-114

Building Act 1975

Building Act 1975	
Description of Power Delegated from Council to CEO	Section of the Act
Power, as an assessment manager, to determine whether a building development application complies with the building assessment provisions and if it does, to approve the application.	Section 34A(2)
Power, as an assessment manager, to consult with the chief executive about the variation application.	Section 41(1)
Power, as a referral agency, to appoint or employ a building certifier to carry out the assessment against the fire safety standard.	Section 46(5)
Power, under the <i>Planning Act</i> , chapter 3, to receive, assess and decide a building development application.	Section 51(2)(a)
Power to appoint or employ a private certifier or another building certifier to perform building certifying functions.	Section 51(2)(b)
Power to appoint or employ a building certifier where asked in writing by the nominated owner and the building work has not been certified.	Section 51(3)
Power to issue a building development approval.	Section 52
Power, in carrying out functions under the <i>Building Act</i> , to accept and, without checking, rely and act on a certificate or other document made by or given to the building certifier.	Section 53(2)
Power to accept and, without further checking, rely and act on a document, given to Council by a private certifier for a building development application, for the purpose of making it available for inspection or purchase as required by the <i>Planning Act</i> , section 264.	Section 54
Power, as assessment manager, in relation to undecided building development applications and lapsed building development approvals, to resume or start the development assessment process under the <i>Planning Act</i> at any stage the assessment manager considers appropriate.	Section 55
Power, as the holder of a registered easement or statutory covenant, to consent to building work.	Section 65
Power to decide an application to extend the period mentioned in subsection 71(3), to consult with an entity in deciding the application and to give notice of the decision.	Section 71
Power to give a private certifier a document acknowledging receipt of the fee mentioned in subsection 86(1)(c).	Section 87

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ITEM 1.1 DELEGATIONS - BUILDING ACT 1975, PUBLIC HEALTH (INFECTION CONTROL FOR PERSONAL APPEARANCE SERVICES) ACT 2003, PUBLIC HEALTH ACT 2005 & PUBLIC HEALTH REGULATION 2005 AND LIQUOR ACT 1992 - REGIONAL (Cont.)



Schedule to delegation Council-114 - Building Act 1975

Building Act 1975	
Description of Power Delegated from Council to CEO	Section of the Act
Power to take the action it considers necessary to complete the building work where the building development approval lapses and the building work is other than demolition.	Section 92(2)
Power to use all or part of any security given to the local government for the carrying out of the building work.	Section 92(5)
Power to refund or release part of any security given to the local government for the carrying out of the building work, at any time, having regard to the progress of the building work.	Section 93(1)
Power, as the assessment manager, to give a reminder notice about the lapsing.	Section 95
Power to consult with a private certifier with regard to further extensions of the period under the <i>Planning Act</i> , section 85(1) (When approval lapses if development not started).	Section 97(2)
Power to grant or refuse BCA classification change or use change, if owner of building applies.	Section 111
Power, as the assessment manager, to take enforcement action against an owner contravening section 114 of the Act.	Section 117
Power to approve the use of a building, other than a class 1, 2, 3 or 4 building, for residential purposes.	Section 119
Power to give the owner of a building a certificate of classification for the building if built before 30 April 1998 and the owner applies.	Section 123
Power to give a building certifier a notice ('show cause notice') before applying to the Tribunal to start a disciplinary proceeding.	Section 206(1)
Power to consider any representations made under the show cause notice and decide to take no further action, or apply to the Queensland Civil and Administrative Tribunal to start a disciplinary proceeding against the building certifier.	Section 207
Power to apply to the Queensland Civil and Administrative Tribunal to conduct disciplinary proceeding to determine whether there are proper grounds for taking disciplinary action against a building certifier.	Section 208(1)
Power to notify the QBCC of its application to the Queensland Civil and Administrative Tribunal.	Section 210
Power to consult with any other entity considered appropriate in deciding an application made by the owner of a budget accommodation building to approve a period for the building under section 220(a)(ii) or (b)(ii) (longer periods for approval).	Section 221(2)

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ITEM 1.1 DELEGATIONS - BUILDING ACT 1975, PUBLIC HEALTH (INFECTION CONTROL FOR PERSONAL APPEARANCE SERVICES) ACT 2003, PUBLIC HEALTH ACT 2005 & PUBLIC HEALTH REGULATION 2005 AND LIQUOR ACT 1992 - REGIONAL (Cont.)



Schedule to delegation Council-114 - Building Act 1975

Building Act 1975	
Description of Power Delegated from Council to CEO	Section of the Act
Power to grant (including with reasonable conditions) or refuse an application made by the owner of a budget accommodation building to approve a period for the building under section 220(a)(ii) or (b)(ii) (longer periods for approval).	Sections 221(2)(b) and (3)
Power to decide the application and give the owner an information notice about the decision.	Section 221(4)
Power to, on written application from the owner, decide whether or not a building conforms with fire safety standards and, if applicable, state what must be done to make the building conform.	Section 222(2)
Power to inspect budget accommodation buildings at least once every 3 years.	Section 228
Power, as a local government, to approve, with or without conditions, a later day for a residential care building to comply with section 231AK of the <i>Building Act</i> .	Section 231AK(a)(iii) and (b)(iii) and section 231AL
Power, as a local government, on an application by the owner of an RCB for a later day to obtain a fire safety compliance certificate or certificate of classification to: (a) consult on the application; (b) decide the application; (c) impose conditions on the grant of an application; (d) give an information notice about the decision.	Section 231AL
Power to require the applicant to give medical evidence to support the application.	Section 236
Power to, on application by a pool owner, decide an application for exemption from complying with part of the pool safety standard relating to barriers for a regulated pool due to disability (with or without conditions).	Section 237
Power to give notice of Council's decision (including an information notice about the decision).	Section 238
Power to give notice of each exemption granted under Chapter 8, Part 2, Division 3 to the QBCC commissioner.	Section 239
Power to give an applicant a show cause notice.	Section 242(2)
Power to consider any representations made under the show cause notice and give a further notice (a revocation notice) to the applicant, revoking the decision previously given.	Section 242(3)
Power to give to the QBCC commissioner notice of each revocation notice given.	Section 243
Power to keep a copy of each exemption granted and make the copy available for inspection and purchase as if it were a document, that under the <i>Planning Act</i> , the local government must make available for inspection and purchase.	Section 244

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Schedule to delegation Council-114 - Building Act 1975

Building Act 1975	
Description of Power Delegated from Council to CEO	Section of the Act
Power to, on application by a pool owner for exemption from complying with part of the pool safety standard relating to barriers for the regulated pool due to compliance being impracticable, require further information to establish that compliance with the part of the pool safety standard is not practicable.	Section 245A
Power to, on application by a pool owner, decide an application for exemption from complying with part of the pool safety standard relating to barriers for the regulated pool due to compliance being impracticable (with or without conditions).	Section 245B
Power to give written notice of the grant of an exemption.	Section 245C(1)
Power to give an information notice.	Section 245C(2)
Power to give the owner of the regulated pool a show cause notice.	Section 245E(2)
Power to consider any representations made under the show cause notice and give a further notice (a revocation notice) to the owner, revoking the decision previously given.	Section 245E(3)
Power to give the QBCC commissioner the notices required by sections 245F(1) and 245F(2).	Section 245F
Power to keep a copy of each exemption available for inspection and purchase as if it were a document that, under the <i>Planning Act</i> , must be available for inspection and purchase.	Section 245FA(2)
Power, as owner of adjoining land, to agree with the pool owner as to the construction of a pool barrier along the common boundary.	Section 245XB(2)
Power, as owner of adjoining land, to agree with the pool owner as to the alteration or replacement of a dividing fence that is used, or proposed to be used, as a pool barrier along the common boundary.	Section 245XD(2)
Power, as owner of adjoining land where a pool barrier is constructed along the common boundary for a pool on the other land, to: . Alter or replace the part of the pool barrier with the agreement of the pool owner; or . Attach a thing on the part of the pool barrier that does not unreasonably or materially alter or damage the barrier.	Section 245XF(2) and (3)
Power, as owner of adjoining land, to grant access to Council's land to the owner of the other land to carry out fencing work.	Section 245XG(1)
Power, as owner of adjoining land, where Council has carried out urgent fencing work under section 245XK of the <i>Building Act</i> and the owner of the other land is responsible for some or all of the costs of carrying out the fencing work under section 245XH of the <i>Building Act</i> , to require the owner of the other land to contribute a share for any reasonable cost incurred for the fencing work.	Section 245XN(2)

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Schedule to delegation Council-114 - Building Act 1975

Building Act 1975	
Description of Power Delegated from Council to CEO	Section of the Act
Power, as owner of adjoining land, to apply to QCAT, in the absence of the owner of the other land, for authorisation to carry out fencing work, including apportionment of the contributions for the work.	Section 245XS(1)
Power, as owner of adjoining land, where an order has been made under section 245XS(1) of the <i>Building Act</i> and the owner of the other land has since been located, to give a copy of the order to the owner of the other land and recover the contribution as stated in the order.	Section 245XS(3)
Power, as owner of adjoining land, where the owner of the other land has carried out fencing work for a dividing fence forming part of a pool barrier without authorisation, to apply to QCAT for an order requiring the owner to rectify the dividing fence.	Section 245XV(2)
Power to inspect a regulated pool for compliance when a pool safety complaint notice, or section 245I or 245UA notice is received.	Section 246ADA(2)
Power to decide if a complaint is vexatious.	Section 246ADA(3)
Power to take necessary enforcement action to ensure the pool complies with the pool safety standard or fencing standards for the pool.	Section 246ADA(5)
Power to cancel pool safety certificate for a regulated pool.	Section 246AF(2)
Power to give the QBCC commissioner notice of the cancellation of the pool safety certificate for a regulated pool.	Section 246AF(3)
Power to give a show cause notice before cancelling a pool safety certificate.	Section 246AG(1)
Power to consider submissions and decide whether to cancel a pool safety certificate.	Section 246AG(5)
Power to give the owner notice of the decision.	Section 246AG(6)
Power to give the owner an information notice about the decision.	Section 246AG(7)
Power to appoint or employ a pool safety inspector to conduct an inspection of a pool in the circumstances referred to in subsection (1).	Section 246AH
Power to keep a record of a notice mentioned in section 246ADA(1) and the results of the inspection carried out under section 246ADA.	Section 246AIA
Power to comply with a request for information from the QBCC commissioner.	Section 246AIB(2)
Power to give the QBCC commissioner notice of each existing regulated pool in Council's local government area of which it has a record.	Section 246AQ
Power to give the swimming pool safety advisory information to the owner of each non-certificate regulated pool in its local government area.	Section 246ATC

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Schedule to delegation Council-114 - Building Act 1975

Building Act 1975	
Description of Power Delegated from Council to CEO	Section of the Act
Power to, by gazette notice, designate land as a transport noise corridor.	Section 246X
Power to give notice of the designation of land as a transport noise corridor to the chief executive and include a record of the transport noise corridor in the planning scheme.	Section 246Y
Power to include a record of the transport noise corridor in the planning scheme, when notified by the transport chief executive.	Section 246ZA(3)
Power to give a notice ('enforcement notice') to the owner of a building, structure or building work.	Section 248(1)
Power to give an enforcement notice to a person who does not comply with a particular matter in the <i>Building Act 1975</i> .	Section 248(2)
Power to give a person a show cause notice.	Section 248(3)
Power to keep register of notices and remove from the register all entries and details relating to a notice when the requirements of the notice have been complied with.	Section 251
Power, as a local government, to make a complaint for an offence against section 245G(1) of the <i>Building Act 1975</i> .	Section 256(2)(d)
Power, as a local government, to make a complaint for an offence against section 245K, 245L or 246AR(2) of the <i>Building Act 1975</i> .	Section 256(2)(e)
Power, as a local government, to make a complaint for an offence against section 246AD(2) or 246AJ(4) of the <i>Building Act 1975</i> .	Section 256(2)(f)
Power, as a local government, to make a complaint for an offence against section 246AP(2) of the <i>Building Act 1975</i> .	Section 256(2)(g)
Power, as a local government, to make a complaint for an offence against chapter 8, part 4, division 5, subdivision 2, other than section 246ATH(2) of the <i>Building Act 1975</i> .	Section 256(2)(h)
Power, as a local government, to authorise a person to make a complaint for an offence against chapter 8, part 4, division 5, subdivision 2, other than section 246ATH(2) of the <i>Building Act 1975</i> .	Section 256(2)(h)
Power, as a local government, to make a complaint for an offence against chapter 8, part 5 of the <i>Building Act 1975</i> .	Section 256(2)(i)
Power, as a local government, to authorise a person to make a complaint for an offence against chapter 8, part 5 of the <i>Building Act 1975</i> .	Section 256(2)(i)
Power, as a local government, to make a complaint for an offence in the <i>Building Act 1975</i> other than an offence listed in section 256(2)(a)-(j) of the <i>Building Act</i> .	Section 256(2)(k)

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ITEM 1.1 DELEGATIONS - BUILDING ACT 1975, PUBLIC HEALTH (INFECTION CONTROL FOR PERSONAL APPEARANCE SERVICES) ACT 2003, PUBLIC HEALTH ACT 2005 & PUBLIC HEALTH REGULATION 2005 AND LIQUOR ACT 1992 - REGIONAL (Cont.)



Schedule to delegation Council-114 - Building Act 1975

Building Act 1975	
Description of Power Delegated from Council to CEO	Section of the Act
Power, as a local government, to authorise a person to make a complaint for an offence in the <i>Building Act 1975</i> other than an offence listed in section 256(2)(a)-(j) of the <i>Building Act</i> .	Section 256(2)(k)
Power to extend the time for an owner of a swimming pool to comply with section 235 (where an extension under section 49H(11)(b) of the <i>Local Government Act 1936</i> is still in force).	Section 262

ITEM 1.1 DELEGATIONS - BUILDING ACT 1975, PUBLIC HEALTH (INFECTION CONTROL FOR PERSONAL APPEARANCE SERVICES) ACT 2003, PUBLIC HEALTH ACT 2005 & PUBLIC HEALTH REGULATION 2005 AND LIQUOR ACT 1992 - REGIONAL (Cont.)

#2 Schedule to delegation Council-115 - Public Health (Infection Control For Personal Appearance Services) Act 2003



Schedule to delegation Council-115

Public Health (Infection Control For Personal Appearance Services) Act 2003

Public Health (Infection Control For Personal Appearance Services) Act 2003	
Description of Power Delegated from Council to CEO	Section of the Act
Power to administer and enforce the Act for Council's area.	Section 9
Power to consider all applications for licences, and determine whether to grant or refuse the application.	Section 33
Power to grant an application for a licence only if Council is satisfied— (a) the applicant is a suitable person to hold a licence; and (b) the premises at which the higher risk personal appearance services are to be provided are suitable for providing the services.	Section 34
Power to have regard to the matters listed in this section in deciding whether a person is a suitable person to hold a licence.	Section 35
Power to have regard to all the matters listed in this section in deciding whether the premises at which higher risk personal appearance services are to be provided are suitable for providing the services.	Section 36
Power to make inquiries before making a decision regarding sections 35 and 36 and, by giving notice to the applicant, require the applicant to give Council, within the reasonable time of at least 40 days stated in the notice, further information or a document Council reasonably requires to decide the application.	Section 37
Power to impose conditions on a licence.	Sections 38(2) and 41(1)(c)
Power to decide the earlier ending date of a licence.	Section 40
Power to consider all applications for renewals of licences, and determine whether to grant or refuse the application for renewal.	Section 44
Power to give a notice to a licensee requiring the licensee to give Council, within a reasonable period of at least 40 days stated in the notice, further information or a document Council reasonably requires to decide a licence renewal application.	Section 45
Power to consider all applications for amendments to licences, and determine whether to grant or refuse the application to amend the licence.	Section 47
Power to give a notice to the licensee requiring the licensee to give Council, within a reasonable period of at least 40 days stated in the notice, further information or a document Council reasonably requires to decide a licence amendment application.	Section 48
Power to determine whether to grant or refuse the application to transfer the licence by having regard to whether the transferee is a suitable person to hold a licence and whether the premises are suitable for providing higher risk personal appearance services.	Section 49

ITEM 1.1 DELEGATIONS - BUILDING ACT 1975, PUBLIC HEALTH (INFECTION CONTROL FOR PERSONAL APPEARANCE SERVICES) ACT 2003, PUBLIC HEALTH ACT 2005 & PUBLIC HEALTH REGULATION 2005 AND LIQUOR ACT 1992 - REGIONAL (Cont.)



Schedule to delegation Council-115 - Public Health (Infection Control For Personal Appearance Services) Act 2003

Public Health (Infection Control For Personal Appearance Services) Act 2003	
Description of Power Delegated from Council to CEO	Section of the Act
Power to give a notice to the licensee requiring the licensee to give Council, within a reasonable period of at least 40 days stated in the notice, further information or a document Council reasonably requires to decide a licence transfer application.	Section 50
Power to, for forming a belief that the ground for suspending or cancelling a licence mentioned in subsection (1)(a) exists, have regard to the matters to which Council may have regard in deciding whether a proposed licensee is a suitable person to hold the licence	Section 51(2)
Power to issue a 'show cause notice'.	Section 52
Power to determine whether grounds continue to exist for the suspension or cancellation of a licence after issuing the licensee with a 'show cause' notice, and if so, determine whether to suspend or cancel the licence.	Sections 54 and 55
Power to suspend a licence immediately if Council believes— (a) a ground exists to suspend or cancel the licence; and (b) it is necessary to suspend the licence immediately because there is an immediate and serious risk of infection to the licensee's clients.	Section 56
Power to consider all applications for a replacement licence, and determine whether to grant or refuse the application for the replacement licence.	Section 62
Power to make an agreement with a licensee intending to provide higher risk personal appearance services from mobile premises to allow a lesser period for notification to Council of the licensee's intentions.	Section 65(3)
Power to, where Council is the second local government for a licence under the Act, exercise the same powers as the first local government would have had if the higher risk personal appearance services were being provided in the first local government area.	Section 67
Power to, where Council is the second local government for a licence under the Act, notify the first local government where it is reasonable to believe that a mobile licensee or operator has contravened their licence.	Section 68
Power to, where Council is the first local government and has been notified by a second local government of their reasonable belief that a mobile license holder or operator has breached their licence conditions, take action under the Act.	Section 69
Power to appoint authorised persons.	Section 70
Power to apply conditions to an authorised person's powers under the Act by giving the person a signed notice.	Section 72
Power to issue an identity card to an authorised person.	Section 74

ITEM 1.1 DELEGATIONS - BUILDING ACT 1975, PUBLIC HEALTH (INFECTION CONTROL FOR PERSONAL APPEARANCE SERVICES) ACT 2003, PUBLIC HEALTH ACT 2005 & PUBLIC HEALTH REGULATION 2005 AND LIQUOR ACT 1992 - REGIONAL (Cont.)



Schedule to delegation Council-115 - Public Health (Infection Control For Personal Appearance Services) Act 2003

Public Health (Infection Control For Personal Appearance Services) Act 2003	
Description of Power Delegated from Council to CEO	Section of the Act
Power to monitor compliance with the Act by having authorised persons inspect places of business in Council's areas and recover monitoring costs from business proprietors.	Section 105-109
Power to charge a business proprietor an inspection fee to check if the remedial notice given by an authorised person acting for Council to the proprietor has been complied with.	Section 110
Power to prosecute a business proprietor or operator for the contravention of a relevant provision without an authorised person first issuing a remedial notice for the contravention.	Section 111(7)
Power, if a person incurs a loss or expense because of an exercise of power and claims compensation, to appear at any compensation hearing on behalf of Council.	Section 114
Power to, at any time, extend the time for applying for a review of Council's original decision relating to a licence application.	Section 121(2)
Power to, upon request, review an original decision and make a determination according to section 122 of the Act.	Part 7, Division 1
Power to commence proceedings against a person who has committed an offence against the Act.	Section 135
Power to, following the conviction of a person of an offence against this Act, apply to the court for an order against the person for the payment of the costs Council has incurred in taking a thing or doing something else during the investigation of the offence.	Section 137
Power to deal with a thing forfeited to Council, including destroying the thing.	Section 140
Power to approve forms to be used in the administration and enforcement of the Act.	Section 147
Power to, with regard to an application for registration of premises made under part 15 of the former regulation, assess the suitability of the application and the premises under this Act, and make inquiries and require further information or a document under section 37 of the Act.	Section 153
Power to, with regard to an application for renewal of registration of premises made under part 15 of the former regulation, assess the suitability of the applicant and the premises under this Act, and make inquiries and require further information or a document under section 45 of the Act.	Section 154
Power to, with regard to an application for registration or renewal of registration of 2 or more premises to which sections 153(2) and 154(2) apply, issue a single licence to cover all the premises.	Section 155

ITEM 1.1 DELEGATIONS - BUILDING ACT 1975, PUBLIC HEALTH (INFECTION CONTROL FOR PERSONAL APPEARANCE SERVICES) ACT 2003, PUBLIC HEALTH ACT 2005 & PUBLIC HEALTH REGULATION 2005 AND LIQUOR ACT 1992 - REGIONAL (Cont.)

#3 Schedule to delegation Council -116 - Public Health Act 2005 and Public Health Regulation 2005



Schedule to delegation Council-116

Public Health Act 2005 and Public Health Regulation 2005

PUBLIC HEALTH ACT 2005

PUBLIC HEALTH ACT 2005	
Description of Power Delegated from Council to CEO	Section of the Act
Power to administer and enforce the Act regarding local government public health risks and a regulation made under section 61 stating that the regulation is to be administered and enforced by local governments only.	Section 13
Power to provide information to the chief executive about administration and enforcement of a matter under chapter 2 by Council.	Section 17(3)
Power, as an issuing authority, to apply to a magistrate for an order enforcing a public health order (an enforcement order).	Section 24(2)
Power, as an issuing authority, to enter a place to take steps to remove or reduce the risk to public health from the public health risk or prevent the risk to public health from recurring, if ordered by a magistrate.	Section 27(2)(b)
Power, as an issuing authority, to recover the amount, plus interest, a person has been ordered to pay under an enforcement order as an overdue rate payable to Council under the <i>Local Government Act 2009</i> .	Section 31
Power to lodge a request to register with the registrar of titles, in the appropriate form over the land, an unpaid amount, including interest, that is payable to Council under an enforcement order relating to a public health risk on land owned by a person as a charge on the land.	Section 32
Power to consult with the chief executive before the chief executive authorises a prevention and control program which relates to Council's local government area.	Section 36(5)
Power to enter into an agreement with the chief executive for the disclosure of confidential information.	Sections 84(1)(b)(i) and (2)(a)
Power, as a school health program provider to ask a school principal to provide student and parent information.	Section 213AD
Power, as an issuing authority, to enter the place, at reasonable times, to take the steps stated in a public health order where the person has failed to comply with the order.	Section 388(2)
Power, as an issuing authority, to give the occupier and owner of a place a notice required under the section, where an authorised person intends to enter the place to take steps required under a public health order.	Section 393(2)
Power, as an issuing authority, to recover the amount payable, including interest, of the reasonable costs and expenses incurred by Council in exercising powers under section 388 or 405 as an overdue rate payable to Council under the <i>Local Government Act 2009</i> .	Section 406

ITEM 1.1 DELEGATIONS - BUILDING ACT 1975, PUBLIC HEALTH (INFECTION CONTROL FOR PERSONAL APPEARANCE SERVICES) ACT 2003, PUBLIC HEALTH ACT 2005 & PUBLIC HEALTH REGULATION 2005 AND LIQUOR ACT 1992 - REGIONAL (Cont.)



Schedule to delegation Council-116 - Public Health Act 2005 and Public Health Regulation 2005

PUBLIC HEALTH ACT 2005	
Description of Power Delegated from Council to CEO	Section of the Act
Power, as an issuing authority, to lodge with the registrar of titles, in the appropriate form over the land, a request to register an unpaid amount, including interest, that is payable to Council for steps taken by it on land owned by a person as a charge on the land.	Section 407
Power, if a person incurs a loss or expense because of an exercise of power and claims compensation, to appear at any compensation hearing on behalf of Council.	Section 422
Power to apply to the court for an order against a person convicted of an offence against the Act for the payment of the costs Council has incurred in taking a thing or doing something else during the investigation of the offence.	Section 443(1)(b)
Power to deal with a thing forfeited as Council considers appropriate, including destroying the thing.	Section 446
Power, as an owner of a thing forfeited to a relevant entity under section 413(1), to appeal against a decision resulting in the forfeiture of the thing.	Section 450
Power to recover contribution from a prescribed person.	Section 454B(3)
Power to comply with the indemnity conditions in relation to each asbestos-related event to which the official conduct relates.	Section 454C(2)
Power to give notice of the proceeding to the State.	Section 454CA(2)
Power to ensure each authorised person who exercises powers under the Act in relation to an asbestos-related event has satisfactorily completed the training prescribed by regulation.	Section 454G
Power to keep the records prescribed in subsections 454I(1), (2) and (3) for each asbestos-related event.	Section 454I

PUBLIC HEALTH REGULATION 2005

PUBLIC HEALTH REGULATION 2005	
Description of Power Delegated from Council to CEO	Section of the Act
Power to administer and enforce Part 1A, Divisions 1, 2 and 3.	Sections 2C, 2M, and 2T
Power to approve a site for the disposal of asbestos waste.	Section 2I(2)(c)

ITEM 1.1 DELEGATIONS - BUILDING ACT 1975, PUBLIC HEALTH (INFECTION CONTROL FOR PERSONAL APPEARANCE SERVICES) ACT 2003, PUBLIC HEALTH ACT 2005 & PUBLIC HEALTH REGULATION 2005 AND LIQUOR ACT 1992 - REGIONAL (Cont.)

#4 Schedule to delegation Council -117 - Liquor Act 1992



Schedule to delegation Council-117

Liquor Act 1992

Liquor Act 1992	
Description of Power Delegated from Council to CEO	Section of the Act
Power to apply, as provided under the QCAT Act, to the tribunal for a review of a decision of a commissioner.	Section 30
Power to apply appeal a decision of the tribunal to the Court of Appeal.	Section 35
Power to consent to the making of an application for an adult entertainment permit or to abstain from consenting to the application.	Section 105B
Power to raise a matter and make comment to the chief executive, where Council is consulted in relation to an application for an extended hours permit.	Section 110(4)(a)
Power to: (a) comment on the reasonable requirements of the public in the locality; or (b) object in respect of the grant of a relevant application.	Section 117(2)
Power to comment about an application relating to a restricted area.	Section 117A
Power to make a submission about an application which requires a notice to be published under section 118 and a community impact statement to be given under section 116.	Section 118A
Power to make an objection about an application which requires a notice to be published under section 118.	Section 119
Power to make comment in regard to the grant of an application generally.	Section 121(1)(c)
Power to designate a "public place" as a "designated area", for the purposes of permitting the consumption of liquor, and power to set the period or times during which the designation will have effect.	Section 173C(1)&(2)
Power to advertise the designation made under section 173C(1), and power to erect signs advising of the designation, the period and times of the designation.	Section 173D(1)&(3)
Power to repeal or amend the designation under section 173C, and power to advertise the repeal or amendment; erect signs that the designation has been amended; or remove signs if the designation has been repealed.	Section 173E (1)&(3)
Power to display a notice regarding a designation at or near each entrance to a place within a restricted area.	Section 173M(1)
Power to: (a) display a notice about the suspension of a restricted area designation on each of the section 173M notices displayed for the restricted area whilst the suspension is in force; and (b) notify the Queensland Police Service about the suspension.	Section 173N (3)&(4)

**ITEM 1.2
PROPOSED MORETON BAY REGIONAL COUNCIL AMENDMENT SUBORDINATE
LOCAL LAW NO. 1 (ADMINISTRATION) 2018 - REGIONAL**

Meeting / Session: 1 GOVERNANCE
Reference: **A16462579** : 16 January 2018 - Refer Supporting Information A16464587,
A16467477 and A16467411
Responsible Officer: BH, Director Community & Environmental Services (CES Directorate)

Executive Summary

This report seeks Council's resolution to commence the making of *Moreton Bay Regional Council Amendment Subordinate Local Law No. 1 (Administration) 2018* using Council's adopted local law making process. The proposed subordinate local law seeks to simplify and address issues with Council's regulation of advertising devices under Schedule 9 of *MBRC Subordinate Local Law No.1 (Administration) 2011*.

OFFICER'S RECOMMENDATION

1. That Council resolves to propose to make *Moreton Bay Regional Council Amendment Subordinate Local Law No. 1 (Administration) 2018*, marked "Appendix A" in the Supporting Information annexed to this report.
2. That the Chief Executive Officer be authorised to undertake public consultation in relation to the proposed subordinate local law in accordance with Council's adopted local law making process specified in "Appendix B" in the Supporting Information annexed to this report.
3. That Council resolves, pursuant to section 257 of the *Local Government Act 2009*, to delegate to the Chief Executive Officer its powers under section 38 of the *Local Government Act 2009* and section 15 of the *Local Government Regulation 2012* to comply with the prescribed procedures for the review of any anti-competitive provisions in the proposed subordinate local law, which includes the power to:
 - (a) identify any anti-competitive provisions in the proposed subordinate local law;
 - (b) determine whether any identified anti-competitive provisions need to be reviewed;
 - (c) decide the process for conducting a review of any identified anti-competitive provisions;
 - (d) conduct a review of any identified anti-competitive provisions.

ITEM 1.2 PROPOSED MORETON BAY REGIONAL COUNCIL AMENDMENT SUBORDINATE LOCAL LAW NO. 1 (ADMINISTRATION) 2018 - REGIONAL - A16462579 (Cont.)

REPORT DETAIL

1. Background

On 24 October 2017, Council resolved to make *Moreton Bay Regional Council Interim Local Law No. 1 (Advertising Devices) 2017 (Interim Local Law)*.

The Interim Local Law simplifies, and addressed issues with, Schedule 9 of *MBRC Subordinate Local Law No. 1 (Administration) 2011 (Subordinate Local Law)* under which Council regulates advertising devices.

The Interim Local Law expires on 24 April 2018.

If Council wishes to permanently amend the Subordinate Local Law prior to the expiry of the Interim Local Law, various procedural steps need to be undertaken (e.g. public consultation) otherwise, the Subordinate Local Law will revive in its previous form on the expiry of the Interim Local Law.

2. Explanation of Item

The Subordinate Local Law

Prior to the introduction of the Interim Local Law, various issues were apparent, or alleged to exist, with Council's Subordinate Local Law. For example, the Subordinate Local Law:

- contained inadvertent drafting errors in places;
- was outdated in places;
- was alleged to be overly burdensome in places (e.g. in relation to election signs) because:
 - the time for which a "self-assessable election sign" could be displayed was limited to 42 days prior to the polling date for the election;
 - the number of self-assessable election signs that could be displayed was capped (e.g. at 120 per electorate for a State candidate);
 - the size of self-assessable election signs was limited to 1.5m² per side;
 - the application process associated with "licensable election signs" was complex and elongated;
 - the fees associated with applications to display "licensable election signs" were prohibitively expensive.

The Interim Local Law

The Interim Local Law sought to address the issues which were apparent, or alleged to exist, with the Subordinate Local Law on a short-term basis (because interim local laws can only have effect for a maximum of 6 months) by:

- correcting drafting errors;
- updating references;
- in respect of elections signs:
 - extending the time for which a "self-assessable election sign" could be displayed on private land to 3 months prior to the polling date for the election;
 - removing any restriction on the time for displaying self-assessable signs on public land;
 - removing the cap on the number of self-assessable election signs that could be displayed in an electorate;
 - not altering the size restrictions on election signs displayed on public land (however, there was a reduction in the permissible size of self-assessable election signs that could be displayed on private land - being a maximum of 2 signs with a total face area of 1.5m² per frontage);

ITEM 1.2 PROPOSED MORETON BAY REGIONAL COUNCIL AMENDMENT SUBORDINATE LOCAL LAW NO. 1 (ADMINISTRATION) 2018 - REGIONAL - A16462579 (Cont.)

- removing burdens associated with the “licensable election sign” application process (e.g. removing the need to provide an engineer’s certificate); and
- reducing the fees associated with applications to display licensable election signs by introducing a 3-business day “expedited assessment process”.

Impact of the Interim Local Law

Since the introduction of the Interim Local Law, a State government election has been called and held. The election signage provisions of the Interim Local Law were not enforced during this election period. However, Regulatory Services has confirmed that it experienced very few issues with election signs during this period and it received no complaints concerning election signage on the relevant polling day.

The Interim Local Law impacts on the application process for other types of signage (not just election signage). Whilst it has been difficult to gauge the impact of the Interim Local Law on these other types of signage in the short period that it has been in force, Regulatory Services has confirmed that it would not recommend any changes to the drafting of the Interim Local Law and that it could implement and administer the Interim Local Law on a permanent basis, as it relates to other types of signage.

The Process for Permanently Amending the Subordinate Local Law

On 29 July 2014, Council resolved to adopt a local law making process and this process will apply if Council wishes to permanently amend the Subordinate Local Law.

The process is generally as follows:

- By resolution, Council must *propose to make* certain amendments to the Subordinate Local Law;
- Council must consult with the public about the proposed amendments for at least 21 days by:
 - publishing a consultation notice in a locally circulating newspaper;
 - displaying the consultation notice in Council’s public offices;
 - making a copy of the proposed amendments available for inspection at Council’s public offices during the consultation period (and making copies available for purchase);
- Comply with any statutory provisions concerning anti-competitive provisions;
- Accept and consider every properly made submission to Council;
- By resolution, decide whether to make the proposed amendments as advertised **or** further amend the proposed amendments **or** not make the proposed amendments;
- (if Council chooses to substantially amend the proposed amendments in light of public consultation) Council *may* carry out a second round of public consultation; and
- Once the amendments have been made, follow the statutory notification processes.

Council will note that if it resolves *to propose* to adopt a permanent amendment to the Subordinate Local Law, this does not necessarily mean that the proposed permanent amendments will be made. This is because Council’s proposed amendments will be subject to public consultation. On hearing feedback from this public consultation process, Council may further amend its proposed amendments.

Council could also choose to **not** make any permanent amendments to the Subordinate Local Law. If this occurs, then the Interim Local Law will expire on 24 April 2018 and the original Subordinate Local Law will revive. This would also revive those issues identified with the Subordinate Local Law as set out above.

Proceeding

Given the impact of the Interim Local Law, and to avoid the issues associated with the revival of the Subordinate Local Law, it is recommended that Council propose to make *Moreton Bay Regional Council Amendment Subordinate Local Law No. 1 (Administration) 2018*, marked “Appendix A” in the Supporting Information annexed to this report (**Proposed SLL**).

The key provisions of the Proposed SLL (which amend the Subordinate Local Law) are identical to those provisions of the Interim Local Law which are currently in force.

Moreton Bay Regional Council

ITEM 1.2 PROPOSED MORETON BAY REGIONAL COUNCIL AMENDMENT SUBORDINATE LOCAL LAW NO. 1 (ADMINISTRATION) 2018 - REGIONAL - A16462579 (Cont.)

If Council resolves to propose to make the Proposed SLL, then the Proposed SLL be subject to a public consultation process.

An indicative timeline for the making of the Proposed SLL (which is subject to change depending on the outcome of the public consultation process, for example) is set out below:

Task	Due Date
1. Resolve to propose to make Proposed SLL	23.01.18
2. Commence public consultation (including consultation regarding any anti-competitive provisions)	05.02.18
3. End public consultation	28.02.18
4. Workshop on public consultation outcomes	08.03.18
5. Council meeting - direction	13.08.18
6. (optional) second public consultation starts	19.03.18
7. (optional) second public consultation ends	10.04.18
8. (optional) workshop on second consultation outcomes	12.04.18
9. Council meeting - adopting Proposed SLL (as modified)	17.04.18
10. Gazette notice published	20.04.18
11. Advertising making of Proposed SLL (as modified)	23.04.14

As part of the local law making process, Council is obliged to consider whether the proposed local law contains any likely anti-competitive provisions.

To determine whether a provision is anti-competitive requires consideration of the "*National Competition Policy - Guidelines for Conducting Reviews on Anti-Competitive Provisions in Local Laws*" published by the Department of Infrastructure, Local Government and Planning (**Guidelines**). Subject to certain exceptions, if the Guideline renders a certain provision of the Proposed SLL "anti-competitive", then that provision must be subjected to a prescribed review process.

It is recommended that the Chief Executive Officer be delegated authority to determine whether the Proposed SLL provisions (including the likely anti-competitive provisions specified in "Appendix C" in the Supporting Information annexed to this report) are required to be subjected to the review process under the Guidelines, and if so, to undertake that review process.

Public consultation will be undertaken in accordance with the relevant specifications of the *Local Government Act 2009* and the *Local Government Regulation 2012* and Council's adopted local law making process specified in "Appendix B" in the Supporting Information annexed to this report. Once public consultation on the Proposed SLL is finalised, a further report will be presented to Council.

It is noted for the sake of completeness that a State interest check is not necessary in this circumstance as the Proposed SLL is a subordinate local law (section 29A(1)(b) of the *Local Government Act 2009*).

3. Strategic Implications

3.1 Legislative/Legal Implications

Section 28 of the *Local Government Act 2009* permits Council to make and enforce any local law that is necessary or convenient for the good rule and local government of its local government area if certain criteria are met (e.g. the local law must not *prohibit* the placement of election signs).

Council can do this by following its existing local law making process.

ITEM 1.2 PROPOSED MORETON BAY REGIONAL COUNCIL AMENDMENT SUBORDINATE LOCAL LAW NO. 1 (ADMINISTRATION) 2018 - REGIONAL - A16462579 (Cont.)

3.2 Corporate Plan / Operational Plan

Strengthening Communities: Strong local governance - strong leadership and governance.

3.3 Policy Implications

There are no policy implications arising as a direct result of this report.

3.4 Risk Management Implications

Amending the Subordinate Local Law is likely to reduce the risk of certain provisions of the Subordinate Local Law being declared invalid by a Court on the basis that those provisions unlawfully impinge on the freedom of communication on political matters.

3.5 Delegated Authority Implications

It is necessary for Council to delegate, in favour of the Chief Executive Officer, pursuant to section 257 of the *Local Government Act 2009*, the powers of Council under each of section 38 of the *Local Government Act 2009* and section 15 of the *Local Government Regulation 2012*.

3.6 Financial Implications

Amending the Subordinate Local Law may assist in the resolution of current Court proceedings which have been instigated against Council in respect of the validity of the Subordinate Local Law.

3.7 Economic Benefit

There are no economic benefit implications arising as a direct result of this report.

3.8 Environmental Implications

Council officers will continue to monitor advertising devices in the Region for compliance with the Interim Local Law while the process for making the Proposed SLL is ongoing. The Interim Local Law seeks to minimise any environmental nuisance or environmental harm caused by advertising devices.

3.9 Social Implications

Council has a social obligation to ensure a safe and healthy community. Maintaining the ability to manage and regulate advertising devices through the proposed subordinate local law will ensure that the amenity of public places is retained.

3.10 Consultation / Communication

Legal Services

Council Workshop on 7 December 2017

SUPPORTING INFORMATION

Ref: [A16464587](#), [A16467477](#) and [A16467411](#)

The following list of supporting information is provided for:

ITEM 1.2

PROPOSED MORETON BAY REGIONAL COUNCIL AMENDMENT SUBORDINATE LOCAL LAW NO. 1 (ADMINISTRATION) 2018 - REGIONAL

#1 MBRC Amendment Subordinate Local Law No.1 (Advertising Devices) 2018

#2 MBRC Adopted Local Law Making Process

#3 Possible Anti-Competitive Provisions

ITEM 1.2 PROPOSED MORETON BAY REGIONAL COUNCIL AMENDMENT SUBORDINATE LOCAL LAW NO. 1
(ADMINISTRATION) 2018 - REGIONAL (Cont.)

#1 MBRC Amendment Subordinate Local Law No.1 (Advertising Devices) 2018

MORETON BAY REGIONAL COUNCIL

**Amendment Subordinate Local Law No. 1 (Advertising
Devices) 2018**

Contents

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ITEM 1.2 PROPOSED MORETON BAY REGIONAL COUNCIL AMENDMENT SUBORDINATE LOCAL LAW NO. 1
(ADMINISTRATION) 2018 - REGIONAL (Cont.)

Moreton Bay Regional Council Amendment Subordinate Local Law No. 1 (Advertising Devices) 2018

Part 1 Preliminary

1 Short title

This subordinate local law may be cited as *Moreton Bay Regional Council Amendment Subordinate Local Law No.1 (Advertising Devices) 2018*.

2 Interim local law repealed

Moreton Bay Regional Council Interim Local Law No. 1 (Advertising Devices) 2017 is repealed.

3 Subordinate local law amended

This subordinate local law amends *Moreton Bay Regional Council Subordinate Local Law No. 1 (Administration) 2011*.

Part 2 Amendments to subordinate local law

4 Replacement of schedule 9 (installation of advertising devices)

Schedule 9—
omit, insert—

‘Schedule 9 Installation of Advertising Devices

1 Prescribed activity

Installation of Advertising Devices

Note-

- *The local government’s Planning Scheme regulates the Installation of permanent Advertising Devices on private land. This subordinate local law regulates the Installation of temporary Advertising Devices on Public Land or private land, and the Installation of permanent Advertising Devices on Public Land.*

2 Purpose and how it is to be achieved

- (1) The purpose of this Schedule 9 is to ensure that the Installation of Advertising Devices in the local government’s area does not:
 - (a) endanger the health and safety of any person;
 - (b) have a detrimental impact on amenity;
 - (c) cause Environmental Harm;
 - (d) damage public infrastructure or private property; or
 - (e) unduly expose a person to a risk of loss or liability.
- (2) This purpose is to be achieved by:

ITEM 1.2 PROPOSED MORETON BAY REGIONAL COUNCIL AMENDMENT SUBORDINATE LOCAL LAW NO. 1
(ADMINISTRATION) 2018 - REGIONAL (Cont.)

Moreton Bay Regional Council Amendment Subordinate Local Law No. 1 (Advertising Devices) 2018

- (a) allowing the Installation of Exempt Signs and Self-Assessable Signs without any approval from the local government if specific requirements are satisfied; and
- (b) establishing a process to ensure that applications to Install Licensable Signs are properly assessed and conditioned if approved.

3 Activities that do not require approval under the authorising local law

- (1) A person does not require an approval from the local government to Install an Advertising Device which is:
 - (a) an Exempt Sign; or
 - (b) a Self-Assessable Sign which satisfies:
 - (i) the General Self-Assessable Requirements; and
 - (ii) the Specific Requirements for the Self-Assessable Sign.

Note-

- *this section constitutes a declaration made by the local government pursuant to section 6(3) of the authorising local law;*
- *the General Self-Assessable Requirements and Specific Requirements for Self-Assessable Signs are set out at Table 2, below; and*
- *a person is still required to obtain an approval from the local government to Install an Advertising Device which is a Licensable Sign.*

4 Documents and materials that must accompany applications for approval

- (1) A person wishing to Install a Licensable Sign (Applicant) must ensure that their application is accompanied by the following documents and materials:
 - (a) the contact details of the Applicant including the Applicant's full name, day time contact phone number, email address (if applicable) and mailing address;
 - (b) details of the period for which the Licensable Sign is proposed to be displayed;
 - (c) a sketch plan or plan of the proposed Licensable Sign including its dimensions, location, materials and how it will be supported;
 - (d) if applicable, details of any illumination, animation, moving parts, reflective material or Third Party Advertising that the Licensable Sign will contain and the registration details of any vehicle that will be used to display the sign;
 - (e) if the Applicant wishes to Install the Licensable Sign on land, structures or infrastructure that they do not own (other than land, structures or infrastructure owned or controlled by the local government) the owner's written consent to the Installation;
 - (f) if the Applicant requires an assessment of their application within 3 business days of Council receiving that application (**Expedited Assessment**):
 - (i) a written request for an Expedited Assessment;
 - (ii) a written submission explaining how the Licensable Sign meets:

ITEM 1.2 PROPOSED MORETON BAY REGIONAL COUNCIL AMENDMENT SUBORDINATE LOCAL LAW NO. 1
(ADMINISTRATION) 2018 - REGIONAL (Cont.)

Moreton Bay Regional Council Amendment Subordinate Local Law No. 1 (Advertising Devices) 2018

- (A) the criteria set out at section 5 (below);
- (B) the General Licensable Criteria; and
- (C) the Specific Requirements for the Licensable Sign;

Note-

- *An Expedited Assessment may result in the local government deciding the Applicant's application in accordance with section 9(2) of the authorising local law. An Expedited Assessment may also result in the local government requesting further information in accordance with section 8(3) of the authorising local law.*

- (g) an indemnity in favour of the local government as set out in the prescribed form.

Note-

- *under section 8(2) of the authorising local law, the above documents and materials must accompany:*
 - *an application in the prescribed form. The prescribed form is a written document which is available from the local government's administration centres or via its website. Contact details for submitting the application are set out in the prescribed form;*
 - *the prescribed fee. Prescribed fees are fixed by the local government in accordance with section 35 of the authorising local law and the current prescribed fees can be obtained via the local government's website or by contacting the local government by phone, email or in person; and*
 - *(where applicable) proof that the applicant currently holds any separate approval relating to the prescribed activity that is required under another law.*
- *under section 8(3) of the authorising local law, the local government may request further reasonable information or clarification of information, documents or materials included in the application.*

5 Additional criteria for the granting of approval

- (1) Before granting an approval to an Applicant to Install a Licensable Sign, the local government must be satisfied that the Licensable Sign will:

- (a) not endanger the health and safety of any person;

Example-

- *the Licensable Sign must, where applicable:*
 - *be designed, constructed and Installed in accordance with any applicable laws, regulations, codes or standards;*
 - *be designed and constructed to a standard that will withstand expected wind loadings, tension and sheer forces;*
 - *not be the same as, or like, a traffic sign;*
 - *be appropriately set back from kerbsides and property boundaries;*
 - *not be likely to cause an obstruction to pedestrians or an unreasonable distraction to motorists;*
 - *not obstruct a person's view of traffic, or a motorist's or cyclist's view of pedestrians, other traffic, or the road ahead to intersections, traffic signals, railway crossings and vehicle merging situations;*
 - *not cause a potential safety hazard due to the sign's illumination, reflective material, animation, or such other thing;*
 - *when mounted over a footpath (other than a blind or canopy), provide a minimum clearance of at least 2.4m;*
 - *when located where vehicles pass underneath it, provide a minimum clearance of at least 5.7m from ground level;*
 - *be designed and constructed to conceal conduits, wiring and switches if it contains electrical components that are not integral to the design of the Sign.*

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(b) not have a Significant Impact on visual amenity;

Example-

- *the Licensable Sign should, where applicable:*
 - *be of an appropriate size, nature and scale for the location;*
 - *complement or be harmonious with the buildings and features of the location;*
 - *not cause visual clutter through a discordance of size, shape and colour with surrounding buildings and immediate local features;*
 - *not block or compromise a person's view from their private property; and*
 - *be harmonious with any existing signage, or advertising package, at the location.*

(c) not cause, or potentially cause, Environmental Harm;

Example-

- *the Licensable Sign should, where applicable:*
 - *be constructed from material that is reusable, repurposable or recyclable whether in whole or in part; and*
 - *not be nailed or otherwise affixed to trees or other vegetation.*

(d) not cause damage to public infrastructure or private property;

Example-

- *the Licensable Sign must, where applicable:*
 - *not be affixed to infrastructure owned by the local government or a utility provider unless their written consent has been obtained;*
 - *not be installed in such a way that it could cause damage to private property.*

(e) not constitute a Restricted Advertising Device in the proposed area or locality;

(f) be generally consistent with any Specific Requirements for that Licensable Sign and the General Licensable Criteria, where applicable.

Note-

- *under section 9(1) of the authorising local law, the local government may also have regard to other criteria.*

6 Conditions that must be imposed on approvals

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7 Conditions that will ordinarily be imposed on approvals

- (1) The local government may impose the following conditions on approvals for this prescribed activity:
 - (a) the Specific Conditions for the Licensable Sign set out in Table 3 (if any);
 - (b) that the Applicant must only display the signs during the conditioned period;
 - (c) that the Applicant must install and keep the Licensable Sign installed in accordance with plans approved by the local government;
 - (d) that the Licensable Sign must be maintained in a safe, clean, tidy and sightly condition;
 - (e) that the Applicant must comply with a reasonable direction from an authorised person in respect of the Licensable Sign;

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Example-

- *if an authorised person, acting reasonably, considers that a Licensable Sign is in an unsafe condition and requests that the Applicant remove the sign until it is repaired, the Applicant must comply with that direction.*

- (f) that if a registration number is allocated by the local government for a Licensable Sign it must be —
- (i) securely affixed to the Licensable Sign for as long as it is exhibited;
 - (ii) located at the bottom right hand corner of the face of the Advertising Device;
 - (iii) clearly legible from a public place; and
 - (iv) not less than 50mm in height;
- (g) that the Applicant must procure and maintain at all times whilst the Licensable Sign is Installed, a public liability insurance policy in respect of the Licensable Sign for an amount not less than \$20,000,000 per occurrence, and the Applicant must provide evidence of such policy upon request by an authorised person; and
- (h) that if the local government considers it is reasonably necessary, that prior to the Installation of the Advertising Device, the Applicant must provide a certificate of structural adequacy from a qualified engineer in respect of the Advertising Device.

Note-

- *under section 10(1) of the authorising local law, the local government may grant an approval subject to further conditions that it considers appropriate (if those conditions satisfy the criteria set out at section 10(2) of the authorising local law).*

8 Term of approval

- (1) The term of an approval to display an inflatable advertising device is 21 consecutive days within any 90-day period, unless otherwise stated in an approval.
- (2) The term of an approval to display a Licensable Sign, other than an inflatable advertising device, is the period specified in an approval.

Note-

- *in accordance with section 13 of the authorising local law, the term of approval specified above will have effect unless an approval is sooner cancelled or suspended.*

9 Term of renewal of approval

A holder of an approval to display an inflatable advertising device may apply to the local government to extend or renew the approval for any further term that is specified in the approval.

Note-

- *see section 14 of the authorising local law for the renewal terms of other types of Licensable Signs.*

10 Transfer of approval

An approval to display a licensable sign is transferable.

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Note-

- see section 15 of the authorising local law for details concerning the procedure for transferring an approval.

11 Schedule Dictionary

In this Schedule 9, the following terms have the corresponding meaning:

Advertising Device means a device which is designed to attract public attention and includes a sign but does not include:

- how-to-vote cards;
- car stickers (including car wraps which do not constitute a Self-Assessable Sign - Motor Vehicle Sign);
- clothing;
- lapel buttons or badges;
- stationery;
- newspaper advertisements;
- business or visiting cards; or
- letters or posted leaflets;

Business Centre Environment means the Planning Scheme zones identified as being in the business centre environment in Table 6;

Character/Heritage/Special Precinct Area means the Planning Scheme zones identified as being in the character/heritage/special precinct area in Table 6;

Election Period, for:

- a local government election, means the period:
 - commencing on the day when public notice of the holding of the election is published under the *Local Government Electoral Act 2011 (Qld)*; and
 - terminating at the end of the associated polling date;
- for a State government election, means the period:
 - commencing on the date that the writ for the election is issued under the *Electoral Act 1992 (Qld)* or the *Constitution of Queensland 2001 (Qld)*; and
 - terminating at the end of the associated polling date;
- for a Federal government election, means the period:
 - commencing on the date that the writ for the election is issued under the *Commonwealth Electoral Act 1918 (Cth)*; and
 - terminating at the end of the associated polling date; and
- for a referendum, means the period:
 - commencing on the date that the writ for the referendum is issued under

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the *Referendum (Machinery Provisions) Act 1984 (Cth)* or *Referendums Act 1997 (Qld)*; and

- (ii) terminating at the end of the last day upon which an elector could enter a polling booth to vote at the referendum.

Example

- *The Election Period for the election of the 56th State Parliament may commence up to 56 days prior to the polling day for that election (see section 84(1)(d) of the Electoral Act (Qld)).*

Environmental Harm means:

- (a) Material Environmental Harm;
- (b) Serious Environmental Harm; or
- (c) an Environmental Nuisance.

Environmental Nuisance has the meaning given to that term in the *Environmental Protection Act 1994 (Qld)*;

Exempt Sign means an Advertising Device that is:

- (a) assessable under the Planning Scheme;
- (b) a Public Facility Directional Advertising Device;
- (c) a Social and Welfare Advertising Device;
- (d) a Statutory Advertising Device; or
- (e) a Street Furniture Advertising Device.

Fly Poster Advertising Device means a printed paper Advertising Device glued or otherwise attached to fixtures in public places;

General Licensable Criteria means the criteria identified in Table 3 of this Schedule 9 as general licensable criteria;

General Self-Assessable Requirements means the requirements identified in Table 2 of this Schedule 9 as general self-assessable requirements;

Industry Environment means the Planning Scheme zones identified as being in the industry environment in Table 6;

Install, an Advertising Device, means to erect or display the Advertising Device in a position which is visible from Public Land;

Note-

- *The words "Installed" and "Installation" have a corresponding meaning (see section 32 of the Acts Interpretation Act 1954).*

Licensable Sign means an Advertising Device which is further defined, and identified as being a licensable sign, in either Table 2 or Table 3 of this Schedule 9;

Material Environmental Harm has the meaning given to that term in the

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Environmental Protection Act 1994 (Qld);

Planning Scheme means the local government's planning scheme;

Political Information Booth means a person, or gathering of persons, advertising a political candidate, political party or a campaign for a government election or referendum;

Public Facility Directional Advertising Device means an Advertising Device which is displayed to advertise a non-commercial community service (e.g. a rest stop) and which:

- (a) advises persons of services on a road ahead or on a side road;
- (b) is necessary to inform a significant number of persons who may be unfamiliar with the area; and
- (c) does not detract from the amenity of the surrounding area;

Public Land means:

- (a) a Road; or
- (b) land that is reserved and set apart or held in trust by the local government for a public purpose;

Residential Environment means the Planning Scheme zones identified as being in the residential environment in Table 6;

Restricted Advertising Device means a sign designated as being "R" or "Restricted" in Table 2 or Table 3 for an environment or area;

Rural Area Greenspace / Open Space Environment means those Planning Scheme zones identified as being in the rural area greenspace / open space environment in Table 6;

Self-Assessable Sign means an Advertising Device which is further defined, and identified as being a self-assessable sign, in Table 2 of this Schedule 9;

Serious Environmental Harm has the meaning given to that term in the *Environmental Protection Act 1994 (Qld)*;

Significant Impact means an impact which is more than trivial or negligible in nature, extent or context;

Note-

- *Installing an Advertising Device which causes Significant Impacts on the environment may constitute an offence under the Environmental Protection Act 1994 (Qld) - see sections 16, 438.*

Social and Welfare Advertising Device means an Advertising Device which is displayed to identify a charitable institution, non-proprietary club or educational establishment which;

- (a) does not have a face area of more than 2.4m²;
- (b) is not placed on the same premises frontage as any other similar Advertising

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Device for the same institution, club or establishment; and

- (c) does not detract from the amenity of the surrounding area;

Specific Conditions, for a Licensable Sign, means the conditions identified in Table 3 of this Schedule 9 as specific conditions for a Licensable Sign (if any);

Specific Requirements, for:

- (a) a Self-Assessable Sign, means the requirements identified in Table 2 of this Schedule 9 as specific requirements for a Self-Assessable Sign;
- (b) a Licensable Sign, means the requirements identified in Table 3 of this Schedule 9 as specific requirements for a Licensable Sign;

Statutory Advertising Device means an Advertising Device which is displayed to comply with a statutory requirement;

Street Furniture Advertising Device means an Advertising Device placed on street furniture owned or controlled by the local government (e.g. bus shelters) pursuant to a contractual arrangement with the local government;

Third Party Advertising means using an Advertising Device to:

- (a) display the name, logo or symbol of a company, organisation or individual, other than a party or candidate for an election, not owning or substantially occupying the premises or building on which the Advertising Device is exhibited; or
- (b) advertise a product or service which is not available at the premises on which the Advertising Device is exhibited; or
- (c) advertise an activity or event which does not occur on the premises on which the Advertising Device is exhibited.

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Table 1 - Intentionally Left Blank

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Table 2: General Self-Assessable Requirements

- (1) A Self-Assessable Sign must–
 - (a) not impede clear sight lines for:
 - (i) official traffic signs or other road signage;
 - (ii) vehicles or pedestrians;
 - (iii) road junctions;
 - (iv) vehicle access crossovers;
 - (v) pedestrian crossings; or
 - (vi) any other similar thing;
 - (b) be at least 1 metre from a kerb alignment;
 - (c) not obstruct access to property or cause pedestrians to need to move out from any shelter or from a footpath;
 - (d) be designed, constructed and erected to a standard that will withstand expected wind loadings, tension and shear forces;
 - (e) be structurally sound;
 - (f) be Installed in accordance with any other relevant laws, regulations, codes or standards;
 - (g) be maintained in a good state of repair at all times;
 - (h) be covered by a public liability insurance policy for an amount not less than \$20,000,000 per occurrence (**Public Liability Cover**) procured by the Applicant and maintained at all times whilst the Self-Assessable Sign is Installed with evidence of the Public Liability Cover being provided upon request by an authorised person;
 - (i) not have any moving parts;
 - (j) not be illuminated or reflective;
 - (k) not cause, or potentially cause, Environmental Harm;
 - (l) not block or compromise a person’s view from their private property;
 - (m) where relevant, be placed at, or as near as possible to, the central point of the frontage to the premises to which the sign relates;
 - (n) not be Installed in an area or environment if it is a Restricted Advertising Device within that area or environment;

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- (o) not be attached in any way to trees and be clear of watercourses or any other body of water;
- (p) not be Installed on public infrastructure unless the person Installing the Advertising Device owns that infrastructure, or, the infrastructure owner's consent to the Installation has been obtained;
- (q) not be Installed on private property unless the person Installing the Advertising Device owns that property, or, the property owner's consent to the Installation has been obtained;
- (r) if the Advertising Device is identified as a Class I Sign in Table 2:
 - (i) have maximum dimensions of 500mm (height) 600mm (width) and 0.3m² (area);
 - (ii) be removed from Public Land by sunset on each day;
 - (iii) be placed on Public Land only during daylight hours on the day of the relevant event; and
- (s) be Installed in compliance with any directions specified by an authorised officer of the local government, acting reasonably, from time to time.

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Table 2 Continued: Advertising Devices and Specific Requirements

KEY: 'SA' means a Self-Assessable Sign; 'R' means a Restricted Advertising Device; 'L' means a Licensable Sign

Example 1: If an Advertising Device is identified as "SA" in the Business Centre Environment column of this Table, then that Advertising Device is a Self-Assessable Sign in the Business Centre Environment.
Example 2: If an Advertising Device is identified as "L" in the Character/Heritage/Special Precinct Area column of this Table, then that Advertising Device is a Licensable Sign if it is proposed to be Installed in the Character/Heritage/Special Precinct Area.
Example 3: If an Advertising Device is identified as "R" in the Residential Environment column of this Table, then that Advertising Device is a Restricted Advertising Device in the Residential Environment.


Advertising Device	Environment or Area					Advertising Device Description and Specific Requirements
	Business Centre Environment	Industry Environment	Residential Environment	Rural area /Greenspace/ Openspace Environment	Character /Heritage/ Special Precinct Area	
CLASS I Signs						
Garage Sale Advertising Device	SA	SA	SA	SA	SA	<p>A Garage Sale Advertising Device means an Advertising Device advertising a garage sale.</p> <p><u>Specific Requirements</u></p> <p>(a) Only 1 sign for a garage sale may be placed on a footway on each day of the display event or garage sale; (b) No Directional/Leader Advertising Devices (as defined in this Table 2) are permitted for garage sales.</p> <p><i>Note: these Specific Requirements are in addition to the General Self-Assessable Requirements</i></p>
Directional/Leader Advertising Device	SA	SA	SA	SA	SA	<p>A Directional/Leader Advertising Device means an Advertising Device which is displayed for directional purposes and may be used to direct the public to an open house day, estate or auction.</p> <p><u>Specific Requirements</u></p> <p>(a) Directional/Leader Advertising Devices must not be placed on a roundabout, traffic island, median strip, footway or official traffic sign; (b) no more than 4 Directional/Leader Advertising Devices may be placed at the one time in relation to the same event.</p> <p><i>Note: these Specific Requirements are in addition to the General Self-Assessable Requirements</i></p>

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KEY: 'SA' means a Self-Assessable Sign; 'R' means a Restricted Advertising Device; 'L' means a Licensable Sign



Advertising Device	Environment or Area					Advertising Device Description and Specific Requirements
	Business Centre Environment	Industry Environment	Residential Environment	Rural Area /Greenspace/ Openspace Environment	Character /Heritage/ Special Precinct Area	
CLASS II Signs						
Real Estate Advertising Device 	SA	SA	SA	SA	SA	<p>A Real Estate Advertising Device means an Advertising Device which promotes the sale, auction, lease or letting of premises.</p> <p>Specific Requirements</p> <p>(1) A Real Estate Advertising Device:</p> <p>(a) must not have a face area in excess of 0.6m²;</p> <p>(b) must not be exhibited more than 14 days after the sale of the premises identified in the Advertising Device;</p> <p>(c) must be located as close as practicable to the street front boundary of the premises;</p> <p>(d) must not interfere with the safe and convenient passage of pedestrians;</p> <p>(e) may be double sided;</p> <p>(f) must not exceed 1 Advertising Device for each agent marketing the premises up to a maximum of 3 Advertising Devices;</p> <p>(2) As an acceptable alternative to conditions (a), (e) and (f), an advertiser may exhibit one (1) Advertising Device having a maximum face area of 2.4m² at the premises.</p> <p style="text-align: center;"><i>Note: these Specific Requirements are in addition to the General Self-Assessable Requirements</i></p>

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KEY: 'SA' means a Self-Assessable Sign; 'R' means a Restricted Advertising Device; 'L' means a Licensable Sign


Advertising Device	Environment or Area					Advertising Device Description and Specific Requirements
	Business Centre Environment	Industry Environment	Residential Environment	Rural Area /Greenspace/ Openspace Environment	Character /Heritage/ Special Precinct Area	
<p>Mobile Advertising Device</p> 	SA	SA	SA	SA	SA	<p>A Mobile Advertising Device means a temporary, portable, free standing and self-supporting Advertising Device which may be mounted on wheels to facilitate movement. A mobile Advertising Device may include an A-frame sign and a sandwich board.</p> <p>Specific Requirements</p> <p>A Mobile Advertising Device:</p> <ul style="list-style-type: none"> (a) must not exceed a maximum area of 2.4 m² (i.e. 1.2m² on each side); (b) must not exceed dimensions of vertical height 1200mm, 1000mm maximum width and 900mm maximum depth; (c) must only be placed on the premises of the shop or business it is advertising, but may encroach onto adjoining Public Land if: <ul style="list-style-type: none"> a. no part of the Advertising Device protrudes more than 1m from the street front boundary of the premises; b. the Advertising Device does not encroach onto the road frontage of an adjoining premises; and c. the Advertising Device is placed at or near a point centrally located adjacent to the premises' frontage to the road. <p style="text-align: center;"><i>Note: these Specific Requirements are in addition to the General Self-Assessable Requirements</i></p>
<p>Display Home Advertising Device</p>	SA	SA	SA	SA	L	<p>A Display Home Advertising Device means an Advertising Device for a display home in conjunction with the sale, auction or leasing of a group of dwellings or building sites.</p> <p>Specific Requirements</p> <p>A Display Home Advertising Device:</p> <ul style="list-style-type: none"> (a) must not be erected for more than 12 months; (b) must have a maximum aggregate face area of 4m², and a maximum height of 1.8m above the natural ground surface. (c) may only be located on the premises of the display home advertised if: <ul style="list-style-type: none"> a. the Advertising Device is not fixed to trees or shrubs; and b. the Advertising Device does not incorporate any moving, rotating or animated parts; and c. it presents the view of a painted surface. <p style="text-align: center;"><i>Note: these Specific Requirements are in addition to the General Self-Assessable Requirements</i></p>
<p>Estate Sales Advertising Device</p> 	SA	SA	SA	SA	L	<p>An Estate Sales Advertising Device means an Advertising Device exhibited for the primary purpose of the promotion or sale of land within an industrial or residential estate or development.</p> <p>Specific Requirements</p> <p>An Estate Sales Advertising Device:</p> <ul style="list-style-type: none"> (a) is limited to 1 sign per premises; (b) must have a maximum face area of 6m² (but the reverse side of a double-sided Advertising Device is not counted); (c) must be in close proximity to the estate or development advertised in the Advertising Device; (d) must not face adjoining premises unless it is more than 3m from each boundary of the premises; and (e) may only be exhibited on premises for, whichever is the lesser of: <ul style="list-style-type: none"> a. 12 months; or b. 14 days after the last lot comprising part of the estate or development is sold; and (f) must have content which is limited to: the name of the estate, the marketing agent's name and contact details, descriptions or illustrations of physical features of the estate, price range for land or house and land packages on the estate and sales office business hours. <p style="text-align: center;"><i>Note: these Specific Requirements are in addition to the General Self-Assessable Requirements</i></p>

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KEY: 'SA' means a Self-Assessable Sign; 'R' means a Restricted Advertising Device; 'L' means a Licensable Sign


Advertising Device	Environment or Area					Advertising Device Description and Specific Requirements
	Business Centre Environment	Industry Environment	Residential Environment	Rural Area /Greenspace/ Openspace Environment	Character /Heritage/ Special Precinct Area	
Community Organisational Advertising Device 	SA	SA	SA	SA	SA	<p>A Community Organisational Advertising Device means an Advertising Device which advertises a non-profit short term event such as a fete, fair, festival or similar event organised by a charitable, religious, educational, childcare or sporting organisation or a community service organisation.</p> <p>Specific Requirements</p> <p>A Community Organisational Advertising Device:</p> <ul style="list-style-type: none"> (a) must not be displayed for more than 21 days prior to the event advertised on the Advertising Device and must be removed within 1 day after the events completion; (b) must be located on the site of a fete or the property of the organisation holding the fete and may comprise either— <ul style="list-style-type: none"> a. a banner type sign of non-rigid material, suspended at both ends and having a maximum area of 8 m²; or b. a rigid type sign which would otherwise be a Wall Sign, Boundary Fence Sign or Ground Sign having a maximum area of 2.4 m²; or c. a vertical banner having a maximum area of 2.4 m²; (c) is limited to 1 Community Organisational Advertising Device at each frontage of a site. <p><i>Note: these Specific Requirements are in addition to the General Self-Assessable Requirements</i></p>
Directional Community Organisational Advertising Device	SA	SA	R	SA	SA	<p>A Directional Community Organisational Advertising Device means an Advertising Device with the primary purpose of directing the public to a fete, fair, festival or other similar event advertised on the Advertising Device.</p> <p>Specific Requirement</p> <p>A Directional Community Organisational Advertising Device must:</p> <ul style="list-style-type: none"> (a) not be installed in the Residential Environment; (b) have a maximum face area of 0.6m² if erected on a Road; and (c) be limited to 10 Advertising Devices on a Road; and (d) may be exhibited on the day of the event, and for a period not more than 3 days prior to the event, in the vicinity of the fete, fair or festival event; and (e) be erected on private land for not more than 14 days prior to the event and must be removed within 1 day of the event. <p><i>Note: these Specific Requirements are in addition to the General Self-Assessable Requirements</i></p>

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Advertising Device	Environment or Area					Advertising Device Description and Specific Requirements
	Business Centre Environment	Industry Environment	Residential Environment	Rural Area /Greenspace/ Openspace Environment	Character /Heritage/ Special Precinct Area	
<p>Election Advertising Device</p> 	SA	SA	SA	SA	SA	<p>An Election Advertising Device means an Advertising Device that is able, or is intended, to:</p> <p>(a) influence a person about voting at any government election, or referendum; or</p> <p>(b) affect the result of any government election, or referendum.</p> <p>Specific Requirements</p> <p>(1) an Election Advertising Device must:</p> <p>(a) if erected on privately owned land:</p> <p>(i) be erected no sooner than 3 months before the polling day for the relevant election; and</p> <p>(ii) be removed within 7 days after the termination of the Election Period;</p> <p>(b) be portable;</p> <p>(c) not be joined together or placed side by side to give the impression that they are of a larger face area than that permitted; and</p> <p>(d) not be Installed on Public Land unless it is Installed at a Political Information Booth in accordance with subsection (2) of these Specific Requirements.</p> <p>(2) Election Advertising Devices Installed at a Political Information Booth must:</p> <p>(a) not exceed a total of 6 Election Advertising Devices within a 20m radius of the Political Information Booth;</p> <p>(b) if installed on a Road, be placed on one side of the Road only;</p> <p>(c) be attended by a person over the age of 17 years at all times;</p> <p>(d) have a maximum face area of 1.5m² (a double-sided sign with a face area of 1.5m² on either side will constitute 1 sign only); and</p> <p>(e) comply with subsection (1)(c), 1(d) and (3) of these Specific Requirements.</p> <p>(3) A Political Information Booth must not be Installed within a 500-metre radius of another Political Information Booth.</p> <p><i>Note:</i></p> <ul style="list-style-type: none"> • there is no time limit on when a Political Information Booth can be Installed; and • there is no limit on the number of Political Information Booths that can be Installed. <p>(4) No more than 2 Election Advertising Devices with a total face area of 1.5m² may be displayed on privately owned land per frontage of premises.</p> <p><i>Note:</i></p> <ul style="list-style-type: none"> • there is no limit on the number of privately owned properties upon which Advertising Devices can be Installed; and • these Specific Requirements are in addition to the General Self-Assessable Requirements. <p style="text-align: center;"><i>Intentionally Left Blank</i></p>

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ITEM 1.2 PROPOSED MORETON BAY REGIONAL COUNCIL AMENDMENT SUBORDINATE LOCAL LAW NO. 1 (ADMINISTRATION) 2018 - REGIONAL (Cont.)

Moreton Bay Regional Council Amendment Subordinate Local Law No. 1 (Advertising Devices) 2018

KEY: 'SA' means a Self-Assessable Sign; 'R' means a Restricted Advertising Device; 'L' means a Licensable Sign





Advertising Device	Environment or Area					Advertising Device Description and Specific Requirements
	Business Centre Environment	Industry Environment	Residential Environment	Rural Area /Greenspace/ Openspace Environment	Character /Heritage/ Special Precinct Area	
Motor vehicle Advertising Device 	SA	SA	R	SA	R	<p>A Motor Vehicle Advertising Device means an Advertising Device displayed on a motor vehicle where the display of the Advertising Device is the primary use of the vehicle.</p> <p><u>Specific Requirements</u></p> <p>A Motor Vehicle Advertising Device must:</p> <ul style="list-style-type: none"> (a) not be installed in the Residential Environment or the Cultural/Heritage/Special Precinct Area; (b) not have a face area in excess of 2.4m²; (c) not extend beyond the dimensions of the vehicle, caravan or trailer (whichever is applicable); and (d) not be static; and (e) not be constructed from illuminated or reflective material. <p style="text-align: right;"><i>Note: these Specific Requirements are in addition to the General Self-Assessable Requirements</i></p>
CLASS III Signs						
Sporting Field Advertising Device 	SA	SA	SA	SA	SA	<p>A Sporting Field Advertising Device means an Advertising Device painted or otherwise fixed to a fence marking the boundaries of a sporting field.</p> <p><u>Specific Requirements</u></p> <p>A Sporting Field Advertising Device:</p> <ul style="list-style-type: none"> (a) must be exhibited on a fence surrounding the sporting field or, if no fence surrounds the sporting field; (b) must be contained within the boundaries of the fence on which it is to be exhibited; (c) must be maintained free of graffiti; and (d) must be erected or displayed immediately adjacent to the area of the advertiser's sporting activity. <p style="text-align: right;"><i>Note: these Specific Requirements are in addition to the General Self-Assessable Requirements</i></p>
Lantern Advertising Device	SA	SA	SA	SA	SA	<p>A Lantern Advertising Device means a fabricated or moulded light shade exhibited on premises which advertises the trade, or business but does not include a projecting Advertising Device.</p> <p><u>Specific Requirements</u></p> <p>A lantern Advertising Device:</p> <ul style="list-style-type: none"> (a) must not have a face area in excess of 0.25m²; (b) must be fixed to a wall or pole; (c) must not have a height in excess of 5m above ground level directly adjacent to the Advertising Device; (d) must only provide directional messages for vehicular traffic or pedestrians entering the premises on which the Advertising Device is exhibited; and (e) is limited to one per premises. <p style="text-align: right;"><i>Note: these Specific Requirements are in addition to the General Self-Assessable Requirements</i></p>

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ITEM 1.2 PROPOSED MORETON BAY REGIONAL COUNCIL AMENDMENT SUBORDINATE LOCAL LAW NO. 1 (ADMINISTRATION) 2018 - REGIONAL (Cont.)

Moreton Bay Regional Council Amendment Subordinate Local Law No. 1 (Advertising Devices) 2018

KEY: 'SA' means a Self-Assessable Sign; 'R' means a Restricted Advertising Device; 'L' means a Licensable Sign





Advertising Device	Environment or Area					Advertising Device Description and Specific Requirements
	Business Centre Environment	Industry Environment	Residential Environment	Rural Area / Greenspace/ Openspace Environment	Character / Heritage/ Special Precinct Area	
<p>Window Advertising Device</p> 	SA	SA	SA	SA	SA	<p>A Window Advertising Device means an Advertising Device painted or otherwise fixed to the glazed area of a window; and includes devices that are suspended from a window frame; but does not include products displayed in a window.</p> <p><u>Specific Requirements</u></p> <p>A Window Advertising Device must be situated inside the window on which it is exhibited except in the case of a window Advertising Device painted directly on the outside face of the window.</p> <p style="text-align: center;"><i>Note: these Specific Requirements are in addition to the General Self-Assessable Requirements</i></p>
<p>Awning Face Advertising Device</p> 	SA	SA	SA	SA	L	<p>An Awning Face Advertising Device means an Advertising Device painted or otherwise affixed flat to the face of an awning which is already constructed on a building.</p> <p><u>Specific Requirements</u></p> <p>An Awning Face Advertising Device:</p> <ul style="list-style-type: none"> (a) must be contained within the outline of the fascia of the building; (b) must not exceed 50mm in thickness; and (c) must be no closer than 300mm to the vertical projection of the face of any vehicle barrier kerb below. <p style="text-align: center;"><i>Note: these Specific Requirements are in addition to the General Self-Assessable Requirements</i></p>
<p>Under-Awning Advertising Device</p> 	SA	SA	SA	SA	L	<p>An Under-Awning Advertising Device means an Advertising Device centrally located relative to the shop front and fixed underneath or suspended from an awning or verandah.</p> <p><u>Specific Requirements</u></p> <p>An Under-Awning Advertising Device:</p> <ul style="list-style-type: none"> (a) must have a minimum clearance of 2.4m between its lowest point and ground level; (b) must not have a horizontal dimension greater than the width of the awning, a vertical dimension of more than 0.5m or a thickness of more than 0.3m; (c) must be oriented at right angles to the shop front on which it is exhibited; (d) must not be exhibited less than 3m from another under awning Advertising Device; (e) must not be exhibited less than 1.5m from each side boundary of the premises on which it is exhibited; (f) must not project beyond the awning or verandah to which it is fixed; and (g) is limited to 1 per shop front. <p style="text-align: center;"><i>Note: these Specific Requirements are in addition to the General Self-Assessable Requirements</i></p>
<p>Hamper Advertising Device</p> 	SA	SA	SA	SA	SA	<p>A Hamper Advertising Device means an Advertising Device which is located above the door head or its equivalent height and below the awning level or verandah of a building; and is painted or otherwise fixed to the building.</p> <p><u>Specific Requirements</u></p> <p>A Hamper Advertising Device:</p> <ul style="list-style-type: none"> (a) must not exceed 100mm in thickness; (b) must be compatible with the design of the building on which it is exhibited; and (c) must be contained within the actual or created outline of the building on which it is to be exhibited. <p style="text-align: center;"><i>Note: these Specific Requirements are in addition to the General Self-Assessable Requirements</i></p>

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ITEM 1.2 PROPOSED MORETON BAY REGIONAL COUNCIL AMENDMENT SUBORDINATE LOCAL LAW NO. 1 (ADMINISTRATION) 2018 - REGIONAL (Cont.)

Moreton Bay Regional Council Amendment Subordinate Local Law No. 1 (Advertising Devices) 2018

KEY: 'SA' means a Self-Assessable Sign; 'R' means a Restricted Advertising Device; 'L' means a Licensable Sign

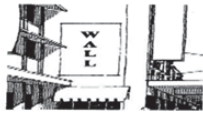


Advertising Device	Environment or Area					Advertising Device Description and Specific Requirements
	Business Centre Environment	Industry Environment	Residential Environment	Rural Area /Greenspace/ Openspace Environment	Character /Heritage/ Special Precinct Area	
Stall Board Advertising Device 	SA	SA	SA	SA	SA	<p>A Stall Board Advertising Device means an Advertising Device painted or fixed flat to the wall of a trade or business building below the ground floor window of the building.</p> <p>Specific Requirements</p> <p>The maximum thickness of a Stall Board Advertising Device must not exceed 100mm.</p> <p><i>Note: these Specific Requirements are in addition to the General Self-Assessable Requirements</i></p>
Blind/ Canopy Advertising Device 	SA	SA	SA	SA	L	<p>A Blind/Canopy Advertising Device means an Advertising Device painted or fixed to solid or flexible material suspended from an awning, verandah or wall.</p> <p>Specific Requirements</p> <p>A Blind/Canopy Advertising Device:</p> <ul style="list-style-type: none"> (a) must not be exhibited unless there is a minimum clearance of 2.4m between the Advertising Device and ground level directly adjacent to the Advertising Device; (b) must be wholly contained within the premises advertised in the Advertising Device; and (c) may only be illuminated by spill or reflected light. <p><i>Note: these Specific Requirements are in addition to the General Self-Assessable Requirements</i></p>
Created Awning Line Advertising Device 	SA	SA	SA	SA	L	<p>A Created Awning Line Advertising Device means an Advertising Device positioned on the face of, or aligned with, the natural horizontal line of an awning of a building used for trade or business purposes, which creates another awning line with its shape.</p> <p>Specific Requirements</p> <p>A Created Awning Line Advertising Device:</p> <ul style="list-style-type: none"> (a) must maintain a clearance from any road related area directly adjacent to the Advertising Device of not less than 2.4m; and (b) must not extend more than 600mm above the original awning and not protrude more than 100mm from the awning. <p><i>Note: these Specific Requirements are in addition to the General Self-Assessable Requirements</i></p>
Above Awning Advertising Device 	SA	SA	SA	SA	L	<p>An Above Awning Advertising Device means an Advertising Device located on top of an awning or verandah of a non-residential building.</p> <p>Specific Requirements</p> <p>An Above Awning Advertising Device:</p> <ul style="list-style-type: none"> (a) must not project: <ul style="list-style-type: none"> a. above the roof, parapet or ridge line of the building; b. beyond the edge of the awning or verandah; (b) must not have a face area in excess of 2.4m²; (c) must not have a height in excess of 1.5m above the awning on which the Advertising Device is exhibited; (d) must not be exhibited less than 3m from another above awning Advertising Device; and (e) must not be exhibited less than 1.5m from each side boundary of the premises on which it is exhibited. <p><i>Note: these Specific Requirements are in addition to the General Self-Assessable Requirements</i></p>

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ITEM 1.2 PROPOSED MORETON BAY REGIONAL COUNCIL AMENDMENT SUBORDINATE LOCAL LAW NO. 1 (ADMINISTRATION) 2018 - REGIONAL (Cont.)

Moreton Bay Regional Council Amendment Subordinate Local Law No. 1 (Advertising Devices) 2018


KEY: 'SA' means a Self-Assessable Sign; 'R' means a Restricted Advertising Device; 'L' means a Licensable Sign

Advertising Device	Environment or Area					Advertising Device Description and Specific Requirements
	Business Centre Environment	Industry Environment	Residential Environment	Rural Area /Greenspace/ Openspace Environment	Character /Heritage/ Special Precinct Area	
Wall Advertising Device 	SA	SA	SA	SA	SA	<p>A Wall Advertising Device means an Advertising Device painted or fixed flat to the wall of a building.</p> <p>Specific Requirements</p> <p>A Wall Advertising Device:</p> <ul style="list-style-type: none"> (a) must not project in excess of 100mm from the wall to which it is affixed; (b) must not project beyond any edge of the wall; (c) must integrate and be compatible with the architecture of the building on which it is painted or affixed; and (d) must only be exhibited on the wall of a building. <p style="text-align: right;"><i>Note: these Specific Requirements are in addition to the General Self-Assessable Requirements</i></p>
Ground Advertising Device 	SA	SA	L	SA	L	<p>A Ground Advertising Device means an Advertising Device that sits on a low level wall or completely clad vertically oriented free-standing structure which sits on or rises out of the ground.</p> <p>Specific Requirements</p> <p>A Ground Advertising Device:</p> <ul style="list-style-type: none"> (a) must have a maximum face area of 10m²; (b) must not be over 1.8m from the ground level directly adjacent the Advertising Device; (c) must be erected within a landscaped environment; (d) must not face adjoining premises unless it is more than 3m from each boundary of the premises; and (e) must have a separation distance between other boundary fence signs of 60m. <p style="text-align: right;"><i>Note: these Specific Requirements are in addition to the General Self-Assessable Requirements</i></p>
Business nameplate Advertising Device 	SA	SA	SA	SA	SA	<p>A Business Nameplate Advertising Device means an Advertising Device that displays the name or occupation of the business of the occupier of premises painted or otherwise fixed to a building, wall or fence at the premises or is free-standing on the premises.</p> <p>Specific Requirements</p> <p>A Business Nameplate Advertising Device:</p> <ul style="list-style-type: none"> (a) must not have a face area in excess of 0.3m²; (b) must comprise of content which is limited to the nature, name and contact details of the business; and (c) must not incorporate any moving, rotated or animated parts. <p style="text-align: right;"><i>Note: these Specific Requirements are in addition to the General Self-Assessable Requirements</i></p>

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ITEM 1.2 PROPOSED MORETON BAY REGIONAL COUNCIL AMENDMENT SUBORDINATE LOCAL LAW NO. 1 (ADMINISTRATION) 2018 - REGIONAL (Cont.)

Moreton Bay Regional Council Amendment Subordinate Local Law No. 1 (Advertising Devices) 2018

KEY: 'SA' means a Self-Assessable Sign; 'R' means a Restricted Advertising Device; 'L' means a Licensable Sign						
Advertising Device	Environment or Area					Advertising Device Description and Specific Requirements
	Business Centre Environment	Industry Environment	Residential Environment	Rural Area /Greenspace/ Openspace Environment	Character /Heritage/ Special Precinct Area	
Trade Advertising Device	SA	SA	SA	SA	SA	<p>A Trade Advertising Device means an Advertising Device which displays a trade person's activity on premises, for example, the activities of a painter or a tiler.</p> <p><u>Specific Requirements</u></p> <p>A Trade Advertising Device:</p> <p style="margin-left: 20px;">(a) must be limited to a maximum of 1 trade Advertising Device on any premises whilst the activity is undertaken; and</p> <p style="margin-left: 20px;">(b) must not have a face area in excess of 0.6m²;</p> <p style="text-align: right;"><i>Note: these Specific Requirements are in addition to the General Self-Assessable Requirements</i></p>
Blackboard sign 	SA	SA	SA	SA	SA	<p>A Blackboard sign means a blackboard, whiteboard or the like with a hand written, temporary, message displayed at a premises.</p> <p><u>Specific Requirements</u></p> <p><i>Intentionally left blank</i></p> <p style="text-align: right;"><i>Note: these Specific Requirements are in addition to the General Self-Assessable Requirements</i></p>

ITEM 1.2 PROPOSED MORETON BAY REGIONAL COUNCIL AMENDMENT SUBORDINATE LOCAL LAW NO. 1
(ADMINISTRATION) 2018 - REGIONAL (Cont.)

Moreton Bay Regional Council Amendment Subordinate Local Law No. 1 (Advertising Devices) 2018

Table 3: General Licensable Criteria

In addition to the criteria set out at section 5 of Schedule 9 and section 9(1) of the authorising local law, the local government must be satisfied that:

- (1) a Licensable Sign will not contain Third Party Advertising unless the Licensable Sign is identified in this Table 3 as:
 - (a) a Billboard or Hoarding Advertising Device;
 - (b) a Bus Shelter Advertising Device;
 - (c) a Fly Poster Panel;
 - (d) a Miscellaneous Advertising Device;
 - (e) a Sporting Field Fence Advertising Device;
 - (f) a Sporting Complex Advertising Device; or
 - (g) an Identilite Advertising Device.

- (2) if a Licensable Sign will be visible from a Road that is a State-controlled road, the Licensable Sign is suitable to the Queensland Department of Transport and Main Roads (**DTMR**);

Note:

- *the local government may refer a proposed Advertising Device which will be visible from a State-Controlled Road to DTMR. DTMR may require that the Advertising Device be modified in some way, in which case, the local government may require an Applicant to make those modifications (see generally: section 139 of the Transport Operations (Road Use Management—Accreditation and Other Provisions) Regulation 2015 (Qld)).*


ITEM 1.2 PROPOSED MORETON BAY REGIONAL COUNCIL AMENDMENT SUBORDINATE LOCAL LAW NO. 1
(ADMINISTRATION) 2018 - REGIONAL (Cont.)

Moreton Bay Regional Council Amendment Subordinate Local Law No. 1 (Advertising Devices) 2018

Table 3 Continued: Advertising Devices and Specific Requirements & Conditions

KEY: 'R' means a Restricted Advertising Device; 'L' means a Licensable Sign

Example 1: If an Advertising Device is identified as "L" in the Business Centre Environment column of this Table, then that Advertising Device is a Licensable Sign if it is proposed to be Installed in the Business Centre Environment.
Example 2: If an Advertising Device is identified as "R" in the Residential Environment column of this Table, then that Advertising Device is a Restricted Advertising Device in the Residential Environment.

Advertising Device	Environment or Area					Advertising Device Description and Specific Requirements & Conditions
	Business Centre Environment	Industry Environment	Residential environment	Rural area Greenspace/ Open Space Environment	Character/ heritage/special precinct area	
CLASS 1 Signs						
Commercial Flag Advertising Device 	L	L	R	R	R	<p>A Commercial Flag Advertising Device means a cloth or similar non-rigid fabric Advertising Device flown from a masthead fixed either to or in front of a building, or suspended from any structure, for advertising or identifying commercial premises.</p> <p><u>Specific Requirements</u></p> <p>A Commercial Flag Advertising Device must:</p> <ul style="list-style-type: none"> (a) have a face area no larger than 8m²; (b) be fixed to a masthead or structure and structurally secure to accommodate wind loadings in the area; (c) have a maximum height of 6.5m above ground level; (d) not to be illuminated by any means other than spill or reflected light; (e) have a minimum side boundary clearance of 3m; (f) be 1 of a maximum number of 2 commercial flags installed at premises.

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ITEM 1.2 PROPOSED MORETON BAY REGIONAL COUNCIL AMENDMENT SUBORDINATE LOCAL LAW NO. 1 (ADMINISTRATION) 2018 - REGIONAL (Cont.)

Moreton Bay Regional Council Amendment Subordinate Local Law No. 1 (Advertising Devices) 2018

TABLE 3

KEY: 'R' means a Restricted Advertising Device; 'L' means a Licensable Sign

Advertising Device	Environment or Area					Advertising Device Description and Specific Requirements & Conditions
	Business Centre Environment	Industry Environment	Residential environment	Rural area Greenspace/ Open Space Environment	Character/ heritage/special precinct area	
<p>Fly Poster Panel</p> 	L	L	L	L	L	<p>Fly Poster Panel means a panel or surface specifically provided for the display of Fly Poster Advertising Devices.</p> <p>Specific Requirements A Fly Poster Panel must:</p> <ul style="list-style-type: none"> (a) not exceed 30 m²; and (b) be fixed to a wall; and (c) not protrude more than 300 mm from the wall.
<p>Banner Advertising Device</p> 	L	L	R	L	L	<p>A Banner Advertising Device means an Advertising Device suspended from a structure or pole with or without supporting framework displaying an Advertising Device applied or painted to fabric or similar material.</p> <p>Specific Requirements A Banner Advertising Device must:</p> <ul style="list-style-type: none"> (a) only be exhibited for a maximum of 21 consecutive days within any 90-day period prior to the function or occasion advertised on the Advertising Device (unless otherwise approved by the local government); (b) be fixed to a structure that will accommodate wind loadings for the area; (c) not be erected above the gutter line or on the roof of a building; (d) be illuminated only by spill or reflected light; (e) have a maximum face area of 2.4m² and maximum width of 750mm; (f) have a maximum overall height above finished ground level of the lesser of 5m or the height of the adjacent section of the building it is attached to; (g) have a minimum clearance of 2.4m between finished ground level and the bottom of the sign; (h) have a minimum clearance of 3m to the side or rear boundary of the site; and (i) have a minimum clearance of 6m to any other banner.
<p>Vertical Banner Advertising Device</p> 	L	L	L	L	L	<p>A Vertical Banner Advertising Device means an Advertising Device comprising non-rigid material which is usually supported at 2 or more locations from brackets extending from either a pole or a building.</p> <p>Specific Requirements A Vertical Banner Advertising Device must:</p> <ul style="list-style-type: none"> (a) not be illuminated; (b) not have a face area in excess of 2.4m²; (c) not have a width in excess of 750mm; (d) not have a height in excess of 5m above ground level directly adjacent to the Advertising Device; (e) be erected within the street front boundary of the premises on which it is exhibited unless the Advertising Device is exhibited above a fixed awning; (f) not be exhibited less than 6m from another vertical banner Advertising Device; and (g) not be exhibited less than 3m from any boundary of the premises on which it is exhibited.




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ITEM 1.2 PROPOSED MORETON BAY REGIONAL COUNCIL AMENDMENT SUBORDINATE LOCAL LAW NO. 1 (ADMINISTRATION) 2018 - REGIONAL (Cont.)

Moreton Bay Regional Council Amendment Subordinate Local Law No. 1 (Advertising Devices) 2018

TABLE 3

KEY: 'R' means a Restricted Advertising Device; 'L' means a Licensable Sign

Advertising Device	Environment or Area					Advertising Device Description and Specific Requirements & Conditions
	Business Centre Environment	Industry Environment	Residential environment	Rural area Greenspace/ Open Space Environment	Character/ heritage/special precinct area	
Bunting Advertising Device 	L	L	R	L	L	<p>A Bunting Advertising Device means an Advertising Device affixed to a structure which is comprised of decorative flags, pennants, streamers or such other things.</p> <p><u>Specific Requirements</u> A Bunting Advertising Device must:</p> <ul style="list-style-type: none"> (a) not be fixed to a tree, lighting standard or power pole on land under the control of the local government; (b) not be placed on premises beyond the street front boundary of the premises; (c) not be placed more than 6m above ground level; and (d) only be displayed for a maximum of 21 consecutive days in any 3-month period.
Inflatable Advertising Device 	L	L	R	L	R	<p>An Inflatable Advertising Device means an Advertising Device displayed in conjunction with a special event such as a fete, fair, circus sales promotion or the like that may include lighter than air devices and cold air inflatables.</p> <p><u>Specific Requirements</u> An Inflatable Advertising Device must:</p> <ul style="list-style-type: none"> (a) not be exhibited for more than 21 days in any 90-day period; (b) be fully tethered when deployed at a site approved by local government; (c) meet standards satisfactory to the local government as to physical condition, aesthetic appearance, colour, shape and means of fixing detachable signage securely to that inflatable device; (d) have electrical safety certification for any lighting, cold air blower, and any other electrical equipment associated with the Advertising Device; (e) be capable of rapid deflation and rapid storage in balloon/blimp trailer; (f) have a method of securing the Advertising Device which is certified to a standard by an accredited engineer prior to the exhibition of the Advertising Device; (g) only be flown during daylight hours if it is a lighter than air device; (h) only be inflated with cold air or a non-flammable, non-toxic gas; (i) be deployed only by an appropriately qualified operator; (j) be tethered to rise more than 45 meters above ground level; and (k) have at least 2 safety tested tether lines connected to it (if it is a lighter than air device).
Construction Site Fence Advertising Device 	L	L	L	L	L	<p>A Construction Site Fence Advertising Device means an Advertising Device fixed or painted to a temporary safety fence erected around a construction site or building under construction.</p> <p><u>Specific Requirements</u> A Construction Site Fence Advertising Device must:</p> <ul style="list-style-type: none"> (a) have a maximum face area of 1.2m² unless the fence is constructed to meet wind loading standards; or (b) not have a face area in excess of 1m² for each metre of the length of the fence.




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ITEM 1.2 PROPOSED MORETON BAY REGIONAL COUNCIL AMENDMENT SUBORDINATE LOCAL LAW NO. 1 (ADMINISTRATION) 2018 - REGIONAL (Cont.)

Moreton Bay Regional Council Amendment Subordinate Local Law No. 1 (Advertising Devices) 2018

TABLE 3

KEY: 'R' means a Restricted Advertising Device; 'L' means a Licensable Sign




Advertising Device	Environment or Area					Advertising Device Description and Specific Requirements & Conditions
	Business Centre Environment	Industry Environment	Residential environment	Rural area Greenspace / Open Space Environment	Character/ heritage/special precinct area	
Construction Site Advertising Device 	L	L	L	L	L	<p>A Construction Site Advertising Device means an Advertising Device that is affixed to a structure or building under construction or to on-site construction equipment such as a crane.</p> <p>Specific Requirements A Construction Site Advertising Device must:</p> <ul style="list-style-type: none"> (a) have a maximum area of 20m² per street frontage; and (b) only display the name or logo of the developer, or owner of the construction project or company.
Boundary Fence Advertising Device 	L	L	L	L	L	<p>A Boundary Fence Advertising Device means an Advertising Device painted or fixed to a fence and designed to permanently delineate or identify a boundary alignment or enclosure.</p> <p>Specific Requirements A Boundary Fence Advertising Device must:</p> <ul style="list-style-type: none"> (a) have a maximum face area of 2.4m²; (b) be wholly contained within the fence outline with a maximum height above ground level of 1.8m; (c) be located on the front property boundary of the premises if an Advertising Device is on premises adjacent to a residential building; and (d) have a minimum separation distance of 3m to the side or rear boundary of the premises.
CLASS II Signs						
High-Rise Building Advertising Device 	L	L	L	L	L	<p>A High-Rise Building Advertising Device means an Advertising Device painted or fixed upon a high-rise building; and projects less than 50mm from the building face; and is displayed not less than 20m above ground level.</p> <p>Specific Requirements A High-Rise Building Advertising Device must:</p> <ul style="list-style-type: none"> (a) be contained within the actual or created outline of the building on which it is to be exhibited; or (b) if the Advertising Device on a building creates a new outline, be designed to appear as if it were part of the original building or otherwise match or complement the architecture of the original building; and (c) have content limited to the building's name, one building occupant's name or the owner of the building's naming rights.

ITEM 1.2 PROPOSED MORETON BAY REGIONAL COUNCIL AMENDMENT SUBORDINATE LOCAL LAW NO. 1
(ADMINISTRATION) 2018 - REGIONAL (Cont.)

Moreton Bay Regional Council Amendment Subordinate Local Law No. 1 (Advertising Devices) 2018

TABLE 3


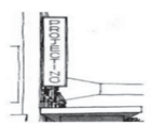

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Advertising Device	Environment or Area					Advertising Device Description and Specific Requirements & Conditions
	Business Centre Environment	Industry Environment	Residential environment	Rural area Greenspace/ Open Space Environment	Character/ heritage/special precinct area	
Sign Written Non-Building Structure Advertising Device 	L	L	L	L	L	<p>A Sign Written Non-Building Structure Advertising Device means an Advertising Device painted or fixed to any structure which is not a building which may include a batching plant, conveyor housing, unroofed storage building or liquid or gas tank.</p> <p>Specific Requirements</p> <p>A Sign Written Non-Building Structure Advertising Device must:</p> <ul style="list-style-type: none"> (a) be contained within the height and width of the structure on which it is exhibited; and (b) not project more than 50mm from the face of the structure.
Sign Written Roof Advertising Device 	L	L	R	R	R	<p>A Sign Written Roof Advertising Device means an Advertising Device painted or fixed to the roof of a building and directed at, or visible from, a road.</p> <p>Specific Requirements</p> <p>A Sign Written Roof Advertising Device must:</p> <ul style="list-style-type: none"> (a) be contained within the existing or created outline of the building on which it is exhibited; (b) be of a size and scale which is consistent with the scale and character of the building on which it is exhibited; (c) not extend horizontally beyond the edge of the building roof; and (d) be compatible with other Sign Written Roof Advertising Devices (if any) exhibited on the building.
Roof/Sky Advertising Device 	L	L	R	R	R	<p>A Roof/Sky Advertising Device means an Advertising Device fitted to the roof of a building.</p> <p>Specific Requirements</p> <p>A Roof/Sky Advertising Device must:</p> <ul style="list-style-type: none"> (a) be contained within the existing or created outline of the building on which it is exhibited; or (b) if the Advertising Device creates a new outline for the building, be designed to appear as if it were part of the original building, or in some other way match or complement the architecture of the building; and (c) not extend horizontally beyond the edge of the roof of the building on which it is exhibited; and (d) If there is more than 1 Advertising Device on a building, match, align or otherwise be compatible with the other; and the source of illumination of the Advertising Device must be internal and not cause excessive light spill.

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ITEM 1.2 PROPOSED MORETON BAY REGIONAL COUNCIL AMENDMENT SUBORDINATE LOCAL LAW NO. 1 (ADMINISTRATION) 2018 - REGIONAL (Cont.)

Moreton Bay Regional Council Amendment Subordinate Local Law No. 1 (Advertising Devices) 2018


TABLE 3						
KEY: 'R' means a Restricted Advertising Device; 'L' means a Licensable Sign						
Advertising Device	Environment or Area					Advertising Device Description and Specific Requirements & Conditions
	Business Centre Environment	Industry Environment	Residential environment	Rural area Greenspace / Open Space Environment	Character/ heritage/special precinct area	
Pole Advertising Device 	L	L	R	L	R	<p>A Pole Advertising Device means a free-standing Advertising Device on 1 or more vertical supports which is not portable and which may consist of separate, removable and replaceable slats, panels or components.</p> <p>Specific Requirements A Pole Advertising Device must:</p> <ul style="list-style-type: none"> (a) have a maximum face area of 2.4m² on any side; (b) not have a height in excess of 5m above ground level directly adjacent to the Advertising Device; (c) not face adjoining premises unless it is more than 3m from each boundary of the premises; and (d) if the Advertising Device is exhibited on land in the Rural Area Greenspace / Open Space Environment: <ul style="list-style-type: none"> a. be located on land with a minimum street front boundary of 300m; b. be located at least 100m from any side boundary of the land; and c. not be located within 300m of any other Advertising Device.
Projecting Advertising Device 	L	L	R	L	R	<p>A Projecting Advertising Device means a double-faced Advertising Device projecting at right angles to a wall or exhibited on the wall of a building</p> <p>Specific Requirements A Projecting Advertising Device must:</p> <ul style="list-style-type: none"> (a) project at right angles to the building no more than 750mm from the wall on which it is exhibited; (b) have a maximum aggregate face area of 10m²; (c) only be placed on premises to promote or advertise an activity undertaken on the premises; (d) be installed without "guide wires" or exposed supporting framework and be positioned and designed in a manner which is compatible with the architecture of the building to which it is attached; (e) be situated a minimum of 2.4m from any road related area directly adjacent to the Advertising Device; and (f) be designed to have a minimum clearance of 2.4m between the bottom of the sign and finished ground level.
Sporting Complex Advertising Device 	L	L	L	L	L	<p>A Sporting Complex Advertising Device means an Advertising Device that identifies a sporting complex, club or building.</p> <p>Specific Requirements A Sporting Complex Advertising Device must:</p> <ul style="list-style-type: none"> (a) not have a face area in excess of 12m²; and (b) only exhibit third party advertising on 10% of the face area (if applicable).

ITEM 1.2 PROPOSED MORETON BAY REGIONAL COUNCIL AMENDMENT SUBORDINATE LOCAL LAW NO. 1
(ADMINISTRATION) 2018 - REGIONAL (Cont.)

Moreton Bay Regional Council Amendment Subordinate Local Law No. 1 (Advertising Devices) 2018

TABLE 3

KEY: 'R' means a Restricted Advertising Device; 'L' means a Licensable Sign


Advertising Device	Environment or Area					Advertising Device Description and Specific Requirements & Conditions
	Business Centre Environment	Industry Environment	Residential environment	Rural area Greenspace / Open Space Environment	Character / heritage / special precinct area	
<p>Pylon Advertising Device</p> 	L	L	R	R	R	<p>A Pylon Advertising Device means a free-standing Advertising Device normally elevated from the ground and supported by twin pole supports or covered structural supports with a face area that may consist of separate slats, panels or components which are removable and replaceable.</p> <p>Specific Requirements</p> <p>A Pylon Advertising Device must:</p> <ul style="list-style-type: none"> (a) have a face area greater than 2.4m²; (b) have a face area height greater than its face area width; and (c) not have a face area in excess of the maximum face area permitted for the Advertising Device calculated in accordance with Table 5; (d) not have a height in excess of the maximum height permitted for the Advertising Device calculated in accordance with Table 5; (e) be the only Pylon Advertising Device on the premises except where the street front boundary of the premises exceeds 100m; (f) if more than Pylon Advertising Device is permitted on the premises, be not less than 100m from the other Pylon Advertising Device; and (g) not be located or constructed so as to expose an unsightly back view of the Advertising Device; (h) not face adjoining premises unless it is more than 3m from each boundary of the premises; and (i) if the Advertising Device is exhibited on land in a Rural Area Greenspace / Open Space Environment: <ul style="list-style-type: none"> a. be located on land with a minimum street front boundary of 300m; and b. be located at least 100m from any side boundary of the land; and c. not be located within 300m of another Pylon or Billboard or Hoarding Advertising Device.

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Moreton Bay Regional Council

ITEM 1.2 PROPOSED MORETON BAY REGIONAL COUNCIL AMENDMENT SUBORDINATE LOCAL LAW NO. 1 (ADMINISTRATION) 2018 - REGIONAL (Cont.)



Moreton Bay Regional Council Amendment Subordinate Local Law No. 1 (Advertising Devices) 2018

TABLE 3						
KEY: 'R' means a Restricted Advertising Device; 'L' means a Licensable Sign						
Advertising Device	Environment or Area					Advertising Device Description and Specific Requirements & Conditions
	Business Centre Environment	Industry Environment	Residential environment	Rural area Greenspace / Open Space Environment	Character/ heritage/special precinct area	
Billboard or Hoarding Advertising Device 	L	L	R	R	R	<p>A Billboard or Hoarding Advertising Device means a free-standing structure, normally elevated from the ground and supported by 1 or more vertical columns, pylons or poles, used primarily to display advertising matter.</p> <p>Specific Requirements A Billboard or Hoarding Advertising Device must:</p> <ul style="list-style-type: none"> (a) have a face area greater than 2.4m²; (b) not have a face area in excess of the maximum face area permitted for the Advertising Device calculated in accordance with Table 5; (c) not have a height in excess of the maximum height permitted for the Advertising Device calculated in accordance with Table 5; (d) be the only Billboard or Hoarding Advertising Device on the premises except where the street front boundary of the premises exceeds 100m; (e) if more than 1 Billboard or Hoarding Advertising Device is permitted on the premises, be not less than 100m from the other Billboard or Hoarding Advertising Device; (f) not be located or constructed so as to expose an unsightly back view of the Advertising Device; (g) not face adjoining premises unless it is more than 3m from each boundary of the premises; and (h) if the Advertising Device is exhibited on land in a Rural Area Greenspace / Open Space Environment: <ul style="list-style-type: none"> a. be located on land with a minimum street front boundary of 300m; and b. be located at least 100m from any side boundary of the land; and c. not be located within 300m of another Pylon or Billboard or Hoarding Advertising Device;
Multiple Advertising Device	L	L	R	L	R	<p>A Multiple Advertising Device means an Advertising Device that contains 2 or more different types Advertising Devices on the same structure.</p> <p>Specific Requirements A Multiple Advertising Device must:</p> <ul style="list-style-type: none"> (a) have a maximum face area of 1m² of face area per metre of street front boundary length of the premises on which the Advertising Device is exhibited.

Moreton Bay Regional Council

ITEM 1.2 PROPOSED MORETON BAY REGIONAL COUNCIL AMENDMENT SUBORDINATE LOCAL LAW NO. 1 (ADMINISTRATION) 2018 - REGIONAL (Cont.)

Moreton Bay Regional Council Amendment Subordinate Local Law No. 1 (Advertising Devices) 2018

TABLE 3						
KEY: 'R' means a Restricted Advertising Device; 'L' means a Licensable Sign						
Advertising Device	Environment or Area					Advertising Device Description and Specific Requirements & Conditions
	Business Centre Environment	Industry Environment	Residential environment	Rural area Greenspace / Open Space Environment	Character/ heritage/special precinct area	
Bus Shelter Advertising Device 	L	L	L	L	L	<p>A Bus Shelter Advertising Device means an Advertising Device placed on a bus shelter that is not a Street Furniture Advertising Device.</p> <p>Specific Requirements A Bus Shelter Advertising Device must:</p> <ul style="list-style-type: none"> (a) not extend beyond the dimensions of the bus shelter; and (b) be designed so that an opening is left in the side of the bus shelter that enables approaching buses to be seen by a person using the bus shelter.
Identilite Advertising Device	L	L	L	L	L	<p>An Identilite Advertising Device means an illuminated street name identification sign with attached Third Party Advertising.</p> <p>Specific Requirements An Identilite Advertising Device must:</p> <ul style="list-style-type: none"> (a) have a minimum clearance of 3m from any road related area directly adjacent to the Advertising Device; (b) have a minimum clearance of 2.4m from the bottom of the Advertising Device to ground level directly adjacent to the Advertising Device; (c) not contain Third Party Advertising with a face area in excess of 1.8m²; (d) not have a street name component with a face area in excess of 0.3m²; and (e) be exhibited on a standard pole of the local government.
Animated Advertising Device 	L	L	R	R	L	<p>An Animated Advertising Device means an Advertising Device with a changing display, such as flashing or chasing fibre optic lights, scrolling illuminated images and any other non-static illuminated displays other than an Electronic Graphic Display Screen or a Projected Image Sign as defined in this Table 3.</p> <p>Specific Requirements An Animated Advertising Device must:</p> <ul style="list-style-type: none"> (a) where the Advertising Device is within 100m of the Residential Environment: <ul style="list-style-type: none"> a. have a luminance that is appropriate for a residential environment as determined by the local government; and b. be switched off between 10.00pm and sunset on the following day.



Moreton Bay Regional Council

ITEM 1.2 PROPOSED MORETON BAY REGIONAL COUNCIL AMENDMENT SUBORDINATE LOCAL LAW NO. 1
(ADMINISTRATION) 2018 - REGIONAL (Cont.)

Moreton Bay Regional Council Amendment Subordinate Local Law No. 1 (Advertising Devices) 2018

TABLE 3

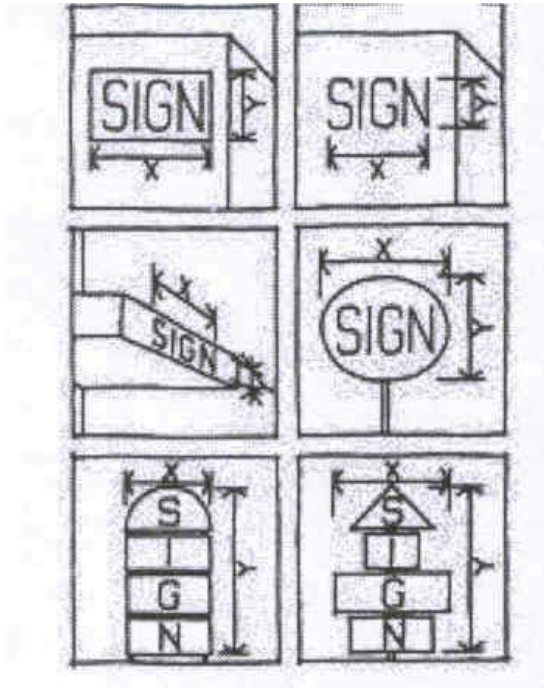
KEY: 'R' means a Restricted Advertising Device; 'L' means a Licensable Sign

Advertising Device	Environment or Area					Advertising Device Description and Specific Requirements & Conditions
	Business Centre Environment	Industry Environment	Residential environment	Rural area Greenspace/ Open Space Environment	Character/ heritage/special precinct area	
Electronic Graphic Display Screen 	L	L	R	R	L	<p>An Electronic Graphic Display Screen means an Advertising Device usually including Light Emitting Diode technology and associated technology and software, capable of producing still images, video replay and live television broadcasts and animations as programmed.</p> <p>Specific Requirements</p> <p>An Electronic Graphic Display Screen must:</p> <ul style="list-style-type: none"> (a) be a maximum of 20 m² in area; (b) be a maximum of 12 m from the ground to the highest part of the screen; (c) not project beyond the front alignment of a property; (d) not expose an unsightly back view to a road or other public place; and (e) not to be located on a street frontage along which is located another Electronic Graphic Display Screen, unless such a screen is located at least 200 m away.
Projected Image Advertising Device 	L	L	R	R	L	<p>A Projected Image Advertising Device means an illuminated Advertising Device projected onto a display surface as a static or moving image.</p> <p>Specific Requirements</p> <p><i>Intentionally Left Blank</i></p>
Miscellaneous Advertising Device	L	L	L	L	L	<p>A Miscellaneous Advertising Device means an Advertising Device:</p> <ul style="list-style-type: none"> (a) which is not identified in this Schedule 9; or (b) for which the Specific Requirements, General Licensable Criteria or General Self-Assessable Requirements that apply to the Advertising Device are not satisfied. <p>Specific Requirements</p> <p><i>Intentionally Left Blank</i></p>

ITEM 1.2 PROPOSED MORETON BAY REGIONAL COUNCIL AMENDMENT SUBORDINATE LOCAL LAW NO. 1 (ADMINISTRATION) 2018 - REGIONAL (Cont.)

Moreton Bay Regional Council Amendment Subordinate Local Law No. 1 (Advertising Devices) 2018

Table 4: Advertising Devices Size Calculator



Advertising Device Face Area = X x Y

Note:

- Table 4 provides examples of how signage size will be calculated by the local government e.g. when assessing plans that are lodged with Licensable Sign applications.
- Each of the above examples depict various signs. The local government will compare a sign to the most relevant example above and calculate the size of the sign as per the example.

Examples:

- If the local government received an application from an Applicant wishing to Install a Banner Advertising Device (which should generally have a maximum face area of 2.4m²) the local government would assess the plans supplied by the Applicant to ensure that the sign had a maximum face area of 2.4m² by using the calculation method depicted in the first example above (the top-left example);
- If the local government received an application from an Applicant wishing to Install a Sign Written Roof Advertising Device (which had no defined border) the local government would assess the sign size by using the calculation method depicted in the second example above (the top-right example).

Moreton Bay Regional Council

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Agenda

ITEM 1.2 PROPOSED MORETON BAY REGIONAL COUNCIL AMENDMENT SUBORDINATE LOCAL LAW NO. 1
(ADMINISTRATION) 2018 - REGIONAL (Cont.)

Moreton Bay Regional Council Amendment Subordinate Local Law No. 1 (Advertising Devices) 2018

Table 5: Advertising Devices Size Limits

Note:

- Schedule 9 provides that the size of certain signs must be limited in accordance with this Table 5 (see for example - Billboard or Hoarding Advertising Device)

Street front boundary of the premises	Maximum face area per side for Advertising Device (m ²)	Maximum height for Advertising Device (metres)
up to 10 m	2	4.5
10-20	4	5.0
21-30	6	6.0
31-40	8	6.5
41-50	10	7.5
51-60	12	8.0
61-70	14	9.0
71-80	16	9.5
81-90	18	10.5
91-100	20	11.0
101-110	22	12.0
111-120	24	13.0
121-130	26	13.5
131-140	28	14.0
141-150	30	15.0
150 or greater	30	15.0

Moreton Bay Regional Council

ITEM 1.2 PROPOSED MORETON BAY REGIONAL COUNCIL AMENDMENT SUBORDINATE LOCAL LAW NO. 1 (ADMINISTRATION) 2018 - REGIONAL (Cont.)

Moreton Bay Regional Council Amendment Subordinate Local Law No. 1 (Advertising Devices) 2018

Table 6: Moreton Bay Regional Council Environments

Planning Scheme zones are grouped into the environments and areas specified in this table:

Business Centre Environment	Industry Environment	Residential Environment	Rural area greenspace / open space Environment
<ul style="list-style-type: none"> • Centre Zone • Community Facilities Zone • Township Zone 	<ul style="list-style-type: none"> • Extractive Industry Zone • Industry Zone 	<ul style="list-style-type: none"> • Emerging Community Zone • General Residential Zone • Rural Residential Zone 	<ul style="list-style-type: none"> • Environmental Management and Conservation Zone • Limited Development Zone • Recreation and Open Space Zone • Rural Zone

Character/Heritage/Special precinct areas: Any Planning Scheme zone to the extent that it mapped within the “heritage and landscape character” overlay area under the Planning Scheme

;

ITEM 1.2 - PROPOSED MORETON BAY REGIONAL COUNCIL AMENDMENT SUBORDINATE LOCAL LAW NO. 1
(ADMINISTRATION) 2018 - REGIONAL (Cont.)

#2 MBRC Adopted Local Law Making Process

ADOPTED: COORDINATION COMMITTEE MEETING 29 JULY 2014

Appendix B Local Law Making Process

LOCAL LAW MAKING PROCESS

The process—

- (a) applies to the making of—
 - (i) each local law that incorporates a model local law; and
 - (ii) each local law that is a subordinate local law; and
 - (iii) each other local law; but
- (b) does not apply to a local law that is an interim local law.

Making a local law that incorporates a model local law

The process (model local law making process) specified must be used to make a local law that incorporates a model local law into the local laws of the local government.

Making a local law that incorporates a model local law

- Step 1 — By resolution, propose to incorporate the model local law.
- Step 2 — If the model local law contains an anti-competitive provision, comply with the procedures prescribed under a regulation for the review of anti-competitive provisions.
- Step 3 — If there is an existing local law about a matter in the model local law that would be inconsistent with the matter in the model local law—amend or repeal the existing local law so that there is no inconsistency.
- Step 4 — By resolution, incorporate the model local law.
- Step 5 — Let the public know that the local law has been made, by publishing a notice of the making of the local law in accordance with the requirements of section 29B(1) to (4) inclusive of the *Local Government Act 2009*.
- Step 6 — As soon as practicable after the notice is published in the gazette, ensure that a copy of the local law may be inspected and purchased at the local government's public office.
- Step 7 — Within 14 days after the notice is published in the gazette, give the Minister—
 - (a) a copy of the notice; and
 - (b) a copy of the local law in electronic form; and
 - (c) if the local law contains 1 or more anti-competitive provisions—
 - (i) advice of each anti-competitive provision; and
 - (ii) the reasons for their inclusion.
- Step 8 — Update the local government's register of its local laws.

ITEM 1.2 - PROPOSED MORETON BAY REGIONAL COUNCIL AMENDMENT SUBORDINATE LOCAL LAW NO. 1
(ADMINISTRATION) 2018 - REGIONAL (Cont.)

ADOPTED: COORDINATION COMMITTEE MEETING 29 JULY 2014

Making an “other” local law

The process (other local law making process) specified must be used to make a local law (a proposed local law) other than—

- (a) a model local law; or
- (b) an interim local law; or
- (c) a subordinate local law.

Making an “other” local law

- Step 1 — By resolution, propose to make the proposed local law.
- Step 2 — Consult with relevant government entities about the overall State interest in the proposed local law.
- Step 3 — Consult with the public about the proposed local law for at least 21 days (the consultation period) by—
 - (a) publishing a notice (a consultation notice) about the proposed local law at least once in a newspaper circulating generally in the local government’s area; and
 - (b) displaying the consultation notice in a conspicuous place at the local government’s public office from the first day of the consultation period until the end of the last day of the consultation period; and
 - (c) making a copy of the proposed local law available for inspection at the local government’s public office during the consultation period; and
 - (d) making copies of the proposed local law available for purchase at the local government’s public office during the consultation period.

The consultation notice must state the following—

- (a) the name of the proposed local law; and
- (b) the purpose and general effect of the proposed local law; and
- (c) the length of the consultation period and the first and last days of the period; and
- (d) that written submissions by any person supporting or objecting to the proposed local law may be made and given to the local government on or before the last day of the consultation period stating—
 - (i) the grounds of the submission; and
 - (ii) the facts and circumstances relied on in support of the grounds.

If the local government decides, by resolution, that the proposed local law only amends an existing local law to make an insubstantial change, the local government may proceed to step 6 without satisfying step 3 or step 5.

Moreton Bay Regional Council

ITEM 1.2 - PROPOSED MORETON BAY REGIONAL COUNCIL AMENDMENT SUBORDINATE LOCAL LAW NO. 1
(ADMINISTRATION) 2018 - REGIONAL (Cont.)

ADOPTED: COORDINATION COMMITTEE MEETING 29 JULY 2014

Making an "other" local law

- Step 4 — If the proposed local law contains an anti-competitive provision, comply with the procedures prescribed under a regulation for the review of anti-competitive provisions. For avoidance of doubt, step 3, and this step 4, may be undertaken contemporaneously.
- Step 5 — Accept and consider every submission properly made to the local government.
- A submission is properly made to the local government if it —
- (a) is the written submission of any person about the proposed local law; and
 - (b) states—
 - (i) the grounds of the submission; and
 - (ii) the facts and circumstances relied on in support of the grounds; and
 - (c) is given to the local government on or before the last day of the consultation period.
- Step 6 — By resolution, decide whether to—
- (a) proceed with the making of the proposed local law as advertised; or
 - (b) proceed with the making of the proposed local law with amendments; or
 - (c) make the proposed local law as advertised; or
 - (d) make the proposed local law with amendments; or
 - (e) not proceed with the making of the proposed local law.
- If the local government resolves to proceed with the making of the proposed local law with amendments, and the amendments are substantial, the local government may again —
- (a) consult with the public at step 3; and
 - (b) accept and consider every submission properly made to the local government at step 5.
- For the avoidance of doubt, if an amendment changes an anti-competitive provision, the local government must again comply with the procedures prescribed under a regulation for the review of anti-competitive provisions for the amended anti-competitive provision.
- Step 7 — Let the public know that the local law has been made, by publishing a notice of the making of the local law in accordance with the requirements of section 29B(1) to (4) inclusive of the *Local Government Act 2009*.

ITEM 1.2 - PROPOSED MORETON BAY REGIONAL COUNCIL AMENDMENT SUBORDINATE LOCAL LAW NO. 1
(ADMINISTRATION) 2018 - REGIONAL (Cont.)

ADOPTED: COORDINATION COMMITTEE MEETING 29 JULY 2014

Making an "other" local law

- Step 8— As soon as practicable after the notice is published in the gazette, ensure that a copy of the local law may be inspected and purchased at the local government's public office.
- Step 9— Within 14 days after the notice is published in the gazette, give the Minister—
- (a) a copy of the notice; and
 - (b) a copy of the local law in electronic form; and
 - (c) if the local law contains 1 or more anti-competitive provisions—
 - (i) advice of each anti-competitive provision; and
 - (ii) the reasons for their inclusion.
- Step 10— Update the local government's register of its local laws.

Making a subordinate local law

The process (subordinate local law making process) specified must be used to make a subordinate local law (a proposed subordinate local law).

The local government may start the process for making a subordinate local law even though the process for making the local law (including a model local law) on which the subordinate local law is to be based (the proposed authorising law) has not finished.

The local government may use steps 1 to 5 of the subordinate local law making process (other than actually making the subordinate local law) before the proposed authorising law is made if—

- (a) in making the proposed authorising law, the local government has to satisfy—
 - (i) the model local law making process; or
 - (ii) the other local law making process; and
- (b) if the proposed authorising law is made under the other local law making process— the notice about the subordinate local law under step 2 of the subordinate local law making process is published no earlier than the notice about the proposed authorising law under step 3 of the other local law making process is published.

For the avoidance of doubt, a subordinate local law made by the local government using the process detailed in this resolution may provide for the local government to, from time to time, by resolution, reference or incorporate information.

ITEM 1.2 - PROPOSED MORETON BAY REGIONAL COUNCIL AMENDMENT SUBORDINATE LOCAL LAW NO. 1 (ADMINISTRATION) 2018 - REGIONAL (Cont.)

ADOPTED: COORDINATION COMMITTEE MEETING 29 JULY 2014

For example, under the *Local Government Regulation 2012*—

- (a) the identification guidelines for the identification of anti-competitive provisions are a document made by the department and available for inspection on the department's website; and
- (b) the public interest test procedures are a document made by the department and available for inspection on the department's website.

Making a subordinate local law

Step 1 — By resolution, propose to make the proposed subordinate local law.

Step 2 — Consult with the public about the proposed subordinate local law for at least 21 days (the consultation period) by—

- (a) publishing a notice (also a consultation notice) about the proposed subordinate local law at least once in a newspaper circulating generally in the local government's area; and
- (b) displaying the consultation notice in a conspicuous place in the local government's public office from the first day of the consultation period until the end of the last day of the consultation period; and
- (c) making a copy of the proposed subordinate local law available for inspection at the local government's public office during the consultation period; and
- (d) making copies of the proposed subordinate local law available for purchase at the local government's public office during the consultation period.

The consultation notice must state the following—

- (a) the name of the proposed subordinate local law; and
- (b) the name of—
 - (i) the local law allowing the proposed subordinate local law to be made; or
 - (ii) if the local government has started the process for making a subordinate local law even though the process for making the proposed authorising law on which the subordinate local law is to be based has not finished — the proposed authorising law; and
- (c) the purpose and general effect of the proposed subordinate local law; and
- (d) the length of the consultation period and the first and last days of the period; and
- (e) that written submissions by any person supporting or objecting to the proposed subordinate local law may be made and given to the local government on or before the last day of the consultation period

ITEM 1.2 - PROPOSED MORETON BAY REGIONAL COUNCIL AMENDMENT SUBORDINATE LOCAL LAW NO. 1
(ADMINISTRATION) 2018 - REGIONAL (Cont.)

ADOPTED: COORDINATION COMMITTEE MEETING 29 JULY 2014

Making a subordinate local law

stating—

- (i) the grounds of the submission; and
- (ii) the facts and circumstances relied on in support of the grounds.

If the local government decides, by resolution, that the proposed subordinate local law only amends an existing subordinate local law to make an insubstantial change, and the amendment does not affect an anti-competitive provision, the local government may proceed to step 5 without satisfying any of step 2 to step 4 inclusive.

Step 3 — If the proposed subordinate local law contains an anti-competitive provision, comply with the procedures prescribed under a regulation for the review of anti-competitive provisions. For avoidance of doubt, step 2, and this step 3, may be undertaken contemporaneously.

Step 4 — Accept and consider every submission properly made to the local government.

A submission is properly made to the local government if it—

- (a) is the written submission of any person about the proposed subordinate local law; and
- (b) states—
 - (i) the grounds of the submission; and
 - (ii) the facts and circumstances relied on in support of the grounds; and
- (c) is given to the local government on or before the last day of the consultation period.

Step 5 — By resolution, decide whether to—

- (a) proceed with the making of the proposed subordinate local law as advertised; or
- (b) proceed with the making of the proposed subordinate local law with amendments; or
- (c) make the proposed subordinate local law as advertised; or
- (d) make the proposed subordinate local law with amendments; or
- (e) not proceed with the making of the proposed subordinate local law.

If the local government resolves to proceed with the making of the proposed subordinate local law with amendments, and the amendments are substantial, the local government may again —

ITEM 1.2 - PROPOSED MORETON BAY REGIONAL COUNCIL AMENDMENT SUBORDINATE LOCAL LAW NO. 1
(ADMINISTRATION) 2018 - REGIONAL (Cont.)

ADOPTED: COORDINATION COMMITTEE MEETING 29 JULY 2014

Making a subordinate local law

- (a) consult with the public at step 2; and
- (b) accept and consider every submission properly made to the local government at step 4.

For the avoidance of doubt, if an amendment changes an anti-competitive provision, the local government must again comply with the procedures prescribed under a regulation for the review of anti-competitive provisions for the amended anti-competitive provision.

- Step 6 — Let the public know that the subordinate local law has been made, by publishing a notice of the making of the subordinate local law in accordance with the requirements of section 29B(1) to (4) inclusive of the *Local Government Act 2009*.
- Step 7 — As soon as practicable after the notice is published in the gazette, ensure that a copy of the subordinate local law may be inspected and purchased at the local government's public office.
- Step 8 — Within 14 days after the notice is published in the gazette, give the Minister—
 - (a) a copy of the notice; and
 - (b) a copy of the subordinate local law in electronic form; and
 - (c) if the subordinate local law contains 1 or more anti-competitive provisions—
 - (i) advice of each anti-competitive provision; and
 - (ii) the reasons for their inclusion.
- Step 9 — Update the local government's register of its local laws.

Moreton Bay Regional Council

ITEM 1.2 - PROPOSED MORETON BAY REGIONAL COUNCIL AMENDMENT SUBORDINATE LOCAL LAW NO. 1 (ADMINISTRATION) 2018 - REGIONAL (Cont.)

#3 Possible Anti-Competitive Provisions

POSSIBLE ANTI-COMPETITIVE PROVISIONS

Local Law: *MBRC Amendment Subordinate Local Law No. 1 (Advertising Devices) 2018*

Purpose: The purpose of the local law is to amend Schedule 9 of *MBRC Subordinate Local Law No. 1 (Administration) 2011* which in turn seeks to ensure that the installation of advertising devices in Council's local government area does not:

- (a) endanger the health and safety of any person;
- (b) have a detrimental impact on amenity;
- (c) cause environmental harm;
- (d) damage public infrastructure or private property;
- (e) unduly expose a person to a risk of loss or liability.

Possible Anti-Competitive Provisions	Relevant Criteria	Explanatory Comments
Local Law, section 4 - inserted schedule 9, section 3 & 10 (definition of "Exempt Sign")	<ul style="list-style-type: none"> • imposes hindrance on particular business operator • imposes benefit on particular business operator 	Council approval is not required before a business can display an "exempt" sign. These requirements may have an impact on the conduct of a business activity.
Local Law, section 4 - inserted schedule 9, section 7 & 8	<ul style="list-style-type: none"> • imposes hindrance on particular business operator 	Council may impose certain conditions on a business that is permitted to display a licensable sign. These requirements may have an impact on the conduct of a business activity. For example, the conditions imposed on businesses might not be identical as they will be decided on a case-by-case basis.
Local Law, section 4 - inserted schedule 9, Table 2 & 3	<ul style="list-style-type: none"> • imposes hindrance on particular business operator 	Certain signs are restricted in particular environments (e.g. residential environments). These requirements may have an impact on the conduct of a business activity (e.g. if the business is based within or near a residential environment).
Local Law, section 4 - inserted schedule 9, Table 2 (Real Estate Advertising Device)	<ul style="list-style-type: none"> • imposes hindrance on particular business operator 	A maximum of 3 real estate advertising devices can be erected per premises. Compliance with the requirements may have an impact on the conduct of a business activity (e.g. if there are 4 different real estate agents for a premises).
Local Law, section 4 - inserted schedule 9, Table 2 (Community Organisational Advertising Device)	<ul style="list-style-type: none"> • imposes hindrance on particular business operator 	A maximum of 1 community organisational advertising device can be erected per site frontage. Compliance with the requirements may have an impact on the conduct of a business activity (e.g. if more than one event is taking place at the site at around the same time).

ITEM 1.2 - PROPOSED MORETON BAY REGIONAL COUNCIL AMENDMENT SUBORDINATE LOCAL LAW NO. 1 (ADMINISTRATION) 2018 - REGIONAL (Cont.)

POSSIBLE ANTI-COMPETITIVE PROVISIONS

Possible Anti-Competitive Provisions	Relevant Criteria	Explanatory Comments
Local Law, section 4 - inserted schedule 9, Table 2 (Election Advertising Device)	<ul style="list-style-type: none"> • imposes hindrance on particular business operator • imposes benefit on particular business operator 	<ul style="list-style-type: none"> • Political parties can promote themselves via signage on public land year-round without an approval, whereas other businesses cannot (and <u>will</u> need an approval); • Political information booths (PIB) cannot be placed within a 500m radius of another political information booth. This means that once a PIB is set-up, any competing PIB must be located at least 500m away; • No more than 2 election advertising devices can be displayed per frontage on privately owned land. And so a person who supports 3 different parties or candidates will still be limited to displaying 2 election advertising devices.
Local Law, section 4 - inserted schedule 9, Table 3 (Electronic Graphic Display Screen)	<ul style="list-style-type: none"> • imposes hindrance on particular business operator • imposes benefit on particular business operator 	No more than 1 electronic graphic display screen is allowed on a street frontage (unless the additional sign is at least 200 metres away). Compliance with the requirements may have an impact on the conduct of a business activity (e.g. it may prevent an outdoor advertising company from displaying one of these signs in a location).

2 PLANNING & DEVELOPMENT SESSION

(Cr Mick Gillam)

ITEM 2.1

DEVELOPMENT APPLICATION DA/34554/2017/V3RL - RECONFIGURING A LOT - DEVELOPMENT PERMIT FOR SUBDIVISION (11 INTO 173 LOTS + 8 BALANCE LOTS + DETENTION BASIN + EASEMENTS IN 7 STAGES), LOCATED AT 51-65 AND 77 CLARK ROAD AND 54-100 ROBBS ROAD, MORAYFIELD - DIVISION 12

APPLICANT: FAIRLAND GROUP PTY LTD C/- LAND SURVEYING DYNAMICS
OWNER: FAIRLAND GROUP PTY LTD, LANDSA PTY LTD, MSP PROPERTY HOLDINGS PTY LTD

Meeting / Session: 2 PLANNING & DEVELOPMENT
Reference: A16439338 : 17 January 2018 – Refer Supporting Information A16439342; A16443728
Responsible Officer: GH, Principal Development Planning (PED, Development Services)

Executive Summary

APPLICATION DETAILS	
Applicant:	Fairland Group Pty. Ltd. C/- Land Surveying Dynamics
Lodgement Date:	29 June 2017
Properly Made Date:	30 June 2017
Confirmation Notice Date:	N/A
Information Request Date:	14 July 2017
Info Response Received Date:	22 December 2017
Decision Due Date	29 January 2017
No. of Submissions:	N/A

PROPERTY DETAILS	
Division:	12
Property Address:	51-65 & 77 Clark Road, MORAYFIELD QLD 4506; and 54-100 Robbs Road, MORAYFIELD QLD 4506
RP Description	Lot 15 RP 176392, Lot 17 RP 176392, Lot 18 RP 176392, Lot 26 RP 210724, Lot 32 RP 182709, Lot 33 RP 182709, Lot 34 RP 182709, Lot 35 RP 182709, Lot 36 RP 182709, Lot 37 RP 182709, Lot 38 RP 182709.
Land Area:	24.19ha (development footprint 9.878ha)
Property Owner	Fairland Group Pty Ltd MSP Property Holdings Landsa Pty Ltd

STATUTORY DETAILS	
Planning Legislation:	<i>Sustainable Planning Act 2009</i>
Planning Scheme:	Moreton Bay Regional Council Planning Scheme (Version 2 - adopted 20 June 2016)
Planning Locality / Zone	Emerging community zone, Transition precinct
Level of Assessment:	Code Assessment

ITEM 2.1 DEVELOPMENT APPLICATION DA/34554/2017/V3RL - RECONFIGURING A LOT - DEVELOPMENT PERMIT FOR SUBDIVISION (11 INTO 173 LOTS + 8 BALANCE LOTS + DETENTION BASIN + EASEMENTS IN 7 STAGES), LOCATED AT 51-65 AND 77 CLARK ROAD AND 54-100 ROBBS ROAD, MORAYFIELD - DIVI - A16439338 (Cont.)

This application seeks approval for a Reconfiguring a Lot - Development for Subdivision (11 into 173 lots + 8 Balance Lots + Detention Basin + Easement in Stages 7 stages), located at 51-65 and 77 Clark Road and 54-100 Robbs Road, Morayfield on land described as Lot 15 RP 176392, Lot 17 RP 176392, Lot 18 RP 176392, Lot 26 RP 210724, Lot 32 RP 182709, Lot 33 RP 182709, Lot 34 RP 182709, Lot 35 RP 182709, Lot 36 RP 182709, Lot 37 RP 182709, Lot 38 RP 182709.

The subject site is included within the Urban footprint under the South East Queensland Regional Plan and within the Emerging community zone, Transition precinct under the Moreton Bay Regional Council Planning Scheme (Planning Scheme). The subject site has an area of 24.19ha (proposed development footprint - 9.878ha). The proposed Reconfiguring a Lot application is subject to Code Assessment within the Emerging community zone, Transition precinct. The development application conflicts with the purpose of the relevant codes of the Planning Scheme and the Strategic Framework and is recommended to be refused.

OFFICER'S RECOMMENDATION

- A. That Council, in accordance with the *Sustainable Planning Act 2009*, refuses the development application for Reconfiguring a Lot - Development for Subdivision (11 into 173 lots + 8 Balance Lots + Detention Basin + Easement in Stages 7 stages), located at 51-65 and 77 Clark Road and 54-100 Robbs Road, Morayfield on land described as Lot 15 RP 176392, Lot 17 RP 176392, Lot 18 RP 176392, Lot 26 RP 210724, Lot 32 RP 182709, Lot 33 RP 182709, Lot 34 RP 182709, Lot 35 RP 182709, Lot 36 RP 182709, Lot 37 RP 182709, Lot 38 RP 182709, for the following reasons of refusal:

Reasons for Refusal

1. **The proposed development conflicts with the following aspects of the Moreton Bay Regional Council Planning Scheme:**
 - **Strategic Framework - 3.13.2.4.1 - Element - Caboolture Planning Area - Land Use Strategy**
 - **Strategic Framework - 3.13.2.4 Element - Caboolture Planning Area - Settlement Pattern**
 - **9.4.1.2 Purpose of the Reconfiguring a Lot Code**
 - **9.4.1.3.2.1(2)(b)(d) - Purpose of the Reconfiguring a lot code, Emerging community zone, Transition precinct**
 - **6.2.3.2 (1)(a)(b)(c) - Purpose of the Emerging community zone**
 - **6.2.3.2 (2)(b) - Purpose of the Emerging community zone**
 - **6.2.3.2 (3) - Purpose of the Emerging community zone.**
 - **8.2.2.2(2)(c)(iii)(v) - Purpose of the Flood hazard overlay code**
 - **Performance Outcome PO3 of the Reconfiguring a lot code, Emerging community zone, Transition precinct.**
 - **Performance Outcome PO5 of the Reconfiguring a lot code, Emerging community zone, Transition precinct.**
 - **Performance Outcome PO7 of the Reconfiguring a lot code, Emerging community zone, Transition precinct.**
 - **Performance Outcome PO9 of the Reconfiguring a lot code, Emerging community zone, Transition precinct.**
 - **Performance Outcome PO16 of the Reconfiguring a lot code, Emerging community zone, Transition precinct.**
 - **Performance Outcome PO17 of the Reconfiguring a lot code, Emerging community zone, Transition precinct.**
 - **Performance Outcome PO18 of the Reconfiguring a lot code, Emerging community zone, Transition precinct.**
 - **Performance Outcome PO20 of the Reconfiguring a lot code, Emerging community zone, Transition precinct.**

ITEM 2.1 DEVELOPMENT APPLICATION DA/34554/2017/V3RL - RECONFIGURING A LOT - DEVELOPMENT PERMIT FOR SUBDIVISION (11 INTO 173 LOTS + 8 BALANCE LOTS + DETENTION BASIN + EASEMENTS IN 7 STAGES), LOCATED AT 51-65 AND 77 CLARK ROAD AND 54-100 ROBBS ROAD, MORAYFIELD - DIVI - A16439338 (Cont.)

- **Performance Outcome PO27 of the Reconfiguring a lot code, Emerging community zone, Transition precinct.**
 - **Performance Outcome PO29 of the Reconfiguring a lot code, Emerging community zone, Transition precinct.**
 - **Performance Outcome PO33 of the Reconfiguring a lot code, Emerging community zone, Transition precinct.**
 - **Performance Outcome PO34 of the Reconfiguring a lot code, Emerging community zone, Transition precinct.**
 - **Performance Outcome PO35 of the Reconfiguring a lot code, Emerging community zone, Transition precinct.**
 - **Performance Outcome PO57 of the Reconfiguring a lot code, Emerging community zone, Transition precinct.**
 - **Performance Outcome PO58 of the Reconfiguring a lot code, Emerging community zone, Transition precinct.**
 - **Performance Outcome PO59 of the Reconfiguring a lot code, Emerging community zone, Transition precinct.**
 - **Performance Outcome PO63 of the Reconfiguring a lot code, Emerging community zone, Transition precinct.**
 - **Performance Outcome PO87 of the Reconfiguring a lot code, Emerging community zone, Transition precinct**
 - **Performance Outcome PO18 of the Flood hazard overlay code.**
 - **Performance Outcome PO22 of the Flood hazard overlay code.**
2. **The proposal is inconsistent with the proposed amendments to the Moreton Bay Regional Council Planning Scheme (as publicly notified between 21 August 2017 and 6 October 2017) and makes more difficult the form of land use and infrastructure planning for the Morayfield South growth area.**

B. That the following information be included in the Decision Notice:

Decision Notice information

	Details to Insert
Application Type	Reconfiguring a Lot - Development for Subdivision (11 into 173 lots + 8 Balance Lots + Detention Basin + Easement in Stages 7 stages)
Relevant Period of Approval	Not Applicable - Refusal
IDAS Referral Agencies	There are no Referral Agencies
Submissions	Not applicable

ITEM 2.1 DEVELOPMENT APPLICATION DA/34554/2017/V3RL - RECONFIGURING A LOT - DEVELOPMENT PERMIT FOR SUBDIVISION (11 INTO 173 LOTS + 8 BALANCE LOTS + DETENTION BASIN + EASEMENTS IN 7 STAGES), LOCATED AT 51-65 AND 77 CLARK ROAD AND 54-100 ROBBS ROAD, MORAYFIELD - DIVI - A16439338 (Cont.)

REPORT DETAIL

1. Background

On 25 January 2016, an initial prelodgement meeting (PRE/3172) was held to discuss a proposal for preliminary Approval to vary the Effect of a Local Planning Instrument (*Caboolture ShirePlan*) to allow residential uses. Subsequent prelodgement meetings were held with the applicant after the commencement of the Planning Scheme (1 February 2016) to discuss a proposal for Reconfiguring a Lot under the Moreton Bay Regional Council Planning Scheme. The applicant was advised that:

- limited infrastructure network planning has been done for Morayfield South growth area;
- the land is not within the Priority Infrastructure Area (PIA);
- the land is not serviced by all local government networks including water and sewer;
- while identified for urban development in the future, infrastructure constraint issues need to be resolved before this area is included in the General residential zone. Development of these areas prior to their inclusion in the General residential zone would be subject to bring forward costs and would not be subject to any infrastructure offsets;
- Further integrated land use and infrastructure planning will be undertaken in the Morayfield South area prior to its inclusion in the urban corridor. This further planning work will determine how the area can be developed efficiently to create a cohesive and sustainable urban community.
- The emerging community areas are located outside of the PIA and development of these areas at this time is inconsistent with the planning assumptions used to support the Local Government Infrastructure Plan (LGIP). Limited trunk infrastructure planning has been prepared for these areas and no trunk infrastructure has been identified within the LGIP infrastructure schedules that are designed to support development of the emerging community areas outside the PIA.
- The applicant is required to demonstrate how the proposed development will be creating developed lots (a 'developed lot' is defined in the Planning Scheme as - a lot that is provided with infrastructure and services (including reticulated water and sewer, stormwater, dedicated roads and electricity) of a standard and capacity required for the proposed development).

The applicant was also advised, that should the applicant wish to proceed prior to Council undertaking this necessary infrastructure work, Council is willing to work cooperatively with applicants in this respect, however the necessary detailed planning will be required to be provided by the applicant. As a way forward it was suggested that the applicant participate in the major project prelodgement meeting process where Council will work with the applicant through the 'MBRC and Unitywater Emerging community- Structure planning process' for development of this area. Details of this Structure planning process were provided to the applicant.

On 28 January 2016, an application for Operational Works - Development Permit for Vegetation Clearing was lodged over fourteen (14) allotments located along Hauton Road, Clark Road and Robbs Road, Morayfield (DA/31306/2016/V4C). The proposal was made under the provisions of the *Caboolture ShirePlan* (now superseded). The proposal sought to clear all existing vegetation over the fourteen (14) properties, with the intent to 'facilitate and assist urban development pre-planning process'. On 3 July 2017, Council's delegate refused the application on the following grounds:

1. The applicant has not complied and cannot be conditioned to comply sufficiently with the Catchment Protection Overlay Code Specific Outcomes SO1, SO2, SO4, SO5, SO8, SO9 and SO10.
2. The applicant has not complied and cannot be conditioned to comply sufficiently with the Nature Conservation Overlay Code specific outcomes SO1, SO2, SO3, SO4, and SO5.
3. The applicant has not complied sufficiently with the Overall Outcomes for the Catchment Protection Overlay Code or the Nature Conservation Overlay Code.
4. There are not sufficient grounds to warrant approval of the proposal despite the conflict.
5. The proposal does not comply with the State Planning Policy in respect to the State Interest of Biodiversity.

ITEM 2.1 DEVELOPMENT APPLICATION DA/34554/2017/V3RL - RECONFIGURING A LOT - DEVELOPMENT PERMIT FOR SUBDIVISION (11 INTO 173 LOTS + 8 BALANCE LOTS + DETENTION BASIN + EASEMENTS IN 7 STAGES), LOCATED AT 51-65 AND 77 CLARK ROAD AND 54-100 ROBBS ROAD, MORAYFIELD - DIVI - A16439338 (Cont.)

6. The applicant has not provided sufficient documentation for Council to complete a thorough assessment of the vegetation clearing works proposed.

On 31 July 2017 the applicant lodged an appeal against Council's decision to refuse the application (Planning and Environment Court Appeal No. 2813 of 2017). This appeal was initially put in abeyance by the applicant, however only recently has been re-instigated and is due to proceed in early 2018.

2. Explanation of Item

2.1 Proposal Details

It should be noted that the application portrayed the proposal as being 11 lots into 175 developed lots plus 7 balance lots, however this is more accurately described below.

It is proposed to reconfigure the existing eleven (11) lots into 173 urban residential lots (developed lots) in seven (7) stages (proposed stages 7-13), as follows:

Stage	Number of Residential Lots	Stage Area	Length of new road
7	30	2.382ha	531m
8	33	1.715ha	290m
9	30	1.631ha	356m
10	23	1.184ha	220m
11	20	1.329ha	287m
12	26	1.311ha	242m
13	11	0.326ha	-
Total	173	9.878ha	1926m

The proposal also seeks to create eight (8) balance lots, having a combined area of 14.497ha (proposed Lots 932-938 and Lot 993) and a detention basin Lot (Lot 994 - 2,508m²). It should be noted that the applicant has calculated the total site area of the development 24.375ha, however Council's records indicate the total site area is 24.19haha (1850m² less).

The proposed residential lots range in land area from 227m² to 595m². The overall net residential density of proposed development is 17.51 lots per hectare (excluding balance areas), consistent with the density target sought by the Planning Scheme being a minimum net residential density of 11 lots per hectare, whilst not exceeding 25 lots per hectare.

The application proposes a mix of five (5) lot types throughout the development as follows:

Lot Type (frontage width)	Number	Percentage
Type A (7.5m)	33	19.1%
Type B (>7.5m -10m)	13	7.5%
Type C (>10-12.5m)	70	40.5%
Type D (>12.5-18m)	55	31.8%
Type E (>18-32m)	2	1.1%

The application proposes an insufficient variety of residential lot sizes and frontage widths as contemplated for a diverse medium density neighbourhood, as identified by the Planning Scheme. The application proposes a majority of Lots with frontage widths of 12.5m or greater (approximately 72.5% of all lots) and provides for an insufficient mix and diversity of Lot types dispersed within the development (refer section 2.4 for further discussion).

ITEM 2.1 DEVELOPMENT APPLICATION DA/34554/2017/V3RL - RECONFIGURING A LOT - DEVELOPMENT PERMIT FOR SUBDIVISION (11 INTO 173 LOTS + 8 BALANCE LOTS + DETENTION BASIN + EASEMENTS IN 7 STAGES), LOCATED AT 51-65 AND 77 CLARK ROAD AND 54-100 ROBBS ROAD, MORAYFIELD - DIVI - A16439338 (Cont.)

The applicant has provided a Plan of Development for all lots with a frontage width of less than 12.5m, showing mandatory built to boundary wall and driveway locations. The submitted Plan of Development has not demonstrated that group construction achieves an integrated streetscape solution as contemplated by the Planning Scheme (refer section 2.4 for further discussion).

Access to the development is proposed via new contemporary residential (local collector) road with a reserve width of 18.5m, forming a new intersection with Clark Road. This proposed contemporary residential road does not conform to the typology of a contemporary residential road typology which has a reserve width of 19.5m as shown within Planning Scheme Policy PSP - Integrated design. The development is serviced via several internal access streets and laneways that typically form a modified rectilinear grid layout. The application also proposes to dedicate additional road reserve width along Clark Road (3.342m), to facilitate Clark Road being a District Collector Road (ultimate road reserve width of 26.8m). This dedication is however inconsistent with the road typology identified on Overlay map - Road hierarchy which nominates Clark Road as a Council Sub-Arterial road with an ultimate road reserve width of 31m. The application has not sufficiently demonstrated that proposed typologies, forms and function comply with the *Planning Scheme Policy - Integrated Design* (refer section 2.4 for further discussion).

The proposal does not seek to dedicate any public park land to service to the proposed residential neighbourhood. The site is located more than 400m from the existing Lindsay Road Sportsground, however it is noted that this sportsground does not provide the role and function of Local Recreation Park and does not meet the desired standards of service to service a residential neighbourhood as outlined within Planning Scheme Policy - Integrated design, (refer section 2.4 for further discussion).

2.1.2 Emerging community zone, Transition precinct

The Emerging community zone covers areas throughout the Moreton Bay Region that are not currently recognised or developed as urban environments, but may be suitable for future urban uses over the next 10 to 20 years. As identified within the Strategic Framework of the Planning Scheme, further integrated land use and infrastructure planning will be undertaken in the Morayfield South area. This further planning work will determine how the area can be developed efficiently to create a cohesive and sustainable urban community. Presently, this work has not been undertaken by Council.

The purpose of the Emerging community zone, Transition precinct is to:

- (a) identify land that is suitable for urban purposes and conserve land that may be suitable for urban development in the future;
- (b) manage the timely conversion of non-urban land to urban purposes;
- (c) prevent or discourage development that is likely to compromise appropriate longer term land use;
- (d) provide mechanisms to promote and implement an appropriate mix of dwelling types, consistent with a Next Generation Neighbourhood across the Transition Precinct once this land is developed and serviced with all local government networks including water and sewer and is suitable for urban development.

Accordingly, for each Emerging Community area, whole of catchment infrastructure solutions are required for the five networks (Water, Sewerage, Transport, Stormwater and Community Infrastructure). The Emerging Community areas are located outside of the PIA. The development of these areas at this time is inconsistent with the planning assumptions used to support the LGIP. Limited trunk infrastructure planning has been prepared for these areas and no trunk infrastructure has been identified within the LGIP infrastructure schedules that is designed to support development of the Emerging Community areas outside the PIA.

ITEM 2.1 DEVELOPMENT APPLICATION DA/34554/2017/V3RL - RECONFIGURING A LOT - DEVELOPMENT PERMIT FOR SUBDIVISION (11 INTO 173 LOTS + 8 BALANCE LOTS + DETENTION BASIN + EASEMENTS IN 7 STAGES), LOCATED AT 51-65 AND 77 CLARK ROAD AND 54-100 ROBBS ROAD, MORAYFIELD - DIVI - A16439338 (Cont.)

2.1.3 Progress of MBRC Structure Planning/Applicant Proposed Structure Planning

Council has commenced structure planning for the Morayfield South emerging community area and this work is on-going.

The applicant has undertaken their own structure plan for the Morayfield South emerging community area. The applicant's structure plan assumes the following developable area for the emerging community area:

	Next Generation neighbourhood	Coast and Riverlands	Urban Neighbourhood	Open Space	Local Centre	Total
Total Area (m ²)	7,183,808	742,903	971,053	186,722	20,051	9,104,537
Constrained Area (m ²)	2,175,498	717,711	250,001	162,085	5,376	3,310,671
Developable Area (m ²)	5,008,310	25,192	721,052	24,637	14,675	5,793,866

The applicant's structure plan is also based on the following density assumptions:

Place	Type (MBRC Strategic Framework)	Net Density (du/ha)	Notes
Coast and riverlands		0	Area of constraint
Urban neighbourhood		35	Assumed low end of yield - conservative
Next generation neighbourhood		20	Assumed average of Next generation density (15-25 lots/hectare)
Open space		0	Area of constraint
Local centre		0	8,000m ² GFA on a 2ha parcel

The applicant's structure plan assumes, that an ultimate yield of 12,540 dwelling could be achieved, based on the following density scenarios.

Density Type	Land Use Scenario (du/ha)	Notes
Gross density	13.77	Total dwellings within structure plan area
Net density	21.64	Total dwellings within developable area of structure plan area
Site density	30.92	Total dwellings over 70% of developable area (excluding land for roads and other services).

The structure plan also includes an analysis of environmental, infrastructure and flooding constraints within the emerging community area and proposes plans for trunk infrastructure for:

- Road hierarchy;
- Future intersections;
- Open space;
- Stormwater; and
- Environmental corridors.

ITEM 2.1 DEVELOPMENT APPLICATION DA/34554/2017/V3RL - RECONFIGURING A LOT - DEVELOPMENT PERMIT FOR SUBDIVISION (11 INTO 173 LOTS + 8 BALANCE LOTS + DETENTION BASIN + EASEMENTS IN 7 STAGES), LOCATED AT 51-65 AND 77 CLARK ROAD AND 54-100 ROBBS ROAD, MORAYFIELD - DIVI - A16439338 (Cont.)

The applicant has provided costings for the provision of trunk infrastructure within the structure plan area, by utilising the land valuation methodologies as contained within Council's Charges Resolution Implementation Policy No. 6. Based, on the above-mentioned assumption of an overall yield 12,540 dwellings within the structure plan area, the applicant has identified the cost of providing trunk infrastructure within the structure plan area as follows:

Network	Relevant catchment	Future Demand Yield (Dwelling)	Total Infrastructure Costs (\$)	Cost per Unit Demand (Dwelling)
Stormwater	Gympie Creek Sub-Catchment	5,927	\$9,140,797.00	\$1,542.00
Transport	Morayfield South Study Area	12,540	\$103,308,092.00	\$8,238.00
Parks	Morayfield South Study Area	12,540	\$14,244,720.00	\$1,136.00
Environmental Corridors	Gympie Creek Sub-Catchment	5,927	\$3,555,250.00	\$ 600.00
Total			\$130,248,859.00	\$11,516.00
			District and Regional Parks Charge	\$ 3,742.00
			Total MBRC Charge (assumed)	\$15, 259.00

Council, utilising material provided by this applicant and others throughout the structure plan area have completed the first draft of the infrastructure cost framework for the Morayfield South Structure Plan Area. This cost assessment is based on cost estimates to provide the actual infrastructure required to service the growth front, over the life of the growth front (30 years), pro-rata for the percentage impact the growth front will have on the infrastructure required.

Given Council has not finalised structure planning work, and there is a significant difference in the land use outcome and cost estimates between the work undertaken in isolation by the applicant and the current status of work being undertaken by Council, it is considered premature to adopt a third-party structure plan. In the absence of finalised land use and infrastructure planning and the preparation and adoption of a planning instrument for the Morayfield South Emerging Community Area, Council has not determined that the provision of infrastructure can be provided efficiently and cost-effectively to the Morayfield South Structure Plan Area.

2.2 Description of the Site and Surrounds

Directions	Planning Scheme Zone	Current Land Use
North	Emerging community zone	Dwelling houses on rural residential lots
South	Emerging community zone	Dwelling houses on rural residential lots
East	Emerging community zone	Dwelling houses on rural residential lots
West	Emerging community zone	Dwelling houses on rural residential lots

2.3 State Planning Instrument Assessment

2.3.1 State Planning Regulatory Provisions (SPRPs)

An assessment against each of the State Planning Regulatory Provisions is set out as follows:

ITEM 2.1 DEVELOPMENT APPLICATION DA/34554/2017/V3RL - RECONFIGURING A LOT - DEVELOPMENT PERMIT FOR SUBDIVISION (11 INTO 173 LOTS + 8 BALANCE LOTS + DETENTION BASIN + EASEMENTS IN 7 STAGES), LOCATED AT 51-65 AND 77 CLARK ROAD AND 54-100 ROBBS ROAD, MORAYFIELD - DIVI - A16439338 (Cont.)

Name	Designation	Applicable Requirements
State Planning Regulatory Provision (Adopted Charges)	None	Not applicable to Development Assessment however the SPRP has informed the Council's Adopted Infrastructure Charges Resolution, and this is discussed in section 5 of this report.
State Planning Regulatory Provisions (Adult Stores)	None	The development proposal is not for an Adult Store and therefore the State Planning Regulatory Provisions do not apply.
South East Queensland Koala Conservation State Planning Regulatory Provisions	None	The development proposal is not located in a Priority Koala Assessable Development Area or Koala Assessable Development Area and therefore the State Planning Regulatory Provisions do not apply.
Southeast Queensland Regional Plan 2009-2031 (SEQRP) State Planning Regulatory Provisions - May 2014 Version	Urban Footprint	The development proposal is for an urban activity in the Urban Footprint, and there are no requirements in the State Planning Regulatory Provisions applicable to the development proposal.

2.3.2 State Planning Policy

On 16 November 2015, notification was given to Council that all State Interests had been integrated into the Planning Scheme with the exception of the State Interest - natural hazards, risk and resilience (coastal hazards - erosion prone areas). Accordingly, the interim development assessment requirements set out within the State Planning Policy (SPP) for coastal hazards - erosion prone areas is to be applied by Council in the assessment of development applications until this State Interest has been appropriately integrated into Council's Planning Scheme. Assessment against the SPP for this one State Interest is as follows:

State interest - Natural Hazards		
Applicable to Development	SPP Requirement	Comment
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	None	Not applicable

2.3.3 South East Queensland Regional Plan

The site is located in the Urban Footprint. The development proposal is for an urban activity in the Urban Footprint, and there are no requirements in the State Planning Regulatory Provisions applicable to the development proposal.

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2.4 Local Planning Instrument Assessment – Moreton Bay Regional Council Planning Scheme

The application was properly made 30 June 2017 and is accordingly assessed in accordance with the Planning Scheme (Version 2 - adopted 20 June 2016).

An assessment against the relevant parts of the Planning Scheme is set out below.

2.4.1 *Strategic Framework*

In accordance with section 1.7.2 (2) of the Planning Scheme, development requiring code assessment may be assessed against the Strategic Framework to the extent relevant where compliance is not achieved with the overall outcomes of the applicable codes.

The applicable Strategic Outcomes under the Themes for the Planning Scheme are discussed as follows:

Strategic Outcome	Complies	Assessment
3.13.2 Element - Caboolture Planning Area, 3.13.2.1 Specific Outcomes		
3.13.2.4.1 Land use strategy Further investigation and planning of these areas is required to coordinate and integrate land use and infrastructure in the context of the outcomes Council is seeking to achieve in the Caboolture planning area.	No	Map 3.13.2 Caboolture planning area – shows the subject site as being within the Next generation neighbourhood and Coast and Riverlands Place types. The investigation and planning of the subject site and surrounding areas for a Next generation neighbourhood has not been undertaken, or adopted by Council. The development application provides further information that supports the structure planning work that is underway, but does not constitute completion of the planning or the preparation of a planning instrument with appropriate Council consideration, State Government Interest review and public notification. The information submitted as part of the development application has not adequately addressed the infrastructure deficiencies necessary for development of the Morayfield South growth area for urban purposes.
3.13.2.4. Specific Outcomes – Settlement Pattern 8. The rural residential area at Morayfield South has been identified as a potential future urban growth front. The key strength of this area lies in its location proximate to the higher order activity centres at Caboolture and Morayfield and regional transport connections including the Bruce Highway and North Coast Rail	No	The development proposal involves the creation of developed lots for a next generation neighbourhood and as such is premature, where the necessary land use and infrastructure planning has not been completed to support the creation of a next generation neighbourhood. The information submitted as part of the development application has not adequately addressed the infrastructure deficiencies

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Strategic Outcome	Complies	Assessment
<p>Line. Despite this, the lack of urban infrastructure, presence of potentially significant environmental values and fragmented land pattern will constrain the ability to provide serviced urban land, other than for a small area, in the northern portion of the area. Given the existing constraints, other development fronts in the Region and the large size of the growth area, all of the area is not anticipated to be required for urban development prior to 2031. The majority of the area is likely to remain largely rural residential in nature until the area can be developed in an efficient and cohesive manner.</p> <p><u>3.13.2.4.5 Land use strategy</u></p> <p>a. The emerging community of Morayfield South will provide for land to be available for urban development during the life of the planning scheme. Limited infrastructure network planning has been done for the identified area and it will not be included within the priority infrastructure area. It is not serviced by all local government networks including water and sewerage.</p> <p>b. Development of the identified area will be subject to bring forward costs and will not be subject to any infrastructure offsets.</p> <p>c. Interim development in this area does not fragment, pre-empt or compromise the potential development of rural residential areas for urban purposes beyond the life of the planning scheme.</p> <p>d. Further integrated land use and infrastructure planning will be undertaken in the Morayfield South area. This further planning work will determine how the area can be developed efficiently to create a cohesive and sustainable urban community.</p>		<p>necessary for the development of the Morayfield South growth area for urban purposes.</p> <p>A proposed amendment to the Planning Scheme has been prepared and publicly notified between 21 August 2017 and 6 October 2017 (Planning Scheme Amendment) which facilitates the integrated and coordinated land use and infrastructure planning of the Morayfield South growth area which is shown as a Future Structure Plan Area on the proposed Structure Plan Area Overlay map.</p> <p>The Planning Scheme Amendment has completed public notification and Council has commenced the Structure Planning work for land uses and infrastructure planning for the Morayfield South growth area in anticipation of the commencement of the Planning Scheme Amendment.</p> <p>The proposed development would make more difficult the ultimate decision as to the form of the Planning Scheme Amendment and the related land use and infrastructure planning for the Morayfield South growth area.</p>

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2.4.2 Assessment of Applicable Codes

Code Compliance Summary

The assessment below identifies whether the development proposal complies (subject to the application of any recommended conditions of approval) with the applicable codes and where the development proposal:

- (a) proposes an alternative outcome to an Acceptable Outcome whether the development proposal satisfies the corresponding Performance Outcome; and
- (b) proposes an outcome where no Acceptable Outcome is stated in the application code and whether the proposed Outcome does not satisfy the corresponding Performance Outcome.

Applicable Codes	Compliance with Overall Outcomes	Performance Outcomes assessment is required
Development Codes		
Reconfiguring a lot code, Emerging community zone code	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	PO3, PO5, PO7, PO9, PO16, PO17, PO18, PO20, PO27, PO29, PO33, PO34, PO35, PO57, PO58, PO59, PO63, PO87.
Overlay Codes		
Flood hazard overlay code	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	PO18, PO22

The assessment of the development proposal against the Performance Outcomes of the applicable code(s) is discussed below in section 2.4.3

2.4.3 Performance Outcome Assessment

Performance Outcome	Acceptable Outcome
Reconfiguring a lot code, Emerging community zone, Transition precinct	
<p>PO3 Reconfiguring of a lot:</p> <ul style="list-style-type: none"> a. for land within the Morayfield South urban area identified on 'Figure 9.4.1.3.2.1 Morayfield South urban area', development does not compromise future developments ability to achieve a minimum residential density of 45 dwellings per hectare to ensure efficient use of the land and infrastructure which facilitates feasible public transport patronage and creates a diverse medium density neighbourhood character; or b. for all other land, development achieves a minimum net residential density of 11 lots per hectare, whilst not exceeding 25 lots per hectare, 	No acceptable outcome provided.

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Performance Outcome	Acceptable Outcome
maintaining a diverse medium density neighbourhood character.	
<i>Performance Outcome Assessment</i>	
<p>The site is mapped outside of the identified 'Morayfield south urban area as shown on Figure 9.4.1.3.2.1. Accordingly, reconfiguring a lot is required to achieve a minimum net density of 11 lots per hectare, whilst not exceeding 25 lots per hectare and maintaining a diverse medium density neighbourhood character.</p> <p>The proposal would achieve a net residential density of 17.71 lots per hectare, consistent with the 11 to 25 lots per hectare density target for the precinct, however the development proposal provides an insufficient diversity of lot types to achieve the medium density character intended for the precinct. The application proposes a majority of Lots with frontage widths of 12.5m or greater (approximately 72.5% of all lots) and provides for an insufficient mix and diversity of Lot types dispersed within the development to achieve a diverse medium density neighbourhood character. It is acknowledged that the proposal does include medium density lot types (Lot type A), however these lots are concentrated along the Northern and Western boundaries of the site and not dispersed within the development.</p> <p>As the development proposal cannot comply with Performance Outcome PO3, an assessment against the Purpose and Overall outcomes of the Reconfiguring a lot code, Emerging community zone, Transition precinct is required.</p>	
<p>PO5 Reconfiguring a lot provides for a variety of housing options, by way of a mix of lot sizes and dimensions consistent with the density and character of the precinct, whilst facilitating delivery of diversity within the streetscape.</p>	<p>AO5.3 For reconfiguring a lot which creates in excess of 20 new lots, the following minimum percentages of lot types in accordance with 'Table 9.4.1.3.2.3: Lot Types' apply:</p> <ul style="list-style-type: none"> • Lot Type A - 10% of new lots and Lot Type F - 5% of new lots; or • Lot Type A - 15% of new lots and Lot Type F - 2% of new lots; or • Lot Type A - 15% of new lots and Lot Type B - 15% of new lots.
<i>Performance Outcome Assessment</i>	
<p>The development application proposes an alternative solution to the mix of Lot types suggested within Acceptable Outcome AO5.3. The development proposal involves the following mix of Lot Types A, B and F proposed throughout the development:</p> <ul style="list-style-type: none"> • Lot Type A - 18.8% • Lot Type B - 7.4% • Lot Type F - 0% <p>The development application does not comply with Performance Outcome PO5 as the development proposal does not provide for a sufficient variety of housing options, by way of a mix of lot sizes and dimensions proposed.</p> <p>The development proposal includes insufficient diversity of lot types. The proposed development includes a majority of lots with a frontage width of 12.5m or greater (approximately 77% of Lot types) which is not reflective of the diversity, density and</p>	

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Performance Outcome	Acceptable Outcome
<p>character of next generation and urban neighbourhood precincts, as contemplated by the Planning Scheme. Furthermore, where medium density lots are proposed, they are concentrated in locations along the northern and western boundaries of the site and not dispersed throughout the development.</p>	
<p>As the development proposal does not comply with Performance Outcome PO5, an assessment against the Purpose and Overall outcomes of the Reconfiguring a lot code, Emerging community zone, Transition precinct is required.</p>	
<p>PO7 Lots that facilitate medium to high density residential uses (freehold or community titles) are located in proximity to recreational opportunities, commercial and community facilities and public transport nodes</p>	<p>AO7.1 Lots with frontages of 7.5 metres or less are located within 200 metres of:</p> <ul style="list-style-type: none"> • a park; or • a public transport stop or station; or • a higher order centre, district centre, local centre or neighbourhood hub (refer Overlay map - Community activities and neighbourhood hubs).
<p><i>Performance Outcome Assessment</i></p>	
<p>The development application proposes lots with 7.5m frontage widths (Lot Type A) which are not located within 200m of a park, public transport stop or station or higher order centre, district centre, local centre or neighbourhood hub.</p>	
<p>The development proposal is unable to comply with the corresponding Performance Outcome as the application proposes lots that facilitate medium to high density residential uses that are not located in proximity to recreational opportunities, commercial and community facilities and public transport nodes.</p>	
<p>As the development proposal does not comply with Performance Outcome PO7, an assessment against the Purpose and Overall outcomes of the Reconfiguring a lot code, Emerging community zone, Transition precinct is required.</p>	
<p>PO9 Group construction and integrated streetscape solutions are encouraged through the location and grouping of lots suitable for terrace and row housing</p>	<p>AO9.2 Driveway crossovers for lots with frontages of less than 10m are paired up to facilitate on-street parking.</p> <p>Note - Driveway locations for lots with frontages of 8.5 metres or less are to be shown on a plan of development in accordance with Planning Scheme Policy - Residential Design.</p>
<p><i>Performance Outcome Assessment</i></p>	
<p>The development application includes a Plan of Development for Lots with frontages <12.5m that nominates built to boundary wall and driveway location for future dwellings on the lots. An alternative solution against Acceptable Outcome AO9.2 as the Plan of Development does not show driveway locations for narrow lots paired up.</p>	
<p>The Plan of Development would result in a dominance of driveway crossovers, conflicts for pedestrian movements and loss of opportunity for on-street car parking. The development application has not demonstrated that group construction and integrated streetscape solutions are delivered or that lots suitable for terrace housing are appropriately grouped.</p>	

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Performance Outcome	Acceptable Outcome
As the development proposal does not comply with Performance Outcome PO9, an assessment against the Purpose and Overall outcomes of the Reconfiguring a lot code, Emerging community zone, Transition precinct is required.	
<p>PO16 Street layouts are designed to connect to surrounding neighbourhoods by providing an interconnected street, pedestrian and cyclist networks that connects nearby centres, neighbourhood hubs, community facilities, public transport nodes and open space to residential areas for access and emergency management purposes. The layout ensures that new development is provided with multiple points of access. The timing of transport works ensures that multiple points of access are provided during early stages of a development.</p>	No acceptable outcome provided.
<i>Performance Outcome Assessment</i>	
<p>The development application does not comply with Performance Outcome PO16 as the proposed Reconfiguring a Lot does not provide for interconnected street, pedestrian and cyclist networks that connect to the following:</p> <ul style="list-style-type: none"> • nearby centres and neighbourhood hubs; • community facilities; • public transport nodes; • areas of open space. <p>As the development proposal does not comply with Performance Outcome PO16, an assessment against the Purpose and Overall outcomes of the Reconfiguring a lot code, Emerging community zone, Transition precinct is required.</p>	
<p>PO17 Development maintains the connections shown on:</p> <ol style="list-style-type: none"> a. 'Figure 1 - Morayfield South' - Morayfield South; b. 'Figure 2 - Narangba East' - Narangba East. 	No acceptable outcome provided.
<i>Performance Outcome Assessment</i>	
<p>PO17 requires the development to maintain the connections of Figure 1 - Morayfield South. The plan indicates an active transport route generally aligning with Road 9 from Robbs Road (south) to Clark Road (north). The Road 9 width proposed does not address the requirements of an active transport route (refer to PO18 below).</p> <p>As the development proposal does not comply with Performance Outcome PO17, an assessment against the Purpose and Overall outcomes of the Reconfiguring a lot code, Emerging community zone, Transition precinct is required.</p>	
<p>PO18 Street layouts provide an efficient and legible movement network with high</p>	No acceptable outcome provided.

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Performance Outcome	Acceptable Outcome
<p>levels of connectivity within and external to the site by:</p> <ul style="list-style-type: none"> a. facilitating increased active transport with a focus on safety and amenity for pedestrians and cyclists; b. providing street blocks with a maximum walkable perimeter of 500m (refer Figure - Street block design); c. providing a variety of street block sizes; d. reducing street block sizes as they approach an activity focus; e. facilitating possible future connections to adjoining sites for roads, green linkages and other essential infrastructure. <p>Note - Refer to Planning scheme policy - Neighbourhood design for guidance on how to achieve compliance with this outcome.</p>	
<i>Performance Outcome Assessment</i>	
<p>PO18 requires the street layout to provide for active transport for pedestrians and cyclists. Planning Scheme Policy PSP - Integrated design Appendix A (section 5) requires a development <3km from a centre to have a shared off-road facility width of 3.5 m (the shared off-road facility is triggered as a result of the Contemporary Residential road not containing cycle lanes). The development application has applied a 1.0 m western verge reduction to Road 9 due to the park frontage however this has further impacted on the roads ability to contain the attributes required by the Planning Scheme. The Road 9 width does not address the requirements of an active transport route.</p> <p>As the development proposal does not comply with Performance Outcome PO18, an assessment against the Purpose and Overall outcomes of the Reconfiguring a lot code, Emerging community zone, Transition precinct is required.</p>	
<p>PO20 Streets are designed and constructed to cater for:</p> <ul style="list-style-type: none"> a. safe and convenient pedestrian and cycle movement; b. on street parking adequate to meet the needs of future resident; c. efficient public transport routes; d. expected traffic speeds and volumes; e. utilities and stormwater drainage; f. lot access, sight lines and public safety; g. emergency access and waste collection; 	<p>No Acceptable Outcome provided.</p>

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Performance Outcome	Acceptable Outcome
<p>h. waste service vehicles; i. required street trees, landscaping and street furniture.</p> <p>Note - Refer to Planning scheme policy - Integrated design for determining design criteria to achieve this outcome.</p>	
<i>Performance Outcome Assessment</i>	
<p>Planning Scheme Policy - Integrated Design Appendix A section 11 requires the Road 9 intersection with Clark Road to be either left in/left out access or signalised. The development application has failed to address this requirement with the layout proposed.</p> <p>The development application has failed to achieve the requirements of Australian Standard - AS290.1 Section 3.2.3 which regulates driveway locations. The driveway locations proposed on corner lots 372, 387, 427 & 452 do not satisfy the Australian Standards (as required by the Integrated design planning scheme policy) with respect to intersection clearances.</p> <p>As the development proposal does not comply with Performance Outcome PO20, an assessment against the Purpose and Overall outcomes of the Reconfiguring a lot code, Emerging community zone, Transition precinct is required.</p>	
<p>PO27 The road network has sufficient reserve and pavement widths to cater for the current and intended function of the road in accordance with the road type in accordance with Planning scheme policy - Integrated design.</p>	<p>No acceptable outcome provided.</p>
<i>Performance Outcome Assessment</i>	
<p>Performance Outcome PO27 requires the road network to have sufficient reserve width for the current and intended function. The development application has failed to provide sufficient road reserve width for the Laneway lots 436, 443, 453, 485 & 493 where they intersect with 'Living Residential Roads'.</p> <p>Council's Planning Scheme Overlay Map - Road Hierarchy identifies Clark Road as a sub-arterial road with a preferred reserve width of 31 m under Planning Scheme Policy - Integrated Design Appendix A. PO27 requires the road network to have sufficient reserve width for the current and intended function. The development application has proposed a reserve width in Clark Road which does not achieve this outcome.</p> <p>Road 14 is proposed to connect to the east with a future north/south road contained within an adjoining development (DA/34253/2017/V3RL). Council planning has determined that this future road is to provide a District Collector function with a preferred reserve width of 26.8 m. The development application has failed to provide sufficient road reserve (adjacent to lots 387 & 419) to satisfy PO27.</p> <p>As the development proposal does not comply with Performance Outcome PO27, an assessment against the Purpose and Overall outcomes of the Reconfiguring a lot code, Emerging community zone, Transition precinct is required.</p>	

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Performance Outcome	Acceptable Outcome
<p>PO29 Upgrade works (whether trunk or non-trunk) are provided where necessary to:</p> <ul style="list-style-type: none"> a. ensure the type or volume of traffic generated by the development does not have a negative impact on the external road network; b. ensure the orderly and efficient continuation of the active transport network; c. ensure the site frontage is constructed to a suitable urban standard generally in accordance with Planning scheme policy - Integrated design. <p>Note - An Integrated Transport Assessment (ITA) may be required to demonstrate compliance with this performance outcome refer to Planning scheme policy - Integrated transport assessment for guidance on when an ITA is required. An ITA should be prepared in accordance with Planning scheme policy - Integrated transport assessment.</p> <p>Note - The road network is mapped on Overlay map - Road hierarchy.</p> <p>Note - The primary and secondary active transport network is mapped on Overlay map - Active transport.</p> <p>Note - To demonstrate compliance with c. of this performance outcome, site frontage works where in existing road reserve (non-trunk) are to be designed and constructed as follows:</p> <ul style="list-style-type: none"> i. Where the street is partially established to an urban standard, match the alignment of existing kerb and channel and provide carriageway widening and underground drainage where required; or ii. Where the street is not established to an urban standard, prepare a design that demonstrates how the relevant features of the particular road as shown in the Planning scheme policy - Integrated Design can be achieved in the existing reserve. <p>Note - Refer to Planning scheme policy - Integrated design for road network and active transport network design standards.</p>	<p>No acceptable outcome provided.</p>

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Performance Outcome	Acceptable Outcome
<i>Performance Outcome Assessment</i>	
<p>The development application proposes a 3.342 m widening to Clark Road to allow for an upgrade to a District Collector (26.8 m preferred reserve width). Overlay map - Road hierarchy identifies Clark Road along the development frontage as a Council Sub-Arterial road with a preferred reserve width requirement of 31 m. Accordingly, the development does not provide for upgrade works of a suitable urban standard to service the development or the Morayfield South growth area.</p> <p>As the development proposal cannot comply with Performance Outcome PO29, an assessment against the Purpose and Overall outcomes of the Reconfiguring a lot code, Emerging community zone, Transition precinct is required.</p>	
<p>PO33 A hierarchy of Park⁽⁵⁷⁾ and open space is provided to meet the recreational needs of the community</p> <p>Note - To determine the extent and location of Park⁽⁵⁷⁾ and open space required refer to Planning scheme policy - Integrated design.</p>	No acceptable outcome provided
<i>Performance Outcome Assessment</i>	
<p>The development application does not comply with Performance Outcome PO33 as the proposed development is not provided with a hierarchy of Park and open space to meet the recreational needs of the community.</p> <p>The subject site is located further than 400m walking distance from the Lindsay Road sportsground. This existing open space area does not perform the role and function of a Local Recreation Park as identified within Planning Scheme Policy PSP - Integrated design. The development application does not propose to provide a Local Recreation Park meeting the desired standards of service as identified within Planning Scheme Policy PSP - Integrated design. The subject site is not proximate to an existing Local Recreation Park meeting the desired standards of service as identified within Planning Scheme Policy PSP - Integrated design.</p> <p>The subject site is located outside of the PIA and accordingly a hierarchy of Park and open space has not been identified to be provided to service the subject site in accordance with Council's LGIP. In the absence of a planning instrument addressing land use and infrastructure planning across the growth area, a hierarchy of Park and open space to meet the needs of users is not provided for.</p> <p>As the development proposal cannot comply with Performance Outcome PO33, an assessment against the Purpose and Overall outcomes of the Reconfiguring a lot code, Emerging community zone, Transition precinct is required.</p>	
<p>PO34 Park⁽⁵⁷⁾ is to be provided within walking distance of all new residential lots. Note - To determine maximum walking distances for Park⁽⁵⁷⁾ types refer to Planning scheme policy - Integrated design.</p>	No acceptable outcome provided
<i>Performance Outcome Assessment</i>	

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Performance Outcome	Acceptable Outcome
<p>The development application does not comply with Performance Outcome PO34 as a Park is not provided within walking distance of all new residential lots.</p> <p>Planning Scheme Policy PSP- Integrated design identifies that all residential lots are to be within 400m walking distance of a Local Recreation Park, meeting the desired standards of service. The development proposal does not propose to provide a Park meeting the desired standards of service, nor are all proposed residential lots within 400m walking distance of an existing Local Recreation park meeting the Desired Standards of Service. The subject site is located outside of the PIA and accordingly Council's LGIP does not identify a future Local Park within the vicinity of the subject site. In the absence of a planning instrument addressing land use and infrastructure planning across the growth area, a Park provision within walking distance to all lots is not provided for.</p> <p>As the development proposal cannot comply with Performance Outcome PO34, an assessment against the Purpose and Overall outcomes of the Reconfiguring a lot code, Emerging community zone, Transition precinct is required.</p>	
<p>PO35 Park⁽⁵⁷⁾ is of a size and design standard to meet the needs of the expected users</p> <p>Note - To determine the size and design standards for Parks⁽⁵⁷⁾ refer to Planning scheme policy - Integrated design.</p>	<p>No acceptable outcome provided</p>
<p><i>Performance Outcome Assessment</i></p>	
<p>The proposed development does comply with Performance Outcome PO35 as the development proposal does not provide a Park of a size and standard to meet the needs of users.</p> <p>Planning Scheme Policy PSP - Integrated design identifies the desired standards of service for a Local Recreation Park. The desired standards of service for a Local Recreation Park include, but are not limited to the following:</p> <ul style="list-style-type: none"> • a minimum area of 0.5ha (100% unconstrained land); • located adjacent to a collector road or lower; • centrally located in a central, prominent, highly visible and accessible location within the catchment it services; • embellished with small play equipment, picnic areas, pedestrian pathways and drinking taps and the like. <p>The proposed development does not provide a Park of a size and standard to meet the need, nor is it proximate to an existing or future identified Park that would meet the needs of the expected users.</p> <p>As the development proposal cannot comply with Performance Outcome PO35, an assessment against the Purpose and Overall outcomes of the Reconfiguring a lot code, Emerging community zone, Transition precinct is required.</p>	
<p>PO57 Reconfiguring a lot facilitates the retention of native vegetation by:</p> <ol style="list-style-type: none"> a. incorporating native vegetation and habitat trees into the overall subdivision design, development 	<p>No acceptable outcome provided</p>

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Performance Outcome	Acceptable Outcome
<p>layout, on-street amenity and landscaping where practicable;</p> <p>b. ensuring habitat trees are located outside a development footprint. Where habitat trees are to be cleared, replacement fauna nesting boxes are provided at the rate of 1 nest box for every hollow removed. Where hollows have not yet formed in trees > 80cm in diameter at 1.3m height, 3 nest boxes are required for every habitat tree removed.</p> <p>c. providing safe, unimpeded, convenient and ongoing wildlife movement;</p> <p>d. avoiding creating fragmented and isolated patches of native vegetation.</p> <p>e. ensuring that biodiversity quality and integrity of habitats is not adversely impacted upon but are maintained and protected;</p> <p>f. ensuring that soil erosion and land degradation does not occur;</p> <p>ensuring that quality of surface water is not adversely impacted upon by providing effective vegetated buffers to water bodies</p>	
<p><i>Performance Outcome Assessment</i></p>	
<p>The proposed development does not comply with Performance Outcome PO57 as the proposal does not seek to retain native vegetation, inclusive of habitat trees, into the overall subdivision design. The application proposes to clear all existing vegetation and does not propose to offset the lost habitat values.</p> <p>As the development proposal cannot comply with Performance Outcome PO57, an assessment against the Purpose and Overall outcomes of the Reconfiguring a lot code, Emerging community zone, Transition precinct is required.</p>	
<p>PO58 Noise attenuation structure (e.g. walls, barriers or fences):</p> <p>a. contribute to safe and usable public spaces, through maintaining high levels of surveillance of parks, streets and roads that serve active transport purposes (e.g. existing or future pedestrian paths or cycle lanes etc);</p> <p>b. maintain the amenity of the streetscape.</p>	<p>AO58 Noise attenuation structures (e.g. walls, barriers or fences):</p> <p>a. are not visible from an adjoining road or public area unless;</p> <p>i. adjoining a motorway or rail line; or</p> <p>ii. adjoining part of an arterial road that does not serve an existing or future active transport purpose (e.g. pedestrian paths or cycle lanes) or where</p>

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Performance Outcome	Acceptable Outcome
<p>Note - A noise impact assessment may be required to demonstrate compliance with this PO. Noise impact assessments are to be prepared in accordance with Planning scheme policy - Noise.</p> <p>Note - Refer to Planning Scheme Policy – Integrated design for details and examples of noise attenuation structures</p>	<p>attenuation through building location and materials is not possible.</p> <p>b. do not remove existing or prevent future active transport routes or connections to the street network;</p> <p>c. are located, constructed and landscaped in accordance with Planning scheme policy - Integrated design.</p> <p>Note - Refer to Planning Scheme Policy – Integrated design for details and examples of noise attenuation structures.</p> <p>Note - Refer to Overlay map – Active transport for future active transport routes.</p>
<p><i>Performance Outcome Assessment</i></p>	
<p>The development application does not comply with Performance Outcome 58 as a Noise Impact Assessment has not been submitted as part of the application and as a result the requirement for the provision of noise attenuation structures and their alignments have not been determined as part of the application.</p> <p>As the development proposal does not comply with Performance Outcome PO58, an assessment against the Purpose and Overall outcomes of the Reconfiguring a lot code, Emerging community zone, Transition precinct is required.</p>	
<p>PO59 Lots are designed to:</p> <ol style="list-style-type: none"> a. minimise the risk from bushfire hazard to each lot and provide the safest possible siting for buildings and structures; b. limit the possible spread paths of bushfire within the reconfiguring; c. achieve sufficient separation distance between development and hazardous vegetation to minimise the risk to future buildings and structures during bushfire events; d. maintain the required level of functionality for emergency services and uses during and immediately after a natural hazard event. 	<p>E59 Reconfiguring a lot ensures that all new lots are of an appropriate size, shape and layout to allow for the siting of future buildings being located:</p> <ol style="list-style-type: none"> a. within an appropriate development footprint; b. within the lowest hazard locations on a lot; c. to achieve minimum separation between development or development footprint and any source of bushfire hazard of 20m or the distance required to achieve a Bushfire Attack Level BAL (as identified under AS3959-2009), whichever is the greater; d. to achieve a minimum separation between development or development footprint and any retained vegetation strips or small areas of vegetation of 10m or the distance required to achieve a Bushfire Attack Level BAL (as identified under AS3959-2009), whichever is the greater; e. away from ridgelines and hilltops;

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Performance Outcome	Acceptable Outcome
	<ul style="list-style-type: none"> f. on land with a slope of less than 15%; g. away from north to west facing slopes.
<i>Performance Outcome Assessment</i>	
<p>The site is mapped as containing High potential bushfire hazard and potential impact buffer as identified on Overlay map - Bushfire hazard. The development application does not comply with Performance Outcome 59 as a Bushfire Management Plan has not been submitted as part of the application and as a result the bushfire risk on the site has not been identified and the safest possible siting for buildings and structures has not been identified as part of the application.</p> <p>As the development proposal does not comply with Performance Outcome PO59, an assessment against the Purpose and Overall outcomes of the Reconfiguring a lot code, Emerging community zone, Transition precinct is required.</p>	
<p>PO63 No new boundaries are to be located within 2m of a High Value Area;</p>	<p>No example provided.</p>
<i>Performance Outcome Assessment</i>	
<p>The proposal cannot comply with Performance Outcome PO63 as the application involves the creation of new lot boundaries within 2m of mapped High value areas under Overlay map - Environmental areas.</p> <p>As the development proposal cannot comply with Performance Outcome PO36, an assessment against the Purpose and Overall outcomes of the Reconfiguring a lot code, Emerging community zone, Transition precinct is required.</p>	
<p>PO87 Lots are designed to:</p> <ul style="list-style-type: none"> a. minimise the extent of encroachment into the riparian and wetland setback; b. ensure the protection of wildlife corridors and connectivity; c. reduce the impact on fauna habitats; d. minimise edge effects; e. ensure an appropriate extent of public access to waterways and wetlands 	<p>AO87 Reconfiguring a lot ensures that:</p> <ul style="list-style-type: none"> a. no new lots are created within a riparian and wetland setback; b. new public roads are located between the riparian and wetland setback and the proposed new lots. <p>Note - Riparian and wetlands are mapped on Schedule 2, Section 2.5 Overlay Maps – Riparian and wetland setbacks.</p>
<i>Performance Outcome Assessment</i>	
<p>The development application proposes the creation of a new lots within the mapped riparian and wetland setback without the provision of a new road between the proposed lot and the riparian setback. The development application is unable to comply with the Performance Outcome as proposal would compromise the extent of public access provided to the waterway and would in encroachment and edge effects to the mapped waterway of Gympie Creek Tributary.</p> <p>As the development proposal cannot comply with Performance Outcome PO87, an assessment against the Purpose and Overall outcomes of the Reconfiguring a lot code, Emerging community zone, Transition precinct is required.</p>	

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Performance Outcome	Acceptable Outcome
Flood hazard overlay code	
<p>PO18 Development is compatible with the intolerable or tolerable level of risk of the flood hazard applicable to the premises such that reconfiguring a lot for creating lots by subdividing another lot:</p> <ul style="list-style-type: none"> a. in the High risk area, is only for the purposes of Park or Permanent plantation unless: <ul style="list-style-type: none"> i. in the Rural residential zone where; the minimum lot size for each rural residential lot is provided outside the High risk area; or ii. in the Rural zone; or b. in the Medium risk area, is only for the purposes of Park or Permanent plantation unless: <ul style="list-style-type: none"> i. in the Centre zone, Industry zone, Recreation and open space zone, or Township zone, where not for a residential purpose or vulnerable use (flood and coastal); or ii. in the Rural zone; or iii. in the Rural residential zone, where the minimum lot size for each rural residential lot is provided outside the Medium risk area; or iv. in any other zone, where all resultant lots are located outside the High risk or Medium risk area other than those for the purposes of Park or Permanent plantation; or c. In the Balance flood planning area, is consistent with the overall outcomes of the applicable zone and precinct. <p>Note - The overall outcomes of this code identify the development outcomes which are intended so as to avoid or mitigate the</p>	<p>No acceptable outcome provided.</p>

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Performance Outcome	Acceptable Outcome
intolerable or tolerable level of risk applicable to premises in the High risk area, Medium risk area and Low risk area of the Flood planning area.	
<i>Performance Outcome Assessment</i>	
<p>The proposal does not comply with Performance Outcome PO18, as the application proposes to create a lot (part of lot 993) containing medium risk flood hazard, that is not proposed to be used only for the purposes of Park or Permanent plantation.</p> <p>As the development proposal cannot comply with Performance Outcome PO18, an assessment against the Purpose and Overall outcomes of the Flood Hazard Overlay Code is required.</p>	
<p>PO22 Development ensures that works complies with the requirements of <u>Table 8.2.2.4 'Fill Requirements'</u> and does not:</p> <ol style="list-style-type: none"> a. directly, indirectly and cumulatively cause any increase in water flow velocity or level; b. increase the potential for erosion, scour or flood damage either on the premises or other premises, public land, watercourses, roads or infrastructure or elsewhere in the floodplain; c. change the timing of the flood wave or impact on flood warning times; d. adverse impacts on the local drainage and the flood conveyance of a waterway; e. increased flood inundation of surrounding properties; f. any reduction in the flood storage capacity of the floodplain and any clearing of native vegetation. <p>Note - To demonstrate achievement of the performance outcome, an engineering report is to be prepared by a suitably qualified person. Guidance on the matters to be addressed in the report is provided in the Planning scheme policy Flood Hazard, Coastal Hazard and Overland Flow.</p>	No acceptable outcome provided.
<i>Performance Outcome Assessment</i>	
<p>Performance Outcome PO22 (Table 8.2.2.4) prohibits the placement of fill within the Medium Risk Flood Hazard area. The proposed Road 9 design does not comply as the batters and fill are within the Medium Risk Flood Hazard area.</p>	

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Performance Outcome	Acceptable Outcome
As the development proposal cannot comply with Performance Outcome PO22, an assessment against the Purpose and Overall outcomes of the Flood Hazard Overlay Code is required.	

2.4.4 Overall Outcome Assessment

The development proposal does not comply with the Performance Outcomes of the Reconfiguring a Lot Code, Emerging community code, Transition precinct stated in section 2.4.3 above. Therefore, the development proposal is required to be assessed against the applicable Overall Outcomes of the Reconfiguring a Lot code as follows:

9.4.1.3.2.1 Reconfiguring a lot code, Emerging community zone, Transition precinct		
Overall Outcomes	Complies Y/N	Comments
<p>2.b. Reconfiguring a lot in the Emerging community zone - Transition precinct, where creating developed lots achieves the following:</p> <ul style="list-style-type: none"> i. for land within the Morayfield South urban area identified on 'Figure 9.4.1.3.2.1 Morayfield South urban area', reconfiguration does not compromise the areas ability to achieve a minimum site density of 45 dwellings per ha and lots of a size and dimension to accommodate medium - high density development; ii. for land in all other areas, a variety of residential lot sizes and a net residential density of between 11-25 lots per hectare; iii. neighbourhoods that are designed to provide well-connected, safe and convenient movement and open space networks through interconnected streets and active transport linkages that provide high levels of accessibility between residences, open space areas and places of activity; iv. intent and purpose of the Transition precinct outcomes identified in Part 6. 	No	<p>The proposed development is inconsistent with the Overall Outcome 2 b. for the following reasons:</p> <ul style="list-style-type: none"> i. Not applicable. The subject site is not located within the identified Morayfield South urban area. ii. The proposed development does not achieve a variety of residential lot sizes as required for a Next Generation neighbourhood. iii The proposed neighbourhood is not designed to provide a well-connected, safe and convenient open space network, as: <ul style="list-style-type: none"> A) the proposed development does not provide an open space network and the existing network is not designed to accommodate a residential neighbourhood as the area is located outside the PIA; and B) the proposed development does not provide linkages for active transport networks and road infrastructure of a suitable standard to existing networks or activity places. iv. The proposed development does not achieve the intent and purpose of the Transition precinct outcomes identified in Part 6 (refer assessment below).

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9.4.1.3.2.1 Reconfiguring a lot code, Emerging community zone, Transition precinct		
Overall Outcomes	Complies Y/N	Comments
<p>2.d. Reconfiguring a lot avoids areas subject to constraint, limitation, or environmental values. Where reconfiguring a lot cannot avoid these identified areas, it responds by:</p> <ul style="list-style-type: none"> i. adopting a 'least risk, least impact' approach when designing, siting and locating development to minimise the potential risk to people, property and the environment; ii. ensuring no further instability, erosion or degradation of the land, water or soil resource; iii. maintaining environmental values, including natural, ecological, biological, aquatic, hydrological and amenity values, and enhancing these values through the provision of environmental offsets, landscaping and facilitating safe wildlife movement through the environment; iv. protecting native species and protecting and enhancing native species habitat; v. protecting and preserving the natural, aesthetic, architectural historic and cultural values of significant trees, places, objects and buildings of heritage and cultural significance; vi. establishing effective separation distances, buffers and mitigation measures associated with major infrastructure to minimise adverse effects on sensitive land uses from noise, dust and other nuisance generating activities; vii. ensuring it promotes and does not undermine the ongoing viability, integrity, operation, maintenance and safety of major infrastructure; 	No	<p>The development application does not comply with Overall outcome 2.d. as the proposed development does not avoid areas subject to constraint, limitation or environmental values.</p> <p>The application seeks to create new lot boundaries within mapped high value areas. The proposal seeks to remove the existing values of the site and does not propose to offset those values proposed to be removed.</p>

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9.4.1.3.2.1 Reconfiguring a lot code, Emerging community zone, Transition precinct		
Overall Outcomes	Complies Y/N	Comments
viii. ensuring effective and efficient disaster management response and recovery capabilities.		

9.4.1.2. Purpose of the Reconfiguring a lot code		
Overall Outcomes	Complies Y/N	Comments
<p>2. The purpose of the code will be achieved through the following overall outcomes:</p> <p>a. Reconfiguring a lot creates a diversity of lot sizes, dimensions and arrangements consistent with the intended densities, uses, configurations and character of the applicable zone and precinct while not adversely impacting on lawful uses, values or constraints present.</p> <p>b. Reconfiguring a lot delivers the social, cultural and recreational needs of the community by ensuring:</p> <p>i. a range of lot sizes are delivered to assist in affordable housing opportunities;</p> <p>ii. the lots have convenient, direct and easy pedestrian and bicycle access to commercial and local employment opportunities;</p> <p>iii. Accessible, publicly available open space areas located within walking distance to all residential lots in the General Residential Zone;</p> <p>iv. lots allow future uses to have casual surveillance of public / communal space (such as road and open space areas), have communal meeting / recreational areas conveniently located and accessible using all modes of transport and create a sense of place commensurate with the intents for the applicable zone and precinct;</p>	No	<p>The proposed development is inconsistent with the purpose of the Reconfiguring a Lot code as it conflicts with the overall outcomes of the Code.</p> <p>The proposed development is inconsistent with Overall Outcome 2.a. as the reconfiguring does not create a diversity of lot sizes, dimensions and arrangements consistent with the intended densities and configurations of the Emerging community zone, Transition precinct.</p> <p>The proposed development is inconsistent with Overall Outcome 2.b.ii. as connectivity for pedestrian and bicycles to commercial and local employment opportunities is not achieved and there are no infrastructure plans for this to be achieved given that the subject site is outside the PIA and pedestrian and bicycle pathways are not currently provided or planned for the area surrounding the subject site.</p> <p>The proposed development is inconsistent with Overall Outcome 2.b.iii. as open space areas are not located within walking distance of all residential lots, proposed to be of a density consistent with the General Residential zone.</p>

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Overall Outcome 2.b.iv. of the Reconfiguring a lot code, Emerging community zone, Transition precinct requires that Reconfiguring a lot in the Emerging community zone - Transition precinct, where creating developed lots, achieves the intent and purpose of the Transition precinct outcomes identified in Part 6. Accordingly, an assessment against the purpose an intent of the Emerging community zone code is as follows:

6.2.3.2 Purpose – Emerging community zone		
Overall Outcomes	Complies Y/N	Comments
<p>1. The purpose of the Emerging community zone code is to:</p> <ul style="list-style-type: none"> a. identify land that is suitable for urban purposes and conserve land that may be suitable for urban development in the future; b. manage the timely conversion of non-urban land to urban purposes; c. prevent or discourage development that is likely to compromise appropriate longer term land use. 	No	<p>The proposed development is inconsistent with Purpose 1.a. as the subject site is not currently identified as suitable for urban development as the detailed land use and infrastructure planning has not been completed for the Morayfield South growth area. The proposed development seeks to implement an ultimate residential development which preempts the structure planning which is currently being carried out as anticipated by the Planning Scheme Amendment and which will identify the land use and infrastructure planning for the Morayfield South growth area.</p> <p>The proposed development is inconsistent with Purpose 1.b. as the proposed conversion of non-urban land to urban purposes is premature, as the subject site is outside the PIA and necessary infrastructure to support the conversion is not currently planned and the existing infrastructure networks are not to an appropriate standard or capacity to support the conversion.</p> <p>The proposed development is inconsistent with Purpose 1.c. as it is not possible to determine the longer-term land uses or infrastructure requirements, without undertaking the planning of the growth area over the full development horizon. On this basis, the proposed development makes more difficult the land use and infrastructure planning which is necessary for the provision of infrastructure required to support the appropriate land use outcomes for</p>

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6.2.3.2 Purpose – Emerging community zone		
Overall Outcomes	Complies Y/N	Comments
		<p>both the Morayfield South growth area and other anticipated development outside the Morayfield South growth area.</p> <p>The proposed development is therefore inconsistent with the intent and purpose of the Emerging community zone code set out in this Purpose statement.</p>
<p>2. The Emerging community zone has 2 precincts which have the following purpose;</p> <p>b The Transition precinct is to:</p> <p>i. identify and conserve land that may be suitable for urban development in the future, allowing interim uses that will not compromise the best longer term use of the land;</p> <p>ii. provide mechanisms to promote and implement an appropriate mix of dwelling types, consistent with a next generation neighbourhood across the transition precinct once this land is developed and serviced with all local government networks including water and sewer and is suitable for urban development.</p> <p>Once serviced by all local government networks, including water and sewer the Transition precinct is to provide a mix of dwelling types to support densities that are moderately higher than traditional suburban areas. Housing forms include predominantly detached dwellings on a variety of lot sizes with a greater range of attached dwellings and low to medium rise apartment buildings. These areas will have convenient access to centres, community facilities</p>	No	<p>The proposed development is inconsistent with Purpose 2.b.i. as the land use and infrastructure planning has not been completed for the Morayfield South growth area and it is premature for a development proposal to implement an ultimate residential use in the absence of detailed land use and infrastructure planning for the growth area. The proposed development is not for an interim use and in any event without detailed land use and infrastructure planning it is not possible to ascertain whether the proposed development is compromising or making more difficult the form of the land use and infrastructure planning for the growth area.</p> <p>The proposed development is premature, and is inconsistent with Purpose 2.b.ii. as the Planning Scheme Amendment, planning instruments and land use and infrastructure planning necessary to promote and implement a next generation neighbourhood have not been completed or adopted by Council. The subject site is not serviced with all local government networks to a standard or capacity which is suitable for urban development and the development proposal does not demonstrate that all local government networks can be provided to the proposed urban community in accordance with the appropriate standards and required capacity.</p>

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6.2.3.2 Purpose – Emerging community zone		
Overall Outcomes	Complies Y/N	Comments
<p>and higher frequency public transport.</p>		<p>The development proposal is deficient in that it does not provide for all local government networks to the development according to Council's standards of provision for:</p> <ol style="list-style-type: none"> 1. External Road (Clark Road); 2. Local park provision; and 3. Stormwater management. <p>The proposed development may compromise or make more difficult the form of the land use and infrastructure planning for the subject site.</p> <p>The land use and infrastructure planning and the preparation and adoption of a planning instrument for the Morayfield South growth area has not been completed and therefore the proposed development makes more difficult the form of the land use and infrastructure planning for the Morayfield South growth area.</p> <p>The proposed development is therefore inconsistent with the intent and purpose of the Emerging community zone code, Transition precinct set out in Overall Outcome 2.b.</p>
<p>3. The Emerging Community zone seeks to implement the policy direction set in Part 3, Strategic Framework.</p>	<p style="text-align: center;">No</p>	<p>The proposed development conflicts with the Strategic Framework of the Planning Scheme (refer section 2.4 of this report).</p>

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8.2.2.2 Purpose – Flood hazard overlay code		
Overall Outcomes	Complies Y/N	Comments
<p>2. The purpose of the Flood hazard overlay code will be achieved through the following overall outcomes:</p> <p>c. Development in the Medium risk area manages and mitigates the tolerable risk of flood hazard by ensuring that:</p> <p>iii. reconfiguring a lot for creating lots by subdividing another lot is only for the following:</p> <p>c. in any other zone, where all resultant lots are located outside the High risk or Medium risk area other than those for the purposes of Park(57) or Permanent plantation(59).</p> <p>iv. earthworks do not occur except where associated with a previous approval</p>	No	<p>The development application proposes to create a lot (part Lot 993) containing medium risk flood hazard as shown on Overlay map - Flood hazard that is not proposed to be used only for the purposes of Park or Permanent plantation.</p> <p>Proposed Road 9 is proposed adjacent to the mapped Medium risk flood hazard as shown on Overlay map - Flood hazard. The development proposal does not comply with overall outcome (2)(v) as batters and fill associated with proposed road 9 extend within the mapped medium risk flood hazard.</p> <p>The development proposal is therefore inconsistent with the intent and purpose of the Flood hazard overlay code.</p>

Based on the assessment above, the development proposal is inconsistent with the Overall Outcomes of the applicable codes. Therefore, in accordance with section 1.7.2 of the Planning Scheme, an assessment against the Strategic Framework is set out in section 2.4.1 of this report.

2.4.5 Local Government Infrastructure Plan

The subject site is located outside the PIA which is identified in the LGIP. The PIA is an area that Council has designated for the coordination, prioritisation and sequencing of infrastructure for 10-15 years of growth. Its aim is to identify the areas where infrastructure can be provided most efficiently to support development.

Urban development is not prohibited outside the PIA, however, it is Council's responsibility to determine whether development outside the PIA will burden the community over the medium and long term. Where this can be quantified, the legislation enables the local government to establish an additional charge and decide the application.

Where a development forms part of a future growth front, such as the Emerging community area at Morayfield South, the assessment of the infrastructure should consider the development of the entire future growth front. Council uses this information to inform the necessary coordination, prioritisation and sequencing of infrastructure to ensure efficient and cost-effective provision.

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Council has commenced the preparation of the necessary land use and infrastructure planning to identify the infrastructure needed to support the development of the Morayfield South Emerging Community Area. This planning is intended to inform the coordination, prioritisation and sequencing of the necessary infrastructure.

The applicant has provided a suite of information purported to be the necessary land use and infrastructure planning for the Morayfield South Emerging Community Area. The information provided is considered inadequate to meet the requirements of Council when deciding the ultimate development yield and the extent, location and timing of the necessary infrastructure to service the whole of the Emerging Community Area.

The applicant has not provided adequate information about the land use and infrastructure planning for Council to make a reasonable assessment of the cost/impact on the community as a result of the development.

2.5 Recording of particular approvals on the MBRC Planning Scheme

Not applicable in this instance.

2.6 Referrals

2.6.1 *Council Referrals*

2.6.1.1 Development Engineering

Layout Issues

The subject site is impacted by the Flood Hazard Overlay with the medium risk flood hazard area over an existing water course through a western portion of the development. The development application proposes that Road 9 and the stormwater treatment devices are clear of the overlay however the unused land has been indicated as balance lots. The Flood Hazard Overlay Code PO18 limits land uses within the medium risk flood hazard area to park or permeant plantation.

The applicant has proposed a 3.342 m widening to Clark Road to allow for an upgrade to a District Collector road (26.8 m preferred reserve width). The Reconfiguring a Lot Code (Emerging Community Zone - Transition Precinct) PO29 requires the development to (b.) ensure the orderly and efficient continuation of the active transport network. The Planning Scheme Overlay Map - Road Hierarchy identifies Clark Road along the development frontage as a sub arterial road with a preferred reserve width requirement of 31 m.

The Reconfiguring a Lot Code (Emerging Community Zone - Transition Precinct) PO17 requires the development to maintain the connections of Figure 1 - Morayfield South. The plan indicates an active transport route generally aligning with Road 9 from Robbs Road (south) to Clark Road (north). PO18 requires the street layout to provide for active transport for pedestrians and cyclists. PSP - Integrated design Appendix A (section 5) requires a development <3km from a centre to have a shared off-road facility width of 3.5 m (the shared off-road facility is triggered due to the Contemporary Residential road not containing cycle lanes). The development application proposes a 1.0 m western verge reduction to Road 9 due to the park frontage however this has further impacted on the road's ability to contain the attributes required by the planning scheme. The Road 9 width does not address the requirements of an active transport route.

The Works Code PO24 requires intersections to be located to provide safe and convenient movements for users. E24.2 lists an intersection spacing for a local collector road (contemporary residential) on the same side of 100 m. Only Road 12 & 13 intersections satisfy this requirement.

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Road 14 is proposed to connect to the east with a future north/south road (Contemporary residential (19.5 m wide) contained within an adjoining development (DA/34253/2017/V3RL)). Council has determined that this future road is to provide a District Collector function with a reserve width of minimum 26.8 m.

The Reconfiguring a Lot Code (Emerging Community Zone - Transition Precinct)PO18 requires street block sizes to have a maximum walkable perimeter of 500 m. The street block containing Lots 519 - 551 has a boundary perimeter of approximately 517 m.

Laneway lots 436, 443, 453, 485 & 493 require boundary truncations to maintain the verge width at the intersections with the Living Residential Roads.

AS2890.1 Section 3.2.3 regulates driveway locations in proximity to intersections. The driveway locations indicated on corner lots 372, 387, 427 & 452 do not satisfy this requirement.

Earthworks

Road 9 has been filled to provide the required flood immunity with batters into the indicated balance lot to the west. A portion of this batter is located within the medium flood hazard area which conflicts with the Flood Hazard Overlay Code PO22.

The Works Code PO8 requires earthworks to consider the stability and maintenance of batters. The submitted Typical Road Cross Sections (Drawing GH2039/2/R1) indicates Road 9 batters with a grade of 1:2.5 which does not satisfy PO8.

Traffic and Transport

PSP - Integrated Design Appendix A section 11 requires a Road 9 intersection with Clark Road to be either left in/left out access or signalised. The development application proposes an all movements with basic turn treatments which does not address a signalised minor collector and sub-arterial intersection including turning lanes with appropriate land dedication.

Stormwater Management and Drainage Discharge

The flood and engineering drawings are to reference the Flood Hazard Overlay boundaries and not just the 1% AEP extents.

The SMP indicates Catchment 2 discharging to the east and into a swale flowing north which conflicts with the engineering drawings which indicates the catchment discharging by a constructed swale within a balance lot to the south. No point of discharge has been determined for the swales or easements indicated over the balance lot.

2.6.1.2 Environmental Health

Noise

There are twenty four (24) proposed lots facing Clark Road which is a designated sub arterial road. Planning Scheme Policy - Noise requires traffic noise to be considered for all lots within 50 meters of a current of future designated sub arterial road. Additionally, any acoustic barrier facing a road must be recessed onto the subject property to allow landscaped screening to a depth specified in Table 6, Planning scheme policy - Integrated design - Appendix D. The applicant incorrectly stated in response to an information request that Clark Road only meets the requirements of a district collector road and therefore an acoustic report is not necessary.

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It is not clear what potential acoustic issues there are for habitable rooms and the private open space for each of the lots facing Clark Road. It is also not clear how or if any acoustic impacts can be managed at each dwelling. If an acoustic barrier is required, for example, the layout of the allotments may need to change to accommodate landscaped screening.

From an environmental health perspective, the development application cannot be approved in its current form.

2.6.1.3 Environmental Planning

Council requested further information on how the development proposal complies with:

- Performance Outcome PO57 of the Reconfiguring a Lot Code (Emerging Community Zone - Transition Precinct) which requires the retention of native vegetation by incorporating native vegetation and habitat trees into the subdivision design;
- Performance Outcome PO63 of the Reconfiguring a Lot Code (Emerging Community Zone - Transition Precinct) which requires that no new lot boundaries are created within 2m of a mapped high value area;
- Performance Outcome PO87 which requires that lot design minimises the encroachment into mapped waterways and ensures the protection of wildlife corridors and minimise edge effects.
- Performance Outcomes PO59-62 which requires an assessment of the bushfire hazard.

The information response relied upon an ecological assessment that forms part of the initial constraints assessment associated with the Structure Planning Work currently being undertaken by Council that has not yet been finalised and has not been accepted by the Council. A response to the requirements of the Planning Scheme has not been provided. Furthermore, a vegetation management plan, habitat tree management plan, nest box management plan and bushfire management plan have not been provided as requested by Council.

From an environmental planning perspective, the development application cannot be approved in its current form.

2.6.1.4 Strategic Planning

The development proposal will not achieve the outcomes sought in the Strategic Framework with regard to the following:

- infrastructure planning for the area to determine how the area can be developed efficiently to create a cohesive and sustainable urban community;
- providing an appropriate and suitable variety of lot sizes in each place type;
- the provision of diversity of housing types in each place type;
- meeting the minimum net residential density in the Urban Neighbourhood place type;
- providing for future low density development in the Urban Neighbourhood place type.

In the absence of detailed structure planning, the development proposal will not achieve the purpose of the Emerging Community Zone as it fails to properly and effectively manage the timely conversion of non-urban land. The development proposal will not meet the relevant overall outcomes as the subject site is not serviced by all networks, does not provide a suitable variety of lot sizes providing choice or affordability, and does not provide for well-connected, safe and convenient movement and open space networks.

Whilst the development proposal achieves the net residential density requirement, it does not achieve residential lot diversity. The development proposal does not provide the necessary mix of lot types to achieve a mix of dwelling types expected for a next generation neighbourhood area.

ITEM 2.1 DEVELOPMENT APPLICATION DA/34554/2017/V3RL - RECONFIGURING A LOT - DEVELOPMENT PERMIT FOR SUBDIVISION (11 INTO 173 LOTS + 8 BALANCE LOTS + DETENTION BASIN + EASEMENTS IN 7 STAGES), LOCATED AT 51-65 AND 77 CLARK ROAD AND 54-100 ROBBS ROAD, MORAYFIELD - DIVI - A16439338 (Cont.)

2.6.2 Referral Agencies

2.6.2.1 Concurrence Agencies - Department of Infrastructure, Local Government and Planning

There were no Concurrence Agencies involved in assessing this development application.

2.6.2.2 Advice Agencies

There were no Advice Agencies involved in assessing this application.

2.6.2.3 Third Party Agencies

There were no Third Party Agencies involved in assessing this application.

2.7 Public Consultation

The development application is Code Assessable and accordingly there are no public notification requirements associated with the proposal.

2.8 Other Matters

2.8.1 Proposed Amendments to the Moreton Bay Regional Council Planning Scheme

Moreton Bay Regional Council commenced public notification of Planning Scheme Amendments on 21 August 2017 which closed on 6 October 2017. The Planning Scheme Amendment seeks to manage the development of future urban areas in the Emerging Community zone. Further detailed investigation of land uses and infrastructure planning is required to confirm that these future urban areas are suitable to accommodate future growth. Whole of catchment infrastructure solutions are required for the five networks of water, sewerage, transport, stormwater and community infrastructure, to ensure that the growth areas can be fully serviced in accordance with the relevant standards expected in an urbanised area.

The Planning Scheme Amendment includes the following:

1. introduce a new overlay map "Overlay map – Structure Plan areas" which identifies areas that are Structure Planned Areas and those which are Future Structure Plan Areas;
2. introduce definitions of "Service area" and "Non Service Area" reflecting the status of infrastructure availability of land in the Emerging community zone;
3. introduce an amended level of assessment for reconfiguring a lot such that land within (see Table 5.6.1):
 - a. a Service area (being the area within a structure planned area which is located within the PIA and the water connection area and sewer connection area in the applicable Water netserv plan) is subject to code assessment; and
 - b. a Non-Service area (being an area within a structure plan area which is not a Service area) is subject to impact assessment; and
4. make reference to the establishment of a Coordinating Infrastructure Agreement (CIA) between major infrastructure service providers being Council, Unitywater and the State Government to relevantly provide for the planning, coordination, sequencing, delivery and operation of infrastructure to service the development of a structure plan area.

The Planning Scheme Amendment demonstrates Council's direction of planning and commitment to advancing the land use and infrastructure planning through the preparation of Structure Plans for the various growth areas in the Emerging community zone.

ITEM 2.1 DEVELOPMENT APPLICATION DA/34554/2017/V3RL - RECONFIGURING A LOT - DEVELOPMENT PERMIT FOR SUBDIVISION (11 INTO 173 LOTS + 8 BALANCE LOTS + DETENTION BASIN + EASEMENTS IN 7 STAGES), LOCATED AT 51-65 AND 77 CLARK ROAD AND 54-100 ROBBS ROAD, MORAYFIELD - DIVI - A16439338 (Cont.)

3. Strategic Implications

3.1 Legislative/Legal Implications

The applicant has appeal rights in accordance with the *Sustainable Planning Act 2009*.

3.2 Corporate Plan / Operational Plan

The proposal does not demonstrate well-planned growth - a sustainable and well-planned community as sought by the Corporate Plan.

3.3 Policy Implications

The proposal is inconsistent with the existing Moreton Bay Region planning provisions and relevant policies.

3.4 Risk Management Implications

Development occurs efficiently and effectively in the region in a manner that reduces the potential risk implications to Council and the community.

3.5 Delegated Authority Implications

There are no delegated authority implications arising as a direct result of this report.

3.6 Financial Implications

In the event that an appeal is made to the Planning & Environment court against Council's decision, the Council will incur additional costs in defending its position.

3.7 Economic Implications

The proposed development would make more difficult the ultimate decision as to the form of the Planning Scheme amendments and the related land use and infrastructure planning for the Morayfield South growth area.

3.8 Environmental Implications

There are no environmental implications arising from refusing this development application.

3.9 Social Implications

There are no social implications arising from refusing this development application.

3.10 Consultation / Communication

Refer to clause 2.7.

SUPPORTING INFORMATION

Ref: A16439342; A16443728

The following list of supporting information is provided for:

ITEM 2.1

PROPOSED MORETON BAY REGIONAL COUNCIL AMENDMENT SUBORDINATE LOCAL LAW NO. 1 (ADMINISTRATION) 2018 - REGIONAL

#1 Aerial Photograph

#2 Locality Plan

#3 Zoning Map

#4 Proposal Plans

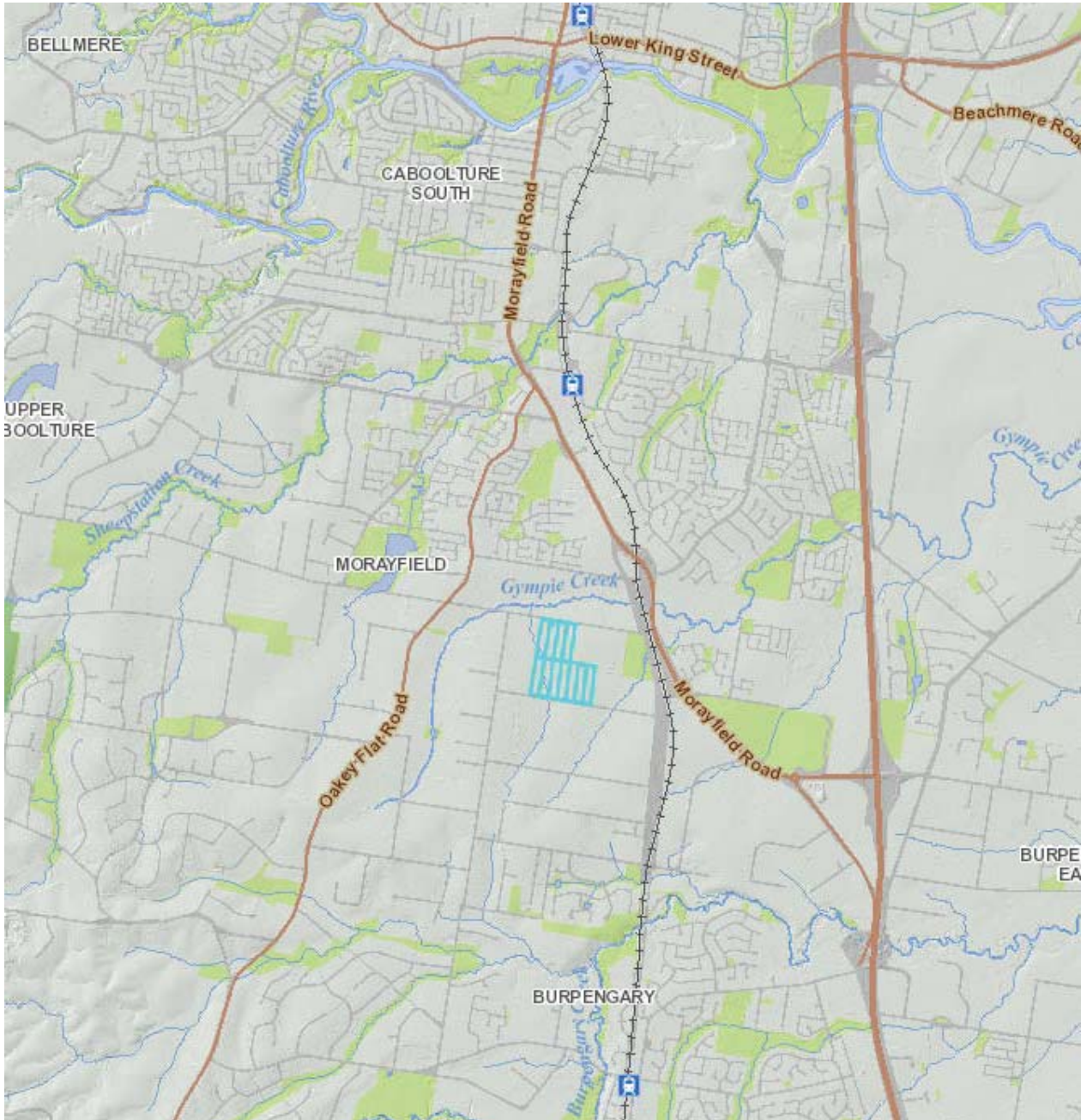
ITEM 2.1 - DEVELOPMENT APPLICATION DA/34554/2017/V3RL - RECONFIGURING A LOT - DEVELOPMENT PERMIT FOR SUBDIVISION (11 INTO 175 LOTS + 7 BALANCE LOTS + EASEMENTS IN 7 STAGES), LOCATED AT 51-65 AND 77 CLARK ROAD AND 54-100 ROBBS ROAD, MORAYFIELD - DIVISION 12 (Cont.)

#1 Aerial Photograph



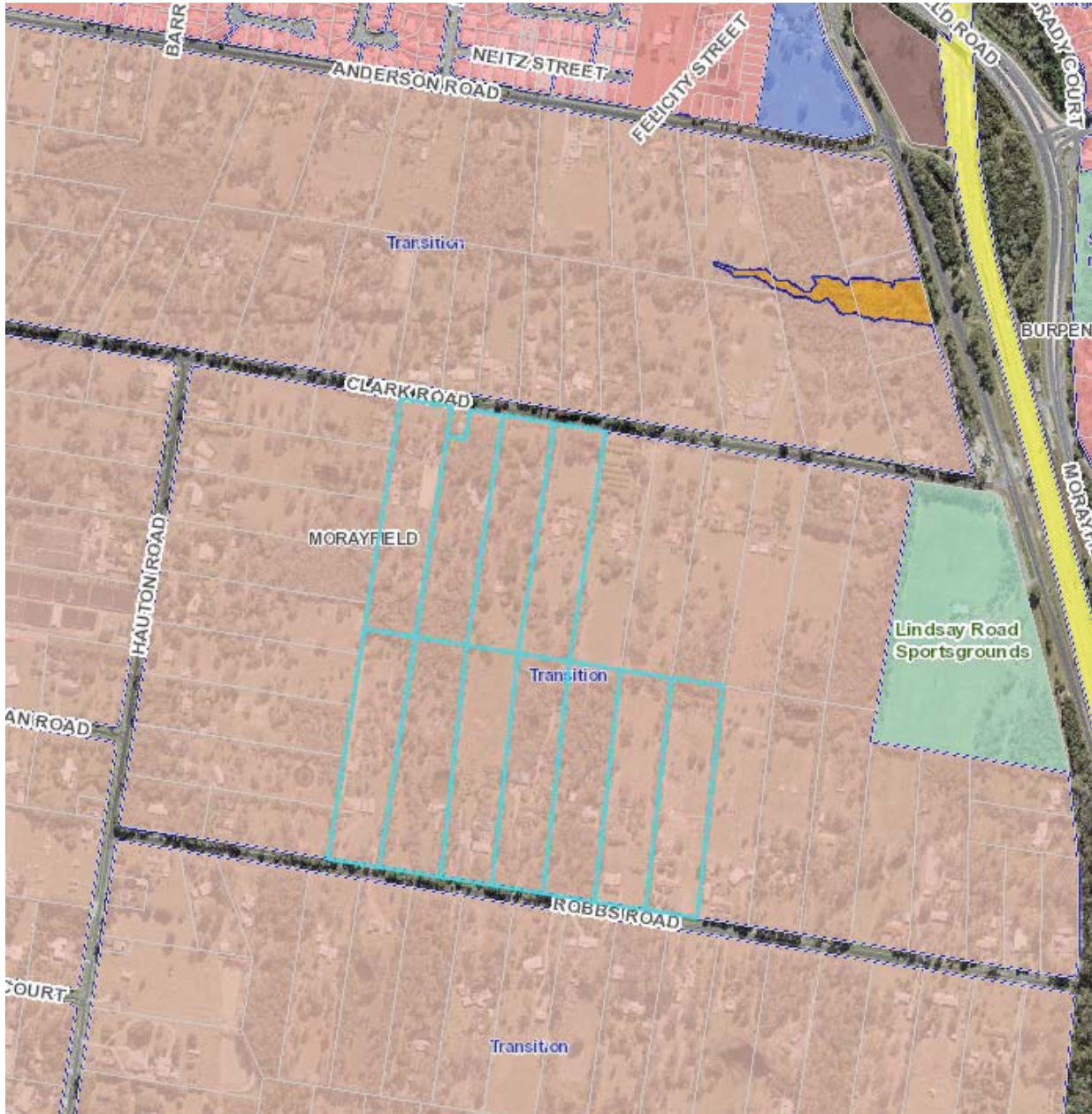
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#2 Locality Plan



ITEM 2.1 - DEVELOPMENT APPLICATION DA/34554/2017/V3RL - RECONFIGURING A LOT - DEVELOPMENT PERMIT FOR SUBDIVISION (11 INTO 175 LOTS + 7 BALANCE LOTS + EASEMENTS IN 7 STAGES), LOCATED AT 51-65 AND 77 CLARK ROAD AND 54-100 ROBBS ROAD, MORAYFIELD - DIVISION 12 (Cont.)

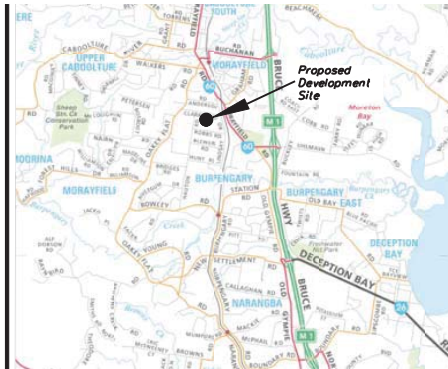
#3 Zoning Map



Zones	
■	General residential
■	Centre
■	Recreation and open space
■	Environmental management and conservation
■	Industry
■	Community facilities
■	Emerging community
■	Extractive industry
■	Limited development
■	Rural
■	Rural residential
■	Township

ITEM 2.1 - DEVELOPMENT APPLICATION DA/34554/2017/V3RL - RECONFIGURING A LOT - DEVELOPMENT PERMIT FOR SUBDIVISION (11 INTO 175 LOTS + 7 BALANCE LOTS + EASEMENTS IN 7 STAGES), LOCATED AT 51-65 AND 77 CLARK ROAD AND 54-100 ROBBS ROAD, MORAYFIELD - DIVISION 12 (Cont.)

#4 Proposal Plans



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**Morayfield South
Locality Plan**

GENERAL NOTES:

LEGEND

- Proposed Vegetation Corridor
- Q100 Inundation Area (Overland Flow)

Revisions	Surveyed	Drawn	Checked	Passed	Date

A ORIGINAL PLAN | N/A | LA | LS | 29/06/17



PO Box 6334, Maroochydore BC QLD 4558
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Web: www.landsurveyingdynamics.com
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ACN 154 933 870

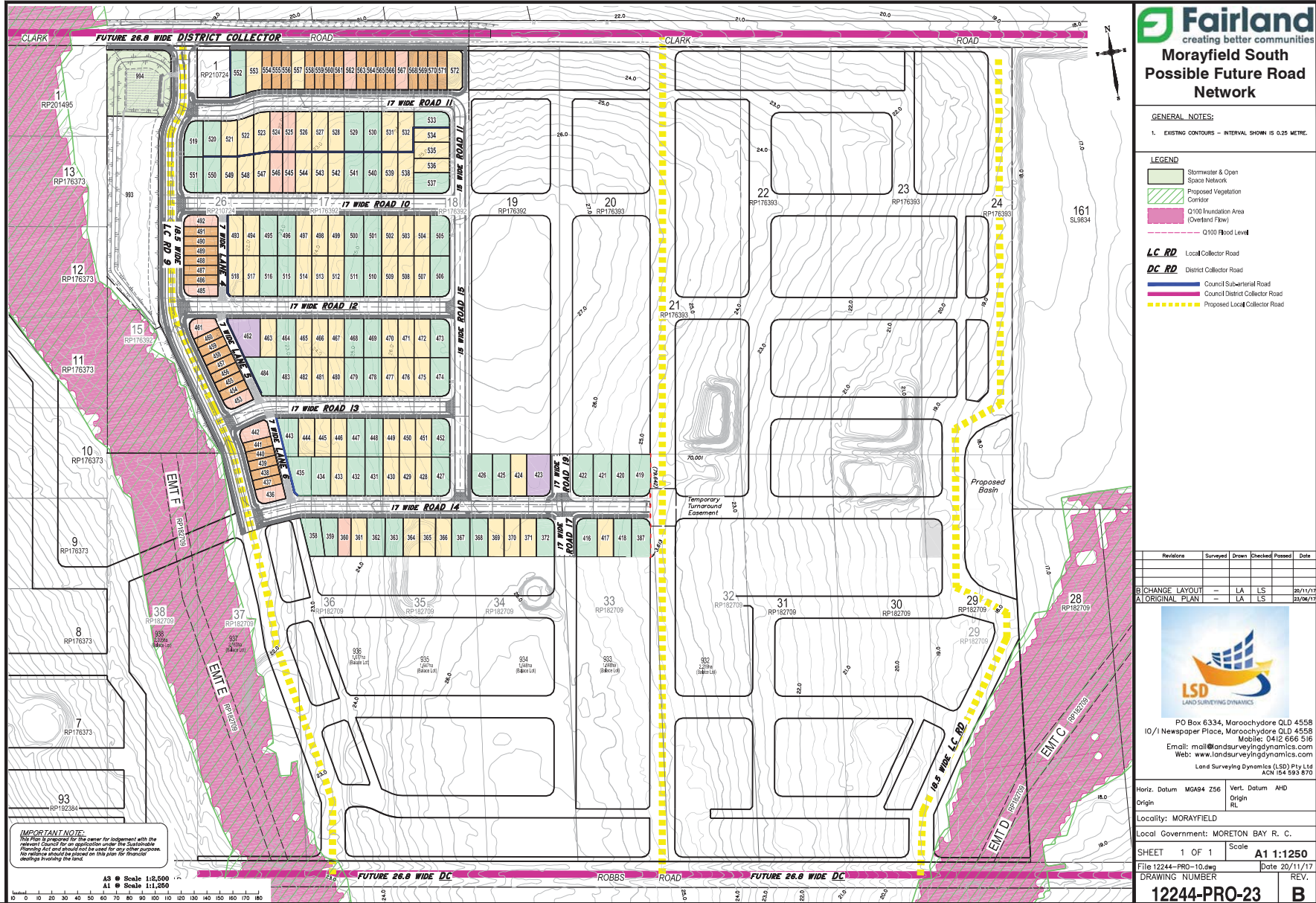
Signed _____
Cadastral Surveyor/Director
Date _____

Horiz. Datum: MGA84 Z56 Vert. Datum: N/A

Locality: MORAYFIELD
Local Government: MORETON BAY R.C.

SHEET 1 OF 1 Scale NOT TO SCALE
File 12244-PRO-10.dwg Date 29/06/17
DRAWING NUMBER REV.
12244-PRO-20 A

ITEM 2.1 - DEVELOPMENT APPLICATION DA/34554/2017/V3RL - RECONFIGURING A LOT - DEVELOPMENT PERMIT FOR SUBDIVISION (11 INTO 175 LOTS + 7 BALANCE LOTS + EASEMENTS IN 7 STAGES), LOCATED AT 51-65 AND 77 CLARK ROAD AND 54-100 ROBBS ROAD, MORAYFIELD - DIVISION 12 (Cont.)



ITEM 2.1 - DEVELOPMENT APPLICATION DA/34554/2017/V3RL - RECONFIGURING A LOT - DEVELOPMENT PERMIT FOR SUBDIVISION (11 INTO 175 LOTS + 7 BALANCE LOTS + EASEMENTS IN 7 STAGES), LOCATED AT 51-65 AND 77 CLARK ROAD AND 54-100 ROBBS ROAD, MORAYFIELD - DIVISION 12 (Cont.)



STAGING DETAILS		
Stage	Lots	No. of Lots
7	493-505 & 535-551, 993 & 994	32
8	462-473 & 506-518	33
9	443-461 & 474-484	30
10	358-365 & 428-442	23
11	366-372, 387 & 416-427	20
12	519-534 & 551-561	26
13	562-572	11



**Morayfield South
Proposed Subdivision
of Lots 15, 17 & 18 on
RP176392, Lot 26 on
RP210724, Lots 32-38
on RP182709**

GENERAL NOTES:
1. CONTOUR INTERVAL SHOWN IS 0.25 METRE.

Development Statistics

Gross Area	24.375 ha
Balance Lots	14.497 ha
Stage Area	
Stage 7	2.382 ha
Stage 8	1.715 ha
Stage 9	1.631 ha
Stage 10	1.184 ha
Stage 11	1.329 ha
Stage 12	1.311 ha
Stage 13	0.326 ha
Gross Area (Ex Balance Lots)	9.878 ha
New Road	3.339 ha
Exist. Road Widening	852 m ²
Length of New Road	
Stage 7	531m
Stage 8	290m
Stage 9	356m
Stage 10	220m
Stage 11	287m
Stage 12	242m
Total	1926m

Stormwater & Open Space Network	0.251 ha
---------------------------------	----------

Revisions	Surveyed	Drawn	Checked	Passed	Date
B EXCHANGE LAYOUT	--	LA	LS		16/11/17
A ORIGINAL PLAN	--	LA	LS		16/04/17

PO Box 6334, Maroochydore QLD 4558
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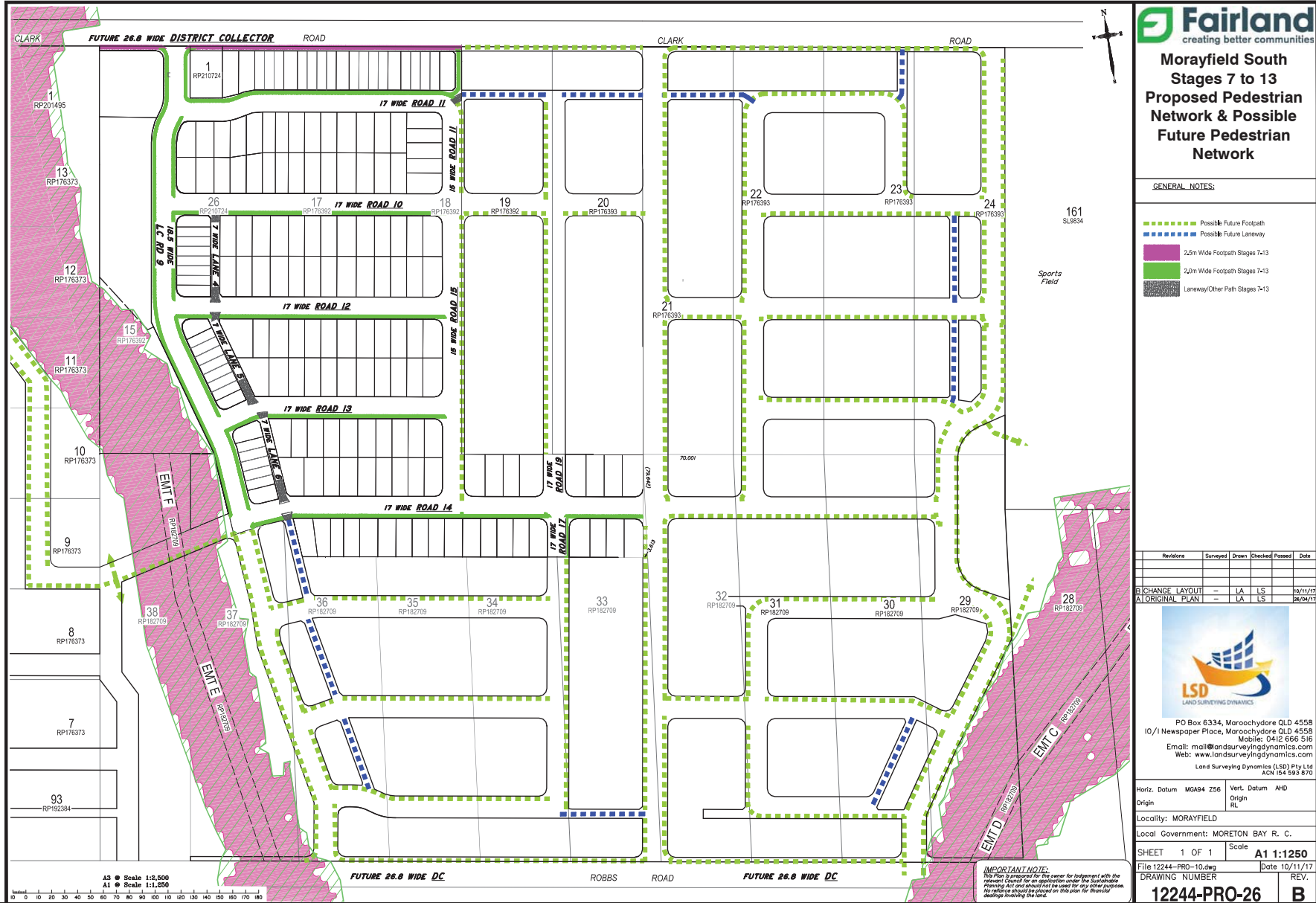
Horiz. Datum	MGA84 256	Vert. Datum	AHD
Origin		Origin	RL
Locality:	MORAYFIELD		
Local Government:	MORAYFIELD R. C.		
SHEET	1 OF 1	Scale	A1 1:1250
File	12244-PRO-10.dwg	Date	10/11/17
DRAWING NUMBER	12244-PRO-24	REV.	B

IMPORTANT NOTE:
This plan is prepared for the owner for lodgement with the relevant Council for an application under the Sustainable Planning Act and should not be used for any other purpose. No reliance should be placed on this plan for financial dealings involving the land.

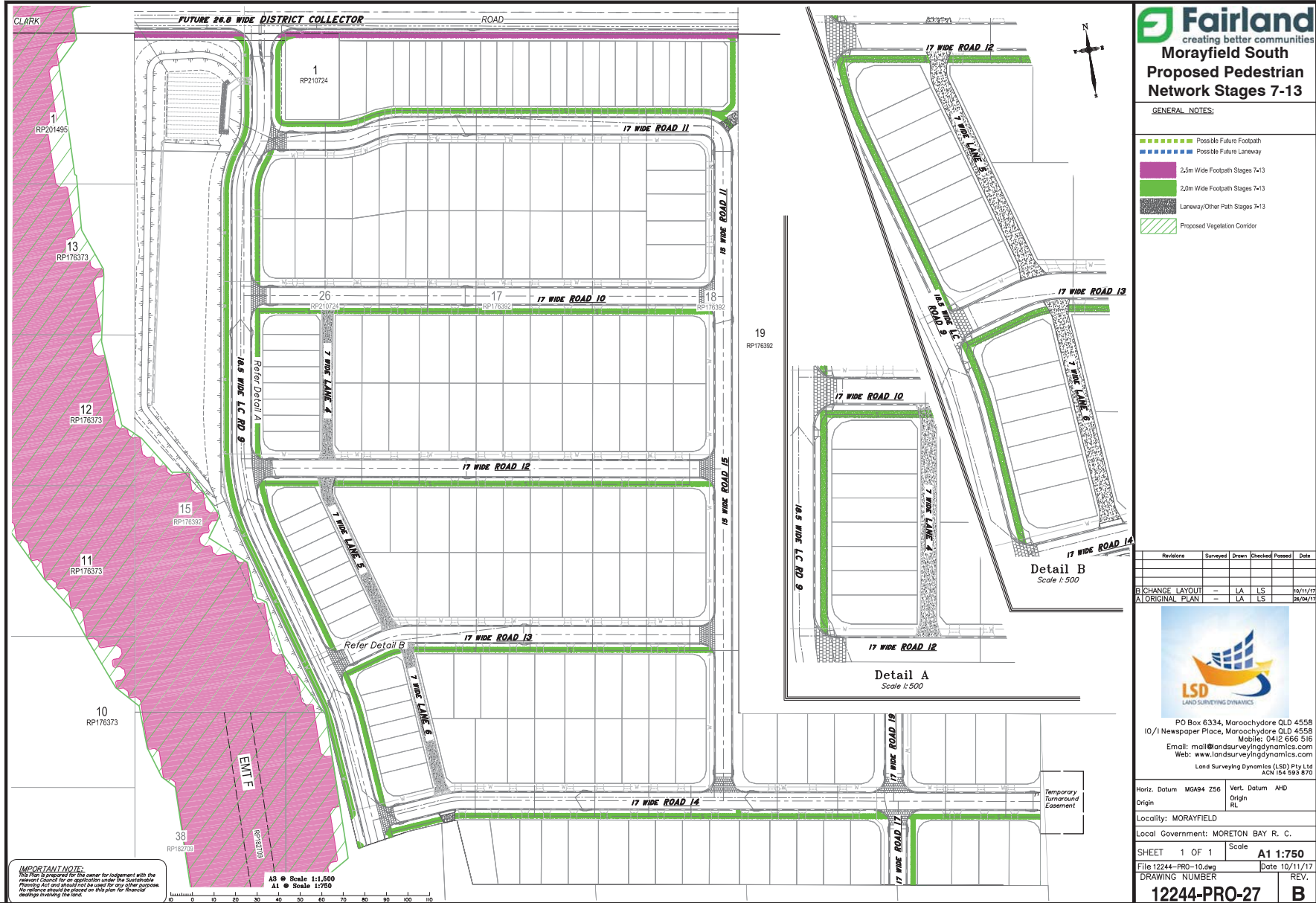
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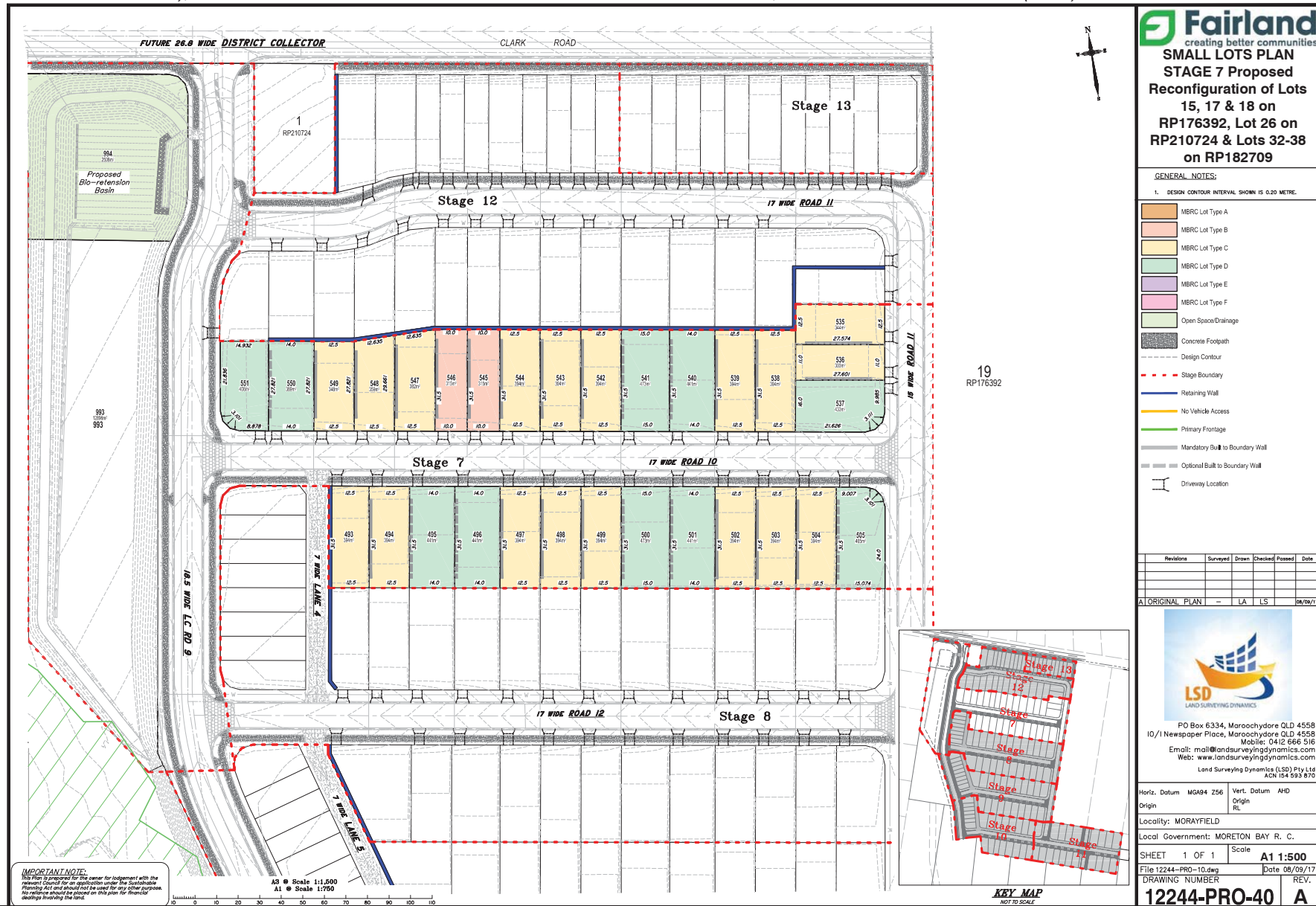
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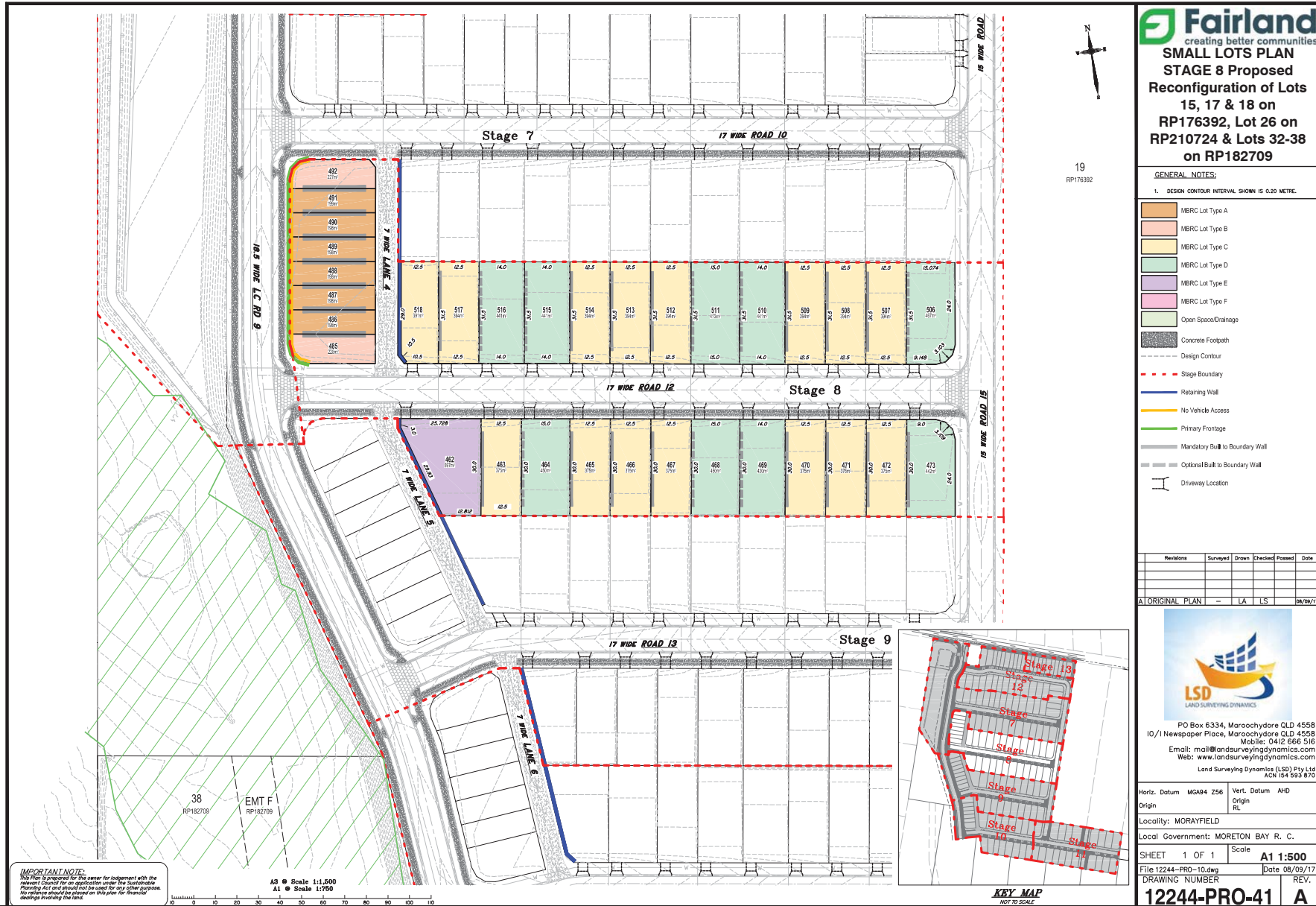
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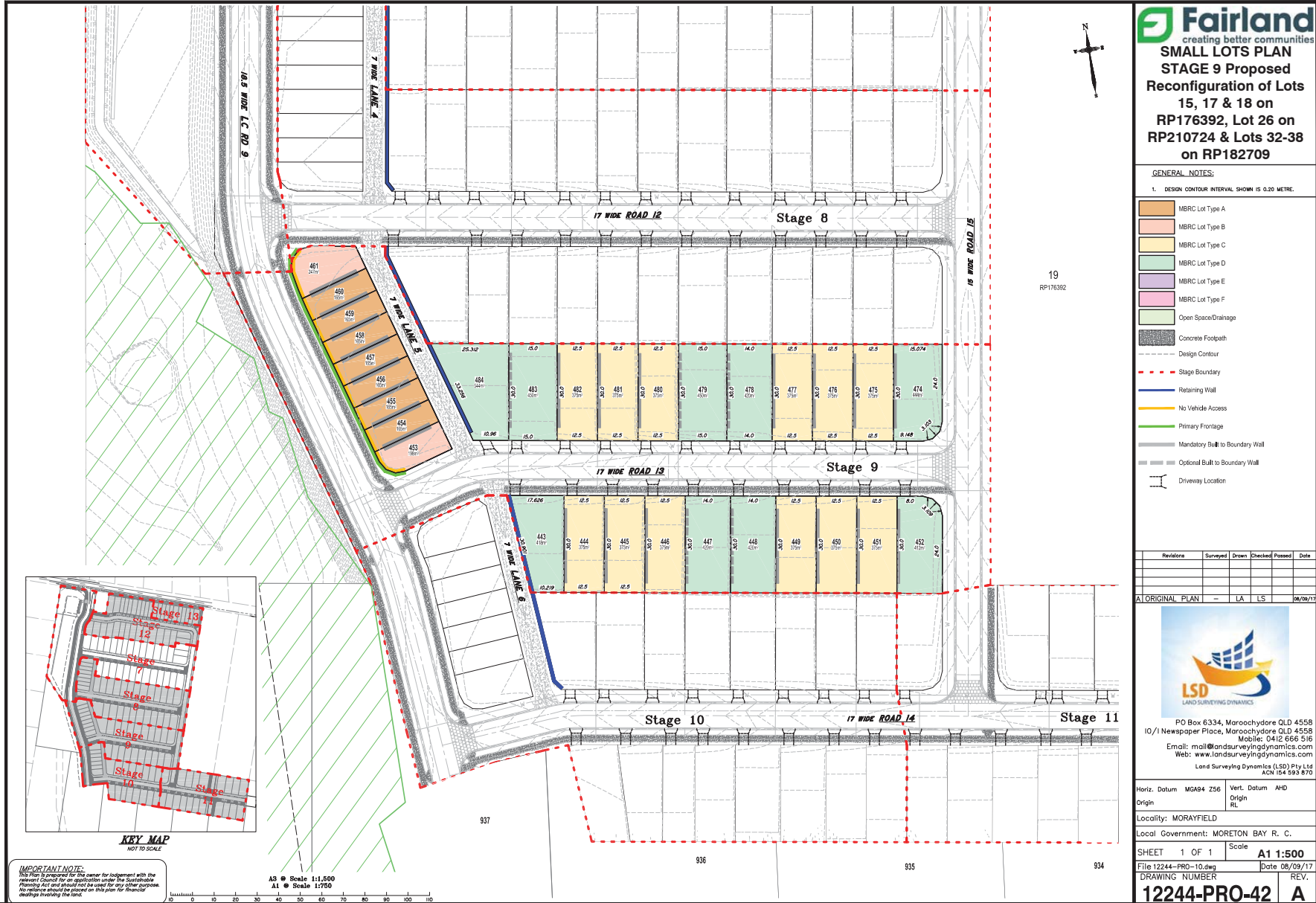
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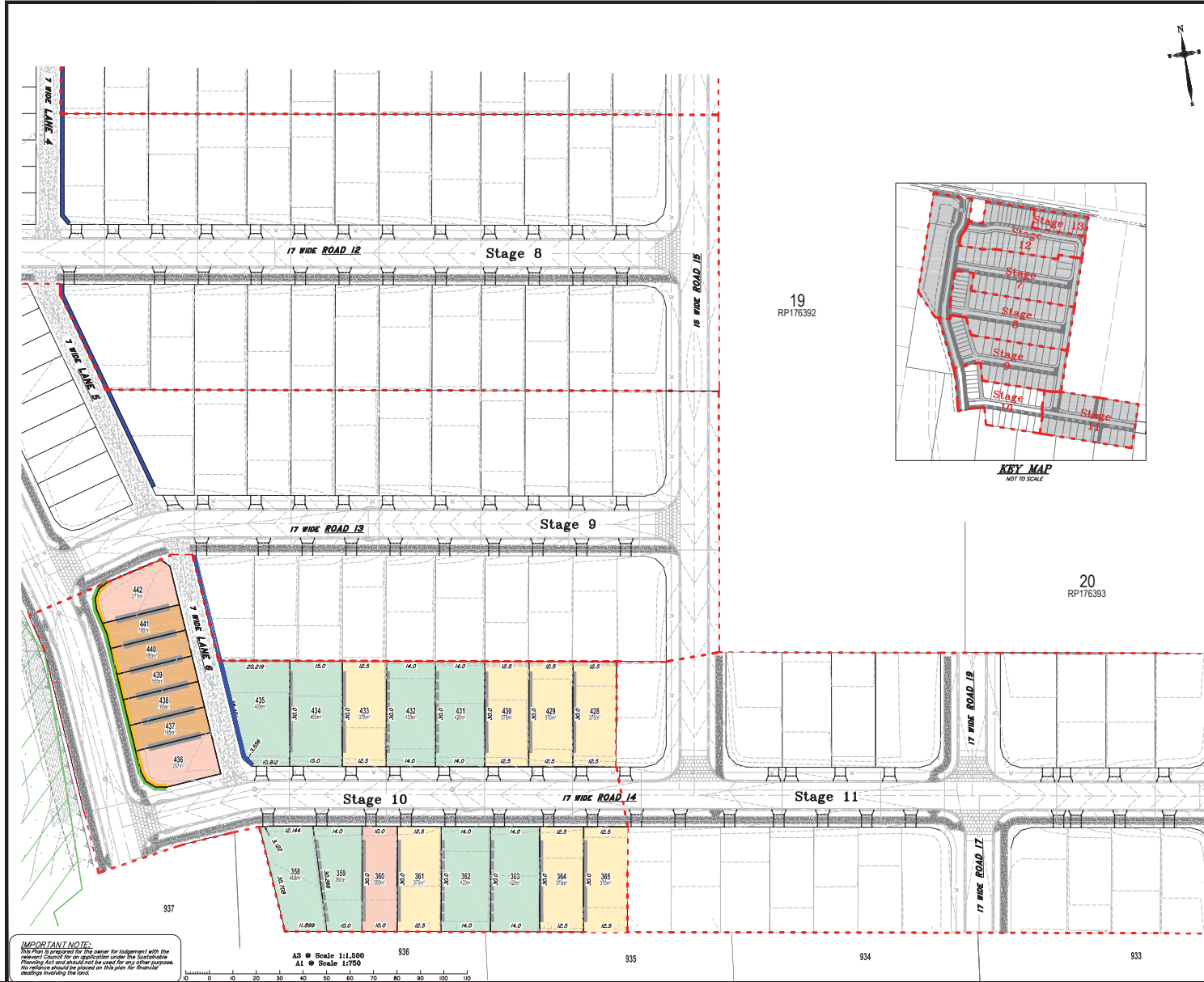
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ITEM 2.1 - DEVELOPMENT APPLICATION DA/34554/2017/V3RL - RECONFIGURING A LOT - DEVELOPMENT PERMIT FOR SUBDIVISION (11 INTO 175 LOTS + 7 BALANCE LOTS + EASEMENTS IN 7 STAGES), LOCATED AT 51-65 AND 77 CLARK ROAD AND 54-100 ROBBS ROAD, MORAYFIELD - DIVISION 12 (Cont.)



ITEM 2.1 - DEVELOPMENT APPLICATION DA/34554/2017/V3RL - RECONFIGURING A LOT - DEVELOPMENT PERMIT FOR SUBDIVISION (11 INTO 175 LOTS + 7 BALANCE LOTS + EASEMENTS IN 7 STAGES), LOCATED AT 51-65 AND 77 CLARK ROAD AND 54-100 ROBBS ROAD, MORAYFIELD - DIVISION 12 (Cont.)



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SMALL LOTS PLAN
STAGE 10 Proposed Reconfiguration of Lots 15, 17 & 18 on RP176392, Lot 26 on RP210724 & Lots 32-38 on RP182709

GENERAL NOTES:
1. DESIGN CONTOUR INTERVAL SHOWN IS 0.20 METRE.

- MBRC Lot Type A
- MBRC Lot Type B
- MBRC Lot Type C
- MBRC Lot Type D
- MBRC Lot Type E
- MBRC Lot Type F
- Open Space/Drainage
- Concrete Footpath
- Design Contour
- Stage Boundary
- Retaining Wall
- No Vehicle Access
- Primary Frontage
- Mandatory Built to Boundary Wall
- Optional Built to Boundary Wall
- Driveway Location

Revisions	Surveyed	Drawn	Checked	Passed	Date

A ORIGINAL PLAN - LA LS 28/09/17

LSD
LAND SURVEYING DYNAMICS

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Web: www.landsurveyingdynamics.com
Land Surveying Dynamics (LSD) Pty Ltd
ACN 184 593 870

Horiz. Datum: MGA84 256 Vert. Datum: AHD
Origin: RL

Locality: MORAYFIELD
Local Government: MORETON BAY R. C.

SHEET 1 OF 1 Scale: **A1 1:500**
File 12244-PRO-10.dwg Date 08/09/17
DRAWING NUMBER REV. **A**

12244-PRO-43

IMPORTANT NOTE:
This plan is prepared for the owner for lodgement with the relevant Council for an application under the Subdivision Act. It should not be used for any other purpose. No reliance should be placed on this plan for financial dealings involving the land.

A3 @ Scale 1:1,500
A1 @ Scale 1:750

ITEM 2.1 - DEVELOPMENT APPLICATION DA/34554/2017/V3RL - RECONFIGURING A LOT - DEVELOPMENT PERMIT FOR SUBDIVISION (11 INTO 175 LOTS + 7 BALANCE LOTS + EASEMENTS IN 7 STAGES), LOCATED AT 51-65 AND 77 CLARK ROAD AND 54-100 ROBBS ROAD, MORAYFIELD - DIVISION 12 (Cont.)



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SMALL LOTS PLAN
STAGE 11 Proposed Reconfiguration of Lots 15, 17 & 18 on RP176392, Lot 26 on RP210724 & Lots 32-38 on RP182709

GENERAL NOTES:
1. DESIGN CONTOUR INTERVAL SHOWN IS 0.20 METRE.

- MBRC Lot Type A
- MBRC Lot Type B
- MBRC Lot Type C
- MBRC Lot Type D
- MBRC Lot Type E
- MBRC Lot Type F
- Open Space/Drainage
- Concrete Footpath
- Design Contour
- Stage Boundary
- Retaining Wall
- No Vehicle Access
- Primary Frontage
- Mandatory Built to Boundary Wall
- Optional Built to Boundary Wall
- Driveway Location

Revisions	Surveyed	Drawn	Checked	Passed	Date

A ORIGINAL PLAN - LA LS 28/09/17

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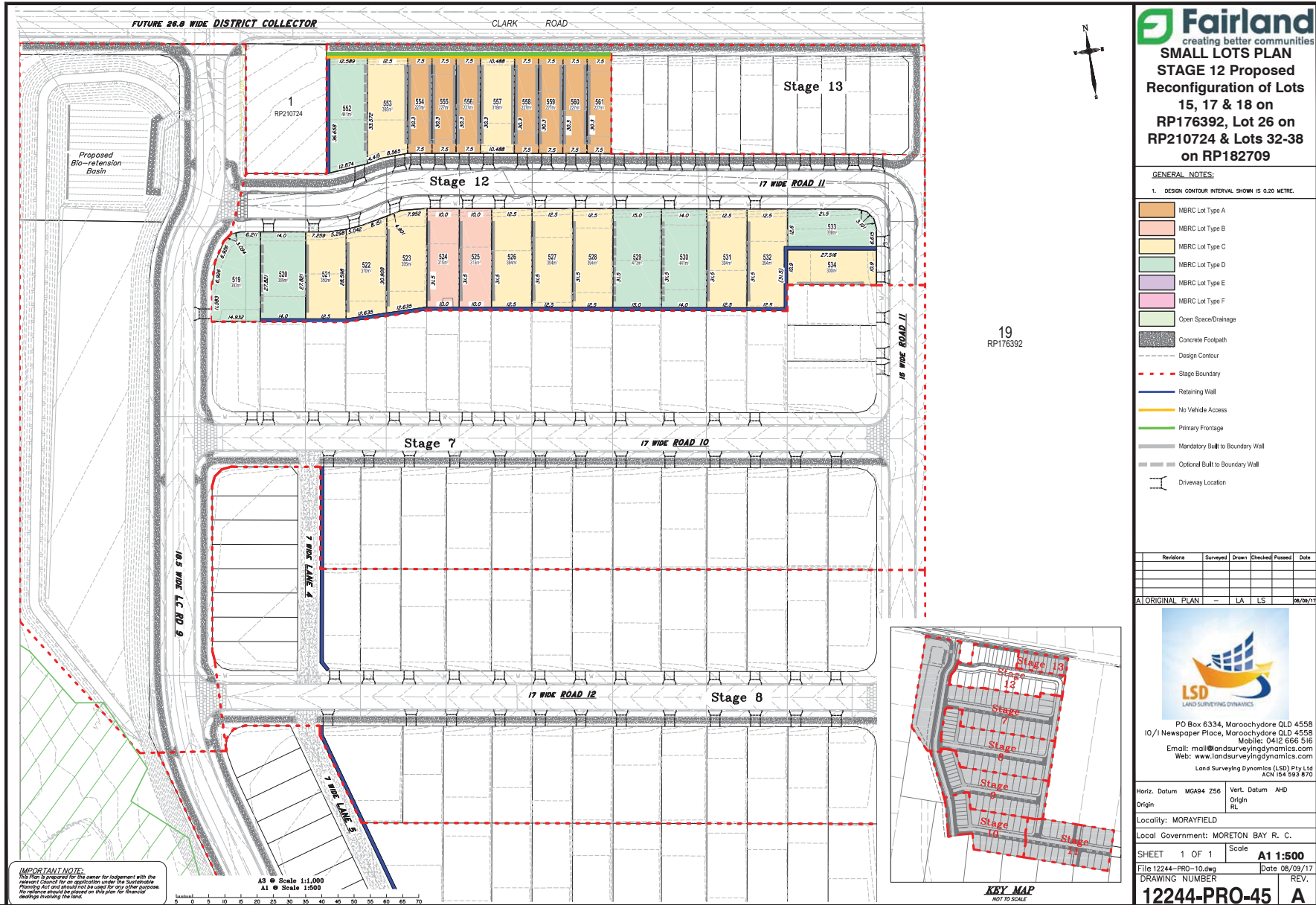
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ACN 124 593 870

Horiz. Datum: MGA84 256
Vert. Datum: AHD
Origin: RL

Locality: MORAYFIELD
Local Government: MORETON BAY R. C.

SHEET 1 OF 1 Scale: **A1 1:500**
File 12244-PRO-10.dwg Date 08/09/17
DRAWING NUMBER REV.
12244-PRO-44 A

ITEM 2.1 - DEVELOPMENT APPLICATION DA/34554/2017/V3RL - RECONFIGURING A LOT - DEVELOPMENT PERMIT FOR SUBDIVISION (11 INTO 175 LOTS + 7 BALANCE LOTS + EASEMENTS IN 7 STAGES), LOCATED AT 51-65 AND 77 CLARK ROAD AND 54-100 ROBBS ROAD, MORAYFIELD - DIVISION 12 (Cont.)



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SMALL LOTS PLAN
STAGE 12 Proposed
Reconfiguration of Lots
15, 17 & 18 on
RP176392, Lot 26 on
RP210724 & Lots 32-38
on RP182709

- GENERAL NOTES:
1. DESIGN CONTOUR INTERVAL SHOWN IS 0.20 METRE.
- MBRC Lot Type A
 - MBRC Lot Type B
 - MBRC Lot Type C
 - MBRC Lot Type D
 - MBRC Lot Type E
 - MBRC Lot Type F
 - Open Space/Drainage
 - Concrete Footpath
 - Design Contour
 - Stage Boundary
 - Retaining Wall
 - No Vehicle Access
 - Primary Frontage
 - Mandatory Built to Boundary Wall
 - Optional Built to Boundary Wall
 - Driveway Location

Revisions	Surveyed	Drawn	Checked	Passed	Date
A ORIGINAL PLAN		LA	LS		28/09/17

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Horiz. Datum MGA84 256 Vert. Datum AHD
Origin RL

Locality: MORAYFIELD
Local Government: MORETON BAY R. C.

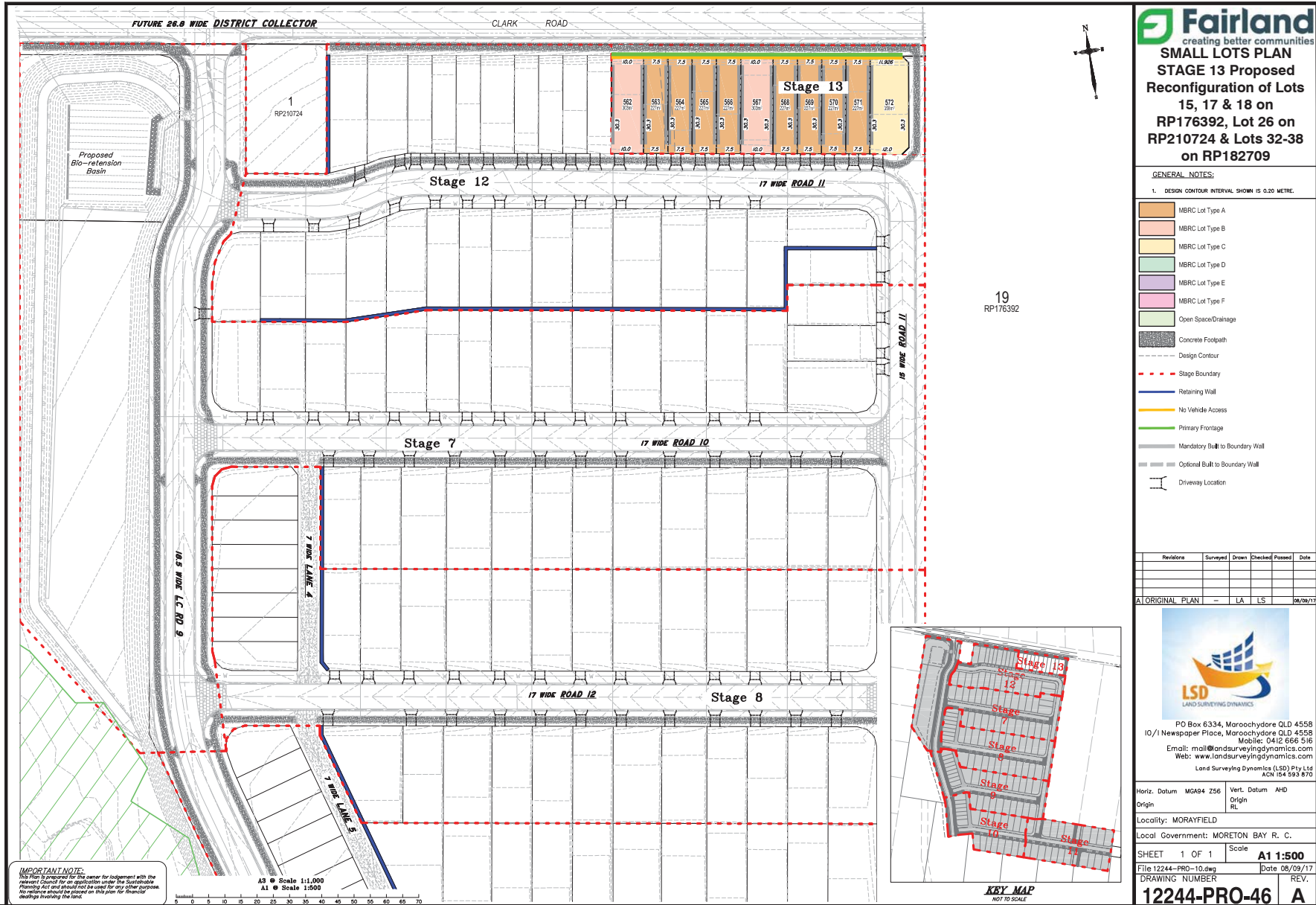
SHEET 1 OF 1 Scale **A1 1:500**
File 12244-PRO-10.dwg Date 08/09/17
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This Plan is prepared for the owner for lodgement with the relevant Council for an application under the Subdivision Act. It should not be used for any other purpose. No reliance should be placed on this plan for financial dealings involving the land.

A3 @ Scale 1:1,000
A1 @ Scale 1:500



ITEM 2.1 - DEVELOPMENT APPLICATION DA/34554/2017/V3RL - RECONFIGURING A LOT - DEVELOPMENT PERMIT FOR SUBDIVISION (11 INTO 175 LOTS + 7 BALANCE LOTS + EASEMENTS IN 7 STAGES), LOCATED AT 51-65 AND 77 CLARK ROAD AND 54-100 ROBBS ROAD, MORAYFIELD - DIVISION 12 (Cont.)



ITEM 2.2

DEVELOPMENT APPLICATION DA/34873/2017/V3RL - RECONFIGURING A LOT - DEVELOPMENT PERMIT FOR SUBDIVISION (5 INTO 99 LOTS IN 2 STAGES), LOCATED AT 263-267 AND 269-279 OAKLEY FLAT ROAD AND 75, 84 AND 88 BURBURY ROAD, MORAYFIELD - DIVISION 12

APPLICANT: TRASPUNT NO. 14 PTY. LTD. C/- LANDPARTNERS PTY LTD
OWNER: TRASPUNT NO. 14 PTY. LTD., MR. BRUCE MACFARLANE AND MRS. WENDY MACFARLANE AND MR. MALCOLM WHEELOCK AND MRS. WILMA WHEELOCK

Meeting / Session: 2 PLANNING & DEVELOPMENT
Reference: A16443730 : 17 January 2018 – Refer Supporting Information A16443731; A16449580
Responsible Officer: GH, Principal Development Planner (PED, Development Services)

Executive Summary

APPLICATION DETAILS	
Applicant:	Traspunt No.14 Pty. Ltd. C/- Landpartners Pty. Ltd.
Lodgement Date:	28 August 2017
Properly Made Date:	28 August 2017
Confirmation Notice Date:	8 September 2017
Information Request Date:	25 September 2017
Info Response Received Date:	22 December 2017
Decision Due Date	6 February 2018
No. of Submissions:	N/A

PROPERTY DETAILS	
Division:	12
Property Address:	263-267 & 269-279 Oakey Flat Road & 75, 84 & 88 Burbury Road, Morayfield
RP Description	Lot 1 on RP79449, Lots 14 & 18 on RP178819, Lot 4 on RP196576 & Lot 5 on RP804516
Land Area:	9.322ha (Development footprint - 4.956ha)
Property Owner	Traspunt No. 14 Pty. Ltd. Mr. Bruce MacFarlane and Mrs. Wendy MacFarlane Mr. Malcolm Wheelock and Mrs. Wilma Wheelock

STATUTORY DETAILS	
Planning Legislation:	Planning Act 2016
Planning Scheme:	Moreton Bay Regional Council Planning Scheme (Version 3 - effective 3 July 2017)
Planning Locality / Zone	Emerging community zone, Transition precinct
Level of Assessment:	Code Assessment

This development application seeks development approval for a Reconfiguring a Lot - Development for Subdivision (5 into 99 lots in 2 stages), located at 263-267 & 269-279 Oakey Flat Road and 75, 84 & 88 Burbury Road, Morayfield and described as Lot 1 on RP79449, Lots 14 & 18 on RP178819, Lot 4 on RP196576 & Lot 5 on RP804516.

ITEM 2.2 DEVELOPMENT APPLICATION DA/34873/2017/V3RL - RECONFIGURING A LOT - DEVELOPMENT PERMIT FOR SUBDIVISION (5 INTO 99 LOTS IN 2 STAGES), LOCATED AT 263-267 AND 269-279 Oakey Flat Road and 75, 84 AND 88 BURBURY ROAD, MORAYFIELD - DIVISION 12 - A16443730 (Cont.)

The subject site is included within the Urban footprint under the South East Queensland Regional Plan 2017 and is within the Emerging community zone, Transition precinct under the Moreton Bay Regional Council Planning Scheme (Planning Scheme). The subject site has an area of 9.322ha (proposed development footprint - 4.956ha).

The proposed Reconfiguring a Lot application is subject to Code Assessment within the Emerging community zone, Transition precinct. The development application conflicts with the purpose of the relevant codes of the Planning Scheme and is recommended to be refused.

OFFICER'S RECOMMENDATION

- A. That Council, in accordance with the *Planning Act 2016*, refuses the development application for Reconfiguring a Lot - Development for Subdivision (5 into 99 lots in 2 stages), located at 263-267 & 269-279 Oakey Flat Road and 75, 84 & 88 Burbury Road, Morayfield and described as Lot 1 on RP79449, Lots 14 & 18 on RP178819, Lot 4 on RP196576 & Lot 5 on RP804516, for the following reasons of refusal.

Reasons for Refusal

1. The proposed development conflicts with the following aspects of the Moreton Bay Regional Council Planning Scheme:

- **9.4.1.2 Purpose of the Reconfiguring a Lot Code**
- **9.4.1.3.2.1(2)(b)(d) - Purpose of the Reconfiguring a lot code, Emerging community, Transition precinct**
- **6.2.3.2 (1)(a)(b)(c) - Purpose of the Emerging community zone**
- **6.2.3.2 (2)(b) - Purpose of the Emerging community zone**
- **8.2.2.2(2)(c)(v) - Purpose of the Flood hazard overlay code**
- **Performance Outcome PO7 of the Reconfiguring a lot code, Emerging community zone, Transition precinct**
- **Performance Outcome PO16 of the Reconfiguring a lot code, Emerging community zone, Transition precinct**
- **Performance Outcome PO17 of the Reconfiguring a lot code, Emerging community zone, Transition precinct**
- **Performance Outcome PO19 of the Reconfiguring a lot code, Emerging community zone, Transition precinct**
- **Performance Outcome PO27 of the Reconfiguring a lot code, Emerging community zone, Transition precinct**
- **Performance Outcome PO33 of the Reconfiguring a lot code, Emerging community zone, Transition precinct**
- **Performance Outcome PO34 of the Reconfiguring a lot code, Emerging community zone, Transition precinct**
- **Performance Outcome PO35 of the Reconfiguring a lot code, Emerging community zone, Transition precinct**
- **Performance Outcome PO46 of the Reconfiguring a lot code, Emerging community zone, Transition precinct**
- **Performance Outcome PO57 of the Reconfiguring a lot code, Emerging community zone, Transition precinct.**
- **Performance Outcome PO58 of the Reconfiguring a lot code, Emerging community zone, Transition precinct.**
- **Performance Outcome PO63 of the Reconfiguring a lot code, Emerging community zone, Transition precinct**
- **Performance Outcome PO20 of the Flood hazard overlay code**

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2. The proposal is inconsistent with the proposed amendments to the Moreton Bay Regional Council Planning Scheme (as publicly notified between 21 August 2017 and 6 October 2017) and makes more difficult the form of land use and infrastructure planning for the Morayfield South growth area.

- B. That the Council report for this development application be published to the website as Council's statement of reasons in accordance with Section 63 (5) of the *Planning Act 2016*.
- C. That the following information be included in the Decision Notice.

Decision Notice information

	Details to Insert
Application Type	Reconfiguring a Lot - Development for Subdivision (5 into 99 lots in 2 stages)
Relevant Period of Approval	Not Applicable - Refusal
IDAS Referral Agencies	There are no Referral Agencies
Submissions	Not applicable

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REPORT DETAIL

1. Background

On 22 April 2016, a prelodgement meeting (PRE/3345) was held with the applicant to discuss a proposal for a Reconfiguring a Lot - Development Permit for Subdivision (3 into 87 Lots). The applicant was advised that:

- The Emerging community zone covers areas throughout the Moreton Bay Region that are not currently recognised or developed as urban environments, but may be suitable for future urban uses over the next 10 to 20 years.
- The Transition precinct identifies land suitable for future urban development, but is subject to infrastructure servicing limitations or site constraints. Requirements in the Transition precinct are divided into two types of development, that occurring on a developable (unserviced) lot or a developed (fully serviced) lot. Generally, all land in the Transition precinct could initially be considered a developable lot. Once the land has been reconfigured and all necessary infrastructure provided, it is then considered to be developed.
- Limited infrastructure network planning has been done for this area;
- The subject site is not within the priority infrastructure area (PIA). The development of these areas at this time is inconsistent with the planning assumptions used to support the Local Government Infrastructure Plan (LGIP). Limited trunk infrastructure planning has been prepared for these areas and no trunk infrastructure has been identified within the LGIP infrastructure schedules that is designed to support development of the Emerging Community areas outside the PIA.
- The subject site is not serviced by all local government networks including sewer;
- Whilst the subject site is identified for urban development in the future, infrastructure and constraint issues need to be resolved before this area is included in the General residential zone. Development of these areas prior to their inclusion in the General residential zone would be subject to bring forward costs and would not be subject to any infrastructure offsets;
- Further integrated land use and infrastructure planning will be undertaken in the Morayfield South area prior to its inclusion in the urban corridor. This further planning work will determine how the area can be developed efficiently to create a cohesive and sustainable urban community.
- For a development proposal to be considered by Council, detailed investigations to ensure that resultant lots will be classified as Developed (fully serviced) lots is required. At present no areas identified in the Emerging community zone meet this definition. Considerable work is required either being led by Council/Unitywater as part of a planned program of work or via proponents who are wishing to bring forward proposals in these areas.

The applicant was also advised that should the applicant wish to bring forward proposals (ahead of the Council/Unitywater planned program of work), then it is encouraged that the applicant carry out the above listed investigations in line with the Detailed Prelodgement Process - Emerging Community Zone. A copy of the Detailed Prelodgement Process was provided to the applicant as an attachment to the prelodgement meeting minutes.

On 19 December 2008, Council approved a Material Change of Use – Development Permit for Child Care Centre (75 places) over 263-267 Oakey Flat Road, Morayfield (Lot 18 RP178819) (DA/16299/2007/DA). This development approval was not acted upon and has since lapsed.

2. Explanation of Item

2.1 Proposal Details

It is proposed to reconfigure the existing five (5) allotments into 98 urban residential lots + a balance Lot + detention basin lots in two (2) stages as follows:

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Stage	Number of Residential Lots	Stage Area	Length of new road
1	56	2.865ha	625m
2	42 + balance lot	2.349ha	435m

The proposed urban residential lots range in land area from 205m² to 892m². The balance Lot (lot 37) to be created as part of Stage 2, has an area of 2,575m² and is proposed to be further developed as part of a future development application. The proposal includes existing Lots 4 on RP196576 and 5 on RP804516, located on the western side of Burbury Road, as detention basin lots (combined area of 4.108ha) for stormwater management purposes.

The overall net residential density of proposed development is 19.77 lots per hectare (excluding balance areas and detention basin lots), consistent with the density targets sought by the Planning Scheme, being between 11 and 25 lots per hectare.

The application proposes a mix of five (5) lot types throughout the development as follows:

Lot Type (frontage width)	Number	Percentage
Type A (7.5m)	16	16.4%
Type B (>7.5m -10m)	27	27.6%
Type C (>10-12.5m)	17	17.3%
Type D (>12.5-18m)	37	37.7%
Type E (>18-32m)	1	1%

The proposed mix of lot types and variety of residential lot sizes and frontage widths is consistent with a diverse medium density neighbourhood, as identified by the Planning Scheme.

The applicant has provided a Plan of Development for all lots with a frontage width of less than 12.5m, showing mandatory built to boundary wall and driveway locations. The submitted Plan of Development has adequately demonstrated that group construction achieves an integrated streetscape solution as contemplated by the Planning Scheme.

Access to the development is proposed via a new contemporary residential (local collector) road with a reserve width of 15.5m (ultimately to be 19.5 with additional road reserve provided from the adjoining site to the south), forming a new intersection with Burbury Road. A second access to the development is proposed via driveway access, contained within a 17m wide road reserve, providing access to three residential lots. No access is proposed from Oakey Flat Road. Oakey Flat Road is identified as a Council arterial road on Overlay map - Road hierarchy and in accordance with Planning Scheme Policy PSP - Integrated design has a preferred road reserve width of 31m. The applicant has proposed to provide road widening of 0.41m (78m²) along the full Oakey Flat Road frontage of subject the site.

The proposal does not seek to dedicate any public park land to service the proposed residential neighbourhood. The submitted proposal plans indicate that existing lots Lots 4 on RP196576 and 5 on RP804516 (combined area of 4.108ha, located on the western side of Burbury Road, are to be utilised for stormwater management purposes, however these lots have not been identified to be dedicated to Council as drainage reserve. Regardless, this stormwater management area would not provide for the recreation needs of future residents and would not meet the desired standards of service for a Local recreation park as identified within Planning Scheme Policy - PSP - Integrated design (refer section 2.4 for further discussion).

2.1.2 Emerging community zone, Transition precinct

The Emerging community zone covers areas throughout the Moreton Bay Region that are not currently recognised or developed as urban environments, but may be suitable for future urban uses over the next 10 to 20 years. As identified within the Strategic Framework of the Moreton Bay

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Regional Council Planning Scheme, further integrated land use and infrastructure planning will be undertaken in the Morayfield South area. This further planning work will determine how the area can be developed efficiently to create a cohesive and sustainable urban community. Presently, this work has not been undertaken by Council.

The purpose of the Emerging community zone, Transition precinct is to:

- (a) identify land that is suitable for urban purposes and conserve land that may be suitable for urban development in the future;
- (b) manage the timely conversion of non-urban land to urban purposes;
- (c) prevent or discourage development that is likely to compromise appropriate longer term land use;
- (d) provide mechanisms to promote and implement an appropriate mix of dwelling types, consistent with a Next Generation Neighbourhood across the Transition Precinct once this land is developed and serviced with all local government networks including water and sewer and is suitable for urban development.

Accordingly, for each Emerging Community area, whole of catchment infrastructure solutions are required for the five networks (Water, Sewerage, Transport, Stormwater and Community Infrastructure). The Emerging Community areas are located outside of the PIA. The development of these areas at this time is inconsistent with the planning assumptions used to support the LGIP. Limited trunk infrastructure planning has been prepared for these areas and no trunk infrastructure has been identified within the LGIP infrastructure schedules that is designed to support development of the Emerging Community areas outside the PIA.

2.1.3 Progress of MBRC Structure Planning / Proponent-led Structure Planning

Council has commenced structure planning for the Morayfield South Emerging Community area and this work is on-going.

As discussed in section 1 of this report, the applicant was advised at the initial prelodgement meeting with Council (22 April 2016) that:

- The subject site is not within the PIA. The development of these areas at this time is inconsistent with the planning assumptions used to support the LGIP. Limited trunk infrastructure planning has been prepared for these areas and no trunk infrastructure has been identified within the LGIP infrastructure schedules that is designed to support development of the Emerging Community areas outside the PIA.
- The subject site is not serviced by all local government networks including sewer;
- Whilst the subject site is identified for urban development in the future, infrastructure and constraint issues need to be resolved before this area is included in the General residential zone. Development of these areas prior to their inclusion in the General residential zone would be subject to bring forward costs and would not be subject to any infrastructure offsets;
- Further integrated land use and infrastructure planning will be undertaken in the Morayfield South area prior to its inclusion in the urban corridor. This further planning work will determine how the area can be developed efficiently to create a cohesive and sustainable urban community.
- For a development proposal to be considered by Council, detailed investigations to ensure that resultant lots will be classified as Developed (fully serviced) lots is required. At present no areas identified in the Emerging community zone meet this definition. Considerable work is required either being led by Council/Unitywater as part of a planned program of work or via proponents who are wishing to bring forward proposals in these areas.

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- The applicant was also advised that should the applicant wish to bring forward proposals (ahead of the Council/Unitywater planned program of work), then it is encouraged that the applicant carry out the above listed investigations in line with the Detailed Prelodgement Process - Emerging Community Zone. A copy of the Detailed Prelodgement Process was provided to the applicant as an attachment to the prelodgement meeting minutes.

The applicant has not put forward a proponent-led structure plan for Council's consideration and has not undertaken the planning investigations as identified within the Detailed Prelodgement Process - Emerging community zone. This Detailed Prelodgement Process - Emerging community zone was put together to assist proponents that wished to bring forward Council's program of planning work, in a collaborative process with both Council and Unitywater.

In response, the applicant has stated that there is no requirement in the assessment benchmarks of the Planning Scheme that require a detailed structure plan for the Morayfield South growth area. The applicant has made representations that the development can be serviced by all infrastructure network by stating:

- *Figure 6.2.3.2.2 - Morayfield South* of the MBRC Planning Scheme demonstrates that Council has undertaken road planning as it provides the structure detail and network connection for the area.
- Park networks are proposed to be provided in accordance with the MBRC Planning Scheme and in accordance with Structure Plans provided by others.
- Sewer and water networks services are available and are in accordance with the network servicing required by Unitywater and are the jurisdiction of Unitywater.

It is noted that the purpose of the Emerging community zone (as identified within 6.2.3.2 of the Planning Scheme) is to:

- a. identify land that is suitable for urban purposes and conserve land that may be suitable for urban development in the future;
- b. manage the timely conversion of non-urban land to urban purposes;
- c. prevent or discourage development that is likely to compromise appropriate longer term land use.

The subject site is not currently identified as suitable for urban development as the detailed land use and infrastructure planning has not been completed for the Morayfield South growth area. The proposed development seeks to implement an ultimate residential development which pre-empts the structure planning which is currently being carried by Council which will identify the land use and infrastructure planning for the Morayfield South growth area. The subject site is outside the PIA and necessary infrastructure to support the conversion is not currently planned for and the existing infrastructure networks are not to an appropriate standard or capacity to support the conversion. It is not possible to determine the longer-term land uses or infrastructure requirements, without undertaking the planning of the growth area over the full development horizon. On this basis, the proposed development makes more difficult the land use and infrastructure planning which is necessary for the provision of infrastructure required to support the appropriate land use outcomes for both the Morayfield South growth area and other anticipated development outside the Morayfield South growth area.

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Council has recently completed a first draft of the infrastructure cost framework for the Morayfield South Structure Plan Area. This cost assessment is based on cost estimates to provide the actual infrastructure required to service the growth front, over the life of the growth front (30 years), pro-rata for the percentage impact the growth front will have on the infrastructure required. In the absence of finalised land use and infrastructure planning and the preparation and adoption of a planning instrument for the Morayfield South emerging community area, Council has not determined that the provision of infrastructure can be provided efficiently and cost-effectively to the Morayfield South Structure Plan Area.

2.2 Description of the Site and Surrounds

Directions	Planning Scheme Zone	Current Land Use
North	Emerging community zone	Dwelling houses on rural residential lots
South	Emerging community zone	Dwelling houses on rural residential lots
East	Emerging community zone	Dwelling houses on rural residential lots
West	Emerging community zone	Dwelling houses on rural residential lots

2.3 Assessment Benchmarks related to the *Planning Regulation 2017*

The *Planning Regulation 2017* (the Regulation) prescribes Assessment Benchmarks that the application must be carried out against, which are additional or alternative to the Assessment Benchmarks contained in Council's Planning Scheme.

These Assessment Benchmarks are prescribed as being contained in:

- the South East Queensland Regional Plan and Part E of the State Planning Policy; and
- Schedule 10 of the Regulation.

Applicable Assessment Benchmarks:	<u>State Planning Policy</u> <ul style="list-style-type: none"> • State Planning Policy, Part E <u>Regional Plan</u> <ul style="list-style-type: none"> • South East Queensland Regional Plan
SEQ Regional Plan Designation:	<ul style="list-style-type: none"> • Urban Footprint
Koala Habitat Designation:	Nil

2.3.1 *State Planning Policy*

A new State Planning Policy came into effect on 3 July 2017, and is not currently integrated into the MBRC Planning Scheme. The following assessment benchmarks are to be applied to the assessment of development applications until the State interests have been appropriately integrated into Council's Planning Scheme. Assessment against the SPP assessment benchmarks is as follows:

Assessment benchmark - livable communities		
Applicable to Development	SPP requirement	Comment
No	None	Not applicable

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Assessment benchmark - mining and extractive resources		
Applicable to Development	SPP requirement	Comment
No	None	Not applicable
Assessment benchmarks - water quality		
Applicable to Development	SPP requirement	Comment
Yes	(1) Development is located, designed, constructed and operated to avoid or minimize adverse impacts on environmental values arising from <ul style="list-style-type: none"> (a) altered stormwater quality and hydrology (b) waste water (c) the creation or expansion of non-tidal artificial waterways (d) the release and mobilization of nutrients and sediments. (2) Development achieves the applicable stormwater management design objectives outlined in tables A and B (appendix 2) (3) Development in a water supply buffer area avoids adverse impacts on drinking water supply environmental values.	An assessment of the proposed development has been undertaken against the applicable SPP requirements and the proposal has been determined to comply.
Assessment benchmarks - natural hazards, risk and resilience		
Applicable to Development	SPP Requirement	Comment
No	None	Not applicable
Assessment benchmarks - strategic airports and aviation facilities		
Applicable to Development	SPP Requirement	Comment
No	None	Not applicable

2.3.2 South East Queensland Regional Plan

The site is located in the Urban Footprint designation. The development proposal is for an urban activity in the Urban Footprint, and there are no requirements in the State Planning Regulatory Provisions applicable to the development proposal.

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2.4 Assessment Against Local Categorising Instrument - Moreton Bay Regional Council Planning Scheme

The application was properly made on 28 August 2017 and is accordingly assessed in accordance with the Planning Scheme.

An assessment against the relevant parts of the Planning Scheme is set out below.

2.4.1 *Assessment of Applicable Codes*

Code Compliance Summary

The assessment below identifies whether the development proposal achieves the assessment benchmarks and where the development proposal:

- (a) proposes an alternative 'Example' satisfying or not satisfying the corresponding Performance Outcome; and
- (b) proposes an outcome where no 'Example' is stated in the applicable code and the proposed outcome does not satisfy the corresponding Performance Outcome.

Assessment Benchmarks	Compliance with Overall Outcomes	Performance Outcomes assessment is required
Development Codes		
9.4.1.3.2 - Reconfiguring a lot code, Emerging community zone code, Transition precinct	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	PO7, PO16, PO17, PO19 PO27 PO33, PO34, PO35, PO46, PO57, PO58, PO63
Overlay Codes		
8.2.2 - Flood hazard overlay code	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	PO20

The assessment of the development proposal against the Performance Outcomes of the applicable code(s) is discussed below in section 2.4.2.

2.4.2 *Performance Outcome Assessment*

Performance Outcome	Example
9.4.1.3.2 - Reconfiguring a lot code, Emerging community zone, Transition precinct	
PO7 Lots that facilitate medium to high density residential uses (freehold or community titles) are located in proximity to recreational opportunities, commercial and community facilities and public transport nodes.	E7.1 Lots with frontages of 7.5 metres or less are located within 200 metres of: <ul style="list-style-type: none"> • a park; or • a public transport stop or station; or • a higher order centre, district centre, local centre or neighbourhood hub (refer Overlay map - Community activities and neighbourhood hubs).
<i>Performance Outcome Assessment</i>	

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Performance Outcome	Example
<p>The development application proposes lots with 7.5m frontage widths (Lot Type A) which are not located within 200m of a park, public transport stop or station or higher order centre, district centre, local centre or neighbourhood hub.</p> <p>The development proposal does not comply with the corresponding Performance Outcome as the application proposes lots that facilitate medium to high density residential uses that are not located in proximity to recreational opportunities, commercial and community facilities and public transport nodes.</p> <p>As the development proposal does not comply with Performance Outcome PO7, an assessment against the Purpose and Overall outcomes of the Reconfiguring a lot code, Emerging community zone, Transition precinct is required.</p>	
<p>PO16 Street layouts are designed to connect to surrounding neighbourhoods by providing an interconnected street, pedestrian and cyclist networks that connects nearby centres, neighbourhood hubs, community facilities, public transport nodes and open space to residential areas for access and emergency management purposes. The layout ensures that new development is provided with multiple points of access. The timing of transport works ensures that multiple points of access are provided during early stages of a development.</p>	<p>No acceptable outcome provided.</p>
<p><i>Performance Outcome Assessment</i></p>	
<p>The development application does not comply with Performance Outcome PO16 as the proposed Reconfiguring a Lot does not provide for interconnected street, pedestrian and cyclist networks that connect to the following:</p> <ul style="list-style-type: none"> • nearby centres and neighbourhood hubs; • community facilities; • public transport nodes; • areas of open space. <p>As the development proposal does not comply with Performance Outcome PO16, an assessment against the Purpose and Overall outcomes of the Reconfiguring a lot code, Emerging community zone, Transition precinct is required.</p>	
<p>PO17 Development maintains the connections shown on: a. 'Figure 1 - Morayfield South' - Morayfield South; b. 'Figure 2 - Narangba East' - Narangba East.</p>	<p>No example provided.</p>
<p><i>Performance Outcome Assessment</i></p>	
<p>Figure 1 - Morayfield South identifies a future active transport route along the south boundary of 269-279 Oakey Flat Road and 75 Burbury Road and along the northern boundary of 84 Burbury Road.</p>	

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Performance Outcome	Example
<p>The development proposal, in particular the location of the stormwater detention basin (inclusive of batters) contained within 84 Burbury Road, has not made allowance for the active transport route and the proposal may compromise the desired alignment of this future active transport route.</p> <p>As the development proposal does not comply with Performance Outcome PO17, an assessment against the Purpose and Overall outcomes of the Reconfiguring a lot code, Emerging community zone, Transition precinct is required.</p>	
<p>PO19 Street layouts create convenient and highly permeable movement networks between lower and higher order roads, whilst not adversely affecting the safety and function of the higher order road.</p> <p>Note - Refer to Planning scheme policy - Neighbourhood design for guidance on how to achieve compliance with this outcome.</p>	<p>No example provided.</p>
<p><i>Performance Outcome Assessment</i></p>	
<p>The development application proposes a portion of a Contemporary Residential road located within the southern boundary that would ultimately connect Robbs Road to the east with J Dobson Road to the west. This road typology and alignment is not in accordance with the Council's current planning which locates the connecting road south of the development boundary and identifies this road as a District collector road (26.8m) road reserve. This planning was shown in the proposed Planning Scheme amendment publicly notified between 21 August 2017 and 6 October 2017 (Planning Scheme Amendment). The road as proposed will prejudice the function of the ultimate planned road network. In addition, Planning Scheme Policy PSP - Integrated Design Appendix A Section 4 limits direct lot vehicle access to a District Collector road (Robbs - J Dobson) to rear access or consolidated access only. The proposal has direct lot access on this road. Allowing direct lot access will compromise the future function and safety of the road.</p> <p>As the development proposal does not comply with Performance Outcome PO19, an assessment against the Purpose and Overall outcomes of the Reconfiguring a lot code, Emerging community zone, Transition precinct is required.</p>	
<p>PO27 The road network has sufficient reserve and pavement widths to cater for the current and intended function of the road in accordance with the road type in accordance with Planning scheme policy - Integrated design.</p>	<p>No example provided.</p>
<p><i>Performance Outcome Assessment</i></p>	
<p>Council has not yet progressed planning for the ultimate upgrade to Oakey Flat Road to determine frontage road dedication required by the development.</p> <p>The development application proposes to include a portion of a Contemporary Residential (19.5m road reserve width) road within the southern boundary that would ultimately contribute to connecting Robbs Road in the east with J Dobson Road in the west. This road typology and alignment is not in accordance with the Council's Planning Scheme Amendment which locates the connecting road south of the development boundary and</p>	

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Performance Outcome	Example
<p>identifies the road as a District collector road (26.8m). The road as proposed will prejudice the function of the Council's ultimate planned road network.</p> <p>As the development proposal cannot comply with Performance Outcome PO27, an assessment against the Purpose and Overall outcomes of the Reconfiguring a lot code, Emerging community zone, Transition precinct is required.</p>	
<p>PO33 A hierarchy of Park and open space is provided to meet the recreational needs of the community</p> <p>Note - To determine the extent and location of Park and open space required refer to Planning scheme policy - Integrated design.</p>	No acceptable outcome provided
<i>Performance Outcome Assessment</i>	
<p>The development application does not comply with Performance Outcome PO33 as the proposed development is not provided with a hierarchy of Park and open space to meet the recreational needs of the community.</p> <p>The development application does not propose to provide a Local Recreation Park meeting the desired standards of service identified within Planning Scheme Policy PSP - Integrated design. The subject site is not proximate to an existing Local Recreation Park meeting the desired standards of service identified within Planning Scheme Policy PSP - Integrated design.</p> <p>The subject site is located outside of the PIA and accordingly detailed planning for a hierarchy of Park and open space to service the subject site and surrounding area has not been undertaken for the purpose of Council's LGIP. In the absence of a planning instrument addressing land use and infrastructure planning across the growth area, a hierarchy of Park and open space to meet the needs of users is not provided for.</p> <p>As the development proposal does not comply with Performance Outcome PO33, an assessment against the Purpose and Overall outcomes of the Reconfiguring a lot code, Emerging community zone, Transition precinct is required.</p>	
<p>PO34 Park is to be provided within walking distance of all new residential lots.</p> <p>Note - To determine maximum walking distances for Park types refer to Planning scheme policy - Integrated design.</p>	No acceptable outcome provided
<i>Performance Outcome Assessment</i>	
<p>The development application does not comply with Performance Outcome PO34 as a Park is not provided within walking distance of all new residential lots.</p> <p>Planning Scheme Policy PSP- Integrated design identifies that all residential lots are to be within 400m walking distance of a Local Recreation Park, meeting the desired standards of service. The development proposal does not propose to provide a Park meeting the desired standards of service, nor are all proposed residential lots within 400m walking distance of an existing Local Recreation Park meeting the desired standards of service. The subject site is located outside of the PIA and accordingly Council's LGIP does not identify a future Local Recreational Park within the vicinity of the subject site. In the absence of a planning instrument addressing land use and infrastructure planning across the growth area, a Park provision within walking distance to all lots is not provided for.</p>	

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Performance Outcome	Example
<p>As the development proposal does not comply with Performance Outcome PO34, an assessment against the Purpose and Overall outcomes of the Reconfiguring a lot code, Emerging community zone, Transition precinct is required.</p>	
<p>PO35 Park is of a size and design standard to meet the needs of the expected users</p> <p>Note - To determine the size and design standards for Parks refer to Planning scheme policy - Integrated design.</p>	<p>No acceptable outcome provided</p>
<p><i>Performance Outcome Assessment</i></p>	
<p>The proposed development does not comply with Performance Outcome PO35 as the development proposal does not provide a Park of a size and standard to meet the needs of users.</p> <p>Planning Scheme Policy PSP - Integrated design identifies the desired standards of service for a Local Recreation Park. The desired standards of service for a Local Recreation Park include, but are not limited to the following:</p> <ul style="list-style-type: none"> • a minimum area of 0.5ha (100% unconstrained land); • located adjacent to a collector road or lower; • centrally located in a central, prominent, highly visible and accessible location within the catchment it services; • embellished with small play equipment, picnic areas, pedestrian pathways and drinking taps and the like. <p>The proposed development does not provide a Park of a size and standard to meet the need, nor is it proximate to an existing or future identified Park that would meet the needs of the expected users.</p> <p>As the development proposal cannot comply with Performance Outcome PO35, an assessment against the Purpose and Overall outcomes of the Reconfiguring a lot code, Emerging community zone, Transition precinct is required.</p>	
<p>PO46 Stormwater management facilities are located outside of riparian areas and prevent increased channel bed and bank erosion.</p>	<p>No example provided.</p>
<p><i>Performance Outcome Assessment</i></p>	
<p>The development application does not comply with Performance Outcome PO46 as the application proposes stormwater management facilities within a riparian area. The development application proposes a 'stormwater management area' over 84 Burbury Road (Lot 4 on RP196576) and 88 Burbury Road (Lot 5 on RP804516). The location of the proposed bio-retention basin and detention basin is located in an area mapped under Overlay map - Environmental areas as containing a W3 waterway and waterway buffer.</p> <p>The proposed stormwater management facilities are proposed within the Sheepstation Creek Tributary, a riparian area, and would have the potential to increase channel bed and bank erosion, both internal and external to the site.</p> <p>As the development proposal does not comply with Performance Outcome PO46, an assessment against the Purpose and Overall outcomes of the Reconfiguring a lot code, Emerging community zone, Transition precinct is required.</p>	

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Performance Outcome	Example
<p>PO57 Reconfiguring a lot facilitates the retention of native vegetation by:</p> <ul style="list-style-type: none"> a. incorporating native vegetation and habitat trees into the overall subdivision design, development layout, on-street amenity and landscaping where practicable; b. ensuring habitat trees are located outside a development footprint. Where habitat trees are to be cleared, replacement fauna nesting boxes are provided at the rate of 1 nest box for every hollow removed. Where hollows have not yet formed in trees > 80cm in diameter at 1.3m height, 3 nest boxes are required for every habitat tree removed. c. providing safe, unimpeded, convenient and ongoing wildlife movement; d. avoiding creating fragmented and isolated patches of native vegetation. e. ensuring that biodiversity quality and integrity of habitats is not adversely impacted upon but are maintained and protected; f. ensuring that soil erosion and land degradation does not occur; g. ensuring that quality of surface water is not adversely impacted upon by providing effective vegetated buffers to water bodies 	<p>No acceptable outcome provided</p>
<p><i>Performance Outcome Assessment</i></p>	
<p>The proposed development does not comply with Performance Outcome PO57 as the proposal does not seek to retain native vegetation, inclusive of habitat trees, into the overall subdivision design. The application proposes to clear all existing vegetation and does not propose to offset the lost habitat values.</p> <p>As the development proposal cannot comply with Performance Outcome PO57, an assessment against the Purpose and Overall outcomes of the Reconfiguring a lot code, Emerging community zone, Transition precinct is required.</p>	
<p>PO58 Noise attenuation structure (e.g. walls, barriers or fences):</p> <ul style="list-style-type: none"> a. contribute to safe and usable public spaces, through maintaining high levels of surveillance of parks, streets and roads that serve active transport purposes (e.g. existing or future pedestrian paths or cycle lanes etc); b. maintain the amenity of the streetscape. 	<p>E58 Noise attenuation structures (e.g. walls, barriers or fences):</p> <ul style="list-style-type: none"> a. are not visible from an adjoining road or public area unless; <ul style="list-style-type: none"> i. adjoining a motorway or rail line; or ii. adjoining part of an arterial road that does not serve an existing or future active transport purpose (e.g. pedestrian paths or cycle lanes) or

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Performance Outcome	Example
<p>Note - A noise impact assessment may be required to demonstrate compliance with this PO. Noise impact assessments are to be prepared in accordance with Planning scheme policy - Noise.</p> <p>Note - Refer to Planning Scheme Policy – Integrated design for details and examples of noise attenuation structures</p>	<p>where attenuation through building location and materials is not possible.</p> <p>b. do not remove existing or prevent future active transport routes or connections to the street network; c. are located, constructed and landscaped in accordance with Planning scheme policy - Integrated design.</p> <p>Note - Refer to Planning Scheme Policy – Integrated design for details and examples of noise attenuation structures.</p> <p>Note - Refer to Overlay map – Active transport for future active transport routes.</p>
<i>Performance Outcome Assessment</i>	
<p>The development application does not comply with Performance Outcome PO58 as a Noise Impact Assessment has not been submitted as part of the application and as a result the requirement for the provision of noise attenuation structures and their alignments have not been determined as part of the application.</p> <p>As the development proposal does not comply with Performance Outcome PO58, an assessment against the Purpose and Overall outcomes of the Reconfiguring a lot code, Emerging community zone, Transition precinct is required.</p>	
<p>PO63 No new boundaries are to be located within 2m of a High Value Area</p>	<p>No example provided.</p>
<i>Performance Outcome Assessment</i>	
<p>The development application does not comply with Performance Outcome PO63 as the application involves the creation of new lot boundaries within 2m of mapped High value areas under Overlay map - Environmental areas.</p> <p>As the development proposal does not comply with Performance Outcome PO63, an assessment against the Purpose and Overall outcomes of the Reconfiguring a lot code, Emerging community zone, Transition precinct is required.</p>	
8.2.2 - Flood hazard overlay code	
<p>PO20 Development ensures that infrastructure (excluding a road):</p> <ul style="list-style-type: none"> a. is located outside of the High risk flood hazard area and Medium risk flood hazard area; or b. is otherwise located in the High risk flood hazard area or Medium risk flood hazard area to function during and after all flood hazard events up to and including the Defined Flood Event. 	<p>No example provided.</p>

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Performance Outcome Assessment
The development application does not comply with Performance Outcome PO20 as the proposed development includes stormwater management infrastructure within the mapped medium risk flood hazard as identified on Overlay map - Flood hazard.
As the development proposal does not comply with Performance Outcome PO20, an assessment against the Purpose and Overall outcomes of the Flood hazard overlay code is required.

2.4.3 Overall Outcome Assessment

The development proposal does not comply with the Performance Outcomes of the Reconfiguring a Lot Code, Emerging community zone, Transition precinct stated in section 2.4.2 above. Therefore, the proposal is required to be assessed against the applicable Overall Outcomes of the Reconfiguring a Lot code as follows:

9.4.1.3.2.1 Reconfiguring a lot code, Emerging community zone, Transition precinct		
Overall Outcomes	Complies Y/N	Comments
<p>2.b. Reconfiguring a lot in the Emerging community zone - Transition precinct, where creating developed lots achieves the following:</p> <ul style="list-style-type: none"> i. for land within the Morayfield South urban area identified on 'Figure 9.4.1.3.2.1 Morayfield South urban area', reconfiguration does not compromise the areas ability to achieve a minimum site density of 45 dwellings per ha and lots of a size and dimension to accommodate medium - high density development; ii. for land in all other areas, a variety of residential lot sizes and a net residential density of between 11-25 lots per hectare; iii. neighbourhoods that are designed to provide well-connected, safe and convenient movement and open space networks through interconnected streets and active transport linkages that provide high levels of accessibility between residences, open space areas and places of activity; 	No	<p>The proposed development is inconsistent with the Overall Outcome 2 b. for the following reasons:</p> <ul style="list-style-type: none"> i. Not applicable. The subject site is not located within the identified Morayfield South urban. ii. The proposed development achieves a variety of residential lot sizes as required for a Next Generation neighbourhood. iii. The proposed neighbourhood is not designed to provide a well-connected, safe and convenient open space network, as: <ul style="list-style-type: none"> A) the proposed development does not provide any open space network and the existing network is not designed to accommodate a residential neighbourhood as the area is located outside the PIA; and B) the proposed development does not provide linkages for active transport networks and road infrastructure of a suitable standard to existing networks or activity places. iv. The proposed development does not achieve the intent and purpose of the Transition precinct outcomes identified in

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9.4.1.3.2.1 Reconfiguring a lot code, Emerging community zone, Transition precinct		
Overall Outcomes	Complies Y/N	Comments
iv. intent and purpose of the Transition precinct outcomes identified in Part 6.		Part 6 (refer assessment below).
<p>2.d. Reconfiguring a lot avoids areas subject to constraint, limitation, or environmental values. Where reconfiguring a lot cannot avoid these identified areas, it responds by:</p> <ul style="list-style-type: none"> i. adopting a 'least risk, least impact' approach when designing, siting and locating development to minimise the potential risk to people, property and the environment; ii. ensuring no further instability, erosion or degradation of the land, water or soil resource; iii. maintaining environmental values, including natural, ecological, biological, aquatic, hydrological and amenity values, and enhancing these values through the provision of environmental offsets, landscaping and facilitating safe wildlife movement through the environment; iv. protecting native species and protecting and enhancing native species habitat; v. protecting and preserving the natural, aesthetic, architectural historic and cultural values of significant trees, places, objects and buildings of heritage and cultural significance; vi. establishing effective separation distances, buffers and mitigation measures associated with major infrastructure to minimise adverse effects on sensitive land uses from noise, dust and other nuisance generating activities; 	No	<p>The development application does not comply with Overall outcome 2.d. as the proposed development does not avoid areas subject to constraint, limitation or environmental values.</p> <p>The application seeks to create new lot boundaries within mapped high value areas. The proposal seeks to remove the existing values of the site and does not propose to offset those values proposed to be removed.</p>

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9.4.1.3.2.1 Reconfiguring a lot code, Emerging community zone, Transition precinct		
Overall Outcomes	Complies Y/N	Comments
<ul style="list-style-type: none"> vii. ensuring it promotes and does not undermine the ongoing viability, integrity, operation, maintenance and safety of major infrastructure; viii. ensuring effective and efficient disaster management response and recovery capabilities. 		

9.4.1.2. Purpose of the Reconfiguring a lot code		
Overall Outcomes	Complies Y/N	Comments
<p>2. The purpose of the code will be achieved through the following overall outcomes:</p> <ul style="list-style-type: none"> a. Reconfiguring a lot creates a diversity of lot sizes, dimensions and arrangements consistent with the intended densities, uses, configurations and character of the applicable zone and precinct while not adversely impacting on lawful uses, values or constraints present. b. Reconfiguring a lot delivers the social, cultural and recreational needs of the community by ensuring: <ul style="list-style-type: none"> i. a range of lot sizes are delivered to assist in affordable housing opportunities; ii. the lots have convenient, direct and easy pedestrian and bicycle access to commercial and local employment opportunities; iii. Accessible, publicly available open space areas located within walking distance to all residential lots in the General Residential Zone; iv. lots allow future uses to have casual surveillance of public / communal space (such as road and open space areas), have communal meeting / recreational areas conveniently located and accessible using all modes of transport and create a sense of place commensurate with the intents for the applicable zone and precinct; 	No	<p>The proposed development is inconsistent with the purpose of the Reconfiguring a Lot code as it conflicts with the overall outcomes of the Code.</p> <p>The proposed development is inconsistent with Overall Outcome 2.b.ii. as connectivity for pedestrian and bicycles to commercial and local employment opportunities is not achieved and there are no infrastructure plans for this to be achieved given that the subject site is outside the PIA and pedestrian and bicycle pathways are not currently provided or planned for the area surrounding the subject site.</p> <p>The proposed development is inconsistent with Overall Outcome 2.b.iii. as open space areas are not located within walking distance of all residential lots, proposed to be of a density consistent with the General Residential zone.</p>

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Overall Outcome 2.b.iv. of the Reconfiguring a lot code, Emerging community zone, Transition precinct requires that Reconfiguring a lot in the Emerging community zone - Transition precinct, where creating developed lots achieves the intent and purpose of the Transition precinct outcomes identified in Part 6.

Accordingly, an assessment against the purpose and intent of the Emerging community zone code is as follows:

6.2.3.2 Purpose – Emerging community zone		
Overall Outcomes	Complies Y/N	Comments
<p>1. The purpose of the Emerging community zone code is to:</p> <ul style="list-style-type: none"> a. identify land that is suitable for urban purposes and conserve land that may be suitable for urban development in the future; b. manage the timely conversion of non-urban land to urban purposes; c. prevent or discourage development that is likely to compromise appropriate longer term land use. 	No	<p>The proposed development is inconsistent with Purpose 1.a. as the subject site is not currently identified as suitable for urban development as the detailed land use and infrastructure planning has not been completed for the Morayfield South growth area. The proposed development seeks to implement an ultimate residential development which pre-empts the structure planning which is currently being carried out as anticipated by the Planning Scheme Amendment and which will identify the land use and infrastructure planning for the Morayfield South growth area.</p> <p>The proposed development is inconsistent with Purpose 1.b. as the proposed conversion of non-urban land to urban purposes is premature, as the subject site is outside the PIA and necessary infrastructure to support the conversion is not currently planned and the existing infrastructure networks are not to an appropriate standard or capacity to support the conversion.</p> <p>The proposed development is inconsistent with Purpose 1.c. as it is not possible to determine the longer-term land uses or infrastructure requirements, without undertaking the planning of the growth area over the full development horizon. On this basis, the proposed development makes more difficult the land use and infrastructure planning which is necessary for the provision of</p>

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6.2.3.2 Purpose – Emerging community zone		
Overall Outcomes	Complies Y/N	Comments
		<p>infrastructure required to support the appropriate land use outcomes for both the Morayfield South growth area and other anticipated development outside the Morayfield South growth area.</p> <p>The proposed development is therefore inconsistent with the intent and purpose of the Emerging community zone code set out in this Purpose statement.</p>
<p>2. The Emerging community zone has 2 precincts which have the following purpose;</p> <p>b The Transition precinct is to:</p> <p>i. identify and conserve land that may be suitable for urban development in the future, allowing interim uses that will not compromise the best longer term use of the land;</p> <p>ii. provide mechanisms to promote and implement an appropriate mix of dwelling types, consistent with a next generation neighbourhood across the transition precinct once this land is developed and serviced with all local government networks including water and sewer and is suitable for urban development.</p> <p>Once serviced by all local government networks, including water and sewer the Transition precinct is to provide a mix of dwelling types to support densities that are moderately higher than traditional suburban areas. Housing forms include predominantly detached dwellings on a variety of lot sizes with a greater range of attached dwellings and low to medium rise apartment buildings. These areas will</p>	No	<p>The proposed development is inconsistent with Purpose 2.b.i. as the land use and infrastructure planning has not been completed for the Morayfield South growth area and it is premature for a development proposal to implement an ultimate residential use in the absence of detailed land use and infrastructure planning for the growth area. The proposed development is not for an interim use and in any event without detailed land use and infrastructure planning it is not possible to ascertain whether the proposed development is compromising or making more difficult the form of the land use and infrastructure planning for the growth area.</p> <p>The proposed development is premature, and is inconsistent with Purpose 2.b.ii. as the Planning Scheme Amendment, planning instruments and land use and infrastructure planning necessary to promote and implement a next generation neighbourhood have not been completed or adopted by Council. The subject site is not serviced with all local government networks to a standard or capacity which is suitable for urban development and the development proposal does not demonstrate that all local government networks can be provided to the proposed urban community in accordance with the</p>

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6.2.3.2 Purpose – Emerging community zone		
Overall Outcomes	Complies Y/N	Comments
<p>have convenient access to centres, community facilities and higher frequency public transport.</p>		<p>appropriate standards and required capacity.</p> <p>The development proposal is deficient in that it does not provide for all local government networks to the development according to Council's standards of provision for:</p> <ol style="list-style-type: none"> 1. External Road; 2. Local park provision; and 3. Stormwater management. <p>The proposed development may compromise or make more difficult the form of the land use and infrastructure planning for the subject site.</p> <p>The land use and infrastructure planning and the preparation and adoption of a planning instrument for the Morayfield South growth area has not been completed and therefore the proposed development makes more difficult the form of the land use and infrastructure planning for the Morayfield South growth area.</p> <p>The proposed development is therefore inconsistent with the intent and purpose of the Emerging community zone code, Transition precinct set out in Overall Outcome 2.b.</p>

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8.2.2.2 Purpose – Flood hazard overlay code		
Overall Outcomes	Complies Y/N	Comments
<p>2. The purpose of the Flood hazard overlay code will be achieved through the following overall outcomes:</p> <p>c. Development in the Medium risk area manages and mitigates the tolerable risk of flood hazard by ensuring that:</p> <p>v. earthworks do not occur except where associated with a previous approval.</p>	No	<p>The development application proposes a stormwater management area within medium risk flood hazard as shown on Overlap map - Flood hazard that involves the construction of bio retention and detention basin, including associated earthworks and batters.</p> <p>The development proposal does not comply with overall outcome (2)(v) as earthworks are proposed within the mapped medium risk flood hazard.</p> <p>The development proposal is therefore inconsistent with the intent and purpose of the Flood hazard overlay code.</p>

Based on the assessment above, the proposal is inconsistent with the Overall Outcomes of the applicable codes within the Planning Scheme.

2.4.5 Local Government Infrastructure Plan

The subject site is located outside the PIA which is identified in the LGIP. The PIA is an area that Council has designated for the coordination, prioritisation and sequencing of infrastructure for 10-15 years of growth. Its aim is to identify the areas where infrastructure can be provided most efficiently to support development.

Urban development is not prohibited outside the PIA, however, it is Council's responsibility to determine whether development outside the PIA will burden the community over the medium and long term. Where this can be quantified, the legislation enables the local government to establish an additional charge and decide the application.

Where a proposed development forms part of a future growth front, such as the Emerging community area at Morayfield South, the assessment of the infrastructure should consider the development of the entire future growth front. Council uses this information to inform the necessary coordination, prioritisation and sequencing of infrastructure to ensure efficient and cost-effective provision.

Council has commenced the preparation of the necessary land use and infrastructure planning to identify the infrastructure needed to support the development of the Morayfield South Emerging Community Area. This planning is intended to inform the coordination, prioritisation and sequencing of the necessary infrastructure.

The applicant has provided information purported to be the necessary land use and infrastructure planning for the Morayfield South Emerging Community Area. The information provided is considered inadequate to meet the requirements of Council when deciding the ultimate development yield and the extent, location and timing of the necessary infrastructure to service the whole of the Emerging Community Area.

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The applicant has not provided adequate information about the land use and infrastructure planning for Council to make a reasonable assessment of the cost/impact on the community as a result of the development.

2.5 Recording of particular approvals on the MBRC Planning Scheme

Not applicable in this instance.

2.6 Referrals

2.6.1 *Council Referrals*

2.6.1.1 Development Engineering

Layout Issues

Council road planning has identified a future connection from Robbs Road (east) to J Dobson Road (west). The development application identifies this connection through the development site however Council's alignment places the road south of the development. A final alignment has not been determined and the proposed development layout will prejudice this planning.

The development application classifies the Robbs - J Dobson road connection as a Contemporary Residential road (19.5 m wide local collector performing a function of connecting access streets to higher order roads) in place of Council's planned District Collector (26.8 m wide road performing a function of a major connection between suburbs or higher order roads). The Reconfiguring a Lot Code (Emerging Community Zone - Transition Precinct) PO27 requires the road network to have sufficient reserve width to cater for current and intended function. The connecting road has been identified as a District Collector under the proposed Planning Scheme Amendment and the submitted layout will prejudice this function.

Planning Scheme Policy - Integrated Design Appendix A Section 4 limits lot vehicle access to a District Collector road (Robbs - J Dobson) to rear or consolidated only. The development proposes direct lot access on the connection road and this will impact upon the future function of the road.

The applicant has proposed a 0.41 m Oakey Flat Road frontage dedication to allow future upgrade of the road (arterial) with a preferred reserve width of 31 m in accordance with PSP - integrated Design Appendix A. Detailed design of the Oakey Flat Road upgrade has not yet been undertaken and the proposed frontage dedication does not take into consideration any intersection requirements. The Reconfiguring a Lot Code (Emerging Community Zone - Transition Precinct) PO27 requires the road network to have sufficient reserve width to cater for current and intended function. The proposed development layout will prejudice Council's future road planning.

Stormwater Management and Drainage Discharge

Council is currently undertaking regional stormwater master planning for the Morayfield South area however this has not yet been completed or adopted. At this stage the submitted Concept Stormwater Management Plan and Flood Impact Assessment Report cannot be assessed against the regional master plan and the layout will impact upon future works.

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The lots to the west of Burbury Road proposed to contain the stormwater treatment are impacted by the Medium Risk Flood Hazard Overlay. The Flood Hazard Overlay Code PO20 requires infrastructure to be located outside of the Medium Risk Flood Hazard area. As indicated below the stormwater quality and quantity treatment is almost entirely located within the Medium Risk Flood Hazard area.

The development's proposed stormwater management area / lawful point of discharge is also physically separated (by road) from the development footprint, and proposed to be retained in private ownership. The application has also failed to demonstrate that the stormwater management area will be constructed and dedicated to council in time to adequately service the proposed development. The application has not adequately demonstrated the suitability of a lawful point of discharge on land held in private ownership.

The Robbs - J Dobson Road connection (26.8 m) if located south of the development boundary as planned by Council will be impacted by the location of the proposed detention basin as indicated below.

From an engineering perspective the application cannot be approved in its current form.

2.6.1.2 Environmental Health

Noise

Planning Scheme Policy - Noise requires traffic noise to be considered for all lots within 100 meters of a current or future designated arterial road. Additionally, any acoustic barrier facing a road must be recessed onto the subject property to allow landscaped screening to a depth specified in Table 6, Planning scheme policy - Integrated design - Appendix D. The applicant has not addressed these requirements and therefore it is not clear what potential acoustic issues are required to be addressed for habitable rooms and the private open space for each of the lots that may be affected by noise from Oakey Flat Road. It is also not clear how or if any acoustic impacts can be managed at each dwelling. If an acoustic barrier is required, for example, the layout of the allotments may need to be change to accommodate landscaped screening.

Waste

Proposed lots 88-91 face driveways that cannot be accessed by a 12.5m long HRV. The applicant has proposed bin pads to address this matter however they would be in locations that would block pedestrian access. A new location will need to be considered for the bin pads.

From an environmental health perspective, the development application cannot be approved in its current form.

2.6.1.3 Environmental Planning

Council requested further information on how the proposal complies with:

- Performance Outcome PO57 of the Reconfiguring a Lot Code (Emerging Community Zone - Transition Precinct) which requires the retention of native vegetation by incorporating native vegetation and habitat trees into the subdivision design;
- Performance Outcome PO64 which requires that lots are designed to ensure ecological values are not impacted but protected and maintained and that native vegetation is incorporated into the overall lots design;

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In addition, Council's information request, required that the applicant prepare and submit to Council a vegetation management plan to demonstrate how the approximate 4,000m² of vegetation clearing within mapped high value areas was intended to be replaced and how areas of ecological significance are intended to be rehabilitated.

The information response stated that the subject site does not contain noteworthy vegetation or habitat values and that the subject site has been primarily cleared and maintained for rural residential purposes. The information response also stated that any tree retention on the subject site is impractical given earthworks and road access requirements. With respect to the mapped 'high value areas' on the proposed stormwater management area, the applicant has stated that there is the possibility to retain existing vegetation, subject to construction requirements. A vegetation management plan has not been provided as requested by Council.

The application does not comply with Performance Outcome PO63 of the Planning Scheme which requires that no new lot boundaries are located within 2m of a High value area. The application proposed to create new lots within the mapped MSES vegetation as identified on Overlay map - Environmental areas.

The application does not comply with Performance Outcome PO46 as the application proposed stormwater management facilities, inclusive of earthworks associated with the construction of a detention and bio-retention basin, within a mapped riparian area.

The development application does not comply with Performance Outcome PO57, PO46 and PO63 of the Reconfiguring a lot code, Emerging community zone, Transition precinct of the Planning Scheme. From an environmental planning perspective, the application cannot be approved in its current form.

2.6.1.4 Strategic Planning

In the absence of detailed structure planning, the development proposal will not achieve the purpose of the Emerging Community Zone as it fails to properly and effectively manage the timely conversion of non-urban land. The development proposal will not meet the relevant overall outcomes as the subject site is not serviced by all networks and does not provide for well-connected, safe and convenient movement and open space networks.

2.6.2 Referral Agencies

2.6.2.1 Concurrence Agencies - Department of Infrastructure, Local Government and Planning

There were no Concurrence Agencies involved in assessing this development application.

2.6.2.2 Advice Agencies

There were no Advice Agencies involved in assessing this application.

2.6.2.3 Third Party Agencies

There were no Third Party Agencies involved in assessing this application.

2.7 Public Consultation

The development application is Code Assessable and accordingly there are no public notification requirements associated with the proposal.

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2.8 Other Matters

2.8.1 *Proposed Amendments to the Moreton Bay Regional Council Planning Scheme*

Moreton Bay Regional Council commenced public notification of Planning Scheme Amendment on 21 August 2017 which closed on 6 October 2017. The Planning Scheme Amendment seeks to manage the development of future urban areas in the Emerging community zone. Further detailed investigation of land uses and infrastructure planning is required to confirm that these future urban areas are suitable to accommodate future growth. Whole of catchment infrastructure solutions are required for the five networks of water, sewerage, transport, stormwater and community infrastructure, to ensure that the growth areas can be fully serviced in accordance with the relevant standards expected in an urbanised area.

The Planning Scheme Amendment includes the following:

1. introduce a new overlay map "Overlay map – Structure Plan areas" which identifies areas that are Structure Planned Areas and those which are Future Structure Plan Areas;
2. introduce definitions of "Service area" and "Non Service Area" reflecting the status of infrastructure availability of land in the Emerging community zone;
3. Introduce an amended Planning Scheme Policy PSP - Neighbourhood which includes an amended movement network diagram for Morayfield South.
4. introduce an amended level of assessment for reconfiguring a lot such that land within (see Table 5.6.1):
 - a. a Service area (being the area within a structure planned area which is located within the PIA and the water connection area and sewer connection area in the applicable Water netserv plan) is subject to code assessment; and
 - b. a Non-Service area (being an area within a structure plan area which is not a Service area) is subject to impact assessment; and
5. make reference to the establishment of a Coordinating Infrastructure Agreement (CIA) between major infrastructure service providers being Council, Unitywater and the State Government to relevantly provide for the planning, coordination, sequencing, delivery and operation of infrastructure to service the development of a structure plan area.

The Planning Scheme Amendment demonstrates Council's direction of planning and commitment to advancing the land use and infrastructure planning through the preparation of Structure Plans for the various growth areas in the Emerging community zone.

3. **Strategic Implications**

3.1 Legislative/Legal Implications

The applicant has appeal rights in accordance with the *Planning Act 2016*.

3.2 Corporate Plan / Operational Plan

The proposal does not demonstrate well-planned growth or a sustainable and well-planned community as sought by the Corporate Plan.

3.3 Policy Implications

The proposal is inconsistent with the existing Moreton Bay Region planning provisions and relevant policies.

3.4 Risk Management Implications

Development occurs efficiently and effectively in the region in a manner that reduces the potential risk implications to Council and the community.

3.5 Delegated Authority Implications

There are no delegated authority implications arising as a direct result of this report.

ITEM 2.2 DEVELOPMENT APPLICATION DA/34873/2017/V3RL - RECONFIGURING A LOT - DEVELOPMENT PERMIT FOR SUBDIVISION (5 INTO 99 LOTS IN 2 STAGES), LOCATED AT 263-267 AND 269-279 OAKEY FLAT ROAD AND 75, 84 AND 88 BURBURY ROAD, MORAYFIELD - DIVISION 12 - A16443730 (Cont.)

3.6 Financial Implications

In the event that an appeal is made to the Planning & Environment court against Council's decision, the Council will incur additional costs in defending its position.

3.7 Economic Implications

The proposed development would make more difficult the ultimate decision as to the form of the Planning Scheme Amendment and the related land use and infrastructure planning for the Morayfield South growth area.

3.8 Environmental Implications

There are no environmental implications arising from refusing this development application.

3.9 Social Implications

There are no social implications arising from refusing this development application.

3.10 Consultation / Communication

Refer to clause 2.7.

SUPPORTING INFORMATION

Ref: A16443731; A16449580

The following list of supporting information is provided for:

ITEM 2.2

DEVELOPMENT APPLICATION DA/34873/2017/V3RL - RECONFIGURING A LOT - DEVELOPMENT PERMIT FOR SUBDIVISION (5 INTO 99 LOTS IN 2 STAGES), LOCATED AT 263-267 AND 269-279 OAKLEY FLAT ROAD AND 75, 84 AND 88 BURBURY ROAD, MORAYFIELD - DIVISION 12

#1 Aerial Photograph

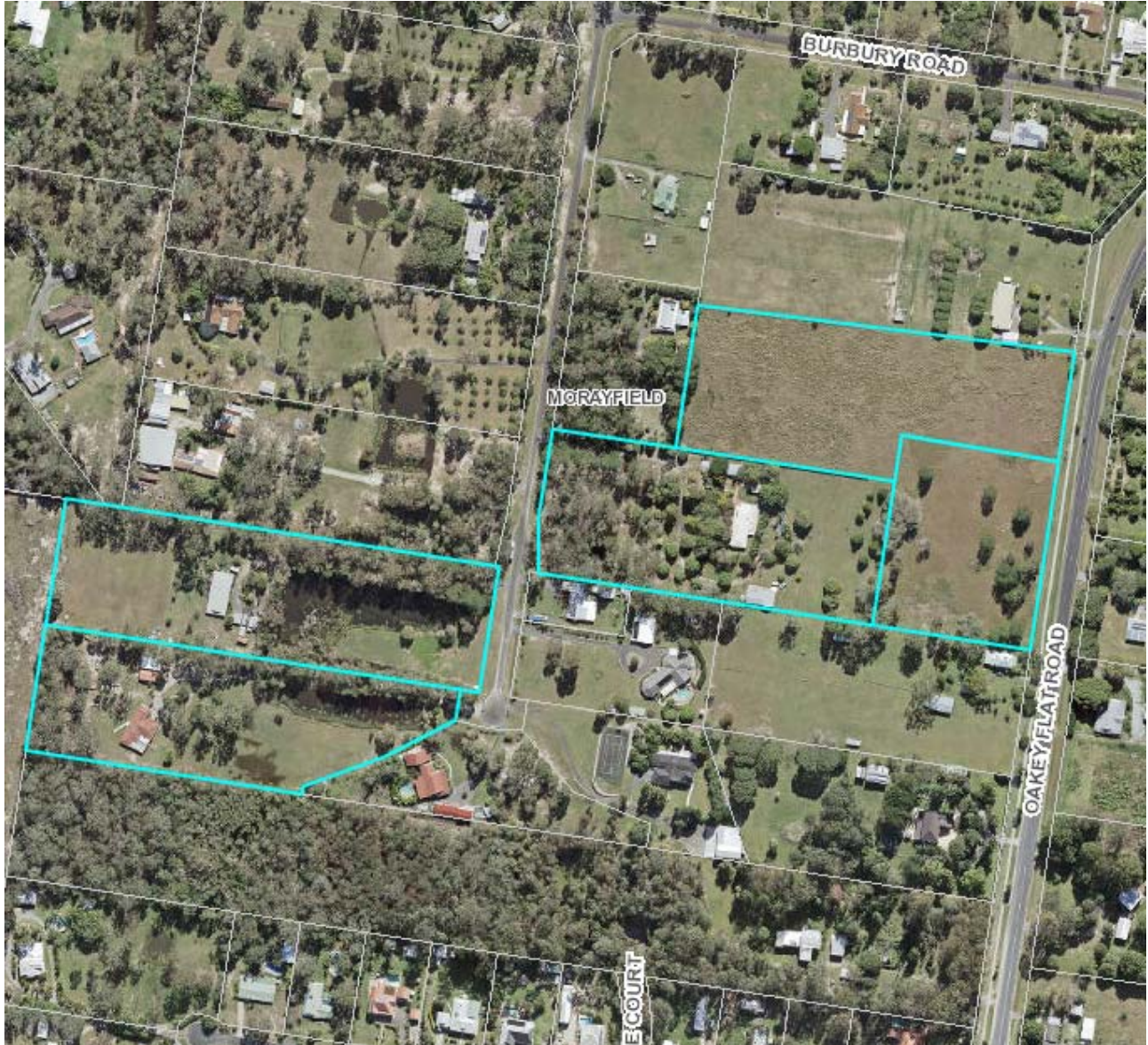
#2 Locality Plan

#3 Zoning Map

#4 Proposed Reconfiguration Plan

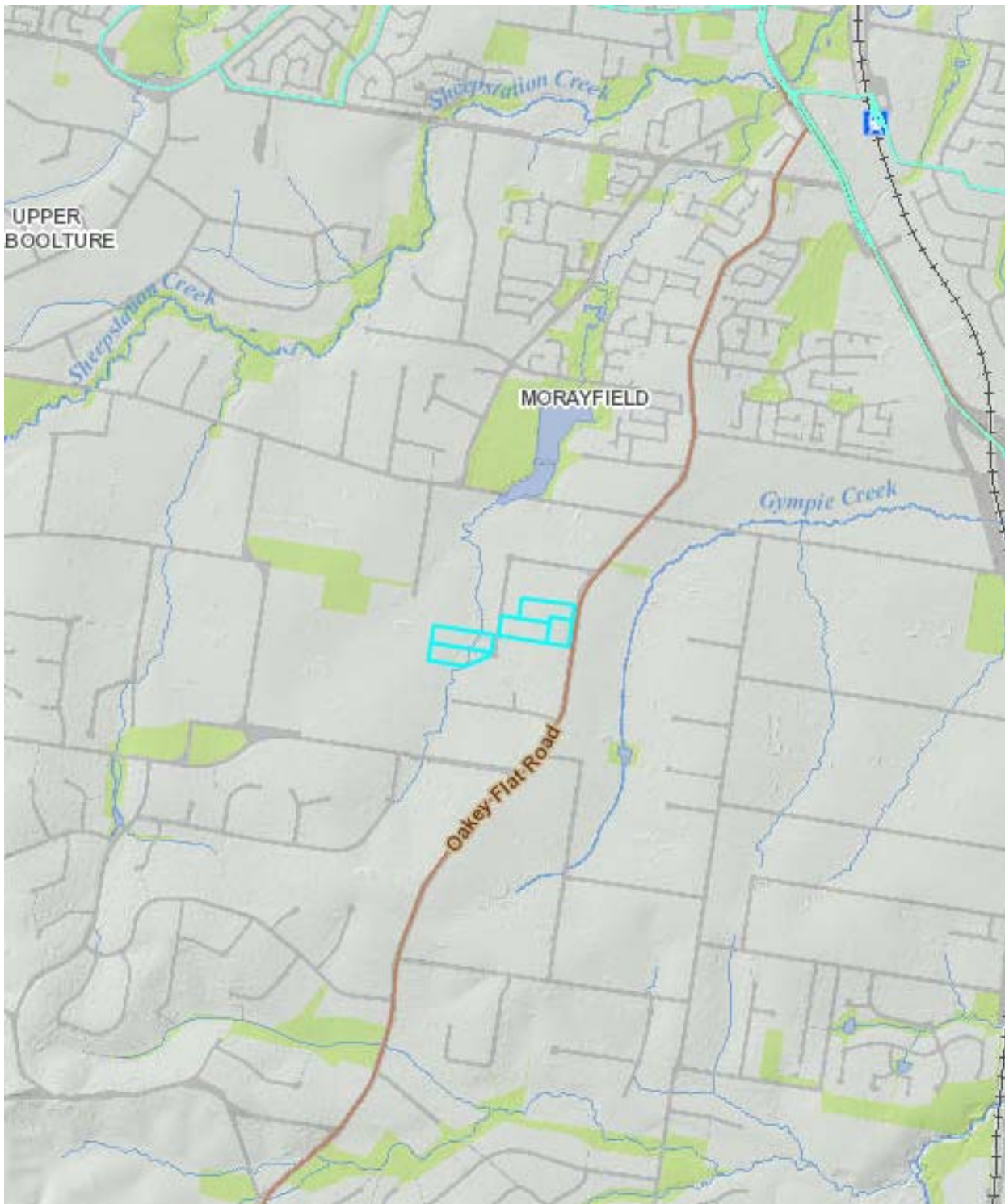
ITEM 2.2 - DEVELOPMENT APPLICATION DA/34873/2017/V3RL - RECONFIGURING A LOT - DEVELOPMENT PERMIT FOR SUBDIVISION (5 INTO 99 LOTS IN 2 STAGES), LOCATED AT 263 AND 269 OAKLEY FLAT ROAD AND 75, 84 AND 88 BURBURY ROAD, MORAYFIELD - DIVISION 12 (Cont.)

#1 Aerial Photograph



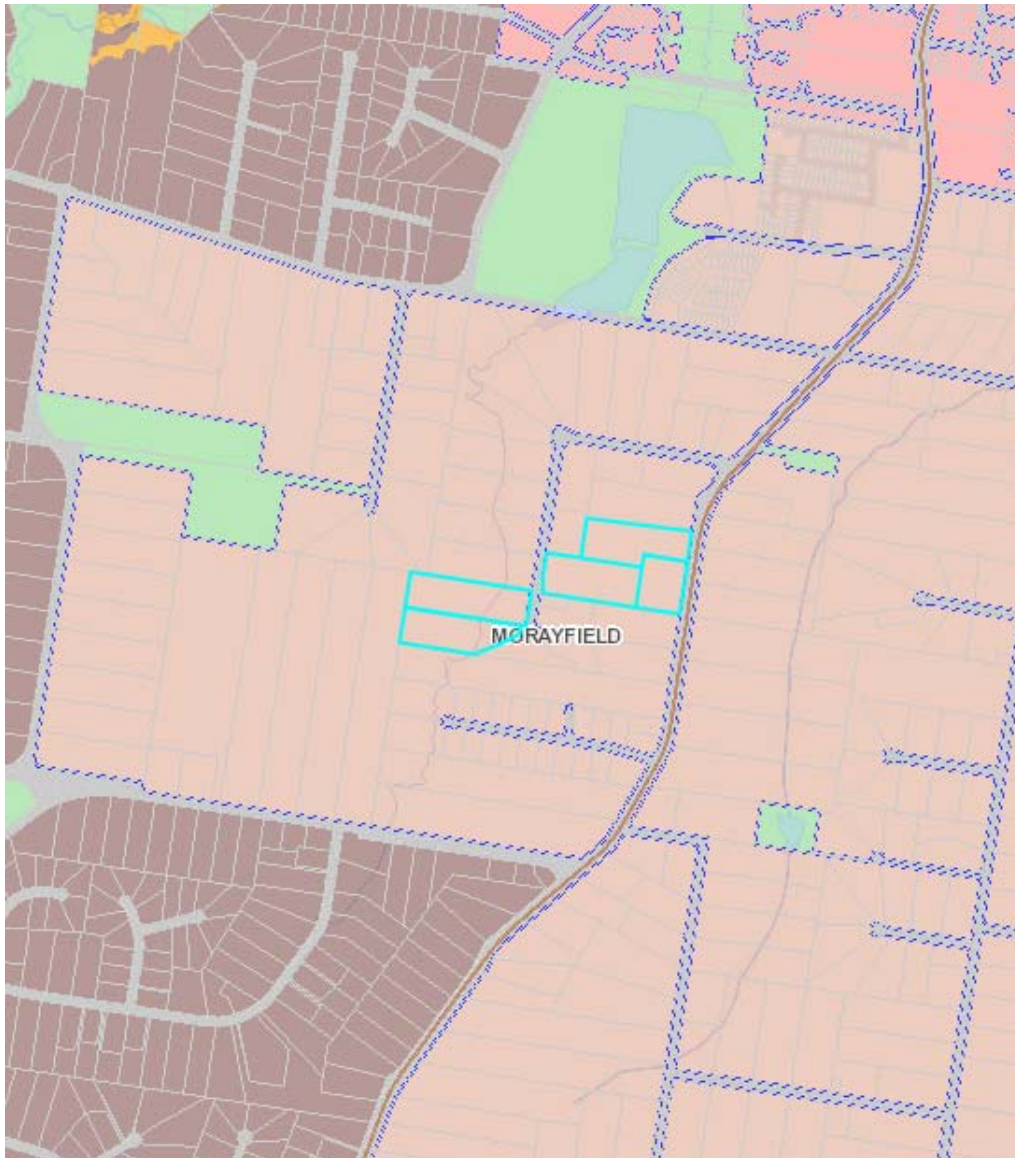
ITEM 2.2 - DEVELOPMENT APPLICATION DA/34873/2017/V3RL - RECONFIGURING A LOT - DEVELOPMENT PERMIT FOR SUBDIVISION (5 INTO 99 LOTS IN 2 STAGES), LOCATED AT 263 AND 269 OAKLEY FLAT ROAD AND 75, 84 AND 88 BURBURY ROAD, MORAYFIELD - DIVISION 12 (Cont.)

#2 Locality Plan



ITEM 2.2 - DEVELOPMENT APPLICATION DA/34873/2017/V3RL - RECONFIGURING A LOT - DEVELOPMENT PERMIT FOR SUBDIVISION (5 INTO 99 LOTS IN 2 STAGES), LOCATED AT 263 AND 269 OAKLEY FLAT ROAD AND 75, 84 AND 88 BURBURY ROAD, MORAYFIELD - DIVISION 12 (Cont.)

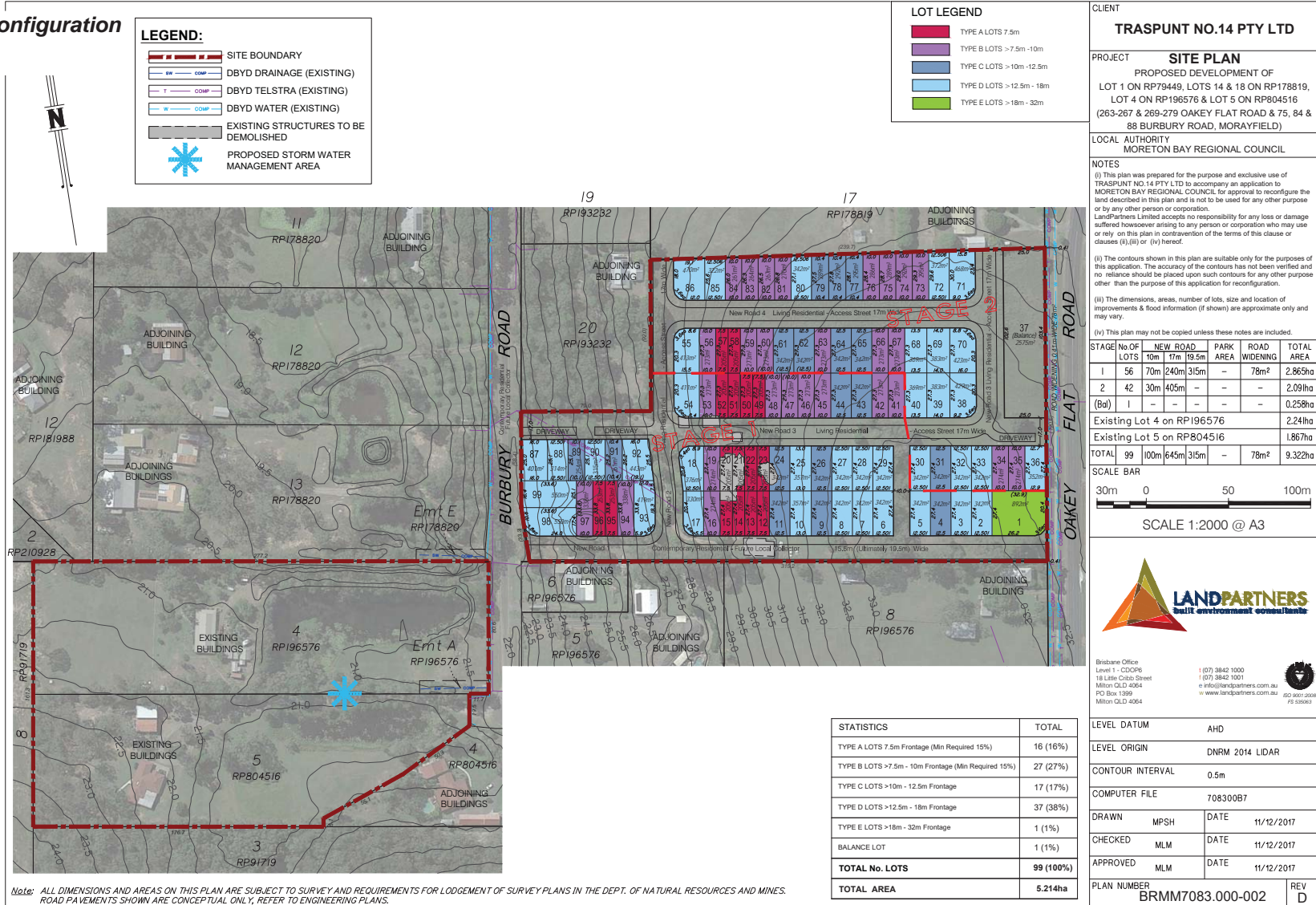
#3 Zoning Map



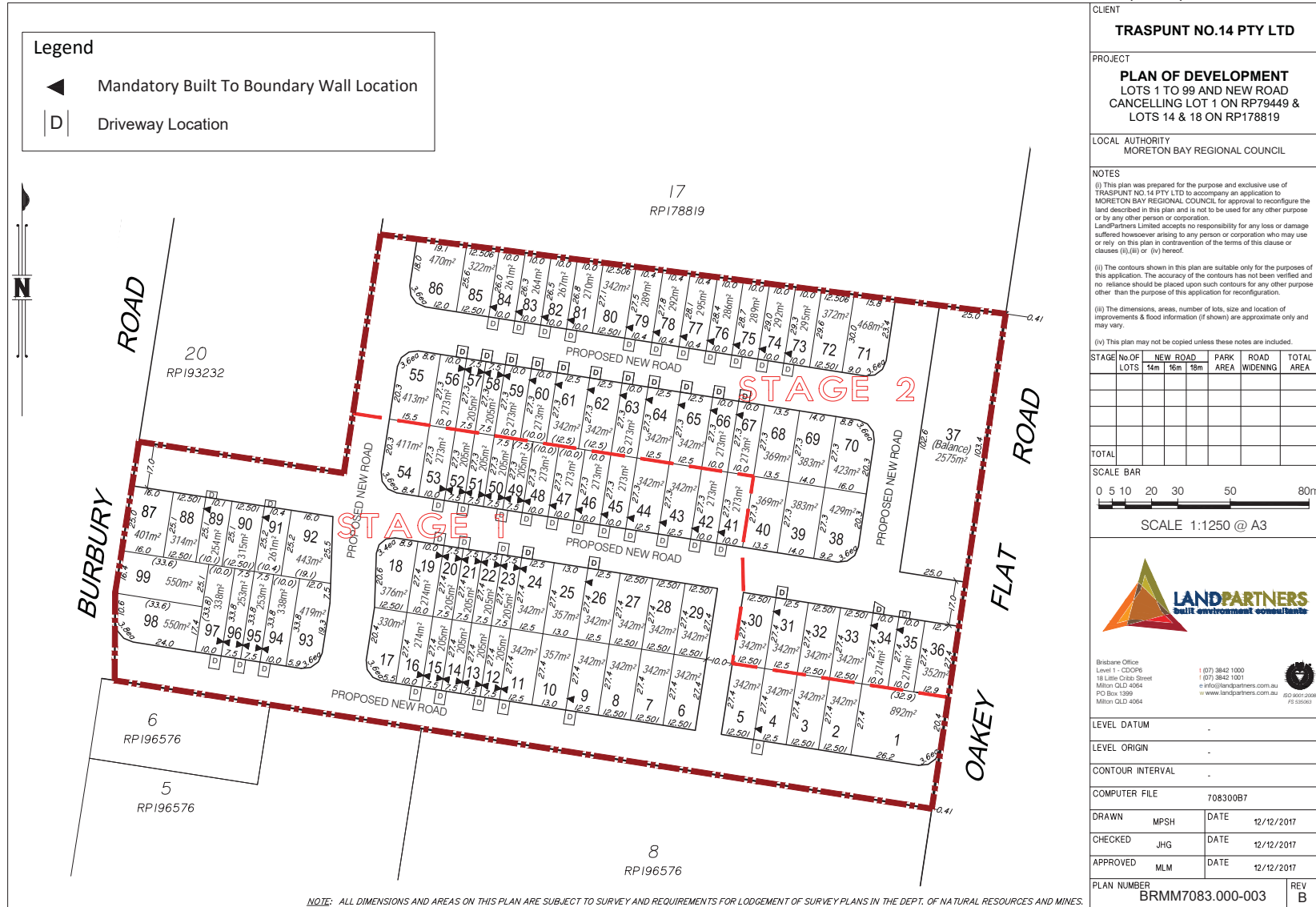
Zones	
Red square	General residential
Blue square	Centre
Light green square	Recreation and open space
Dark green square	Environmental management and conservation
Purple square	Industry
Yellow square	Community facilities
Orange square	Emerging community
Brown square	Extractive industry
Light orange square	Limited development
Light green square	Rural
Brown square	Rural residential
Orange square	Township

ITEM 2.2 DEVELOPMENT APPLICATION DA/34873/2017/V3RL - RECONFIGURING A LOT - DEVELOPMENT PERMIT FOR SUBDIVISION (5 INTO 99 LOTS IN 2 STAGES), LOCATED AT 263-267 AND 269-279 OAKLEY FLAT ROAD AND 75, 84 AND 88 BURBURY ROAD, MORAYFIELD - DIVISION 12 - A16443730 (Cont.)

#4 Proposed Reconfiguration Plan



ITEM 2.2 DEVELOPMENT APPLICATION DA/34873/2017/V3RL - RECONFIGURING A LOT - DEVELOPMENT PERMIT FOR SUBDIVISION (5 INTO 99 LOTS IN 2 STAGES), LOCATED AT 263-267 AND 269-279 OAKLEY FLAT ROAD AND 75, 84 AND 88 BURBURY ROAD, MORAYFIELD - DIVISION 12 - A16443730 (Cont.)

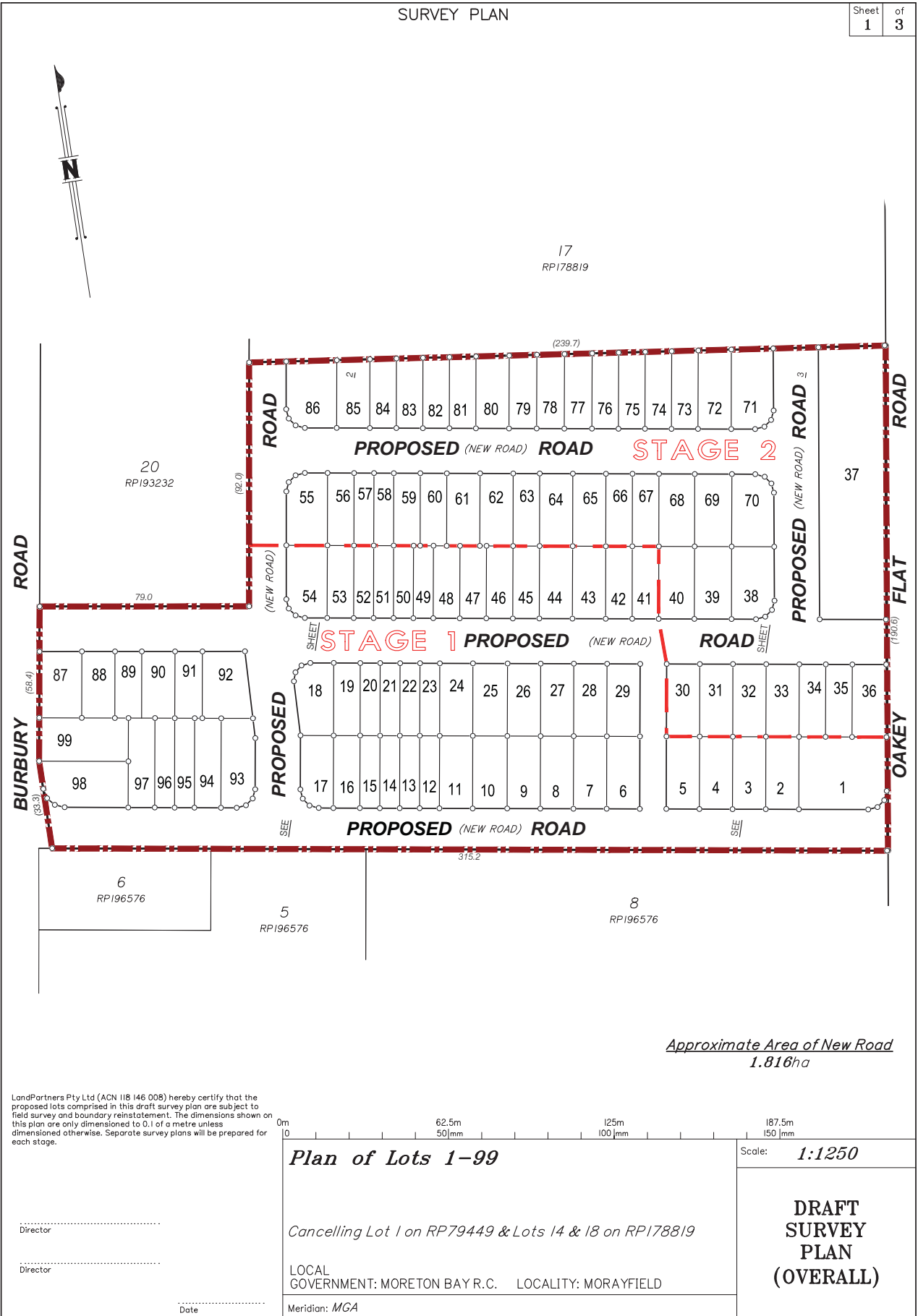


Moreton Bay Regional Council

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ITEM 2.2 DEVELOPMENT APPLICATION DA/34873/2017/V3RL - RECONFIGURING A LOT - DEVELOPMENT PERMIT FOR SUBDIVISION (5 INTO 99 LOTS IN 2 STAGES), LOCATED AT 263-267 AND 269-279 OAKEY FLAT ROAD AND 75, 84 AND 88 BURBURY ROAD, MORAYFIELD - DIVISION 12 - A16443730 (Cont.)



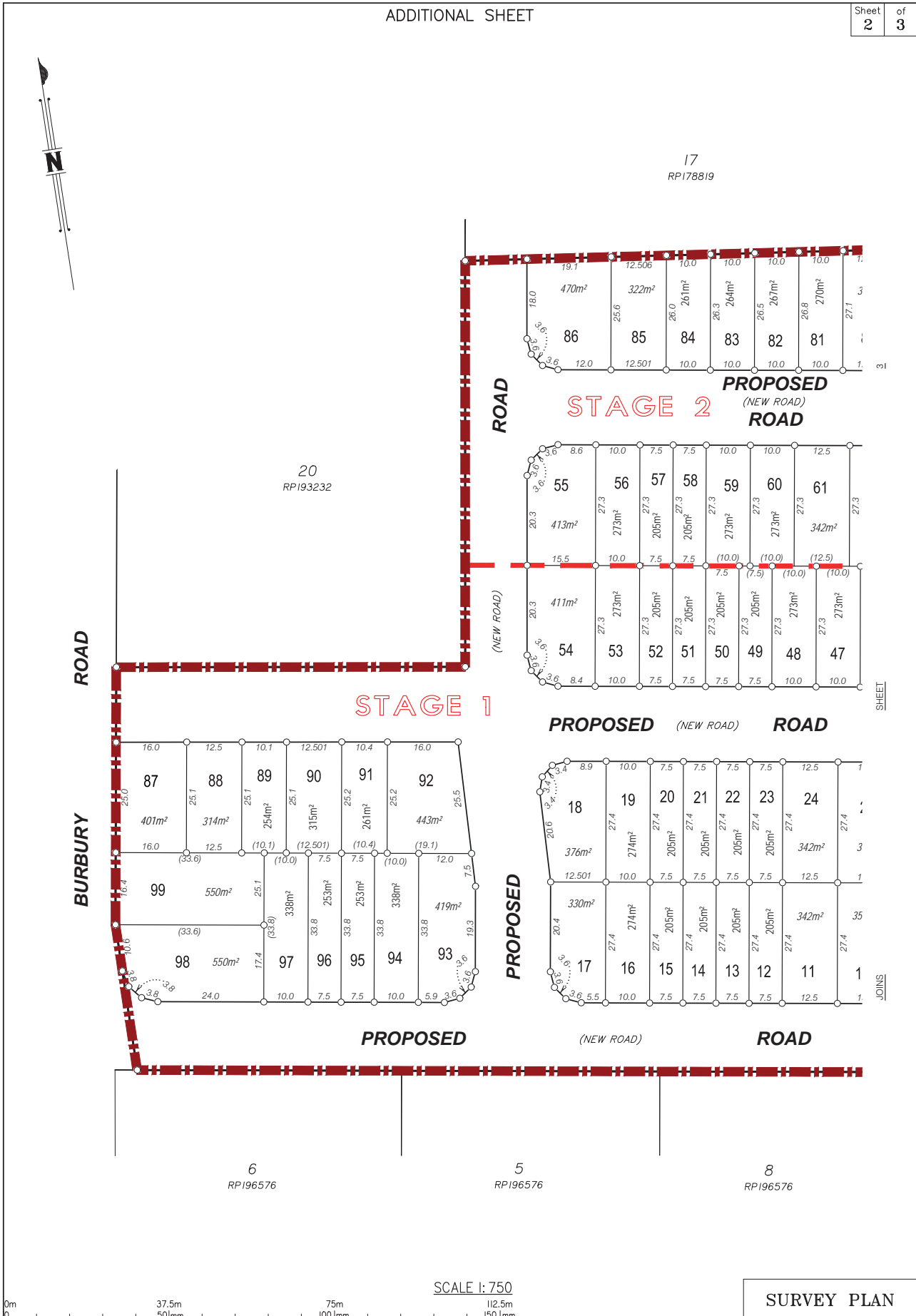
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ITEM 2.2 DEVELOPMENT APPLICATION DA/34873/2017/V3RL - RECONFIGURING A LOT - DEVELOPMENT PERMIT FOR SUBDIVISION (5 INTO 99 LOTS IN 2 STAGES), LOCATED AT 263-267 AND 269-279 OAKLEY FLAT ROAD AND 75, 84 AND 88 BURBURY ROAD, MORAYFIELD - DIVISION 12 - A16443730 (Cont.)



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ITEM 2.2 DEVELOPMENT APPLICATION DA/34873/2017/V3RL - RECONFIGURING A LOT - DEVELOPMENT PERMIT FOR SUBDIVISION (5 INTO 99 LOTS IN 2 STAGES), LOCATED AT 263-267 AND 269-279 OAKEY FLAT ROAD AND 75, 84 AND 88 BURBURY ROAD, MORAYFIELD - DIVISION 12 - A16443730 (Cont.)



COORDINATION COMMITTEE MEETING
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3 CORPORATE SERVICES SESSION

(Cr Adrian Raedel)

ITEM 3.1

MONTHLY REPORTING PACKAGE - NOVEMBER 2017 - REGIONAL

Meeting / Session: 3 CORPORATE SERVICES
Reference: A16342442 : 11 December 2017 - **Refer Supporting Information A16342372**
Responsible Officer: DW, Coordinator Management Accounting (CEO Accounting Services)

Executive Summary

The purpose of this report is to present the Financial Reporting Package for the year to date period ending 30 November 2017.

OFFICER'S RECOMMENDATION

That the Financial Reporting Package for the year to date period ending 30 November 2017 be received.

ITEM 3.1 MONTHLY REPORTING PACKAGE - NOVEMBER 2017 - REGIONAL - A16342442 (Cont.)

REPORT DETAIL

1. Background

The Financial Reporting Package for the month ending 30 November 2017 is contained within the supporting information to this report.

This package contains a number of financial statements with relevant commentary to provide a breakdown of key financial data and includes.

- ✓ Financial Statements
 - Statement of Comprehensive Income shows all income and expenditure as at the end of the November period.
 - The Statement of Financial Position highlights Council's position at the end of November and itemises assets, liabilities and community equity.
 - Statement of Cash Flows which represents the cash inflows and outflows during the month.
 - Statement of sources and applications of capital funding.
- ✓ Treasury Report
 - The Treasury Report highlights key areas of performance and compliance relating to Council's investments, borrowings and reserves.

2. Explanation of Item

The financial results for the month of November are complete. A commentary is provided on significant matters that occurred during the month.

3. Strategic Implications

3.1 Legislative/Legal Implications

Part 9, section 204 of the Local Government Regulation 2012, (regulation) states the following:

- (1) The local government must prepare a financial report.
- (2) The chief executive officer must present the financial report—
 - (a) if the local government meets less frequently than monthly—at each meeting of the local government; or
 - (b) otherwise—at a meeting of the local government once a month.
- (3) The financial report must state the progress that has been made in relation to the local government's budget for the period of the financial year up to a day as near as practicable to the end of the month before the meeting is held.

3.2 Corporate Plan / Operational Plan

Strengthening Communities: Strong local governance - strong leadership and governance.

3.3 Policy Implications

Compliance to the Council's Investment Policy is confirmed for the month of November.

3.4 Risk Management Implications

The Council is subject to numerous risks associated with revenue and expenses that can impact upon Council's financial performance and position. Those risks are documented and evaluated as part of the operational plan preparation in conjunction with the annual budget cycle.

3.5 Delegated Authority Implications

There are no delegated authority implications arising as a direct result of this report.

3.6 Financial Implications

As at the end of November 2017 Council's operating surplus is \$76.91 million and the capital expenditure incurred to date is \$54.82 million.

ITEM 3.1 MONTHLY REPORTING PACKAGE - NOVEMBER 2017 - REGIONAL - A16342442 (Cont.)

3.7 Economic Benefit

There are no economic benefit implications arising as a direct result of this report.

3.8 Environmental Implications

There are no environmental implications arising as a direct result of this report.

3.9 Social Implications

There are no social implications arising as a direct result of this report.

3.10 Consultation / Communication

Chief Executive Officer, Manager Financial and Project Services and Accounting Services Manager.

SUPPORTING INFORMATION

Ref: [A16342372](#)

The following list of supporting information is provided for:

ITEM 3.1

MONTHLY REPORTING PACKAGE - NOVEMBER 2017 - REGIONAL

#1 Monthly Financial Report - Year to date result as at: 30 November 2017

ITEM 3.1 MONTHLY REPORTING PACKAGE - NOVEMBER 2017 - REGIONAL - A16342442 (Cont.)

#1 Monthly Financial Report - Year to date result as at: 30 November 2017

Moreton Bay Regional Council

Monthly Financial Report

Year to date result as at: 30 November 2017

Contents	Page No
Financial Statements	1 to 3
Statement of Sources and Application of Capital Funding	4
Segment Analysis	5
Commentary on Financial Results and Graphs	6 to 9
Treasury Report	10

Moreton Bay Regional Council

ITEM 3.1 MONTHLY REPORTING PACKAGE - NOVEMBER 2017 - REGIONAL - A16342442 (Cont.)

Moreton Bay Regional Council STATEMENT OF COMPREHENSIVE INCOME For the period ended 30 November 2017

42% of the
year elapsed

	2017/18 Original Budget	2017/18 Revised Budget	2017/18 YTD Actuals	Actuals to Revised Budget 2017/18
Revenue				
Operating Revenue				
Rates and utility charges	\$291,392,765	\$291,392,765	\$145,427,193	49.91%
Fees and charges	\$34,541,062	\$34,433,054	\$18,819,887	54.66%
Rental income	\$7,379,689	\$7,382,089	\$2,922,269	39.59%
Grants, subsidies and contributions	\$19,028,518	\$12,573,590	\$5,342,597	42.49%
Interest revenue	\$44,429,785	\$43,414,785	\$18,838,439	43.39%
Sales revenue	\$2,903,900	\$2,952,040	\$1,414,230	47.91%
Other revenue	\$21,772,026	\$22,724,566	\$8,105,789	35.67%
Share of profit of associate	\$73,034,000	\$73,034,000	\$30,430,833	41.67%
Total Operating Revenue	\$494,481,745	\$487,906,889	\$231,301,237	47.41%
Expenses				
Operating Expenses				
Employee benefits	(\$129,395,101)	(\$129,188,199)	(\$51,144,855)	39.59%
Materials and services	(\$147,834,545)	(\$156,729,372)	(\$54,550,678)	34.81%
Depreciation and amortisation	(\$86,669,450)	(\$86,669,450)	(\$38,412,419)	44.32%
Finance costs	(\$23,324,289)	(\$23,324,289)	(\$10,278,885)	44.07%
Total Operating Expenses	(\$387,223,385)	(\$395,911,310)	(\$154,386,837)	39.00%
Operating Results	\$107,258,360	\$91,995,579	\$76,914,400	83.61%
Capital Revenue	\$83,337,589	\$92,829,492	\$40,498,938	43.63%
Capital Expenses	\$0	\$0	(\$3,892,022)	No Budget
NET RESULT	\$190,595,949	\$184,825,071	\$113,521,316	61.42%
Other Comprehensive Income				
Items that will not be reclassified to net result				
Increase/(decrease) in asset revaluation surplus	\$0	\$0	\$1,360,790	No Budget
Total other comprehensive income for the year	\$0	\$0	\$1,360,790	No Budget
TOTAL COMPREHENSIVE INCOME FOR THE YEAR	\$190,595,949	\$184,825,071	\$114,882,106	62.16%

Moreton Bay Regional Council

ITEM 3.1 MONTHLY REPORTING PACKAGE - NOVEMBER 2017 - REGIONAL - A16342442 (Cont.)

Moreton Bay Regional Council STATEMENT OF FINANCIAL POSITION As at 30 November 2017

	2017/18 Budget as at 30 June 2018	2017/18 YTD Actual
Assets		
Current Assets		
Cash and cash equivalents	\$276,620,000	\$369,263,302
Trade and other receivables	\$41,933,000	\$99,804,711
Inventories	\$1,092,000	\$1,113,546
	\$319,645,000	\$470,181,559
Non-current assets held for sale	\$0	\$18,332,875
Total Current Assets	\$319,645,000	\$488,514,434
Non-Current Assets		
Trade and other receivables	\$741,805,000	\$677,631,405
Investments	\$15,000	\$15,000
Investment property	\$42,867,000	\$44,970,130
Investment in associate	\$1,097,319,000	\$1,086,515,100
Property, plant and equipment	\$4,338,728,000	\$4,428,135,738
Intangible assets	\$1,410,000	\$899,030
Total Non-Current Assets	\$6,222,144,000	\$6,238,166,403
Total Assets	\$6,541,789,000	\$6,726,680,837
Liabilities		
Current Liabilities		
Trade and other payables	\$36,745,000	\$32,507,698
Borrowings	\$30,678,000	\$21,732,692
Provisions	\$13,644,000	\$12,782,019
Other	\$384,000	\$1,656,614
Total Current Liabilities	\$81,451,000	\$68,679,023
Non-Current Liabilities		
Trade and other payables	\$415,000	\$213,413
Borrowings	\$355,076,000	\$359,071,081
Provisions	\$20,643,000	\$33,125,603
Total Non-Current Liabilities	\$376,134,000	\$392,410,097
Total Liabilities	\$457,585,000	\$461,089,120
NET COMMUNITY ASSETS	\$6,084,204,000	\$6,265,591,717
Community Equity		
Retained surplus	\$5,212,213,000	\$5,367,301,278
Asset revaluation surplus	\$871,991,000	\$898,290,439
TOTAL COMMUNITY EQUITY	\$6,084,204,000	\$6,265,591,717

Moreton Bay Regional Council

ITEM 3.1 MONTHLY REPORTING PACKAGE - NOVEMBER 2017 - REGIONAL - A16342442 (Cont.)

Moreton Bay Regional Council STATEMENT OF CASH FLOWS For the period ended 30 November 2017

	2017/18 Budget as at 30 June 2018	2017/18 YTD Actuals
Cash flows from operating activities		
Receipts from customers	\$388,467,000	\$183,686,492
Payments to suppliers and employees	(\$273,346,000)	(\$129,844,354)
Interest received	\$44,430,000	\$22,014,815
Rental income	\$7,093,000	\$2,922,269
Non capital grants and contributions	\$18,288,000	\$5,342,597
Borrowing costs	(\$22,193,000)	(\$9,555,648)
Net cash inflow/(outflow) from operating activities	\$162,739,000	\$74,566,171
Cash flows from investing activities		
Payments for property, plant and equipment	(\$195,192,000)	(\$54,606,975)
Proceeds from sale of property, plant and equipment	\$30,300,000	\$13,929,039
Net movement in loans to community organisations	\$0	(\$50,000)
Grants, subsidies and contributions	\$43,111,000	\$42,411,510
Net cash inflow/(outflow) from investing activities	(\$121,781,000)	\$1,683,574
Cash flows from financing activities		
Proceeds from borrowings	\$26,250,000	\$0
Repayment of borrowings	(\$27,723,000)	(\$6,746,340)
Net cash inflow/(outflow) from financing activities	(\$1,473,000)	(\$6,746,340)
Net increase/(decrease) in cash held	\$39,485,000	\$69,503,405
Cash and cash equivalents at the beginning of the financial year	\$237,135,000	\$299,759,897
Cash and cash equivalents at the end of the period	\$276,620,000	\$369,263,302

Moreton Bay Regional Council

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ITEM 3.1 MONTHLY REPORTING PACKAGE - NOVEMBER 2017 - REGIONAL - A16342442 (Cont.)

Moreton Bay Regional Council STATEMENT OF SOURCES AND APPLICATIONS OF CAPITAL FUNDING For the period ended 30 November 2017

	Original Budget 2017/18	Revised Budget 2017/18	YTD Actuals 2017/18
<u>Capital Funding Sources</u>			
Cash Utilised	\$175,904,065	\$191,599,134	\$50,578,732
Capital Grants and Subsidies received	\$20,610,589	\$30,102,492	\$10,991,165
Contributed Assets and assets not previously recognised	\$40,227,000	\$40,227,000	\$10,363,035
Loans received	\$26,250,000	\$26,250,000	-
Total Capital Funding Sources	\$262,991,654	\$288,178,626	\$71,932,932
<u>Capital Funding Applications</u>			
Capital Expenditure	\$195,041,500	\$220,228,472	\$54,823,557
Contributed Assets and assets not previously recognised	\$40,227,000	\$40,227,000	\$10,363,035
Loan Redemption	\$27,723,154	\$27,723,154	\$6,746,340
Total Capital Funding Applications	\$262,991,654	\$288,178,626	\$71,932,932

Moreton Bay Regional Council

ITEM 3.1 MONTHLY REPORTING PACKAGE - NOVEMBER 2017 - REGIONAL - A16342442 (Cont.)

Analysis of Results by Operational Plan

For the period ended 30 November						
Operational Plan	Operating Revenue	Operating Expenses	Operating Result	Capital Revenue	Capital Expenses	Net Result
Engineering, Construction & Maintenance	\$24,735,010	(\$54,291,927)	(\$29,556,917)	\$11,005,722	\$1,087,283	(\$17,463,912)
Community & Environmental Services	\$10,965,726	(\$18,213,604)	(\$7,247,878)	-	-	(\$7,247,878)
Governance	\$185,125,787	(\$71,988,756)	\$113,137,031	\$17,086,966	(\$5,433,029)	\$124,790,968
Planning and Economic Development	\$5,231,844	(\$4,371,962)	\$859,882	-	-	\$859,882
Executive and Property Services	\$5,242,870	(\$5,520,587)	(\$277,716)	\$12,406,250	\$453,725	\$12,582,259
Total Council	\$231,301,238	(\$154,386,837)	\$76,914,401	\$40,498,938	(\$3,892,022)	\$113,521,318

Analysis of Results by Entity

For the period ended 30 November						
Entity	Operating Revenue	Operating Expenses	Operating Result	Capital Revenue	Capital Expenses	Net Result
General	\$207,869,276	(\$137,236,868)	\$70,632,408	\$40,484,381	(\$3,915,595)	\$107,201,194
Waste	\$22,695,659	(\$16,272,312)	\$6,423,347	\$14,557	\$23,573	\$6,461,477
Canals	\$736,303	(\$877,657)	(\$141,353)	-	-	(\$141,353)
Total Council	\$231,301,238	(\$154,386,837)	\$76,914,401	\$40,498,938	(\$3,892,022)	\$113,521,318

The Performance at a Glance **as at 30 November 2017**

Synopsis

- * 42% of the financial year is complete.
- * The operating surplus is \$76.91 million.

Operating Revenue

- * Rates and Utility Charges are on track to budget following the second quarterly rates levy.
- * User Fees and Charges are above budget while Other Revenue is tracking below budget.
- * In total all other revenue categories are performing close to the revised budget target at this time of the year.

Operating Expenditure

- * Employee Expenses are tracking slightly below budget at this point in the year along with Materials and Services which are also behind budget.
- * Finance Costs and Depreciation Expenses are just above budget.

Capital Revenue

- * Infrastructure Cash Contributions are tracking above budget.
- * Contributed Assets and Assets not Previously Recognised are tracking under budget.
- * Grants, Subsidies and Other Contributions are tracking below budget.

Capital Expenditure

- * To date \$54.82 million has been spent on capital works, (which represents 24.89% of the capital program).

Moreton Bay Regional Council

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ITEM 3.1 MONTHLY REPORTING PACKAGE - NOVEMBER 2017 - REGIONAL - A16342442 (Cont.)

Moreton Bay Regional Council

Comparative Table 2015/16 and 2016/17 to 2017/18*

Year to date result as at: 30 November 2017

42% of the year elapsed

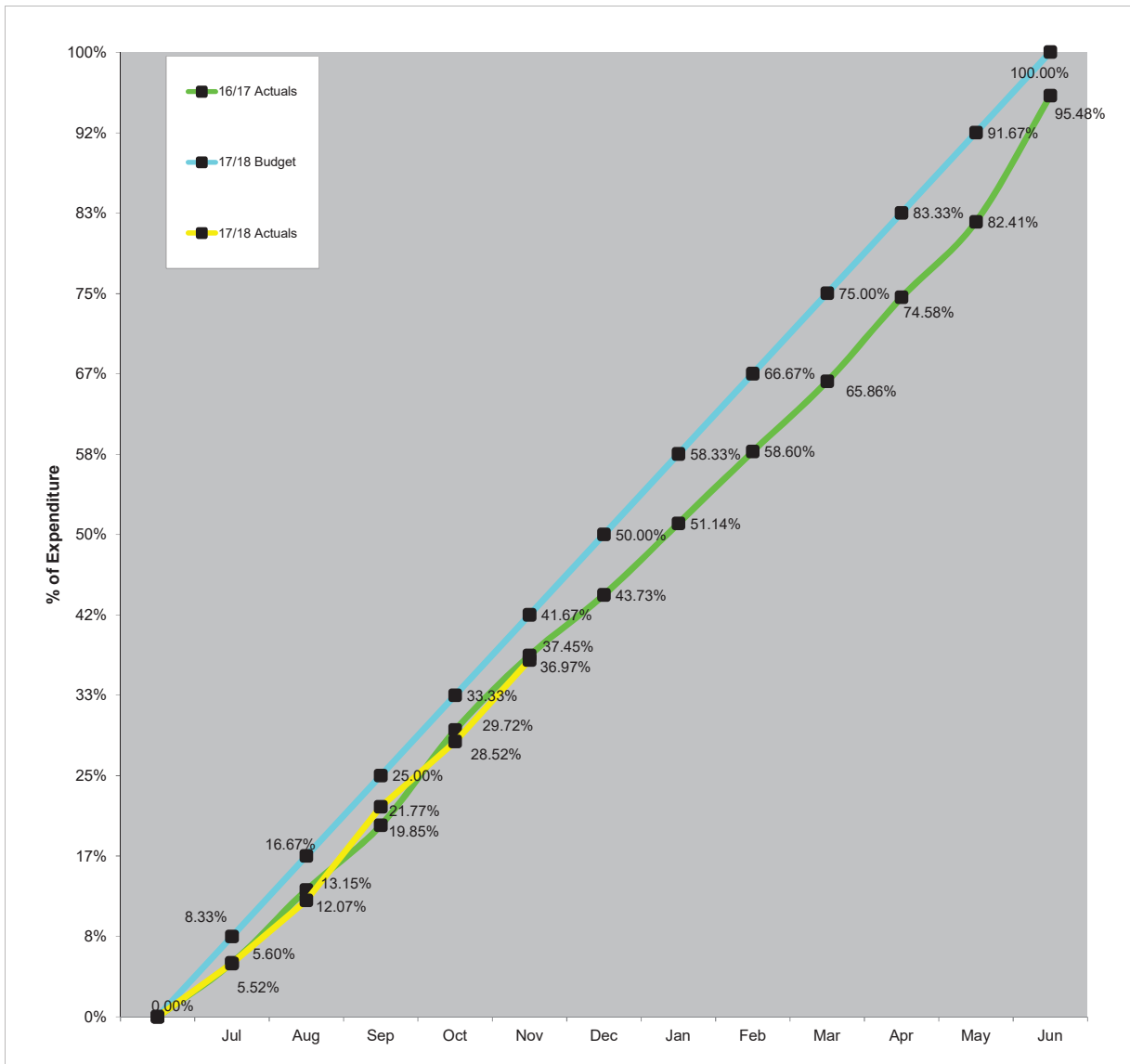
	Revised Budget 2017/18 \$'000	YTD Actuals 2017/18 \$'000	Actuals to Revised Budget 2017/18 %	Actuals to Revised Budget 2016/17 %	Actuals to Revised Budget 2015/16 %	Comments
Operating Revenue						
Rates & Utility Charges	\$291,393	\$145,427	50%	50%	50%	Revenue is on target after the second quarter rates levy.
User Fees & Charges	\$34,433	\$18,820	55%	49%	57%	Revenue is tracking over budget and is up on the previous year.
Interest Revenue	\$43,415	\$18,838	43%	43%	42%	The % for 2017/18 is tracking to budget and is consistent with previous years.
Operating Expenses						
Employee Expenses & Material and Services	\$285,918	\$105,696	37%	37%	36%	Expenditure is tracking below budget but is comparable to the previous years.
External Loan Interest Expense	\$22,193	\$9,531	43%	42%	43%	Expenditure is tracking to budget and is comparable to previous years.
Capital Revenues						
Infrastructure Cash Contributions	\$22,500	\$18,738	83%	64%	65%	Infrastructure cash contributions are tracking above budget and is above the previous years.
Contributed Assets	\$40,227	\$10,363	26%	28%	18%	All contributed assets have been recognised to date.
Grants & Subsidies	\$30,102	\$10,991	37%	41%	32%	The % of grants and subsidies received is tracking below budget and below the previous year.
Capital Expenditure						
Total Capital Expenditure	\$220,228	\$54,824	25%	28%	49%	Capital expenditure remains behind budget.
* The data presented reflects the position of Council as at 30 November 2017 compared to the position of Council as at 30 November 2016 and 30 November 2015.						
The table focuses on key items of revenue and expenses across the comparative period and is useful guide in understanding what may have changed with regard to revenue and expense streams across the three financial years.						

ITEM 3.1 MONTHLY REPORTING PACKAGE - NOVEMBER 2017 - REGIONAL - A16342442 (Cont.)

Operating Expenditure

This graph compares the major components of operating expenditure (being employee expenses plus materials and services) on a percentage expended basis for the 2017/18 and 2016/17 years. The graph includes continuing service delivery expenses and operating initiative expenses.

The budgeted expenditure trend is set at 8.33% for each month. The cumulative actual expenditure trend for each month is graphed alongside the budget expenditure.



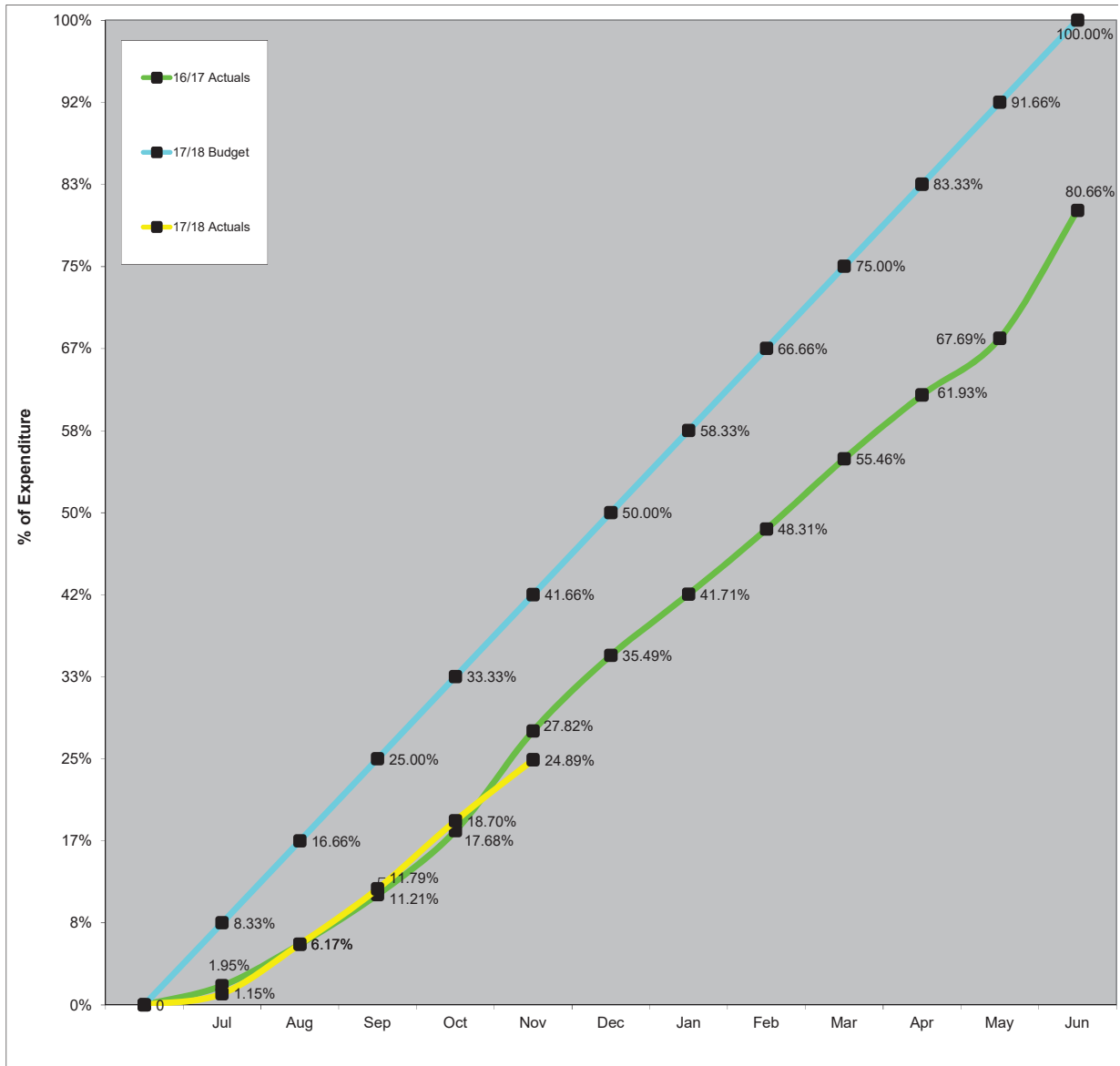
	Annual Revised Budget \$'000	Actuals to November \$'000	Actuals to Budget % spent
2016/17	\$ 274,483	\$ 102,807	37.45%
2017/18	\$ 285,918	\$ 105,696	36.97%

ITEM 3.1 MONTHLY REPORTING PACKAGE - NOVEMBER 2017 - REGIONAL - A16342442 (Cont.)

Capital Expenditure

This graph compares the capital percentage expended for the 2017/18 and 2016/17 years.

The budgeted expenditure trend is set at 8.33% for each month. The cumulative actual expenditure trend for each month is graphed alongside the budget expenditure.



	Annual Revised Budget \$'000	Actuals to November \$'000	Actuals to Budget % spent
2016/17	\$ 180,568	\$ 50,243	27.82%
2017/18	\$ 220,228	\$ 54,824	24.89%

Moreton Bay Regional Council

ITEM 3.1 MONTHLY REPORTING PACKAGE - NOVEMBER 2017 - REGIONAL - A16342442 (Cont.)

TREASURY REPORT

The Treasury Report highlights key areas of performance and compliance relating to Council's cash, investments and borrowings.

Investments

At 30 November 2017 all of Council's investments are in accordance with the approved Investment Policy. As at this date Council held 69.94% of funds outside of the Queensland Treasury Corporation (QTC). Term Deposit rates have increased slightly in recent times, providing better returns. More cash has been moved to longer term funds following the purchase of the Petrie Mill site from Orora.

Investment Portfolio - Summary of Cash and Investments Held

Short Term Rating	Institution	Return	Term	Cash and Investment balance as at 30 November 2017	Interest earned YTD
A1+	Qld Treasury Corp*	2.12%	Short Term (45 days)	111,118,548	1,079,050
A1+	ANZ	1.97%	At Call	10,833,501	103,829
A1+	National Australia Bank	2%	At Call	102,311,254	659,061
A1+	ANZ	2.6% to 2.7%	365 to 366 days	20,000,000	515,589
A1+	National Australia Bank	2.45% to 2.51%	154 to 184 days	50,000,000	501,016
A1	Suncorp	2.45% to 2.65%	210 to 364 days	40,000,000	382,082
A2	Bank of Queensland	2.6%	182 days	10,000,000	110,082
A2	Bendigo and Adelaide Bank	2.6% to 2.85%	364 days	20,000,000	230,096
A2	IMB	2.55%	364 days	5,000,000	103,349
	Petrie Paper Mill Site Funds Trust Investments				94,498
					87,992
				369,263,304	3,866,644

* The QTC rate presented is the annualised interest rate for the month as provided by the Queensland Treasury Corporation.

Council has achieved a weighted average interest rate on all cash held of 2.43% pa in 2017/18, and has earned an additional \$86,510.24 from investing funds with financial institutions outside QTC.

* Constrained cash amount is \$160.4 million.

Performance to Budget - Year to Date (YTD) Summary

42% of the year has elapsed

	Original Budget \$'000	Revised Budget \$'000	Actual YTD \$'000	Actual % Achieved \$'000	Comments
Interest Revenue on Investments	7,325	7,325	3,867	53%	Higher cash balance than expected
Interest on Debt held in Unitywater	36,085	35,070	14,612	42%	Tracking as per Budget
Total Investment Income	43,410	42,395	18,479	44%	

Borrowings

Debt Position	\$ '000
Debt held as at 1 July 2017	387,550
New borrowings	0
Borrowings repaid	(6,746)
Debt held as at 30 November 2017	380,804

As at 30 November 2017 the weighted average interest rate of all Council debt is 5.82%

ITEM 3.2
MONTHLY REPORTING PACKAGE - DECEMBER 2017 - REGIONAL

Meeting / Session: 3 CORPORATE SERVICES
Reference: A16457353 : 15 January 2018 - **Refer Supporting Information A16457282**
Responsible Officer: DW, Coordinator Management Accounting (CEO Accounting Services)

Executive Summary

The purpose of this report is to present the Financial Reporting Package for the year to date period ending 31 December 2017.

OFFICER'S RECOMMENDATION

That the Financial Reporting Package for the year to date period ending 31 December 2017 be received.

ITEM 3.2 MONTHLY REPORTING PACKAGE - DECEMBER 2017 - REGIONAL - A16457353 (Cont.)

REPORT DETAIL

1. Background

The Financial Reporting Package for the month ending 31 December 2017 is contained within the supporting information to this report.

This package contains a number of financial statements with relevant commentary to provide a breakdown of key financial data and includes.

- ✓ Financial Statements
 - Statement of Comprehensive Income shows all income and expenditure as at the end of the December period.
 - The Statement of Financial Position highlights Council's position at the end of December and itemises assets, liabilities and community equity.
 - Statement of Cash Flows which represents the cash inflows and outflows during the month.
 - Statement of sources and applications of capital funding.
- ✓ Treasury Report
 - The Treasury Report highlights key areas of performance and compliance relating to Council's investments, borrowings and reserves.

2. Explanation of Item

The financial results for the month of December are complete. A commentary is provided on significant matters that occurred during the month.

3. Strategic Implications

3.1 Legislative/Legal Implications

Part 9, section 204 of the Local Government Regulation 2012, (regulation) states the following:

- (1) The local government must prepare a financial report.
- (2) The chief executive officer must present the financial report—
 - (a) if the local government meets less frequently than monthly—at each meeting of the local government; or
 - (b) otherwise—at a meeting of the local government once a month.
- (3) The financial report must state the progress that has been made in relation to the local government's budget for the period of the financial year up to a day as near as practicable to the end of the month before the meeting is held.

3.2 Corporate Plan / Operational Plan

Strengthening Communities: Strong local governance - strong leadership and governance.

3.3 Policy Implications

Compliance to the Council's Investment Policy is confirmed for the month of December.

3.4 Risk Management Implications

The Council is subject to numerous risks associated with revenue and expenses that can impact upon Councils financial performance and position. Those risks are documented and evaluated as part of the operational plan preparation in conjunction with the annual budget cycle.

3.5 Delegated Authority Implications

There are no delegated authority implications arising as a direct result of this report.

3.6 Financial Implications

As at the end of December 2017 Council's operating surplus is \$64.87 million and the capital expenditure incurred to date is \$68.11 million.

Moreton Bay Regional Council

ITEM 3.2 MONTHLY REPORTING PACKAGE - DECEMBER 2017 - REGIONAL - A16457353 (Cont.)

3.7 Economic Benefit

There are no economic benefit implications arising as a direct result of this report.

3.8 Environmental Implications

There are no environmental implications arising as a direct result of this report.

3.9 Social Implications

There are no social implications arising as a direct result of this report.

3.10 Consultation / Communication

Chief Executive Officer, Manager Financial and Project Services and Accounting Services Manager.

SUPPORTING INFORMATION

Ref: [A16457282](#)

The following list of supporting information is provided for:

ITEM 3.2

MONTHLY REPORTING PACKAGE - DECEMBER 2017 - REGIONAL

#1 Monthly Financial Report - Year to date result as at: 31 December 2017

ITEM 3.2 MONTHLY REPORTING PACKAGE - DECEMBER 2017 - REGIONAL (Cont.)

#1 Monthly Financial Report - Year to date result as at: 31 December 2017

Moreton Bay Regional Council

Monthly Financial Report

Year to date result as at: 31 December 2017

Contents	Page No
Financial Statements	1 to 3
Statement of Sources and Application of Capital Funding	4
Segment Analysis	5
Commentary on Financial Results and Graphs	6 to 9
Treasury Report	10

Moreton Bay Regional Council

ITEM 3.2 MONTHLY REPORTING PACKAGE - DECEMBER 2017 - REGIONAL (Cont.)

Moreton Bay Regional Council STATEMENT OF COMPREHENSIVE INCOME For the period ended 31 December 2017

**50% of the
year elapsed**

	2017/18 Original Budget	2017/18 Revised Budget	2017/18 YTD Actuals	Actuals to Revised Budget 2017/18
Revenue				
Operating Revenue				
Rates and utility charges	\$291,392,765	\$291,392,765	\$146,585,565	50.31%
Fees and charges	\$34,541,062	\$34,433,054	\$21,304,944	61.87%
Rental income	\$7,379,689	\$7,382,089	\$3,428,434	46.44%
Grants, subsidies and contributions	\$19,028,518	\$12,573,590	\$5,435,234	43.23%
Interest revenue	\$44,429,785	\$43,414,785	\$22,656,307	52.19%
Sales revenue	\$2,903,900	\$2,952,040	\$1,643,618	55.68%
Other revenue	\$21,772,026	\$22,726,951	\$9,838,331	43.29%
Share of profit of associate	\$73,034,000	\$73,034,000	\$36,517,000	50.00%
Total Operating Revenue	\$494,481,745	\$487,909,274	\$247,409,433	50.71%
Expenses				
Operating Expenses				
Employee benefits	(\$129,395,101)	(\$129,190,399)	(\$59,329,422)	45.92%
Materials and services	(\$147,934,545)	(\$156,671,976)	(\$64,725,292)	41.31%
Depreciation and amortisation	(\$86,669,450)	(\$86,669,450)	(\$46,134,397)	53.23%
Finance costs	(\$23,324,289)	(\$23,324,289)	(\$12,355,219)	52.97%
Total Operating Expenses	(\$387,323,385)	(\$395,856,114)	(\$182,544,330)	46.11%
Operating Results	\$107,158,360	\$92,053,160	\$64,865,103	70.46%
Capital Revenue	\$83,337,589	\$92,829,492	\$44,850,673	48.32%
Capital Expenses	\$0	\$0	(\$4,781,919)	No Budget
NET RESULT	\$190,495,949	\$184,882,652	\$104,933,857	56.76%
Other Comprehensive Income				
Items that will not be reclassified to net result				
Increase/(decrease) in asset revaluation surplus	\$0	\$0	\$1,360,790	No Budget
Total other comprehensive income for the year	\$0	\$0	\$1,360,790	No Budget
TOTAL COMPREHENSIVE INCOME FOR THE YEAR	\$190,495,949	\$184,882,652	\$106,294,647	57.49%

Moreton Bay Regional Council

COORDINATION COMMITTEE MEETING
23 January 2018

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ITEM 3.2 MONTHLY REPORTING PACKAGE - DECEMBER 2017 - REGIONAL (Cont.)

Moreton Bay Regional Council STATEMENT OF FINANCIAL POSITION As at 31 December 2017

	2017/18 Budget as at 30 June 2018	2017/18 YTD Actual
Assets		
Current Assets		
Cash and cash equivalents	\$276,620,000	\$346,389,378
Trade and other receivables	\$41,933,000	\$93,097,463
Inventories	\$1,092,000	\$1,135,792
	\$319,645,000	\$440,622,633
Non-current assets held for sale	\$0	\$16,361,875
Total Current Assets	\$319,645,000	\$456,984,508
Non-Current Assets		
Trade and other receivables	\$741,805,000	\$677,631,405
Investments	\$15,000	\$15,000
Investment property	\$42,867,000	\$44,970,130
Investment in associate	\$1,097,319,000	\$1,092,601,267
Property, plant and equipment	\$4,338,728,000	\$4,433,220,232
Intangible assets	\$1,410,000	\$734,926
Total Non-Current Assets	\$6,222,144,000	\$6,249,172,960
Total Assets	\$6,541,789,000	\$6,706,157,468
Liabilities		
Current Liabilities		
Trade and other payables	\$36,745,000	\$27,303,706
Borrowings	\$30,678,000	\$14,958,698
Provisions	\$13,644,000	\$12,787,798
Other	\$384,000	\$1,629,889
Total Current Liabilities	\$81,451,000	\$56,680,091
Non-Current Liabilities		
Trade and other payables	\$415,000	\$213,413
Borrowings	\$355,076,000	\$359,071,081
Provisions	\$20,643,000	\$33,188,627
Total Non-Current Liabilities	\$376,134,000	\$392,473,121
Total Liabilities	\$457,585,000	\$449,153,212
NET COMMUNITY ASSETS	\$6,084,204,000	\$6,257,004,256
Community Equity		
Retained surplus	\$5,212,213,000	\$5,358,713,817
Asset revaluation surplus	\$871,991,000	\$898,290,439
TOTAL COMMUNITY EQUITY	\$6,084,204,000	\$6,257,004,256

Moreton Bay Regional Council

COORDINATION COMMITTEE MEETING
23 January 2018

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ITEM 3.2 MONTHLY REPORTING PACKAGE - DECEMBER 2017 - REGIONAL (Cont.)

Moreton Bay Regional Council STATEMENT OF CASH FLOWS For the period ended 31 December 2017

	2017/18 Budget as at 30 June 2018	2017/18 YTD Actuals
Cash flows from operating activities		
Receipts from customers	\$388,467,000	\$202,165,944
Payments to suppliers and employees	(\$273,346,000)	(\$156,791,881)
Interest received	\$44,430,000	\$22,910,192
Rental income	\$7,093,000	\$3,428,434
Non capital grants and contributions	\$18,288,000	\$5,435,234
Borrowing costs	(\$22,193,000)	(\$11,472,152)
Net cash inflow/(outflow) from operating activities	\$162,739,000	\$65,675,771
Cash flows from investing activities		
Payments for property, plant and equipment	(\$195,192,000)	(\$68,070,251)
Proceeds from sale of property, plant and equipment	\$30,300,000	\$16,128,777
Net movement in loans to community organisations	\$0	(\$50,000)
Grants, subsidies and contributions	\$43,111,000	\$46,465,517
Net cash inflow/(outflow) from investing activities	(\$121,781,000)	(\$5,525,957)
Cash flows from financing activities		
Proceeds from borrowings	\$26,250,000	\$0
Repayment of borrowings	(\$27,723,000)	(\$13,520,333)
Net cash inflow/(outflow) from financing activities	(\$1,473,000)	(\$13,520,333)
Net increase/(decrease) in cash held	\$39,485,000	\$46,629,481
Cash and cash equivalents at the beginning of the financial year	\$237,135,000	\$299,759,897
Cash and cash equivalents at the end of the period	\$276,620,000	\$346,389,378

Moreton Bay Regional Council

COORDINATION COMMITTEE MEETING
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ITEM 3.2 MONTHLY REPORTING PACKAGE - DECEMBER 2017 - REGIONAL (Cont.)

Moreton Bay Regional Council STATEMENT OF SOURCES AND APPLICATIONS OF CAPITAL FUNDING For the period ended 31 December 2017

	Original Budget 2017/18	Revised Budget 2017/18	YTD Actuals 2017/18
<u>Capital Funding Sources</u>			
Cash Utilised	\$175,804,065	\$191,656,715	\$69,807,267
Capital Grants and Subsidies received	\$20,610,589	\$30,102,492	\$11,824,352
Contributed Assets and assets not previously recognised	\$40,227,000	\$40,227,000	\$10,523,263
Loans received	\$26,250,000	\$26,250,000	-
Total Capital Funding Sources	\$262,891,654	\$288,236,207	\$92,154,882
<u>Capital Funding Applications</u>			
Capital Expenditure	\$194,941,500	\$220,286,053	\$68,111,286
Contributed Assets and assets not previously recognised	\$40,227,000	\$40,227,000	\$10,523,263
Loan Redemption	\$27,723,154	\$27,723,154	\$13,520,333
Total Capital Funding Applications	\$262,891,654	\$288,236,207	\$92,154,882

Moreton Bay Regional Council

ITEM 3.2 MONTHLY REPORTING PACKAGE - DECEMBER 2017 - REGIONAL (Cont.)

Analysis of Results by Operational Plan

For the period ended 31 December						
Operational Plan	Operating Revenue	Operating Expenses	Operating Result	Capital Revenue	Capital Expenses	Net Result
Engineering, Construction & Maintenance	\$25,558,564	(\$64,582,984)	(\$39,024,420)	\$11,866,459	\$1,288,471	(\$25,869,491)
Community & Environmental Services	\$12,036,695	(\$21,198,850)	(\$9,162,155)	-	-	(\$9,162,155)
Governance	\$197,679,339	(\$84,791,706)	\$112,887,633	\$18,606,964	(\$6,524,115)	\$124,970,482
Planning and Economic Development	\$5,835,125	(\$5,293,844)	\$541,281	-	-	\$541,281
Executive and Property Services	\$6,299,712	(\$6,676,947)	(\$377,235)	\$14,377,250	\$453,725	\$14,453,740
Total Council	\$247,409,434	(\$182,544,330)	\$64,865,103	\$44,850,673	(\$4,781,919)	\$104,933,857

Analysis of Results by Entity

For the period ended 31 December						
Entity	Operating Revenue	Operating Expenses	Operating Result	Capital Revenue	Capital Expenses	Net Result
General	\$223,345,639	(\$161,880,526)	\$61,465,113	\$44,808,566	(\$4,777,942)	\$101,495,736
Waste	\$23,331,349	(\$19,470,984)	\$3,860,364	\$42,107	(\$3,977)	\$3,898,495
Canals	\$732,446	(\$1,192,820)	(\$460,374)	-	-	(\$460,374)
Total Council	\$247,409,434	(\$182,544,330)	\$64,865,103	\$44,850,673	(\$4,781,919)	\$104,933,857

The Performance at a Glance **as at 31 December 2017**

Synopsis

- * 50% of the financial year is complete.
- * The operating surplus is \$64.87 million.

Operating Revenue

- * Rates and Utility Charges are on track to budget following the second quarterly rates levy.
- * User Fees and Charges are above budget while Other Revenue and Operating Grants and Subsidies is tracking below budget.
- * In total all other revenue categories are performing to the revised budget target at this time of the year.

Operating Expenditure

- * Employee Expenses are tracking slightly below budget at this point in the year along with Materials and Services.
- * Finance Costs are tracking over budget while Depreciation Expense is slightly above budget.
- * All other expenditure is on track for this stage of the financial year.

Capital Revenue

- * Infrastructure Cash Contributions are tracking above budget.
- * Contributed Assets and Assets not Previously Recognised are tracking under budget.
- * Grants, Subsidies and Other Contributions are tracking below budget.

Capital Expenditure

- * To date \$68.11 million has been spent on capital works, (which represents 30.92% of the capital program).

Moreton Bay Regional Council

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ITEM 3.2 MONTHLY REPORTING PACKAGE - DECEMBER 2017 - REGIONAL (Cont.)

Moreton Bay Regional Council

Comparative Table 2015/16 and 2016/17 to 2017/18*

Year to date result as at: 31 December 2017

50% of the year elapsed

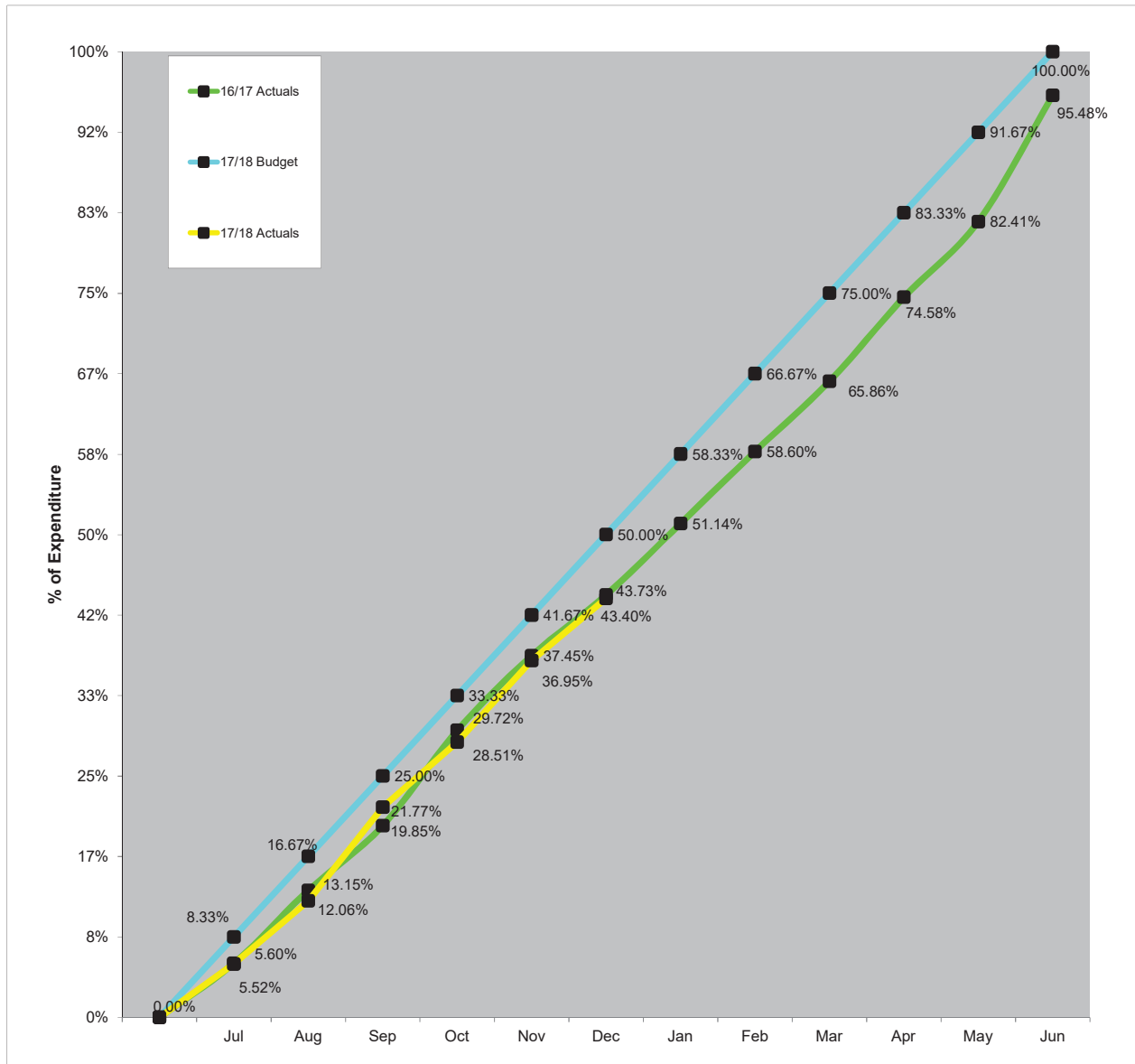
	Revised Budget 2017/18 \$'000	YTD Actuals 2017/18 \$'000	Actuals to Revised Budget 2017/18 %	Actuals to Revised Budget 2016/17 %	Actuals to Revised Budget 2015/16 %	Comments
Operating Revenue						
Rates & Utility Charges	\$291,393	\$146,586	50%	51%	50%	Revenue is on target after the second quarter rates levy.
User Fees & Charges	\$34,433	\$21,305	62%	56%	66%	Revenue is tracking over budget and is up on the previous year.
Interest Revenue	\$43,415	\$22,656	52%	52%	51%	The % for 2017/18 is tracking slightly above budget and is consistent with previous years.
Operating Expenses						
Employee Expenses & Material and Services	\$285,862	\$124,055	43%	44%	45%	Expenditure is tracking below budget but is comparable to the previous years.
External Loan Interest Expense	\$22,193	\$11,447	52%	51%	51%	Expenditure is tracking slightly above budget and is comparable to previous years.
Capital Revenues						
Infrastructure Cash Contributions	\$22,500	\$21,959	98%	79%	73%	Infrastructure cash contributions are tracking above budget and is above the previous years.
Contributed Assets	\$40,227	\$10,523	26%	28%	18%	All contributed assets have been recognised to date.
Grants & Subsidies	\$30,102	\$11,824	39%	44%	34%	The % of grants and subsidies received is tracking below budget and below the previous year.
Capital Expenditure						
Total Capital Expenditure	\$220,286	\$68,111	31%	35%	56%	Capital expenditure remains behind budget.
* The data presented reflects the position of Council as at 31 December 2017 compared to the position of Council as at 31 December 2016 and 31 December 2015.						
The table focuses on key items of revenue and expenses across the comparative period and is useful guide in understanding what may have changed with regard to revenue and expense streams across the three financial years.						

ITEM 3.2 MONTHLY REPORTING PACKAGE - DECEMBER 2017 - REGIONAL (Cont.)

Operating Expenditure

This graph compares the major components of operating expenditure (being employee expenses plus materials and services) on a percentage expended basis for the 2017/18 and 2016/17 years. The graph includes continuing service delivery expenses and operating initiative expenses.

The budgeted expenditure trend is set at 8.33% for each month. The cumulative actual expenditure trend for each month is graphed alongside the budget expenditure.



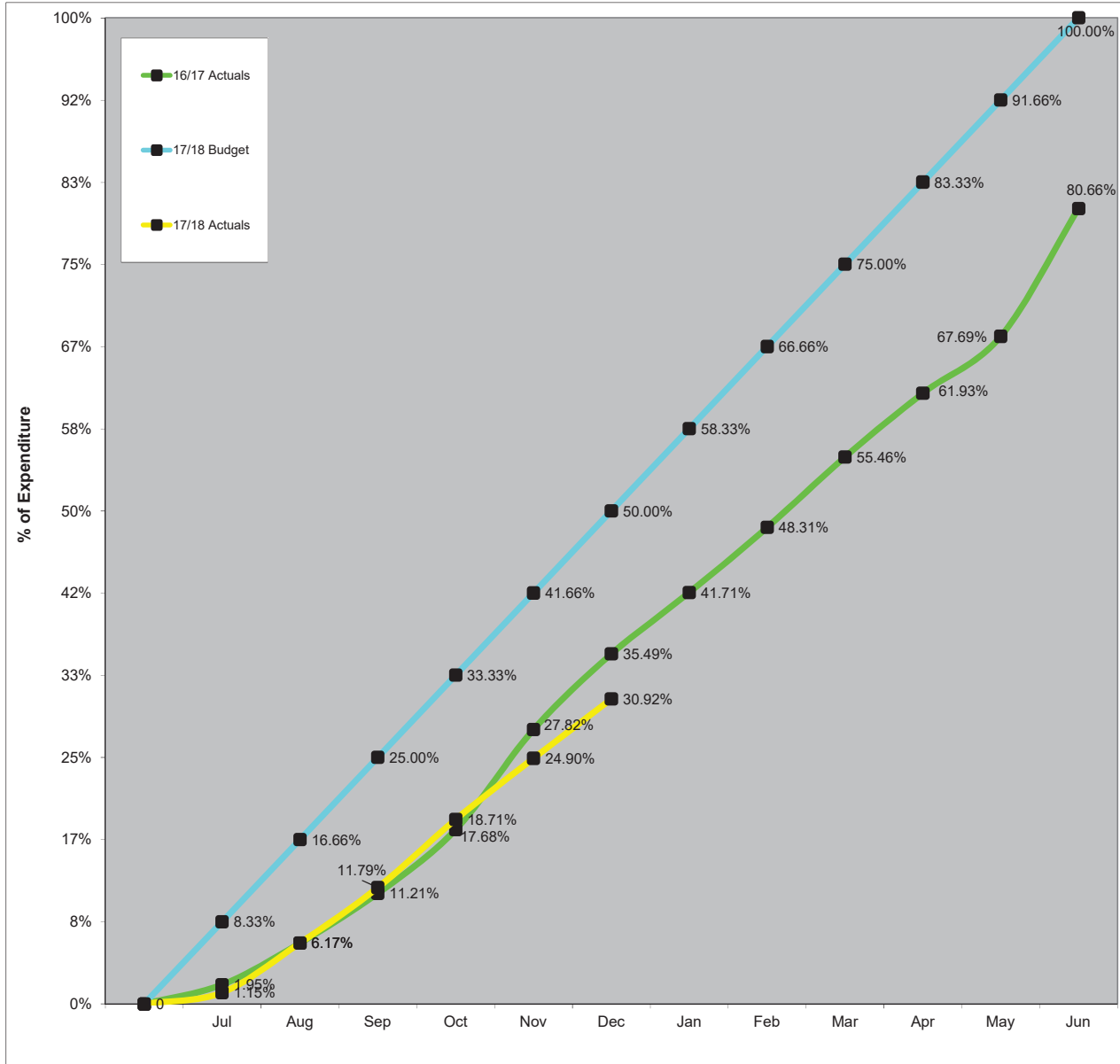
	Annual Revised Budget \$'000	Actuals to December \$'000	Actuals to Budget % spent
2016/17	\$ 274,427	\$ 120,020	43.73%
2017/18	\$ 285,862	\$ 124,055	43.40%

ITEM 3.2 MONTHLY REPORTING PACKAGE - DECEMBER 2017 - REGIONAL (Cont.)

Capital Expenditure

This graph compares the capital percentage expended for the 2017/18 and 2016/17 years.

The budgeted expenditure trend is set at 8.33% for each month. The cumulative actual expenditure trend for each month is graphed alongside the budget expenditure.



	Annual Revised Budget \$'000	Actuals to December \$'000	Actuals to Budget % spent
2016/17	\$ 180,623	\$ 64,104	35.49%
2017/18	\$ 220,286	\$ 68,111	30.92%

ITEM 3.2 MONTHLY REPORTING PACKAGE - DECEMBER 2017 - REGIONAL (Cont.)

TREASURY REPORT

The Treasury Report highlights key areas of performance and compliance relating to Council's cash, investments and borrowings.

Investments

At 31 December 2017 all of Council's investments are in accordance with the approved Investment Policy. As at this date Council held 71.58% of funds outside of the Queensland Treasury Corporation (QTC). Term Deposit rates have increased slightly in recent times, providing better returns. More cash has been moved to longer term funds following the purchase of the Petrie Mill site from Orora.

Investment Portfolio - Summary of Cash and Investments Held

Short Term Rating	Institution	Return	Term	Cash and Investment balance as at 31 December 2017	Interest earned YTD
A1+	Qld Treasury Corp*	2.35%	Short Term (45 days)	98,641,889	1,287,992
A1+	ANZ	1.97%	At Call	11,120,706	121,034
A1+	National Australia Bank	2%	At Call	91,626,782	834,393
A1+	ANZ	2.55% to 2.6%	365 to 366 days	20,000,000	559,616
A1+	National Australia Bank	2.45% to 2.51%	154 to 184 days	50,000,000	606,586
A1	Suncorp	2.45% to 2.65%	210 to 364 days	40,000,000	467,438
A2	Bank of Queensland	2.6%	182 days	10,000,000	132,164
A2	Bendigo and Adelaide Bank	2.6% to 2.85%	364 days	20,000,000	276,384
A2	IMB	2.55%	364 days	5,000,000	114,178
	Petrie Paper Mill Site Funds Trust Investments				118,054
					107,218
				346,389,377	4,625,057

* The QTC rate presented is the annualised interest rate for the month as provided by the Queensland Treasury Corporation.

Council has achieved a weighted average interest rate on all cash held of 2.40% pa in 2017/18, and has earned an additional \$155,631.56 from investing funds with financial institutions outside QTC.

* Constrained cash amount is \$163.4 million.

Performance to Budget - Year to Date (YTD) Summary

100% of the year has elapsed

	Original Budget \$'000	Revised Budget \$'000	Actual YTD \$'000	Actual % Achieved \$'000	Comments
Interest Revenue on Investments	7,325	7,325	4,625	63%	Higher cash balance than expected
Interest on Debt held in Unitywater	36,085	35,070	17,535	50%	Tracking as per Budget
Total Investment Income	43,410	42,395	22,160	52%	

Borrowings

Debt Position	\$ '000
Debt held as at 1 July 2017	387,550
New borrowings	0
Borrowings repaid	(13,520)
Debt held as at 31 December 2017	374,030

As at 31 December 2017 the weighted average interest rate of all Council debt is 5.81%

ITEM 3.3
MBRC NETWORK CONNECTIVITY

Meeting / Session: 3 CORPORATE SERVICES
Reference: A16411746 : 2 January 2018
Responsible Officer: TG, Information & Communication Technology Manager (CEOs Office)

Executive Summary

Council has used fibre network connectivity for high-speed data transfer between Council's major sites since 2008. Smaller sites and mobile staff use a Telstra-managed network.

The fibre connectivity was procured through Pipe Networks using the State Government's SmartNet Panel arrangement under a Queensland Government Information Technology Contracting Framework (GITC).

The contract with Pipe Networks has formally expired, but continues on a month-to-month basis. A new contract will see a significant reduction in monthly fibre costs.

OFFICER'S RECOMMENDATION

1. That an agreement be entered into with TPG Telecom for the provision of fibre network services for a total of \$516,000.
2. That authorisation be given to the Chief Executive Officer to negotiate and enter into a contract with TPG Telecom for the provision of fibre network services for a total of \$516,000 over a 60-month period.

ITEM 3.3 MBRC NETWORK CONNECTIVITY - A16411746 (Cont.)

REPORT DETAIL

1. Background

In 2008, Council entered into a contract with Pipe Networks for the provision of fibre network connectivity between Strathpine, Caboolture, Redcliffe and North Lakes Council precincts. Pipe Networks were on the SmartNet panel arrangement which was put in place by the State Government to allow for the purchase of data carriage and internet services by State Government departments. Council also had access to these State Government arrangements.

The contract comprised an initial \$330,000 one-off installation fee, with \$16,500 monthly ongoing costs (\$198,000 pa).

2. Explanation of Item

Fibre network connectivity provides high-speed data transfer between Council's major sites and access to alternate internet connectivity via both Strathpine and Caboolture locations. With the migration of Council's major IT applications to the cloud, internet connectivity will become more critical for all staff.

TPG Telecom, who acquired Pipe Networks in 2010, is on standing offer arrangement ICTSS-1070 for the provision of Dark Fibre Services, managed through the Department of Science, Information Technology and Innovation (expires 30 June 2018).

A significant saving can be made by entering into a new contract with TPG over a 60-month period. A significant advantage in using the existing provider is that there will be no establishment costs to provision the service as the installation costs were paid in 2008 (\$330,000).

Fibre network link	Current monthly Costs	Proposed Monthly Cost over 60 months
Strathpine to Caboolture	\$6250	\$3300
Strathpine to Redcliffe	\$6250	\$3300
Strathpine to North Lakes	\$4000	\$2000

Total commitment over a 60-month period will be \$516,000 (\$103,200 pa).

Current costs for the above links are \$198,000 pa. The new contract will see a saving of \$474,000 over the 60-month term of the agreement.

In accordance with section 235(f) of the *Local Government Regulation 2012*, as TPG Telecom is on standing offer arrangement ICTSS-1070 for the provision of Dark Fibre Services, managed through the Department of Science, Information Technology and Innovation, a contractual arrangement may be established without first inviting quotes or tenders.

3. Strategic Implications

3.1 Legislative/Legal Implications

Section 235(f) of the Local Government Regulation 2012 states that a local government may enter into a contractual arrangement without first inviting written quotes or tenders if the contract is made with, or under an arrangement with a government agency.

3.2 Corporate Plan / Operational Plan

Enabling Services: Financial services - accounting and financial operations, corporate policy and performance activities.

3.3 Policy Implications

Endorsement of this contract is in accordance with Council's Procurement Policy 10-2150-006.

3.4 Risk Management Implications

The use of fibre services minimises the risk of network outage over a vendor-managed network.

ITEM 3.3 MBRC NETWORK CONNECTIVITY - A16411746 (Cont.)

3.5 Delegated Authority Implications

Should Council agree, recommendation 2 provides the Chief Executive Officer with the delegated authority to negotiate terms and enter into a contract with TPG Telecom for the provision of fibre network services for a total of \$516,000 over a 60-month period.

3.6 Financial Implications

There are sufficient funds in the ICT budget to fund this contract. The new contract will result in a saving of \$474,000 over 60 months compared to current costs.

3.7 Economic Benefit

There are no economic benefits arising as a direct result of this report.

3.8 Environmental Implications

There are no environmental implications arising as a direct result of this report.

3.9 Social Implications

There are no social implications arising as a direct result of this report.

3.10 Consultation / Communication

Procurement Services and Legal Services.

4 ASSET CONSTRUCTION & MAINTENANCE SESSION

(Cr Peter Flannery)

ITEM 4.1

**MORETON BAY REGION LOCAL DISASTER MANAGEMENT GROUP - MEETING
MINUTES OF 6 DECEMBER 2017 - REGIONAL**

Meeting / Session: 4 ASSET CONSTRUCTION & MAINTENANCE
Reference: A16402879 : 22 December 2017 - **Refer Supporting Information A16402832**
Responsible Officer: CP, Coordinator Disaster Management (ECM Directorate)

Executive Summary

The Moreton Bay Region Local Disaster Management Group (MBR LDMG) held its regular Ordinary meeting on 6 December 2017.

OFFICER'S RECOMMENDATION

That the Moreton Bay Region Local Disaster Management Group meeting minutes of 6 December 2017 be adopted, as tabled.

ITEM 4.1 MORETON BAY REGION LOCAL DISASTER MANAGEMENT GROUP - MEETING MINUTES OF 6 DECEMBER 2017 - REGIONAL - A16402879 (Cont.)

REPORT DETAIL

1. Background

In accordance with section 29 of the *Disaster Management Act 2003*, a local government is required to establish a Local Disaster Management Group for its local government area.

Section 12 of the Disaster Management Regulation 2014 states that 'disaster management group meetings must be held at least once in every six months at the times and places decided by the chairperson of the group'.

To meet these minimum requirements, the MBR LDMG conducts Ordinary meetings every three months, generally during the months of February, May, August and November; however, the last meeting of the year was delayed to 6 December 2017 to cater for staff availability. Extraordinary meetings of the MBR LDMG, before, during or after disaster events, are held as required.

The minutes of the MBR LDMG Ordinary meeting of 6 December 2017 are attached (supporting information #1).

2. Explanation of Item

This report is provided for the purpose of advising Council as to the issues discussed and any meeting outcomes/action items. The meeting minutes are supporting information to this report.

3. Strategic Implications

3.1 Legislative/Legal Implications

It is a requirement under section 18 of the *Disaster Management Regulation 2014* that a disaster management group must keep minutes of its meetings.

3.2 Corporate Plan / Operational Plan

Strengthening Communities: Safe neighbourhoods - a safe and resilient community.

3.3 Policy Implications

No policy implications arising as a direct result of this report.

3.4 Risk Management Implications

Council will undertake a review of its hazard identification and risk assessments with the Queensland Fire and Emergency Services commencing January 2018. This project will continue into the 2018/19 financial year.

3.5 Delegated Authority Implications

No delegated authority implications arising as a direct result of this report.

3.6 Financial Implications

No financial implications arising as a direct result of this report.

3.7 Economic Benefit

No economic implications arising as a direct result of this report.

3.8 Environmental Implications

No environmental implications arising as a direct result of this report.

*ITEM 4.1 MORETON BAY REGION LOCAL DISASTER MANAGEMENT GROUP - MEETING MINUTES OF 6
DECEMBER 2017 - REGIONAL - A16402879 (Cont.)*

3.9 Social Implications

Various projects being undertaken by the LDMG and supporting agencies to enhance community safety activities will continue to have a positive impact on the community in responding and recovering from future disaster events.

3.10 Consultation / Communication

Regular ongoing consultation/communication takes place between all members and advisors of the MBR LDMG, Redcliffe DDMG and various State government entities such as the Queensland Police Service, Queensland Fire and Emergency Services, the Office of the Inspector-General Emergency Management and the Queensland Reconstruction Authority.

SUPPORTING INFORMATION

Ref: [A16402832](#)

The following list of supporting information is provided for:

ITEM 4.1

MORETON BAY REGION LOCAL DISASTER MANAGEMENT GROUP - MEETING MINUTES OF 6 DECEMBER 2017 - REGIONAL

#1 Moreton Bay Region Local Disaster Management Group - Minutes 6 December 2017

ITEM 4.1 MORETON BAY REGION LOCAL DISASTER MANAGEMENT GROUP - MEETING MINUTES OF
6 DECEMBER 2017 - REGIONAL - A16402879 (Cont.)

#1 Moreton Bay Region Local Disaster Management Group - Minutes 6 December 2017

Moreton Bay Region
Local Disaster Management Group



6 December 2017
commencing at 12:00pm
Strathpine Chambers
220 Gympie Road, Strathpine

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ATTENDEES

Members

Cr Matt Constance	MBRC Deputy Chairperson
Bill Halpin	MBRC Moreton Recovery Coordinator
Anne Moffat	MBRC Director Executive and Property Services
Carl Peterson	MBRC Coordinator Disaster Management
Fredri Kruger	Department of Communities, Child Safety and Disability Services
Greg Bartlett	Energex
John Hannan	Queensland Fire and Emergency Services - EM
Henk van den Ende	Queensland Fire and Emergency Services - SES
Bevan Marks	Queensland Health
Greg Burnett	Unitywater

DEPUTIES/ADVISORS/GUESTS

Mark McCormack	MBRC Human-Social Co-Chair
Susan Trappett	MBRC Disaster Preparedness Coordinator
Diane Bradford	MBRC Disaster Management Officer
Kathrine Crocker	MBRC Secretariat
Erica Ross	MBRC Secretariat
Josh Hankey	APA Group
Gerard Logan	Department of Transport and Main Roads
Pat Lynch	Queensland Ambulance Service
Ashley Rowe	Queensland Fire and Emergency Services - F&R
Liane Henderson	Queensland Fire and Emergency Services - RFSQ
Joanne Dyson	Queensland Health
Mel Lennon	Queensland Health
Emily Ragus	Queensland Health
Julia Cook	QPS Redcliffe DDMG Executive Officer
James Stewart	Queensland Rail
Ed Endicott	Redcliffe Coast Guard
Gary McCullough	Telstra

APOLOGIES

Cr Allan Sutherland	MBRC Mayor
Cr Peter Flannery	MBRC Chairperson
Anthony Martini	MBRC Local Disaster Coordinator
Corinne Mulholland	MBRC Communications
Collin Sivalingum	Australian Red Cross (Queensland)
Christina Spehr	Australian Red Cross (Queensland)
Paul Willett	Department of Agriculture and Fisheries
Chantal Devereux-Larkin	Department of Communities, Child Safety and Disability Services
Rob Baker	Department of Education and Training
Mark Longhurst	Department of Transport and Main Roads
OIC Sandgate	Queensland Ambulance Service
Lance Duncan	Queensland Fire and Emergency Services - F&R
Wayne Waltisbuhl	Queensland Fire and Emergency Services - RFSQ
Janene Farr	Queensland Health
Andrew Kingston	Queensland Parks and Wildlife
Lee Jeffries	Queensland Police Service
Michael Brady	QPS Redcliffe DDMG Chair and DDC
John Hallam	Queensland Police Service
Maurice Tauletta	Queensland Rail
Jason Boldeman	Seqwater
George Hill	Surf Life Saving Queensland
Ashley Lorenz	Unitywater
Graham Gibb	Volunteer Marine Rescue

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1. WELCOME AND APOLOGIES

The Chairman opened the meeting and welcomed agencies to the meeting.

2. PREVIOUS MINUTES

2.1 Confirmation of Previous Minutes

The minutes of the meeting held on 24 May 2017 (Pages 303 to 319) are provided for confirmation.

RECOMMENDATION ADOPTED:

That the minutes of the meeting held on 24 May 2017 be confirmed.

2.2 Business Arising from Previous Minutes

Nil

3. AGENDA ITEMS

3.1 Exercise Coordinatis Conatu and Mountain Recovery

Susan Trappett, Disaster Preparedness Coordinator MBRC, provided an update on the recent Mt Nebo fire exercises. These exercises included the activation of the Samford Incident Control Centre, and Local and District Disaster Coordination Centres. This desktop exercise was followed by a discussion exercise with the Moreton Recovery Group to discuss recovery issues arising from the Mt Nebo fires.

The group noted outcomes of the exercise:

- Identified need for more exercises of this kind to be undertaken.
- Consideration will be given to holding a recovery exercise on an annual basis with the Moreton Bay Recovery Group working together as a group rather than as individual sub-groups.
- Identified need to include key agencies in the composition of the Moreton Bay Recovery Group. The membership will be reviewed in 2018 and amended accordingly.

3.2 Heatwave - The Invisible Disaster

Joanne Dyson, Manager Health Disaster Management Unit, and Emily Ragus, Clinical Nurse Consultant, Queensland Health, provided a presentation in relation to the emerging nature of heatwave as a risk, the plans and communications arrangements in place for managing heatwave, the clinical effects of heat on individuals and populations, and the potential for heatwave to be considered more broadly than merely a human-social risk.

The group discussed how the LDMG can support Queensland Health during these types of events noting impact on business continuity plans as a result of such an event, and also noting that power supply and the need for back-up would be a critical factor.

The following points were noted by various agencies:

- Need to revisit Business Continuity Plans to consider back-up for power loss during heatwave events.
- Consider implementing processes to increase level of maintenance activities in days leading up to a predicted heatwave, to reduce/limit activities required during the heatwave proper.
- Particular attention paid to fatigue and hydration training.
- Consider adding value to MoretonAlert messages to include giving practical basic advice e.g. wet towel and fan to lower body temperature, in addition to encouraging visits to shopping centres, theatres etc.
- Queensland Health's concept of identifying heat refuge places needs further investigation and will be dependent on the status of the electricity network.

ITEM 4.1 MORETON BAY REGION LOCAL DISASTER MANAGEMENT GROUP - MEETING MINUTES OF 6 DECEMBER 2017 - REGIONAL - A16402879 (Cont.)

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- Encourage regularly monitoring of Queensland Emergency Management Reports (QEMR) for heatwave predictions. The QEMR can be found on the DM Portal at <https://dmportal.disaster.qld.gov.au/SitePages/Home.aspx> though it should be noted practitioners will require an account and login to access this site. To do so, contact QFES Emergency Management officer John Hannan.
- Emphasise key messages to stay safe.

3.3 My Resilient Community

Susan Trappett (MBRC), Julia Cook (QPS) and Liane Henderson (QFES) provided a presentation on the 'My Resilient Community' initiative and recent work undertaken.

The group noted the studies undertaken to date, noting:

- the development of a toolkit for adoption by agencies to brand and utilise if considered appropriate.
- consideration being given to changing the name of the initiative to "Ready Community" that also correlates with the "Get Ready" campaign.

4. AGENCY/COMMITTEE REPORTS

4.1 APA Group (Advisor)

General Business

- APA's philosophy of being constantly prepared for events continues to be APA's outlook. We constantly train; we constantly review processes and plans, and of course, we have regular, 'real' events involving asset strikes, washouts, general maintenance issues, etc., that have our teams in a constant state of preparedness.

Preparedness and Planning

- With the storm and cyclone season upon us, again, we continue our ongoing work with a number of Qld councils in regard to LDMG and emergency management activities, generally. We are now making final preparations for the season, with key aspects such as resourcing, equipment availability and so on, already in place.

Training and development

- APA continues to conduct both on the job and formal training for staff, including both refresher and 'first time' training. As a part of that comprehensive approach to training, we are also involved with regular internal and external emergency exercises, with the last internal APA exercise having been conducted on 30 November 2017.

Emergency Communications matters – What to do?

- Evacuate the area immediately surrounding any gas escape without using a vehicle or any device that may create a spark, including a mobile phone.
- For a major incident, where there is risk to life or property, call 000
- Call the relevant emergency number below if:
 - you can smell gas
 - you can hear gas escaping
 - there has been a gas explosion or fire
 - you are aware of, or may have caused damage to a gas pipe, meter or pipeline
- Please report all damage, no matter how minor.

Gas Emergency Contact Numbers

- Local Natural Gas Distribution Networks - 1800 GAS LEAK (1800 427 532)
- LPG - 1800 GAS LEAK (1800 427 532)
- For gas appliance faults, contact your local plumber. Avoid emergencies by using the free Dial Before You Dig service before digging.

4.2 Australian Red Cross Queensland

Nil to report

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4.3 Department of Communities, Child Safety and Disability Services

Preparedness and Planning

- The department has undertaken a review of our Incident Management Team to ensure all key Management and Team leader roles are covered by multiple officers to ensure availability and continuity in key roles.
- We are currently planning our Christmas on-call roster to ensure availability and capacity over the Christmas New Year period including LDMG and DDMG members.

Relief and Recovery

- As part of the department's response to TC Debbie, an online portal was available for impacted individuals and families in the activated areas to apply for community recovery support.
- The portal was well utilised by the community and a review has now been undertaken around the successes and limitations of the payment of Personal Hardship grants.
- As a result of the review, a revised portal has been developed and should hopefully be available for any activations early in the New Year.

General Business

- The toolkit that has been developed to support organisations in supporting *People with vulnerabilities in disasters: A framework for an effective local response* has been released online.
- Both the toolkit and framework have been published online for stakeholders to access here: <https://www.qld.gov.au/community/disasters-emergencies/supporting-people-with-vulnerabilities>

4.4 Department of Education and Training

Hazard Identification and Risk Assessment

- Schools have been requested to undertake risk assessments of their sites prior to school holidays to identify hazards and risks.

Hazard Mitigation and Risk Reduction

- The DET hazard mitigation and risk reduction involves conducting an assessment to identify potential hazards and develop procedures and policies designed to mitigate or prevent damage. Prevention activities include:
 - identifying and assessing hazards and associated risks presented by the natural or built environment;
 - reviewing and improving work practices;
 - addressing Workplace Health & Safety (WHS) issues;
 - reviewing relevant policies;
 - reviewing and improving security
 - planning and preparing ERPs

Preparedness and Planning

- Schools have undertaken risk assessments of their sites and updated their school emergency plans in preparedness for disaster season.
- DET preparedness activities also include:
 - implementation of controls to mitigate risks identified
 - communicating the ERPs to all stakeholders;
 - undertaking Business Continuity Planning (BCP) that considers disruption due to a disaster or emergency;
 - practice the establishment of response teams and centres;
 - conducting table-top or functional exercises; and
 - conducting evacuation, lockdown and other scenario exercises regularly, ensuring outcomes are recorded.

Emergency Communications

- DET Emergency contacts as per current contacts list.
- DET Emergency Management Unit Phone 3034 6010.
- In the event of a disaster we would implement the DET Disaster and Emergency Communication Strategy.

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Response

- DET is fully staffed and ready to respond for any activation if required and will enact our Regional Emergency Response Plan.
- DET will deploy our disaster management coordinators if required to respond if the event is larger than our regional resources can manage.

Relief and Recovery

- DET will enact the department's Business Continuity Plan to return schools to normal business ASAP.
- Enact DET Communication Strategy.

4.5 Energex

Hazard Mitigation and Risk Reduction

- ENERGEX is continuing to establish "Bushfire Mitigation Projects" based on recent field studies. The projects include the installation of "sparkless" fuses at critical points in the electricity network, overhead conductor "spacers" within nominated bushfire zones, covered high voltage overhead conductor in high risk vegetation zones & enclosed high voltage switches.
- Energex is also continuing their overhead asset refurbishment program to replace high risk small overhead conductors.
- ENERGEX Flood & Bushfire Risk Management Plans can be accessed via the attached link: <https://www.energex.com.au/the-network/network-management-plans-and-reports>.

Preparedness and Planning

- ENERGEX is a Quality Accredited Organisation and as such has registered plans for disaster management. The key plans are as follows:
 - CEMP (Corporate Emergency Management Plan).
 - DAPR (Distribution Annual Planning Report).
 - SPP (Summer Preparedness Plan).
- ENERGEX emergency response plans are integrated into all operations of the business. These plans are documented under AS/NZS ISO 9001 Certified Quality Management System.
- These plans are high level and dictate the delivery of documented "Emergency Response Plans".

General Business

- 2017/18 Storm Season
 - ENERGEX public awareness campaign for the coming 2017/18 storm season was launched in mid-September 2017:
 - "Look up and Live"
 - "Electrical safety in the home"
 - Tree Branches "Wires on the Ground"
 - Community Summer Preparedness"
 - Get Ready Queensland
 - Energex Power Interruptions now available via smart phone or www.energex.com.au/mobile
 - Pick up a phone NEVER a fallen powerline. Call Energex on 13 19 62.
- MyPower App
 - The MyPower app is live and available for download from the iTunes store or Google Play.
 - MyPower helps our customers connect with us quickly and easily through their mobile device, allowing them to log tree trim requests, faulty street lights, vandalism to our equipment and update dog/meter access details.
 - These requests generate emails our Connected Customer Services Group receives to action, so jump online and download our MyPower app now.
- Other
 - During November 2017, Energy Queensland continued to prepare for the current storm season by completing three desktop exercises on the theme of a Cat 5 cyclone crossing the coast in Queensland. The exercise was very successful in highlighting the state of preparedness for such an event with learnings from the exercises being implemented.
 - At 6:00pm on Sunday 29 October, Energex responded to a severe weather storm impacting Energex with Dayboro amongst the worst affected areas. During the event the Bureau of Meteorology issued 12 Severe Weather warnings advising of damaging winds and large hailstones. The majority of damage sustained to the electrical network was attributed to lightning and trees / branches contacting overhead conductors, and conductor failure, with most of the damage being sustained in the Brisbane North hub area. The maximum number of

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customers who lost power supply was 16,755 with the majority of supply restored by 7:30pm on 30 October.

- o With the Commonwealth Games commencing in April 2018 at the tail end of the storm season, Energex has extended its storm season processes for another 2 weeks to cover the games period.

4.6 Moreton Bay Regional Council

Hazard Identification and Risk Assessment

- A number of hazards have the potential to impact the communities of the Moreton Bay Region and are summarised in the table below:

OVERALL RISK	HAZARD
HIGH	Bushfire Flooding Severe Storm
MEDIUM	Chemical Incident Earthquake Heatwave Landslide Major Fire Major road, rail, air or marine transport incident Pandemic Storm Tide Tsunami

- Council will commence a review of its hazard identification and risk assessments with the Queensland Fire and Emergency Services commencing January 2018. This project will continue into the 2018/19 financial year.

Preparedness and Planning
Capability Integration

Date	Type	Persons Exercised	Hours Trained
31 May 2017	LDMG and sub-committee recall exercise (telephone based)	109	25
22 Jun 2017	Storm tide evacuation discussion exercise	8	16
20 Jul 2017	Emerald City (BCC)	1	8
22 Aug 2017	Exercise Coordinatis Conatu - Mt Nebo Fire (Day 1)	13	39
23 Aug 2017	Exercise Coordinatis Conatu - Mt Nebo Fire (Day 2)	18	144
19 Oct 2017	EX HYDRA 2017 (Seqwater)	1	6
30 Oct 2017	Ex Moreton Storm V2 (FIC/Ops Admin/T&T)	15	37.5
1 Nov 2017	Ex Mountain Recovery - Mt Nebo Fire	18	54
TOTAL		173	329.5

- The current focus for disaster management training is to ensure all LDMG and LDCC staff meet the minimum required standard for training required under the Queensland Disaster Management Training Framework.

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Date	Type	Persons Trained	Hours Trained
19 Jun 2017	Intro to Warnings and Alerts	1	1.5
26 Jun 2017	QDMA & Community Recovery	21	126
28 Jun 2017	QDMA & Community Recovery	13	78
17 Aug 2017	QDMA & Coordination Centre (operations and functions)	12	72
29 Aug 2017	QDMA & Coordination Centre (operations and functions)	14	84
6 Sep 2017	QDMA & Coordination Centre (operations and functions)	12	72
6 Dec 2017	Intro to Evacuation & Working in an Evac Centre	7	28
TOTAL		80	461.5

Planning - Local Disaster Management Plan (LDMP) and Sub-Plans

- Council adopted its new Local Disaster Management Plan (version 4.0) on 12 September 2017.
- Key changes reflected in the Plan (amendment version 4.0 dated September 2017) include:
 - New structure aligned with the Inspector-General Emergency Management (IGEM) Emergency Management Assurance Framework (EMAF) being - hazard identification and risk assessment, hazard mitigation and risk reduction, preparedness and planning, emergency communications, response, relief and transition to recovery.
 - Rationalised number of sub-plans: Financial Management, Public Information and Warnings, Threat Specific - Bushfire and Threat Specific - Severe Weather.
 - Detailed hazard and risk assessments for Bushfire and Severe Weather - Flood, Heatwave and Storm Tide.
 - Various website links throughout providing ready access to further information sources.
 - Aligned with MBRC corporate document imagery (e.g. Open Space Strategy).
 - Nationally published definitions, as issued by the Australian Institute of Disaster Resilience.
 - Updated data from the 2016 Census.
 - Updated infrastructure (e.g. Moreton Bay Rail Link).
 - Updated maps.
 - Historical data for bushfire, flood, heatwave, storms and storm tide.
 - Suite of photographs relevant to page content.
 - Updated roles and responsibilities, aligned with the State Disaster Management Plan.
 - Change of status of the Department of Transport and Main Roads from Member to Advisor.
 - Updated land use management and MBRC planning strategy.
 - Either removed or incorporated previous LDMP Annexures.
 - Moved all operational related content to new suite of SOPs.
 - Enhanced format - columns, headings and colour.
 - Removal of headers, footers.
 - New cover page and corporate styling.
- Further procedural information will be incorporated into the appropriate supporting Standard Operating Procedure (SOP).
- The latest version of the Local Disaster Management Plan can be found on Council's website at: <https://www.moretonbay.qld.gov.au/local-disaster-management-plan/>

Name of plan	Description	Last reviewed	Status
Local Disaster Management Plan (version 4.0)	LDMP	Approved by Council 12 September 2017.	Finalised

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Animal Management	Sub-Plan	Endorsed by LDMG (Flying Minute March 2012)	Finalised
Evacuation	Sub-Plan	Endorsed by LDMG 6 February 2013. Adopted at council workshop 7 March 2013	Finalised
Evacuation Management Centre	Sub-Plan	Endorsed by LDMG (Flying Minute March 2012)	Finalised
Evacuation Management Centre - Watson Park	SOP	95% complete.	Under development
Public Health	Sub-Plan	Endorsed by LDMG 23 November 2011	Finalised
Threat Specific - Bribie Island Isolation	Sub-Plan	Sub-plan being revised following LDMG feedback.	Awaiting Flying Minute Endorsement
Threat Specific – Narangba Innovation Precinct Response	Sub-Plan	Endorsed by LDMG (Flying Minute 12 February 2016)	Finalised

Emergency Communications

Public Engagement

- Continuing to engage with community groups and provide presentations on preparedness.
- Get Ready Resilience Initiative funding is now provided by the Queensland Reconstruction Authority and has been set at \$126,100 for the Moreton Bay Regional Council in the 2017/18 financial year. Activities approved by Council include the following:
 - Continuation of the human services sector mapping project - \$35,000
 - Focus group activities to better gauge community understanding of Council's flood warning and flood check property report initiatives - \$35,000
 - Mail out regarding MoretonAlert to 8,000 higher risk flood properties - \$8,000
 - Emergency Service Expos at Bribie Island and Woodford - \$6,000
 - Media and advertising campaign - up to \$42,100
- School Education - the National Curriculum now contains a unit where Year 5 students learn about preparation, planning and response to natural hazards and disasters that could potentially affect Queensland. To date, this financial year, officers have addressed more than 855 students.
- Ongoing campaign promoting MoretonAlert with billboards on the M1 highway.

Date	Activity	No of Attendees
5 Oct 2017	Year 5 Presentation - Petrie State School	100
11 Oct 2017	Year 5 Presentation - Genesis College	120
15 Oct 2017	Bribie Island Emergency Expo	~1,200
18 Oct 2017	Year 5 Presentation - Caboolture State School	90
19 Oct 2017	Year 5 Presentation - Muller College	110
30 Oct 2017	Year 5 Presentation - Undurba State School	125
30 Oct 2017	Year 5 Presentation - Christ the King	30
31 Oct 2017	Year 5 Presentation - Burpengary State School	125

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Date	Activity	No of Attendees
2 Nov 2017	Year 5 Presentation - Dayboro State School	85
3 Nov 2017	Beachmere Expo	~300
23 Nov 2017	Year - 5 Presentation - Strathpine West	70
TOTAL		2,355

Communication Systems

- MoretonAlert is a free SMS, email and voice notification system to provide severe weather warnings, Queensland Fire and Emergency Services' bushfire warning messages, Council prescribed burn notifications, potential flash flooding incidents and planned dam releases within our region. As at 1 December 2017, council has 46,952 residents registered to receive MoretonAlert messages.
- Extensive ongoing social media engagement with the community via Facebook (25,250 followers) and Twitter (2,164 followers) during disaster events.
- Council is partnering with Max Kelsen to develop a social media filtering tool for disaster events. Council has been successful in being awarded an LGAQ (Telstra) Innovation Grant to continue working on this product. A presentation of the first draft of the product happened in March 2017. Ongoing development is occurring with only minor fixes required before implementation. The system continues to be tested each disaster event and enhanced accordingly.
- Monthly testing of the Mt Nebo / Mt Glorious Early Warning System continues.

4.7 Queensland Ambulance Service

Nil to report

4.8 Queensland Fire and Emergency Services

Hazard Identification and Risk Assessment

- Northern Fire Managers Group met on 4 December 2017.
- Brisbane Region Inter-Departmental Committee on Bushfires met on 29 November 2017.

Hazard Mitigation and Risk Reduction

- Interagency HRB have ceased now due to conditions; however planning through the Area Fire Managers Groups for the 2018 period is underway.
- QFES has identified the residual risk areas from Cool Burn 2017 that will be included in the Cool Burn 2018.

Preparedness and Planning

- QFES has released the severe weather season Standing Order named Operation Guardiare. The Standing Order covers the Commissioners intent and QFES mission and will take effect from 1 November until 30 April 2018 to coincide with the weather season.
- The FMG's debriefed the past season at recent meetings.
- On 13 September QFES, QPS and Moreton Bay Regional Council (MBRC) attended a media event to announce the completion and signing of the MBRC Local Disaster Management Plan. The development of the Plan has been a significant body of work by all stakeholders. This new plan aligns with QFES Policy and Procedures and includes details of hazards and risks associated with Wildfires and Major Weather Events and provides written responsibilities of response agencies during disasters and following recovery efforts.
- Queensland Disaster Management Arrangements (QDMA) training was delivered to the Caboolture and Strathpine Community Services Disaster Management Forums on 26 and 28 June 2017 respectively.
- Training sessions in QDMA and Disaster Coordination Centre operations were conducted in the Local Disaster Coordination Centre on 17 and 29 August, and 6 September 2017.
- MBRC Local Disaster Management Plan was assessed on 14 September 2017.
- The Emergency Management Australia annual preparedness brief was conducted at Kedron on 21 September 2017.

ITEM 4.1 MORETON BAY REGION LOCAL DISASTER MANAGEMENT GROUP - MEETING MINUTES OF 6 DECEMBER 2017 - REGIONAL - A16402879 (Cont.)

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Emergency Communications

- Part time and volunteer fire fighters will be hosting an educational opportunity for school students at the Kilcoy Fire Station. A Certificate 2 in Public Fire Safety in Operations has been offered to year 11 and 12 students for their participation on weekends over the next few months.
- On 15 October, QFES Brisbane Region crews attended the Bribie Island Emergency Services Expo. Our crews and other response agencies combined to provide demonstrations and displays throughout the day. Thankfully the weather was kind enough to enable the event to go ahead and even though the numbers were down this year, it was well received by all.
- On Sunday 10 September, QFES participated in the yearly Sandgate Volunteer Marine Rescue Emergency Services Expo. The Expo was hosted by VMR and provided an opportunity for all services to show case their capability. It is estimated that over a 1000 members of the community attended through the day with attendance by Acting Commissioner QFES Mike Wassing, QPS Commissioner Ian Stewart and Member for Sandgate Stirling Hinchliffe. MP Stirling Hinchliffe took the opportunity to announce the building of the new Bracken Ridge Fire Station.
- Minister Mark Ryan and Local Member Shane King met crews at the Petrie Fire station on 31 August to provide an update on government's support to Emergency Services.

Response

- A significant wildfire started at Kurwongbah north of Brisbane on Tuesday 5 September and was still being blacked out on Sunday 10 September. A mobile incident control centre was used to manage the incident. Firefighting personnel from F&R, RFS, MBRC, and Seqwater combined to combat the 330 hectare fire. At one point, up to 18 appliances and 50 personnel were on site conducting firefighting operations which included the use of a Heli attack water bomber and Air Observer. QFES worked closely with council throughout the incident with a focus on community messaging for local residents. One RFS fire fighter was treated for a heat related condition and some minor burns. No structures were lost and no other injuries were reported. At the same time, separate fires were being fought at Mount Mee and Ningi.
- Another significant wildfire started at Mount Sampson north-west of Brisbane on Friday 15 September and was still being blacked out on Sunday 17 September. A RFS mobile incident control centre was used to manage the incident. Firefighting personnel from F&R, RFS, MBRC, attended the 40 hectare fire. Even though it was a small fire in size it was in quite difficult terrain. At one point, up to 16 appliances and 45 personnel were on site conducting firefighting operations which included the use of a Heli attack water bomber. QFES worked closely with council throughout the incident with a focus on community messaging for local residents. One RFS fire fighter was treated for a heat related condition. No structures were lost and no other injuries were reported.
- On 25 September, QFES, QPWS, and MBRC sent several days managing a fire at Range Road Lacey's Creek. The fire was burning in inaccessible country and burnt around 200 hectares of bush land. Heli attack capability was used to contain the fire.
- The QFES SOC was fully operational in September for the significant fire threat at the time.
- In November, QFES attended the Essential Services Meeting on Moreton Island.
- The Caboolture Fire Station received a new replacement fire engine in October with enhanced capability.

Relief and Recovery

- QFES engaged in the MBRC Recovery Exercise held on 1 November. The recovery exercise was developed to test the knowledge and capability of the recovery group as a follow on from the Mount Nebo Wild Fire and evacuation exercise.
- Brisbane Region Disaster Relief and Recovery Funding Arrangements workshop was hosted by Queensland Recovery Authority at Kedron on 21 June 2017.

All F&R and most RFS vehicles as well as all Senior Officers and some support staff have ink snap capability to enable rapid assessment of effected locations. This can be loaded into (TOM).

General Business

- Brisbane Region was provided an opportunity to attend a recent Brisbane Conference for the World of Drones and demonstrate the QFES Remote Piloted Aircraft System (RPAS) Drone capability. Premier Anastacia Palaszczuk accompanied by QFES Minister Mark Ryan was a guest speaker at the conference and announced the QLD Drone Strategy Consultation Paper which has a focus on the progressive development and uses of drones within all government departments and agencies.
- On 15 October, the SES held their annual State Awards Presentations at the Kedron Auditorium. The nomination for these awards are determined by the SES State Awards Committee. Ms Helen MacRonald of Western SES Group (Brisbane City SES Unit) was announced as the Winner of the Minister's Cup for 2017 for her dedication to her SES Group and work with the Community.

*ITEM 4.1 MORETON BAY REGION LOCAL DISASTER MANAGEMENT GROUP - MEETING MINUTES OF
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- Our Commissioner Katarina Carroll conducted a three day visit to Brisbane Region on Wednesday 11, Thursday 12 and Friday 13 October. Over the three days, the Commissioner visited Fire and Rescue, Rural Fire Service and State Emergency Services facilities and informally met with operational crews. The visit enabled our personnel an opportunity to openly discuss topics with the Commissioner.
- On 11 December, the Woodford Folk Festival Emergency Services brief is to be held on site. The yearly Festival will commence on 26 December and continue over a five-day period. Last year the Festival attracted over 2500 people during the day and over 10000 campers staying on site. A QFES risk assessment was conducted last year and revised QFES response will be put into effect.
- Significant training of RFS volunteers continued. Sector commander, Crew Leader, Air Base operations, AIIMS as well as Fire Fighter minimum skills and Advanced Skills has been delivered by RFS staff.

4.9 Queensland Health

Hazard Identification and Risk Assessment

- Attended the QPS Crowded Places Forum 22 November.

Hazard Mitigation and Risk Reduction

- The dedicated MNHHS Health Emergency Operations Centre has been commissioned and is operational and training for IMT staff is underway.

Preparedness and Planning

- Queensland Health Post Severe Tropical Cyclone Debbie report released with 26 recommendations across a range of areas with key themes being aged care sector; whole of government messaging; information and communication management; staff deployments; logistics and continuity; primary health and community care networks and capability - Working groups commence December.
- MNHHS Business Continuity Management Framework has been developed to improve business continuity planning.
- MNHHS participated in a multi HHS exercise based on the Gold Coast pre-Commonwealth Games. The aim was to test elements of decanting the hospital to other hospitals across south east QLD in order to clear GCUH to receive incoming patients.
- Two MNHHS-level Incident Management Team exercises have occurred over the past month to increase familiarisation with the Health Incident Commander role and the new HEOC.
- Commonwealth Games Health Planning continues - we have been notified that 44 doctors and nurses from across MNHHS will be volunteers for the Games.
- MNHHS is working with QPS Northern region to streamline evidentiary collection processes and communication within hospitals prior to the Commonwealth Games.
- Queensland Health released the update Heatwave Response Communications Protocol.

Emergency Communications

- Fixed station terminals for the GWN radio network in the Hospital / Health Emergency Operations Centres has been advised as occurring soon but no set date yet.
- MNHHS Protective Services has procured GWN portable radios, training to be conducted in the new year. Additional numbers were procured to enable Site Health Teams to take radios if deployed into the pre-hospital environment.

4.10 Queensland Police Service

Hazard Identification and Risk Assessment

- Redcliffe Police Blog available for LDMG to submit articles if desired.
- Redcliffe Police Blog utilised for DM resilience and community engagement.
- During Exercise Coordinatus Conatu tested the Media Liaison & Intelligence Cell roles in collaboration with MBRC for the DDCC & LDCC to ensure risk assessments are done utilising diverse information sources.

Hazard Mitigation and Risk Reduction

- Redcliffe Police Blog utilised for DM resilience and community engagement.
- My Resilient Community Project.
- During Exercise Coordinatus Conatu tested the Media Liaison & Intelligence Cell roles in collaboration with MBRC for the DDCC & LDCC to ensure risk assessments are done utilising diverse information sources.

ITEM 4.1 MORETON BAY REGION LOCAL DISASTER MANAGEMENT GROUP - MEETING MINUTES OF
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Preparedness and Planning

- Redcliffe Police Blog releases.
- Reminder myStreet community campaign. Agencies within the DM framework invited to participate.
- Supporting Isolated Community Project.
- Completed Bushfire Exercise – Phases 1, 2 & 3 with QFES and MBRC.
- Recovery Exercise also completed at District/local level.
- CSAs have been running on 997FM. Topics covered: Disaster Emergency Kit, Disaster Preparedness, Warnings.
- Exercise planning for 2018 commencing.
- DDC & XO attended Bribie Island Emergency Services Expo October 2017.

Emergency Communications

- The GWN network fully operational.
- Reviewing Media Liaison role in the DDCC and training another member to improve redundancy capacity.
- New DCPC at Caboolture has been trained in Media Liaison role.

Response

- Envisage continuation of Redcliffe DDCC activating at Strathpine Council building in the future
- Continuing to develop the new Media Liaison Role that provides significant input for social media releases and monitoring.
- Working with MBRC to test the Intel role within local/district levels during Exercise Coordinatus.
- Working with MBRC to streamline SITREPs that meet QDMA requirements.
- Working with MBRC to develop social media mapping capability.
- New LDCC/DDCC structure implemented and tested during Exercise Coordinatus Conatu and some amendments to be made.

Relief and Recovery

- Attended Recovery Forum at Convention Centre October 2017.
- Exercise Mountain Recovery completed October 2017.

General Business

- Training new Deputy XOs to ensure we have redundancy during Commonwealth Games.
- Submission forwarded for legislative change of name for Redcliffe Disaster District to Moreton Disaster District.

4.11 Queensland Rail (Advisor)

Nil to report

4.12 State Emergency Service

Preparedness and Planning

- 20 members have been trained in Operations Management to provide support across the Groups and Unit during major events.

Response

- From 1 June report date the members have responded to 90 tasks.
- The Unit assisted QPS in a search for a missing person in Samford Valley
- The Unit supported Brisbane SES Unit on two occasions in searches for missing persons.

General Business

- The Moreton Bay SES Unit was awarded the SES Region Group or Unit Award recognising the overall excellence and proficiency of the Unit.

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4.13 Unitywater

Hazard Identification and Risk Assessment

- Hazard identification and risk assessments are conducted regularly as part of Unitywater's usual management arrangements and extend to the operational day-to-day operational activities of the business. These activities range from control of who has access to the water supply network and maintaining the security of Unitywater's SCADA system which is the technology used to control the entire water supply and sewerage networks.
- These reviews are managed through Unitywater's integrated management system (quality assurance system) and supported by a dedicated business system (Intelex) to ensure activities are completed and non-compliances are escalated.

Hazard Mitigation and Risk Reduction

- Unitywater's asset operational works program includes activities to maintain:
 - Access tracks and fire breaks on Unitywater land.
 - Fire hydrants.
 - Critical equipment spares.
 - Emergency power generation equipment.
 - SCADA systems (remote monitoring and control of water supply and sewerage networks).
- Unitywater's capital works program includes budget provision for:
 - Renewal of water mains, pumps, hydrants and valves.
 - Renewal of emergency power generation equipment.
 - Construction of new water mains to maintain fire-fighting capability as specified in the South-East Queensland Water and Sewerage Design Code.
 - Procurement of critical equipment spares.

Preparedness and Planning

- Unitywater is currently completing security vulnerability assessments on water assets - an activity it undertakes every two years in the context of changing security environments.
- Unplanned communications outages at Unitywater's main control room site in Maroochydore forced an urgent adoption of redundancy measures at back up control rooms in Morayfield and Kuluin. Mobilisation was highly successful and business continuity was maintained.

Emergency Communications

- Unitywater updated the LDMG contacts directory in July 2017.

4.14 Volunteer Marine Rescue (Advisor)

Preparedness and Planning

Bribie Island Emergency Services EXPO 2017

- The EXPO is done and dusted for 2017 and given the weather it was still considered a great success. Despite the extreme weather event encountered over the preceding days and the likelihood of inclement weather on the day, the event was very well supported by all Emergency Service agencies, stakeholders and partners. A big thank you to everybody.
- The debrief, held on Thursday 23 November, was well attended by a number of agencies. The minutes from the meeting will be distributed shortly. But again, the support for the EXPO to continue under the same format was agreed to with some agencies indicating that "they may do things a little better" which was heartening to hear.
- The best display this year has gone to the Westpac Lifesaver Rescue Helicopter service, and as Jacob Thompson was not available to attend the debrief, a formal presentation will be made in the coming weeks.
- The date for the 2018 Bribie Island EXPO is 14 October 2018, a note for all diaries. This date also has a very good high tide at 11:45am.

Local Support Agreement

- On 20 July 2017, Marine Rescue Bribie Island was pleased to sign a Local Support Agreement letter between Marine Rescue Bribie Island (VMRBI), QFES, Fire and Rescue, RFSQ, SES and QPS as an approach to enhance response capabilities for the protection of persons and property.
- This is the first time an agreement like this has been signed with a Marine Rescue agency and proud to be able to further contribute to our emergency services partners. In essence VMRBI agrees to

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transport personnel and equipment between Bribie Island, the Moreton Bay Islands and surrounding waterways for operational purposes.

Multi-Agency Training

- A number of exercises have been undertaken with our ES partners over the past three months, including a large multi-agency exercise simulating a 4WD vehicle roll over in a remote area of Pumicestone Passage and close quarter fire exercises with QFES in local marinas and ESSG on Moreton Island
- AIIMS presentation by Rural Fire; as a result of our increasing involvement with ES partners MRBI senior operators and crew will undertake an AIIMS presentation by RFS.
- It is about incident management and as VMRBI will be undertaking assignments with QFES it was recommended that this program be undertaken.
- The program is designed to provide VMRBI with an understanding of the principles and processes that underpin the Australasian Inter-Service Incident Management System (AIIMS) and its adoption and use in emergency incident management.
- The AIIMS structure provides for a standard approach to incident management across single and multi-agencies involvement.
- This will occur on 6 December commencing at 1800hours, will go for 2-3 hours, and be presented by Graham King of RFSQ.

Additional Agency reports/highlights:

- Queensland Fire and Emergency Services - Emergency Management - members expect to receive notification regarding any outstanding training courses.
- Energex - combining with Ergon to form Energy Qld - prepared for summer cyclones.
- Queensland Police Service - reported intention to change Redcliffe Disaster District name from 'Redcliffe' to 'Moreton'.
- Department of Communities, Child Safety and Disability Services (DCCSDS) - recommendations from online portal tested during TC Debbie have been implemented. Toolkit and framework launched for people with vulnerability in disasters.
- Queensland Rail - preparing for onslaught of storm season. Disaster Management Plans are up to date and field-based exercises and desktops familiarisation with rail corridor have been conducted. Working with SES in Brisbane, training officers in the south. Team has been updated to have coverage 24/7, 365 days per year.
- Moreton Bay Regional Council - from a training perspective, all internal staff are fully-trained and meeting core requirements. Focus will be on exercising rather than training.
- Most agencies reported stretch on resources due to commitment to Commonwealth Games, that may limit available resources in the region should an event occur.

RECOMMENDATION ADOPTED:

That the reports including additional reports/highlights be accepted and noted.

5. OTHER BUSINESS

The group acknowledged the upcoming retirement of Ashley Rowe (Queensland Fire and Emergency Services - F&R), and wished him well for the future.

6. REFERRAL

6.1 To Council
Nil

6.2 To DDMG
Nil

7. FUTURE AGENDA ITEMS

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ITEM 4.1 MORETON BAY REGION LOCAL DISASTER MANAGEMENT GROUP - MEETING MINUTES OF
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Nil

8. NEXT MEETING

The next meeting is scheduled to occur on Wednesday, 21 February 2018.

RECOMMENDATION ADOPTED:

That the next meeting will occur on Wednesday, 21 February 2018.

9. CLOSE

There being no further business the meeting closed at 2.28pm.

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COORDINATION COMMITTEE MEETING
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ITEM 4.2

**BURPENGARY - BURPENGARY / NEW SETTLEMENT ROADS AND
DAKABIN/NARANGBA - OLD GYMPIE / BOUNDARY ROADS - INTERIM
INTERSECTION UPGRADES - TENDER - DIVISIONS 2, 7 AND 11**

Meeting / Session: 4 ASSET CONSTRUCTION & MAINTENANCE
Reference: A16413130 : 22 December 2017 - Refer **Confidential Supporting
Information A16388974**
Responsible Officer: CB, Senior Project Manager (ECM Project Management & Construction)

Executive Summary

Tenders were invited for both the 'Burpengary - Burpengary / New Settlement Roads - Interim Intersection Upgrade' project and the 'Dakabin/Narangba - Old Gympie / Boundary Roads - Interim Intersection Upgrade' project. The tender closed on 19 December 2017 with four conforming tenders received.

It is recommended that Council award the contract to AllenCon Pty Ltd for the sum of \$319,797.29 (excluding GST).

OFFICER'S RECOMMENDATION

That the tender for 'Burpengary - Burpengary / New Settlement Roads - Interim Intersection Upgrade and the Dakabin/Narangba - Old Gympie / Boundary Roads - Interim Intersection Upgrade (MBRC007028)' projects be awarded to AllenCon Pty Ltd for the sum of \$319,797.29 (excluding GST).

ITEM 4.2 BURPENGARY - BURPENGARY / NEW SETTLEMENT ROADS AND DAKABIN/NARANGBA - OLD GYMPIE / BOUNDARY ROADS - INTERIM INTERSECTION UPGRADES - TENDER - DIVISIONS 2, 7 AND 11 - A16413130 (Cont.)

REPORT DETAIL

1. Background

Project Location 1 - New Settlement Road/Burpengary Road, Burpengary

The project is located at the intersection of Burpengary Road and New Settlement Road, Burpengary. The scope of this project includes the signalisation of the north and south Burpengary Road approaches to the roundabout. The objective of the project is to improve intersection capacity and reduce delays and congestion currently experienced in peak traffic periods.



Figure 1 - location of works

Project Location 2 - Old Gympie Road/Boundary Road, Dakabin

The project is located at the intersection of Boundary Road and Old Gympie Road, Dakabin/Narangba. The scope of this project includes the signalisation of the southern Old Gympie Road approach and the eastern Boundary Road approach to the roundabout. The objective of the project is to improve intersection capacity and reduce delays and congestion expected in peak traffic periods following completion of the Department of Transport and Main Roads (TMR) interchange upgrade.

ITEM 4.2 BURPENGARY - BURPENGARY / NEW SETTLEMENT ROADS AND DAKABIN/NARANGBA - OLD GYMPIE / BOUNDARY ROADS - INTERIM INTERSECTION UPGRADES - TENDER - DIVISIONS 2, 7 AND 11 - A16413130 (Cont.)

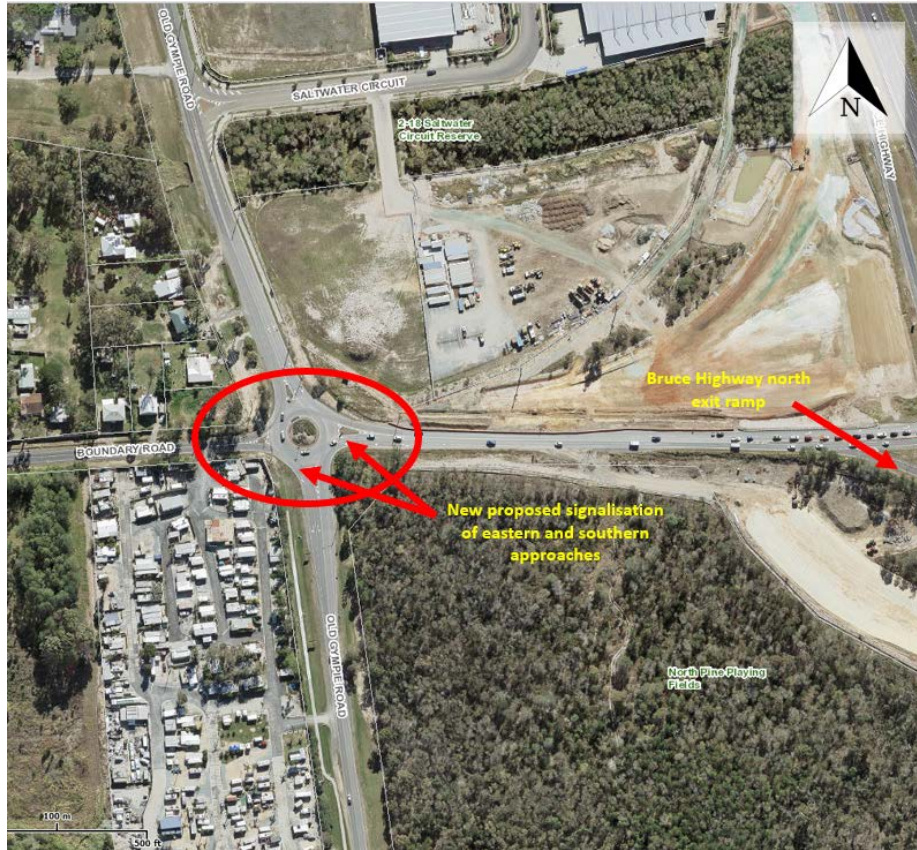


Figure 2 - location of works

Works on both projects are expected to commence in late February 2018 and take approximately eight weeks to complete, weather permitting.

2. Explanation of Item

Tenders for the 'Burpengary - Burpengary / New Settlement Roads - Interim Intersection Upgrade' and the 'Dakabin/Narangba - Old Gympie / Boundary Roads - Interim Intersection Upgrade (MBRC007028)' projects closed on 19 December 2017 with four conforming tenders received.

The tenders were assessed by the tender assessment panel in accordance with Council's Purchasing Policy and the selection criteria set out in the tender documents.

RANK	TENDERER	EVALUATION SCORE
1	AllenCon Pty Ltd	95.65
2	Civlec (Trafflec) Pty Ltd	92.81
3	Pensar Utilities Pty Ltd	91.76
4	Civlec (Trafflec) Pty Ltd (Alternate)	85.70

AllenCon Pty Ltd submitted a comprehensive and well-presented tender. AllenCon Pty Ltd demonstrated their relevant experience, methodology, understanding on the project and capability in delivering the project.

Civlec (Trafflec) Pty Ltd submitted a comprehensive and well-presented tender, demonstrating relevant similar experience; however there were no additional benefits for the higher price.

ITEM 4.2 BURPENGARY - BURPENGARY / NEW SETTLEMENT ROADS AND DAKABIN/NARANGBA - OLD GYMPIE / BOUNDARY ROADS - INTERIM INTERSECTION UPGRADES - TENDER - DIVISIONS 2, 7 AND 11 - A16413130 (Cont.)

Pensar Utilities Ptd Ltd submitted a comprehensive and well-presented tender; however there were no additional benefits for the higher price.

Civlec (Trafflec) Pty Ltd also submitted an alternative methodology tender; however there were no additional benefits for the higher price.

3. Strategic Implications

3.1 Legislative/Legal Implications

Due to the value of work being greater than \$200,000, Council called a public tender for the work through the LG Tender system in accordance with the *Local Government Act 2009*.

3.2 Corporate Plan / Operational Plan

This project is consistent with the Corporate Plan outcome - Valuing Lifestyle: Diverse transport options - an integrated regional transport network.

3.3 Policy Implications

This project has been procured in accordance with the provisions of the following documents:

- Council's Procurement Policy 10-2150-006
- *Local Government Act 2009*
- Local Government Regulation 2012 Chapter 6.

3.4 Risk Management Implications

The project risk has been assessed and the following issues identified. The manner in which the possible impact of these risks are minimised is detailed below.

Financial Risks:

- a. A third-party review of financial status has been undertaken and the successful tenderer was rated 'Very Strong'.

Construction Risks:

- a. The contractor will provide a program of works, traffic management plan, and safety plan and will be required to fence off the areas where construction is being undertaken to meet relevant workplace health and safety requirements as part of the contract.
- b. The contractor has demonstrated their understanding of the project and the need to manage the impact of the works on pedestrians and vehicles in accordance with the tender conditions.

3.5 Delegated Authority Implications

No delegated authority implications arising as a direct result of this report.

3.6 Financial Implications

Council has allocated a total of \$1.05M - \$650,000 (project 105505) and \$400,000 (project 105885) in the revised 2017/18 Capital Works budget.

Civil works (project 105505 Old Gympie/Boundary Rd)	\$ 430,367 (completed Dec 2017)
Tender price (signalisation two locations)	\$ 319,797.29
Contingency (10%)	\$ 31,979.73
QLeave	\$ 1,744.00
Total project cost	----- \$ 353,521.02 =====
Estimated ongoing operational/maintenance costs	\$ 8,000 per F/Y.

The budget amount for this project is sufficient.

ITEM 4.2 BURPENGARY - BURPENGARY / NEW SETTLEMENT ROADS AND DAKABIN/NARANGBA - OLD GYMPIE / BOUNDARY ROADS - INTERIM INTERSECTION UPGRADES - TENDER - DIVISIONS 2, 7 AND 11 - A16413130 (Cont.)

3.7 Economic Benefit

The completion of the projects will improve traffic flow and safety for road users through both intersections at Boundary Road and Old Gympie Road and Burpengary Road and New Settlement Road.

3.8 Environmental Implications

Environmental implications of the project are minimal as the works are an upgrade to existing infrastructure. The contractor will be required to submit an Environmental Management Plan and comply with relevant State Government environmental policies. The contractor will be required to manage sediment and erosion controls during construction and these measures will also be monitored by Council.

3.9 Social Implications

The completion of the project will improve safety for road users through both intersections at Boundary Road and Old Gympie Road and Burpengary Road and New Settlement Road.

3.10 Consultation / Communication

A communication plan will be developed for the project which will include the positioning of VMS boards on site prior to and throughout the works to notify road users. Adjacent residents and businesses will be notified of the works by a project notice prior to the works commencing. Owners of properties where driveway access may be affected during construction will be contacted prior to commencement of works and consultation will be ongoing throughout construction.

SUPPORTING INFORMATION

Ref: A16388974

The following list of supporting information is provided for:

ITEM 4.2

BURPENGARY - BURPENGARY / NEW SETTLEMENT ROADS AND DAKABIN/NARANGBA - OLD GYMPIE / BOUNDARY ROADS - INTERIM INTERSECTION UPGRADES - TENDER - DIVISIONS 2, 7 AND 11

Confidential #1 Tender Evaluation

5 PARKS, RECREATION & SPORT SESSION

(Cr Darren Grimwade)

No items for consideration.

6 LIFESTYLE & AMENITY SESSION

(Cr Matt Constance)

ITEM 6.1

LIBRARIES SUPPLY SHELF READY AV ITEMS - REGIONAL

Meeting / Session: 6 LIFESTYLE & AMENITY
Reference: A16409942 : 15 January 2018 - Refer **Confidential Supporting Information**
Responsible Officer: **A16459247** CG, Manager Customer and Cultural Services (CES)

Executive Summary

Council's Library Service currently procures audio visual (AV) items (DVDs and CDs) via a vendor arrangement. The cataloguing and end processing of AV items, to make them ready for loan, is undertaken by library staff. Customer wait times for AV items can be reduced and efficiencies achieved if AV items were catalogued and end processed by vendors prior to supply.

Accordingly, tenders were invited for the 'Libraries Supply of Shelf Ready DVDs and CDs (VP80423)' project. The tender closed on 20 October 2017 with five conforming quotations received.

It is recommended that Council award the contract (VP80423) for the period of two years to James Bennett Pty Ltd as this tender was evaluated as representing the best overall value to Council.

OFFICER'S RECOMMENDATION

That the tender for supply of shelf ready DVDs and CDs be awarded to James Bennett Pty Ltd for a period of two years.

ITEM 6.1 LIBRARIES SUPPLY SHELF READY AV ITEMS - REGIONAL - A16409942 (Cont.)

REPORT DETAIL

1. Background

Council provides a lending collection of approximately 480,000 physical items, including 55,000 DVDs and 13,000 CDs. DVDs and CDs are popular and high use collections which provide a selection of the best and most in-demand titles of broad appeal to the Moreton Bay community. Currently new AV items require cataloguing and end processing by library staff before they can be made available to customers for loan.

The provision of shelf ready AV items means all cataloguing and end processing is completed by the vendor prior to delivery to Council. Council tendered for the provision of shelf ready DVDs and CDs to achieve overall efficiencies in the procurement and management of the libraries AV collections and provide customers with improved levels of service.

Shelf ready DVDs and CDs are available to customers for loan as soon as they are received in a branch and reduce customer wait times for reserved items. The provision of shelf ready AV items also reduces staff time spent managing the items, allowing branch staff to focus on more responsive customer service and collections staff to concentrate on print and digital items; decreasing those collection's processing time and achieving improved availability to customers. Overall MBRL customers will experience new audio visual stock reaching library shelves in much shorter time frames, with 80% of new titles being available within 7 days of release.

2. Explanation of Item

Tenders were invited for 'Libraries Supply of Shelf Ready DVDs and CDs (VP80423)' project. The tender closed on 20 October 2017, with five conforming quotations received. These tenders were assessed by the evaluation panel in accordance with Council's Purchasing Policy and the requirements set out in the tender documents (*refer Confidential Supporting Information*). The tender sought a service provision of two years with two one-year options.

The below table indicates the outcome of the evaluation process:

RANK	TENDERER	EVALUATION SCORE
1	Peter Pal Library Supplier	Score: 100
2	James Bennett Pty Ltd	Score: 94.01
3	Digital Education Services Pty Ltd	Score: 93.09
4	KL Media	Score: 86.18
5	MDM Entertainment Pty Ltd	Score: 83.41

The following observations were made by the tender evaluation panel:

Peter Pal Library Supplier have been providing materials and services to libraries for over 35 years. They provided a detailed submission and demonstrated a clear understanding of the tender requirements. A detailed implementation plan was provided, including quality management processes. All services are provided in-house with experienced staff.

James Bennett Pty Ltd have been providing materials and services to libraries for over 40 years. They provided a detailed submission and demonstrated a clear understanding of the tender requirements. A detailed implementation plan was provided including quality management processes. All services are provided in-house with experienced staff.

Digital Education Services Pty Ltd have been providing materials and services to libraries for over 30 years. They provided a detailed submission and demonstrated a clear understanding of the tender requirements. A detailed implementation plan was provided including quality management processes. All services are provided in-house with experienced staff.

ITEM 6.1 LIBRARIES SUPPLY SHELF READY AV ITEMS - REGIONAL - A16409942 (Cont.)

KL Media have been providing materials and services to libraries for over 18 years. They provided a detailed submission and demonstrated a clear understanding of the tender requirements. An implementation plan was provided including quality management processes. Cataloguing and end processing is sub-contracted. KL Media currently supply DVDs and CDs to Council's Library Service.

MDM Entertainment Pty Ltd have been providing materials and services to libraries for over 10 years. They provided a detailed submission and demonstrated a clear understanding of the tender requirements. An implementation plan was provided including quality management processes. All services are provided in-house with experienced staff.

James Bennett Pty Ltd and Digital Education Services Pty Ltd each attended a clarification meeting to review specification requirements and clarify any remaining operational concerns.

3. Strategic Implications

3.1 Legislative/Legal Implications

Due to the expected value of the contract being greater than \$200,000, Council called a public tender in accordance with the *Local Government Act 2009*.

3.2 Corporate Plan / Operational Plan

Valuing Lifestyle: Quality recreation and cultural opportunities.

3.3 Policy Implications

This project/contract/initiative has been procured/sourced in accordance with the provisions of the following:

- Council's Procurement Policy 10-2150-006
- *Local Government Act 2009*
- Local Government Regulation 2012 Chapter 6.

3.4 Risk Management Implications

A risk assessment has been completed within the procurement planning stage (probity plan) to make an overall judgement of the procurement risks to ensure that the probity requirements are commensurate with the value, complexity, and sensitivity associated with this procurement.

The following issue was identified and the possible impact of this risk has been mitigated or minimised as detailed below.

Financial:

- a. A third-party review of the financial status has been carried out and the successful tenderer was rated as '*satisfactory*'.

3.5 Delegated Authority Implications

There are no delegated authority implications arising as a direct result of this report.

3.6 Financial Implications

AV item (DVDs and CDs) purchases are budgeted within the Collections budget (20690.000.22019) which is funded by the Public Library Grant from the State Library of Queensland.

Cataloguing and end processing is budgeted within the Collections End Processing budget (20789.000.22004).

3.7 Economic Benefit

There are no economic benefit implications arising as a direct result of this report.

ITEM 6.1 LIBRARIES SUPPLY SHELF READY AV ITEMS - REGIONAL - A16409942 (Cont.)

3.8 Environmental Implications

There are no environmental implications arising as a direct result of this report.

3.9 Social Implications

The provision of a high-quality library service connects people with information, technology, experiences and each other and promotes communities that are connected, creative, innovative and economically successful.

3.10 Consultation / Communication

Director Community and Environmental Services.

SUPPORTING INFORMATION

Ref: A16459247

The following list of supporting information is provided for:

**ITEM 6.1
LIBRARIES SUPPLY SHELF READY AV ITEMS - REGIONAL**

Confidential #1 Tender Evaluation Summary Sheet

Confidential #2 Tender Evaluation Sheet

7 ECONOMIC DEVELOPMENT & TOURISM SESSION

(Cr Julie Greer)

No items for consideration.

8 GENERAL BUSINESS

ANY OTHER BUSINESS AS PERMITTED BY THE MEETING CHAIRPERSON.