



# **ORDINARY MEETING OF COUNCIL**

## **SUPPLEMENTARY AGENDA**

**19 AUGUST 2015**

**ORDINARY MEETING OF  
COUNCIL SUPPLEMENTARY  
AGENDA  
19 AUGUST 2015**

**TABLE OF CONTENTS**

Item Subject	Page No.
Table of Contents .....	2
<b>10. Executive Office Reports .....</b>	<b>3</b>
10.1 Chief Executive Officer's Report .....	3
<b>11. Governance and Performance Reports .....</b>	<b>10</b>
11.10117th 2015 LGAQ Annual Conference - Motions .....	10
<b>14. Planning and Development Services Reports .....</b>	<b>16</b>
14.2 Application for Development Permit for Material Change of Use for Shop, Medical Centre and Refreshment Service on land described as Lot 53 RP863701 and located at the corner of Fairway Drive and Warrego Highway, Hatton Vale.....	16
<b>17. Confidential Items .....</b>	<b>54</b>
17.2 Severe Dog Attack, 13 August 2015 - Withcott .....	54

**ORDINARY MEETING OF  
COUNCIL SUPPLEMENTARY  
AGENDA  
19 AUGUST 2015**

---

## **10. EXECUTIVE OFFICE REPORTS**

### **10.1 Chief Executive Officer's Report**

**Date:** 11 August 2015  
**Author:** Ian Flint, Chief Executive Officer  
**Responsible Officer:** Ian Flint, Chief Executive Officer  
**File No:** Formal Papers

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#### **Summary:**

This report is to update Council on the key issues currently being actioned and on the significant items of information presently to hand.

#### **Officer's Recommendation:**

**THAT the Chief Executive Officer's Report be received and adopted;**

**Further;**

**THAT Council support the ALGA campaign and lobby the Federal Government to stop the funding freeze and restore the indexation of the Financial Assistance Grants (FAGs) in the next Federal Budget;**

**Further;**

**THAT Council endorse the nomination of Richard Collins, Coordinator Environmental Planning on the Senior Executive Advisory Committee (SEAC) of the Healthy Waterways Board.**

#### **Report**

##### **1. Introduction**

This report provides a further update on key matters arising and being addressed and on significant items of information since the last report.

##### **2. Background**

The previous reports provide the background information in the case of matters ongoing and only progress is being reported during the current reporting period on those matters.

##### **3. Report**

###### **COAG Leaders' Retreat**

The Prime Minister, Premiers, Chief Ministers and the ALGA President have issued two communiques following the first COAG Leaders' Retreat outlining the steps agreed to by the leaders in working towards major reform of Australia's Federation and acting against the threats to the community from violent extremists, family violence and the drug ice.

**ORDINARY MEETING OF  
COUNCIL SUPPLEMENTARY  
AGENDA  
19 AUGUST 2015**

The first communique said that all leaders agreed that the Federation reform process provided a rare opportunity to tackle issues around delivering improved health services, new infrastructure, fair and affordable access to housing, vocational training and a school education system that keeps Australia globally competitive. The communique stated that, if these issues were not addressed, Australians would face the risk of declining services in the future.

Mayor Troy Pickard, President ALGA, said the significant fiscal challenges for the Commonwealth, States and Territories discussed at the retreat also have implications for local government's role in terms of maintaining the delivery of quality community services and infrastructure at the local level.

The communique indicated that the leaders agreed infrastructure was critical to how people live and move around our cities and regions. It said local governments play a role in the Federation by delivering services and infrastructure, with important funding contributions from the Commonwealth and within a legislative and regulatory framework provided by the States and Territories.

The second communique focused on counter terrorism arrangements, strategies to reduce violence against women and their children, containing the supply of the drug ice and preventing its use. The communique highlighted that a National Ice Action Strategy would be developed for consideration at the next COAG meeting which would include how to support local communities to respond to the challenges and threat faced from the drug ice.

#### Financial Assistance Grants

The impact of the freeze to FAGs indexation and what councils could do to support the national campaign to restore indexation as soon as possible continues to be raised, according to the ALGA.

The indexation of FAGs is currently frozen at 2014 levels with Federal Government plans for it to remain so for another year, bringing the freeze to a total of three years. This means that the grant payments are not keeping up with local government cost increases and going forward local government's share of national taxation will have decreased even further by the end of the freeze in 2017-18.

The FAGs are local government's main revenue stream from the Federal Government so it's important for every council in Australia to make representations to their Federal representatives, and particularly Coalition representatives, to explain the impact of the decision to freeze indexation.

The ALGA has also asked councils to pass a resolution acknowledging the importance of FAGs and to identify FAGs as a Federal Government grant in public reports. To date as at 4 August 2015, 215 out of 564 Councils nationally have passed the resolution.

These simple actions are important because they build support for FAGs in the Federal Government and help Federal representatives to continue to make the case for local projects and funding. We should not underestimate the long term threat to the FAGs, nor should we underestimate the need for our campaign - and how successful it can be.

**ORDINARY MEETING OF  
COUNCIL SUPPLEMENTARY  
AGENDA  
19 AUGUST 2015**

The decision to freeze FAGs indexation was unexpected and highlighted the power of the Treasurer over this program. It also highlighted to ALGA that local government needs to make sure the Federal Government understands the pain this decision caused. We need to be on the front foot to make sure there is not a repeat or extension of the freeze - a very real possibility if we are seen to be quiet, compliant and complacent about the funding. This is why it is important to get every council's buy in to this campaign.

***That Council support the ALGA campaign and lobby the Federal Government to stop the funding freeze and restore the indexation of the Financial Assistance Grants (FAGs) in the next Federal Budget.***

Submissions from Councils to the Community Infrastructure Ideas Register

ALGA has put the call out to Councils for proposed community infrastructure renewal projects as part of the development of its 2016 Federal election strategy.

Councils Australia-wide have already submitted more than 100 examples of declining community infrastructure in need of replacement, maintenance or upgrades.

Proposals submitted to ALGA's demonstrate that there is a clear need for community infrastructure to be renewed. So far, examples of community infrastructure requiring renewal have included community recreational facilities such as ovals, swimming pools and walking paths, and community facilities such as halls, libraries and senior citizens centres.

ALGA is urging councils to continue to submit examples to support ALGA's case for Federal funding of \$300 million per year over four years for a regional and community infrastructure fund.

Roundtable for QLD local government and community on resources future

The Queensland Government has invited broader community input into the future of the State's resources sector and has established a Community Ministerial Roundtable to give local government and community groups a voice on Queensland resource issues.

The roundtables aim to enable collaboration between government and stakeholders to address challenges and capitalise on opportunities. The Queensland Government has identified a key outcome to prioritise and deliver actions that provide enduring improvements for the resources sector for the benefit of both industry and communities.

The Community Ministerial Roundtable is expected to meet for the first time in August. More information is available on the Queensland Department of Natural Resources and Mines website.

2015 National Local Roads and Transport Congress

The 2015 National Local Roads and Transport Congress is scheduled for 17-19 November 2015 to be held in historic Ballarat, Victoria. This year's Roads Congress promises a program that explores the vast range of responsibilities as well as opportunities for local government in the infrastructure and transport arena, in both rural and urban settings.

The 2015 Roads Congress is local government's opportunity to gather practitioners and elected members from across the country to discuss and explore issues that are core to the

**ORDINARY MEETING OF  
COUNCIL SUPPLEMENTARY  
AGENDA  
19 AUGUST 2015**

business of councils. This event has been central to the successful implementation and continuity of programs such as Roads to Recovery and the Bridges Renewal Program.

The 2015 Roads Congress will also likely be the last opportunity to influence the national agenda on transport and infrastructure before the expected 2016 Federal Election. The Deputy Prime Minister, the Hon Warren Truss MP and the Shadow Minister for Infrastructure and Transport, the Hon Anthony Albanese MP have been invited to present and hear from you, and your councils, about your concerns and views as they develop the policies that they will take to the next election.

While Councillor Holstein and Executive Manager Infrastructure and Services Myles Fairbairn have previously attended this Congress, Council may wish to be represented by the Mayor also on this occasion.

Grantham Floods Commission of Inquiry

The Grantham Floods Commission of Inquiry is continuing with the Mayor and CEO having given evidence the week of 3<sup>rd</sup> of August. There were no hearings the week of the 10<sup>th</sup> of August, however hearings are to be recommenced the week of the 17<sup>th</sup> of August to discuss the findings of the hydrologist report prepared by the Commission. The Commission has also been granted a 1 month extension from the Premier and will be required to provide its final report by the end of September 2015.

Queensland Urban Utilities

Further to Council's approval of the Queensland Urban Utilities (QUU) Corporate Plan 2015-20 at Council's Ordinary Meeting of 10<sup>th</sup> June 2015, QUU have now forwarded the Corporate Plan 2015-20 which, following approval by their shareholders, has been adopted by their Board.

*"This plan reinforces our future direction, goals and priorities and is guided by our purpose to "enrich quality of life". It details how our four strategic pillars – customers, shareholders and communities, operational excellence and people – will help us achieve our vision to be...recognised for our excellence in water and sewerage services that meet the evolving needs of our customers and enhance our communities."*

A copy is available on the QUU website.

Healthy Waterways

A request has been received from HWW Company Secretary seeking nominations from Council to fill a vacancy on their Senior Executive Advisory Committee (SEAC) refer to attached correspondence. The SEAC is a direct committee of the Healthy Waterways Board. As a Class A member of Healthy Waterways Ltd, Council is entitled to submit a nomination.

The role of SEAC is:

- (a) To provide advice and input into the Company's strategic plan;
- (b) To provide support and advice to the programs required to deliver on the strategic plan;
- (c) To provide advice on the Company funding model required to deliver the agreed programs;  
and
- (d) To provide advice on other matters as directed by the Board.

**ORDINARY MEETING OF  
COUNCIL SUPPLEMENTARY  
AGENDA  
19 AUGUST 2015**

SEAC is comprised of the Healthy Waterways Board Chairperson (Committee Chair and up to six senior executives (CEO/GM level) drawn from Class A company members. Committee members are appointed and committee members are not entitled to appoint a proxy or alternate to attend meetings.

***That Council endorse the nomination of Richard Collins, Coordinator Environmental Planning on the Senior Executive Advisory Committee (SEAC) of the Healthy Waterways Board.***

CEO Leave

I will be taking a period of extended leave (6 to 8 weeks) due to personal reasons commencing as from Monday 31/8/15. Council is to consider the appointment of an Acting Chief Executive Officer to cover my absence in accordance with the requirements of the Local Government Act. The impact on the revised organisational structure and Executive Management responsibilities is to be considered also.

*In accordance with Section 275 (1) (a) of the Local Government Regulation 2012, as the matter involves the appointment, dismissal or discipline of employees, this matter is to be discussed in Closed Session.*

**Coming Events**

Brisbane EKKA	7 - 16 August 2015
Seniors Week	15 - 23 August 2015
Lockyer Valley Garden Competition	20 & 21 August 2015
Faith Fair Plainland (Community Event)	21 August 2015
Health & Wellbeing Expo	23 August 2015
Forest Hill District Gallipoli Remembrance March (Community Event)	22 August 2015
Lockyer Growers Group Race Day (non Council event)	29 August 2015
Lockyer Valley Garden Competition Presentation Morning Tea	3 September 2015
Lockyer Valley Community Activities Shed Open Day	5 September 2015

**4. Policy and Legal Implications**

Policy and legal implications will be addressed in future on matters that arise before Council.

**5. Financial and Resource Implications**

Budget implications will continue to be addressed through existing allocation and re-prioritisation as required.

**6. Delegations/Authorisations**

**ORDINARY MEETING OF  
COUNCIL SUPPLEMENTARY  
AGENDA  
19 AUGUST 2015**

Where further decisions are required with respect to the submission of this plan, the Chief Executive Officer will be delegated the authority to make those decisions.

**7. Communication**

The matters arising from this report that require further communication will be addressed through existing communication channels.

**8. Conclusion**

That the Chief Executive Officer's Report be received and adopted.

**Attachments**

1 [View](#) Letter - Senior Executive Advisory Committee Nominations 1 Page



**ORDINARY MEETING OF  
COUNCIL SUPPLEMENTARY  
AGENDA  
19 AUGUST 2015**



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28 July 2015

Lockyer Valley Regional Council  
By Email

Dear Mayor Steve Jones and Mr Ian Flint

**Re: Senior Executive Advisory Committee Nominations**

I am writing to advise that two vacancies have arisen on the Senior Executive Advisory Committee (SEAC) following Mark Piorkowski and John Jordan's resignation. As a Class A member of Healthy Waterways Ltd, your organisation is entitled to submit a nomination for this vacancy.

The role of SEAC is:

- (a) to provide advice and input into the Company's strategic plan;
- (b) to provide support and advice to the programs required to deliver on the strategic plan;
- (c) to provide advice on the Company funding model required to deliver the agreed programs; and
- (d) to provide advice on other matters as directed by the Board.

SEAC is comprised of the Healthy Waterways Board Chairperson (Committee Chair) and up to six senior executives (CEO/GM level) drawn from the Class A company members. Committee members are appointed by the Healthy Waterways Board.

Please note that under the Committee's terms of reference, the appointment is personal to the individual appointed and committee members are not entitled to appoint a proxy or alternate to attend meetings.

Current SEAC members are:

- Dr Paul Greenfield (Chair)
- Jon Black (Department of Environment and Heritage)
- Jim Pruss (Seqwater)
- Simon Taylor (Unitywater)
- Paul Belz (QUU)

Nominations close on Monday 17 August 2015. Details of the nominee and a brief (max 2 pages) biography should be forwarded to the Healthy Waterways Office (rachel.cadwallader@healthywaterways.org).

It is anticipated that the Board will make a decision at its September meeting.

Regards



Tania Kearsley  
Company Secretary

C.C. Richard Collins

**ORDINARY MEETING OF  
COUNCIL SUPPLEMENTARY  
AGENDA  
19 AUGUST 2015**

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**11. GOVERNANCE AND PERFORMANCE REPORTS**

**11.10 117th 2015 LGAQ Annual Conference - Motions**

**Date:** 12 August 2015

**Author:** Jason Bradshaw, Executive Manager Governance Engagement &  
Regional Development

**Responsible Officer:** Ian Flint, Chief Executive Officer

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**Summary:**

The Local Government Association of Queensland Ltd 119th Annual Conference ("Taking Control of Our Own Destiny") will be held from 19 to 21 October 2015 in Toowoomba at the Empire Theatre. This is the primary Local Government Conference for Queensland Councils and is attended by Lockyer Valley Regional Council as a Member Council.

The purpose of this report is to confirm the delegates to represent Council at the LGAQ Annual Conference and finalise the proposed motions for the LGAQ Annual Conference.

**Officer's Recommendation:**

**THAT the Mayor and the Deputy Mayor be confirmed as delegates and Councillor McDonald and the Chief Executive Officer or his delegate be authorised as observers to attend the LGAQ 119<sup>th</sup> Annual Conference to be held in Toowoomba from 19 to 21 October 201;**

**And further;**

**THAT the following motions be endorsed for submission to the LGAQ Annual Conference:**

**Motion:**

**That the LGAQ continue to work with the ALGA to lobby the Federal Government for the return of indexation to the Financial Assistance Grants (FAGs) for the 2016/17 Budget year.**

**Motion:**

**That the LGAQ on behalf of Councils seek a change to the Local Government Electoral Act 2011, to reinstate the method of voting for Mayor in undivided local governments to First Past the Post (FPTP).**

**Motion:**

**That the LGAQ seek clarification from the State Government on the specific responsibilities of local governments, in respect of dams, levee banks etc. and the regulation of compliance expected from each level of government.**

**Motion:**

**That the LGAQ request that the State Government conduct a full review of the legislation in regard to Councillor Conduct, and request consideration of a judicial mechanism to underpin the determinations made against individual councillors.**

**Further,**

**That the process for assessing and managing complaints be removed from the Mayor**

**ORDINARY MEETING OF  
COUNCIL SUPPLEMENTARY  
AGENDA  
19 AUGUST 2015**

and the CEO and that the Department of Local Government take responsibility for managing all complaints against councillors.

**Motion:**

**That the LGAQ clarify its role in the support of Councils for disaster management through support with specialist resources and best practice standards across local governments.**

**And further,**

**That the LGAQ seek to confirm its position on the QDMC representing all of local government.**

**Motion:**

**That the LGAQ lobby the Federal Government for greater compliance measures through the introduction of appropriate mechanisms (ie. Specific work card eg Green Card) for easier identification and compliance.**

**Further,**

**That the LGAQ lobby the State and Federal Government to consider further legislation to provide protection for these workers (farm).**

**And Further,**

**That the LGAQ lobby the State Government to develop materials for use in all Harvest Trail regions so that comprehensive and consistent tools for compliance are available.**

## **Report**

### **1. Introduction**

The LGAQ has approached Council calling for registrations of attendees to the conference and seeking notification of items to be included on the Agenda. These Agenda items need to be lodged with the LGAQ before the close of business on 28 August 2015.

Early bird registrations close 11 September 2015. Council pays a conference levy in conjunction with its membership subscription and this entitles Council to be represented at conference by two (2) delegates. Additional attendees as observers are at Council's discretion. Requests for Certificates of Service to be presented at the annual conference are to be received by end of August.

The following motions are proposed for Council consideration for the 2015 LGAQ Annual Conference. The intent of proposing motions is to influence changes in government policy and legislation and to address matters that are common to local government in general. In this instance Council will need to prioritise motions and clarify the expected outcomes following further discussion with the LGAQ so that final motions can be presented and adopted by the closing date.

### **2. Report**

If Council wishes to submit items for inclusion on the agenda for the Annual Conference then details will need to be provided to ensure the appropriate information can be obtained and submitted to LGAQ before the closing time of the agenda on 28 August 2015. Council has

**ORDINARY MEETING OF  
COUNCIL SUPPLEMENTARY  
AGENDA  
19 AUGUST 2015**

identified a range of matters for discussion and these are outlined below for consideration and finalisation by the closing date for motions.

Following discussions and consideration of the priority associated with the issues raised, these motions are recommended for Council review and determination:

*Financial Assistance Grants (FAGs)*

In the 2014 Federal Government Budget the primary source of funding to local governments was effectively cut by the Government through the impost of freeze on indexation to the FAGs funding. This has in due course now limited the funds coming to local government and this needs to be addressed before the next budget is adopted such that the indexation is at least restored for the 2016/17 year.

**Motion:**

**That the LGAQ continue to work with the ALGA to lobby the Federal Government for the return of indexation to the Financial Assistance Grants (FAGs) for the 2016/17 Budget year.**

*Voting for Mayors*

The current State Government has retained the changes made to legislation by the Newman Government where the method of voting for all Mayors is now to be Optional Preferential (OPV), where in the past it had been First Past the Post (FPTP) for all undivided local governments. Despite a number of commitments for consideration to change over the past 12 months or so, there has been no change to the Local Government Electoral Act. This Council has written to the current Minister and contacted the LGAQ for the change to be made back, with no success at this time.

**Motion:**

**That the LGAQ on behalf of Councils seek a change to the Local Government Electoral Act 2011, to reinstate the method of voting for Mayor in undivided local governments to First Past the Post (FPTP).**

*Dams and Levee Banks*

With the second Grantham Flood Inquiry still continuing and Councils' involvement to date, it is evident that there is still uncertainty around the powers of local governments in respect of dams and levee banks, especially in rural and agricultural environments. The most recent amendments and the lack of resourcing at the local government level, are providing significant challenges to local governments. There needs to be clarification as to what local governments are expected to do, and what roles the state government departments and other agencies are responsible for ensuring in their jurisdiction.

**Motion:**

**That the LGAQ seek clarification from the State Government on the specific responsibilities of local governments, in respect of dams, levee banks etc. and the regulation of compliance expected from each level of government.**

*Councillor Conduct*

The current mechanisms in the Local Government Act are ineffective and do not address the rights to natural justice or appeal, and this remains a void in the legislation. There is no judicial authority or basis attached to the legislation to appropriately deal with the behavioural and conduct issues that arise in the course of business for local councils. Last year, Council sought

**ORDINARY MEETING OF  
COUNCIL SUPPLEMENTARY  
AGENDA  
19 AUGUST 2015**

a resolution to address this similar issue. Further experience has demonstrated the need for a complete review of how these matters are handled, given the Mayor and CEO are often placed in situations where there will be no outcomes realised. In the interests of transparency there is a need for an external party to be addressing these matters.

**Motion:**

**That the LGAQ request that the State Government conduct a full review of the legislation in regard to Councillor Conduct, and request consideration of a judicial mechanism to underpin the determinations made against individual councillors.**

**Further,**

**That the process for assessing and managing complaints be removed from the Mayor and the CEO and that the department of Local Government take responsibility for managing all complaints against councillors.**

*Disaster Management*

Given the disasters of recent years and the different responses from individual Councils' in times of need, there is an opportunity to ensure the states' preparedness through best practice standards and to share and leverage the work done by individual councils. There is also a need to clarify the role of the LGAQ and to ensure a place at the table of the QDMC (used to be SDMG) for all local governments through the LGAQ.

**Motion:**

**That the LGAQ clarify its role in the support of Councils for disaster management through support with specialist resources and best practice standards across local governments.**

**And further,**

**That the LGAQ seek to confirm its position on the QDMC representing all of local government.**

*Labour Hire workers and standards*

Given the reliance of the Lockyer Valley on agricultural production, there is often the engagement of casual labour and those on working holiday visas' for seasonal and casual work. There have been reports in the media on how these workers are being engaged and accommodated and it has been highlighted that there is a lack of regulation in the market for operators and other contractors. The key issues remain around accommodation and engagement for work and community. There is an opportunity to seek alignment with federal and state government requirements and to ensure the best outcomes for local communities.

**Motion:**

**That the LGAQ lobby the Federal Government for greater compliance measures through the introduction of appropriate mechanisms (ie. Specific work card eg Green Card) for easier identification and compliance.\**

**Further,**

**That the LGAQ lobby the State and Federal Government to consider further legislation to provide protection for these workers (farm).**

**And Further,**

**That the LGAQ lobby the State Government to develop materials for use in all Harvest Trail regions so that comprehensive and consistent tools for compliance are available.**

There are two other matters that could be pursued for further consideration, but will require additional research pending Council's support:

<p><b>ORDINARY MEETING OF COUNCIL SUPPLEMENTARY AGENDA 19 AUGUST 2015</b></p>
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- Additional powers for the accelerated acquisition of land to assist with the reconstruction of infrastructure assets, where it is possible to construct a better solution than replacing like for like assets.
- Additional powers of entry for enhancing enforcement powers in compliance matters without the need for additional requirements (eg Warrants). Ie. similar powers to QFES for entry to buildings.

Further advice from Council on these is needed to progress. And if any other matters require priority, then these should be provided so that motions can be prepared for sign off to meet the deadline.

Each of the proposed motions will be further refined and discussed with the LGAQ in advance of final submission.

### **3. Policy and Legal Implications**

There will be a number of matters that will require Council to support existing policy positions of Council and this will be referenced where needed with the back ground to the motions. Any legal implications or motions to amend legislation will address the policy needs and intended outcome to support the proposed motions. There are no direct legal implications associated with the report.

### **4. Financial and Resource Implications**

There are limited financial and resource implications directly related to the submission of motions. Council's annual subscription to the LGAQ provides for policy advice and support in progressing matters to motions or through advocacy to government.

### **5. Delegations/Authorisations**

It is proposed that given the matters addressed in the motions have been endorsed that the Chief Executive Officer be authorised to finalise the motions to ensure there application is consistent with the conference requirements.

### **6. Communication**

Council will advise the final motions to the LGAQ in writing in the format as required, and to ensure the clear, correct and consistent wording of the motions so that misinterpretation is avoided during debate.

### **7. Conclusion**

That the Council agrees to the final motions to be included on the LGAQ 2015 Annual Conference agenda.

### **8. Action/s**

That the Chief Executive Officer attend the administrative arrangements of registration and attendance and finalise and submit the motions for the 2015 LGAQ Annual Conference by the due date of 28 August 2015.

**ORDINARY MEETING OF  
COUNCIL SUPPLEMENTARY  
AGENDA  
19 AUGUST 2015**

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**Attachments**

There are no attachments for this report.



**ORDINARY MEETING OF  
COUNCIL SUPPLEMENTARY  
AGENDA  
19 AUGUST 2015**

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**14. PLANNING AND DEVELOPMENT SERVICES REPORTS**

- 14.2**                      **Application for Development Permit for Material Change of Use for Shop, Medical Centre and Refreshment Service on land described as Lot 53 RP863701 and located at the corner of Fairway Drive and Warrego Highway, Hatton Vale**

**Date:** 14 August 2015  
**Author:** Trevor Boheim, Manager Planning and Environment  
**Responsible Officer:** Dan McPherson, Executive Manager Organisational Development & Planning

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**Summary:**

The application has been assessed in accordance with the requirements of the *Sustainable Planning Act 2009* and is recommended for approval on the basis of the imposition of reasonable and relevant conditions.

**Officer's Recommendation:**

**THAT the application for a Development Permit for Material Change of Use for Shop, Medical Centre and Refreshment Service on land described as Lot 53 RP863701 and located at the corner of Fairway Drive and Warrego Highway, Hatton Vale be approved subject to the following conditions which are to be met prior to the commencement of the use unless otherwise indicated:**

- 1. The development shall be undertaken generally in accordance with the following plans:**
  - (a) 'Proposed Hatton Vale Neighbourhood Centre – Overall Site Plan', Project No. GRI-210-HAT, Drawing No. SD-100 – Issue D, prepared by w.i.m architects and dated 12/09/2014;**
  - (b) 'Hatton Vale Neighbourhood Centre – Centre Concept Plan', Project No. GRI-210-HAT, Drawing No. SD-100A – Issue A, prepared by w.i.m architects and dated 12/09/2014;**
  - (c) 'Proposed Hatton Vale Neighbourhood Centre – Ground Floor Plan', Project No. GRI-210-HAT, Drawing No. SD-101 – Issue E, prepared by w.i.m architects and dated 12/05/2015;**
  - (d) 'Proposed Hatton Vale Neighbourhood Centre – Elevations', Project No. GRI-210-HAT, Drawing Nos. SD-201 & SD-202 – Issue C, prepared by w.i.m architects and dated 12/09/2014; and**
  - (e) 'Proposed Hatton Vale Neighbourhood Centre – Sections', Project No. GRI-210-HAT, Drawing No. SD-301 – Issue C, prepared by w.i.m architects and dated 12/09/2014.**



**ORDINARY MEETING OF  
COUNCIL SUPPLEMENTARY  
AGENDA  
19 AUGUST 2015**

2. Where any conflict exists between the design and layout of the car parking and vehicle manoeuvring areas between 'Proposed Hatton Vale Neighbourhood Centre – Ground Floor Plan', Project No. GRI-210-HAT, Drawing No. SD-101 – Issue E, prepared by w.i.m architects and dated 12/05/2015, including the use and number of parking spaces, and any other plans, the requirements specified on 'Proposed Hatton Vale Neighbourhood Centre – Ground Floor Plan', Project No. GRI-210-HAT, Drawing No. SD-101 – Issue E, prepared by w.i.m architects and dated 12/05/2015 prevail.
3. The Relevant Period for this Development Permit is four (4) years.
4. The development is to occur in accordance with the Concurrence Agency Response from the Department of State Development, Infrastructure and Planning dated 2 December 2014.
5. The applicant is to submit to Council for consideration and approval a detailed Colour and External Finishes Schedule and Plan. This condition is to be satisfied prior to building works approval.
6. An easement shall be registered over Lot 53 RP863701 in favour of Lot 54 RP863701 for the "10 parks GOLF BUGGY/TANDEM" and "28 parks GOLF/TAVERN" parking areas indicated on the Plan 'Proposed Hatton Vale Neighbourhood Centre – Ground Floor Plan', Project No. GRI-210-HAT, Drawing No. SD-101 – Issue E, prepared by w.i.m architects and dated 12/05/2015.
7. An easement shall be registered over Lot 53 RP863701 in favour of Lot 54 RP863701 to allow two-way vehicular access between Fairway Drive and the "10 parks GOLF BUGGY/TANDEM" and "28 parks GOLF/TAVERN" parking areas indicated on the Plan 'Proposed Hatton Vale Neighbourhood Centre – Ground Floor Plan', Project No. GRI-210-HAT, Drawing No. SD-101 – Issue E, prepared by w.i.m architects and dated 12/05/2015.
8. The developer shall be responsible for obtaining approval and bearing all costs associated with registering easements in favour of Lot 54 RP863701.
9. The developer shall at all times provide an area for parking with a capacity of 28 car parking spaces and 10 golf buggy tandem spaces for patrons of the golf course and tavern use located on Lot 54 RP863701. This condition shall be satisfied at all times prior to the commencement of the use.
10. Infrastructure charges shall be paid in accordance with Council's Adopted Infrastructure Charges Resolution and as indicated the Infrastructure Charges Notice issued by Council.
11. No on-site works shall commence until approval for operational works has been

**ORDINARY MEETING OF  
COUNCIL SUPPLEMENTARY  
AGENDA  
19 AUGUST 2015**

obtained from Council.

12. All works, services, facilities and/or public utility alterations required by this approval or stated condition/s whether carried out by Council or otherwise, shall be at no cost to Council unless otherwise specified in subsequent development approvals.
13. Replace existing Council infrastructure (including but not limited to street trees and footpaths) to a standard which is consistent with Council's standards should this infrastructure be damaged as part of construction works.
14. Any alteration or relocation in connection with or arising from the development to any service, installation, plant, equipment or other item belonging to or under the control of the telecommunications authority, electricity authority or Council or other person engaged in the provision of public utility services is to be carried out with the development and at no cost to Council.

**External Road Works**

15. Access to the development must be via a concrete crossover constructed generally in accordance with Lockyer Valley Regional Council Standard Drawing No. SD 224, Revision A and dated 28 January 2009 and approved plan 'Proposed Hatton Vale Neighbourhood Centre', Project No. GRI-210-HAT, Drawing No. SD-101 – Issue E 12/06/2015, prepared by w.i.m architects and dated 23/04/2014.
16. Traffic lanes for access and egress for the proposed development must be a minimum of 3.5m in width, separated with a painted chevron and constructed of concrete or either asphalt or two coat bitumen seal.
17. Construct a concrete footpath of 1.5m in width within the existing road reserve from opposite the southern extent of the proposed eastern car park and extending along Fairway Drive to match in with the existing concrete footpath.
18. Existing residential driveways affected by works to install a concrete footpath along Fairway Drive, must be modified where necessary and re-instated to match the constructed footpath, at the developer's expense.
19. The remaining unsealed verge area must be filled, graded and either fully turfed or appropriately grassed and seeded to achieve a minimum of 80% grass coverage prior to Council acceptance as off maintenance.

**Internal Road Works and Parking**

20. A total of 131 car parking spaces, including 4 disability parking spaces, must be provided in accordance with the approved plan - 'Proposed Hatton Vale Neighbourhood Centre', Project No. GRI-210-HAT, Drawing No. SD-101 – Issue E

**ORDINARY MEETING OF  
COUNCIL SUPPLEMENTARY  
AGENDA  
19 AUGUST 2015**

12/06/2015, prepared by w.i.m architects and dated 23/04/2014.

21. A dedicated ambulance bay must be provided to service the proposed medical centre and be designed and line marked in accordance with the requirements of Australian Standard AS2890.
22. Signs and painted directional arrows must be provided to indicate points of vehicular entry and exit of the site.
23. Signage shall be provided to clearly identify parking spaces located within easements provided in favour of Lot 54 RP863701 as being for the use of patrons of the Tavern and Golf Course Use. This condition is required to be met on an ongoing basis.
24. All parking spaces and manoeuvring areas shall be maintained and kept available for their intended purpose. This condition is required to be met on an ongoing basis.

**Stormwater Management**

25. Provide all necessary internal and external stormwater drainage to service the development. Such drainage works must be designed and constructed in accordance with Queensland Urban Drainage Manual 2013 (QUDM) and Council's planning scheme such that the overall drainage system caters for a storm event with a 1% AEP.
26. Provide a stormwater quality treatment facility for the proposed development in accordance with the requirements of State Planning Policy 2014 and South East Queensland Technical Design Guidelines for Water Sensitive Urban Design prior to discharge to downstream receiving areas.
27. Proposed bio-retention facilities shall be suitably screened or bollards provided around the perimeter of each facility.
28. The developer shall be responsible for obtaining approval and bearing all costs associated with registering in favour of Council all necessary stormwater drainage easements within and external to the subject land in order for drainage paths to reach a satisfactory point of legal discharge.
29. No ponding or redirection of stormwater shall occur onto adjoining land.

**Landscaping**

30. Submit an Operational Works application for approval of a Landscaping Plan that

**ORDINARY MEETING OF  
COUNCIL SUPPLEMENTARY  
AGENDA  
19 AUGUST 2015**

provides:

- (a) Details of proposed landscaping works including plan and schedules of proposed plant species.
- (b) Maintenance of 'lines of sight' for vehicles entering and exiting the proposed development onto Fairway Drive.
- (c) For all trees to be installed with appropriate root barrier and deflector devices and sub soil drainage.
- (d) That all landscaping has edging with suitable longevity, (treated soft and hard wood is not acceptable).
- (e) That all street trees must have edging with suitable longevity, (treated soft and hard wood is not acceptable).
- (f) That no plants within the Queensland Herbarium's 200 most invasive weeds list are to be utilised within any landscaping works.

31. All approved landscaping shall be maintained in perpetuity and any plants that die shall be replaced with a like species within three months. This condition is required to be met on an ongoing basis.

**Water Supply**

32. The development shall be connected to the reticulated water supply.

**Effluent Disposal**

33. An appropriately designed and sited on-site effluent disposal system shall be provided so that all effluent generated by the development is treated and disposed of on the subject land.

**Environmental Health**

34. All 'Regulated Devices', 'Pumps', 'Air-conditioning equipment' and 'Refrigeration equipment' as defined by the Environmental Protection Act 1994 must be designed, installed, operated and maintained in order to comply with the noise standards as specified within the Environmental Protection Act 1994 and Environmental Protection (Noise) Policy 2008.
35. All plant and equipment does not result in a level greater than  $L_{A90}$  39 dB(A) when measured at 4m from the most exposed façade of the nearest residential uses.

**ORDINARY MEETING OF  
COUNCIL SUPPLEMENTARY  
AGENDA  
19 AUGUST 2015**

36. The contribution from all varying noise sources associated with the development during night-time hours (10pm-7am) does not exceed a level of  $L_{AMAX}$  50 dB(A), adjusted for tonality and impulsiveness, when measured at 4m from the most exposed façade of the nearest residential uses.
37. All mechanical plant and equipment, including but not limited to, air conditioning/refrigeration plant and ventilation exhausts/extracts shall be screened/shielded
38. The provision of security and flood lighting shall be designed, constructed, located and maintained in accordance with Australian Standard 4282 – 1997 (Control of the obtrusive effects of outdoor lighting) and so as not to cause nuisance to the occupants of nearby properties or passing traffic.
39. A suitable number and type of waste and recycling container/s shall be provided and serviced not less than once per week or as approved by Council. All waste and recycling services must take into consideration the Queensland Waste Strategy particularly the objectives, principles and waste hierarchy and Council's Waste Reduction and Recycling Plan.
40. Waste and recyclable materials produced on site shall be collected into designated bins and stored in a location that ensures:
  - (a) All waste and recyclable material containers stand on an imperviously paved area; and
  - (b) There is a suitable form of enclosure to conceal and secure the waste and recyclable material disposal area.
41. Putrescible waste must be collected at least every seven days and disposed of at an approved/authorised disposal site.
42. Waste & Recycle containers are to be kept in a clean state and in good repair. Waste containers are to be provided with a tight fitting lid assembly designed to prevent ingress of pests and water.

**Requirements for Operational Works**

**General**

43. Submit operational works documentation in the form of detailed plans, drawings and calculations for Council review for compliance with the approval conditions and Council's general requirements. Submission of operational works documentation will include, but is not limited to:

**ORDINARY MEETING OF  
COUNCIL SUPPLEMENTARY  
AGENDA  
19 AUGUST 2015**

- (a) All drawings must be checked, approved and signed by a current RPEQ with their registration number;
- (b) Two full sets of the engineering drawings in A3 size; and
- (c) Calculations supporting stormwater management proposals (quantity and quality) are to be included.

**Earthworks**

- 44. Provide a soil management plan of areas of the subject land that will be disturbed during the construction phase. Details shall include proposed treatment strategies if dispersive soils are present.
- 45. Proposed retaining walls greater than 1m in height or with a surcharge loading shall be designed and certified by a RPEQ qualified engineer and in accordance with relevant Australian standards and relevant building code requirements and shall comply to:
  - (a) The minimum Design Life (the period assumed in design for which a structure or structural element is required to perform its intended purpose without replacement or major structural repairs) for the earth retaining structures is that specified in Table 3.1 of Australian Standard AS4678-2002;
  - (b) Be designed to allow for live and dead loads associated with the proposed uses of adjoining land;
  - (c) All proposed retaining walls and embankment shall be provided with a sub soil drainage system;
  - (d) Provide temporary safety fencing to all earth retaining structures over 1.0 metre in height; and
  - (e) Provide written certification from a suitably qualified and experienced RPEQ that the works comply with this condition.
- 46. Earthworks must be carried out in accordance with Australian Standard AS3798-2007 Guidelines on earthworks for commercial and residential developments.
- 47. All batters and retaining walls resulting from earthworks (cut and fill) associated with the development must be located within the subject land.

**Road Works - General**

- 48. All road works shall be designed and constructed:

**ORDINARY MEETING OF  
COUNCIL SUPPLEMENTARY  
AGENDA  
19 AUGUST 2015**

- (a) In general compliance with the Laidley Shire Planning Scheme, Austroads publications and Institute of Public Works Engineering Association Queensland Standard Drawings; and
- (b) To ensure the speed environment, geometry, sight distances, carriageway widths, lighting, bus stops, vehicle movements, on street parking other physical attributes are consistent with the function and role of the road or street in the transport network.

- 49. All driveways, car parking spaces and manoeuvring areas must be imperviously sealed and line marked in accordance with the requirements of Australian Standard AS2890 – Parking facilities.
- 50. All traffic signs and delineation shall be designed in accordance with the Manual of Uniform Traffic Control Devices (MUTCD).
- 51. All works on or near traffic shall be signed as per MUTCD Part 3 - Works on Roads. A traffic management plan shall be submitted to Council for approval prior to any works being undertaken.
- 52. Footpaths and pathways are to be constructed in accordance with IPWEAQ Standard Drawing SEQ R-065. Kerb ramps shall be provided at intersections in accordance with IPWEAQ Standard Drawing SEQ R-090 and SEQ R-094.

**Public Utilities**

- 53. All above and below ground services potentially affected by the proposed subdivision works shall have alignment and level determined prior to any detailed design work or construction works being undertaken. Any conflicts associated with proposed and existing services shall be forwarded to the appropriate controlling authority by the developer for decision.

**Erosion and sediment control**

- 54. All silt management facilities including diversion drains, sediment basins and energy dissipation structures as necessary shall be designed, constructed and maintained in accordance with 'Best Practice Erosion and Sediment Control' published by International Erosion Control Association Australasia.
- 55. Should the road and/or the drainage network require cleaning up due to erosion and/or sediment from the development, then such works shall be at the expense of the developer. Such works shall be undertaken immediately where there is potential hazard to pedestrians and/ or passing traffic.

**Deliverables**



**ORDINARY MEETING OF  
COUNCIL SUPPLEMENTARY  
AGENDA  
19 AUGUST 2015**

56. On completion of the works a certificate must be submitted to Council by a RPEQ certifying that the works have been constructed in accordance with Council's construction standards and in compliance with the approved plans and specification. It is expected that the RPEQ will undertake the necessary inspections to make this certification. This condition is required to be met prior to acceptance of works as on maintenance.
57. Submit satisfactory evidence to Council of construction costs associated with the provision of municipal infrastructure subject to an 'on maintenance' defect liability period for approval as a basis for determining the necessary security bonds. This condition is required to be met prior to acceptance of works as on maintenance.
58. Payment of security bonds to be held by Council for the duration of the defect liability period must be paid prior to acceptance of works as 'on maintenance'. This condition is required to be met prior to acceptance of works as on maintenance.

**Fees and Charges**

59. Municipal works must be accepted on maintenance prior to commencement of use. A maintenance bond equal to 5% of the construction cost (minimum of \$1,000.00) will be retained by Council for a minimum period of twelve months, or until such time as the works are accepted off maintenance by Council.
60. For designs prepared by a private consultant, a Design Checking Fee (approval of engineering drawings) based on Council's estimated cost of the works shall be payable. The fee is to be paid prior to design approval being given. Refer to Lockyer Valley Regional Council current Fees and Charges for calculation of the fee.
61. Should any works associated with the development be carried out by agencies other than Council an Inspection Fee based on Council's estimated cost of the municipal works shall be payable. This fee is valid for six months from the date of this approval. Refer to Lockyer Valley Regional Council current Fees and Charges for calculation.

**ADVICE**

1. A new premises or the alteration to an existing premises used for the sale or preparation, packing, storing, handling, serving or, supplying of food or drink to the public is required to obtain a food design approval for any structural fit out of the kitchen and Food Licence under the provisions of the Food Act 2006. An Application for Design Approval and Food Licence for a Licensed Food Business pursuant to the Food Act 2006 is required to be submitted, with proposed plans and fees, prior to any structural fit-out or sale of food. Please contact Kimberley



**ORDINARY MEETING OF  
COUNCIL SUPPLEMENTARY  
AGENDA  
19 AUGUST 2015**

Morgan at Lockyer Valley Regional Council for advice regarding this matter on 1300 005 872.

2. On 1 July 2014 Queensland Urban Utilities became the assessment manager for the water and wastewater aspects of development applications. An application will need to be made directly to Queensland Urban Utilities for water supply connection for the proposed development.
3. In carrying out the construction activity all reasonable and practicable measures must be taken to ensure that it does not harm Aboriginal Cultural Heritage (the “cultural heritage duty of care”). Compliance with the cultural heritage duty of care will occur if the contractor is acting in accordance with gazetted cultural heritage duty of care guidelines and the Cultural Heritage Act 2003.
4. In accordance with the Plant Protection Act 1989 and the Plant Protection Regulation 1990, a quarantine notice has been issued for the State of Queensland to prevent the spread of the Red Imported Fire Ant (ant species *Solenopsis invicta*) and to eradicate it from the State.

Under Queensland legislation, fire ants are a notifiable pest and suspected sightings must be reported to Biosecurity Queensland. To report suspect fire ants please complete the online form or contact Biosecurity Queensland on 13 25 23.

It should be noted that the movement of Fire Ants is prohibited, unless under the conditions of an Inspectors Approval. More information can be obtained from the Department of Agriculture, Fisheries & Forestry.

5. Hours of construction work shall be strictly in accordance with all relevant State legislation and policies in force at the time of the construction work.
6. Any noise or air pollution during construction shall be strictly in accordance with all relevant State legislation and policies in force at the time of the construction work.
7. Provision of suitable waste removal services and suitable number and type of waste containers, in accordance with the Environmental Protection Regulation 2008 and to the satisfaction of Council’s Waste Reduction and Recycling Plan, for the storage of papers, plastics, cardboard, food scraps, used food containers and like wastes generated by workers on the site and Building construction and/or demolition wastes.

All waste collected/stored on site during construction shall be taken to an approved Waste Disposal Facility for disposal in accordance with current acceptance criteria and relevant fees and charges.

**ORDINARY MEETING OF  
COUNCIL SUPPLEMENTARY  
AGENDA  
19 AUGUST 2015**

**Note: In Lockyer Valley Regional Council Local Government area Gatton Landfill and Laidley Transfer Station are approved to accept building construction and demolition waste.**

## **Report**

### **1. Introduction**

The application seeks a Development Permit for Material Change of Use for a Shop, Refreshment Service and Medical Centre. This is to facilitate the development of a neighbourhood shopping centre with a total gross floor area of 1,401m<sup>2</sup> on an irregularly shaped 2.46 hectare lot. The property is located on the northern side of the Warrego Highway adjacent to its intersection with Fairway Drive. The Fairways Tavern and Golf Club are situated to the north of the subject land. The impact of the proposed development on the ongoing provision of car parking for the tavern and golf club has required attention during the assessment of this application.

### **2. Background**

The development application was received by Council on 12 September 2014 but was not properly made on until 14 October 2014.

During the assessment of the application it was noted that the land on which the neighbourhood centre is proposed is currently used to provide parking for the tavern and golf club located on the adjoining lot to the north. At the time the tavern and golf club were approved these uses and the associated car parking were contained on a single lot; however on 14 December 1994 the former Laidley Shire Council approved a subdivision which resulted in the current situation where these two uses and the necessary car parking are on separate lots, being Lot 54 and Lot 53 RP863701 respectively.

The effect of the above is that the development of the neighbourhood centre would deprive the tavern and golf club of its parking and result in a situation where these uses could not meet the conditions of their relevant development approvals. This would require the tavern and golf club to provide parking on Lot 54 RP863701 or alternatively cease operating. As a result of lengthy discussions over a number of months with the applicant, the developer and the current owners/operators of the golf club and tavern, it was agreed in May 2014 that the car parking for the golf club and tavern would be provided on the lot containing the neighbourhood centre.

### **2. Subject Land**

The subject land of 2.46 Ha comprises of a single irregular shaped lot that is located on the western side of Fairway Drive. It has a frontage to both Fairway Drive (east) and the Warrego Highway (south). Adjoining the site to the north is an existing golf course and tavern, while to the west of the property are rural residential lots. On the opposite side of Fairway Drive is a large vacant building that has been previously approved for a 'Bulk Retail' use.

**ORDINARY MEETING OF  
COUNCIL SUPPLEMENTARY  
AGENDA  
19 AUGUST 2015**



The land is characterised by a benched platform area sloping downwards to the south east corner of the property. It has been cleared of all native vegetation. The easternmost portion of the subject property is currently used to provide parking for the tavern and golf club located on Lot 54 RP863701. The location of the subject site and its current use for parking is shown in the aerial image provided above.

### **3. Proposed Development**

The proposed development is shown on the plans in Attachment 1. The proposed development will have a total gross floor area of 1,401m<sup>2</sup> comprising:

- a 1,051m<sup>2</sup> shop (supermarket),
- 300m<sup>2</sup> of speciality stores and/or refreshment services; and
- a 50m<sup>2</sup> medical centre.

Parking, access and vehicle manoeuvring areas total 5,437m<sup>2</sup> of hardstand and a total of 1,332m<sup>2</sup> of landscaping is also proposed.

Access for customer and service vehicles is proposed at the most northern point of the property on Fairway Drive so as to maximise the separation between the access and the Warrego Highway/Fairway Drive intersection. No access to the Warrego Highway is proposed. A total of 131 car parking spaces are proposed including 93 spaces for the neighbourhood centre and a 28 customer and 10 golf buggy spaces for patrons of the tavern and golf club. Loading, unloading and manoeuvring of service vehicles will occur predominantly to the north of the proposed buildings.

**ORDINARY MEETING OF  
COUNCIL SUPPLEMENTARY  
AGENDA  
19 AUGUST 2015**

### **3.1 Assessment – Legislative Requirements**

The application was lodged on 12 September 2014 and properly made on 14 October 2015. It is required to be assessed and determined under the *Sustainable Planning Act 2009* (SPA). The subject land is included in the Rural Residential Area. In accordance with the SPA and the *Laidley Shire Planning Scheme 2003*, a development application for Material Change of Use for a Shop, Medical Centre and Refreshment Service requires impact assessment.

### **3.2 Referral Agencies**

The application was referred to the State Assessment Referral Agency as a result of the following triggers –

- State Controlled Road – Table 3, Item 1
- Regional Plan – Table 3, Item 12

On 2 December 2014 Council received a Concurrence Agency Response from the Department of State Development, Infrastructure and Planning (DSDIP), advising that the application received on 30 October 2014 had been assessed and that there were no objections subject to the imposition of conditions and advice provided. This Concurrence Agency Response is provided as Attachment 2.

### **3.3 Public Notification**

The application was subject to public notification from 26 November 2014 to 19 December 2014. Two properly made submissions were received during this period. The matters raised in these submissions and a response to the matters raised is provided below.

*Issue: The proposed development will undermine role of Plainland by providing a new commercial focus. It is contrary to the Strategic Framework in the new planning scheme which emphasises the primacy of the existing centres of Gatton, Laidley and Plainland.*

*Response:* The scale of the proposed centre means it will operate at a level far below that of Gatton, Laidley and Plainland and cannot reasonable considered to pose a threat to or to undermine these centres. The scale and mix of development that is already approved at Plainland will ensure this centre grows to become a centre that will in time surpass that of Laidley as the second centre after Gatton. The proposed Hatton Vale neighbourhood centre will conveniently provide for the day-to-day needs of the residents of Hatton Vale, Kensington Grove, Brightview, Summerholm, Minden and Coolana, who will continue to use Plainland for higher order services.

*Issue: The proposal is in conflict with the South East Queensland Regional Plan and offends the provisions for activity centres and compact settlement patterns. It represents out-of-centre development. It is also in conflict because it cannot demonstrate the existence of an overriding need in the public interest.*

*Response:* The application was referred to the Department of State Development Infrastructure and Planning (DSDIP) as a result of its location outside the urban footprint. It was assessed by DSDIP which had the ability to direct refusal due to conflict with the regional plan; however in its concurrence agency response of 2 December 2014 it did not oppose the development.



**ORDINARY MEETING OF  
COUNCIL SUPPLEMENTARY  
AGENDA  
19 AUGUST 2015**

*Issue: The proposed development conflicts with the Business and Village Area code and with a total commercial area of 1 401m<sup>2</sup> is outside the scope of a neighbourhood centre. The scale of the proposed centre is outside that which is supported in a rural residential area which should be limited to a general store with no more than 100m<sup>2</sup> of floor space.*

*Response: The provisions of the Laidley Shire Planning Scheme have to a large degree been overtaken by events as is evident in the fact that Plainland is not recognised as a centre in the document. Similarly, this planning scheme can be seen to be deficient in not recognising that the rural residential community extending over Hatton Vale, Kensington Grove, Brightview, Summerholm, Minden and Coolana would not need to be serviced by a centre of the scale of a neighbourhood centre.*

*Issue: The material provided with the application fails to demonstrate the existence of an overriding need for the development.*

*Response: It is considered that the needs analysis demonstrates the existence of a need for the development. The population within the primary catchment for this centre is very similar to that of the North Laidley area where it was demonstrated that need existed for a centre of a comparable size.*

*Issue: The development will increase the level of hazard at the intersection between the Warrego Highway and Fairways Drive.*

*Response: The intersection is the responsibility of the Department of Transport and Main Roads (DTMR), which had the ability to direct Council to refuse the application or impose conditions requiring an upgrade of the intersection to mitigate impacts including increased hazards. In the concurrence agency response of 2 December 2014 DTMR did not oppose the development or require the developer to undertake an upgrade of the intersection.*

*Issue: There are currently vacant commercial properties in Plainland, Laidley and Gatton and approvals for commercial development that have not been acted upon. The proposal will place a huge strain on existing businesses.*

*Response: The needs analysis has indicted a short-term impact of 3% to 5% decline in trade for Plainland. No impacts have been identified for Laidley and Gatton as the impacts on these centres would be negligible as it is inconceivable that residents of Laidley and Gatton would drive to Hatton Vale for local shopping needs that are already provided in the established centres of Laidley, Plainland and Gatton.*

*Issue: The proposal includes a 10m high pylon sign located in the south-eastern corner of the land but no operational works application has been made.*

*Response: This is correct. No operational works application has been made for the sign. It will be necessary for an application to be made for this sign and for it to be approved before it can be constructed.*

*Issue: The land where the centre is proposed is presently used for car parking for the adjacent tavern and golf course. Approval of the development will render these uses non-compliant as no parking will be provided.*

**ORDINARY MEETING OF  
COUNCIL SUPPLEMENTARY  
AGENDA  
19 AUGUST 2015**

Response: This issue is not a matter that is the responsibility of the developers of the proposed centre to resolve. If the owners of the land on which the tavern and golf course are situated choose to sell the land where the parking is provided for these uses the outcome is that these businesses will need provide an appropriate number of spaces in a suitable location or cease operation. The developer of the proposed shopping centre has modified the proposal to provide an additional 38 spaces (including 10 tandem spaces) for the use of patrons of the golf club and tavern.

*Issue: The hours of operation should be limited to those of a home use (i.e. a small-scale use undertaken within a residence) which is 7:00am to 7:00pm weekdays, 7:00am to Midday on Saturday and no operation on Sundays and Public Holidays.*

Response: The proposed development is not a home use. It would be unreasonable to restrict the trading hours of the proposed centre to the times suggested. To do so would also deprive the residents of the Hatton Vale, Kensington Grove, Brightview, Summerholm, Minden and Coolana with access to local retail services at times they would expect them to be available.

### **3.4 Assessment – SEQ Regional Plan**

As the proposal is for a defined urban activity on land designed as a Rural Living Area by the *South East Queensland Regional Plan 2009-2031* the associated *State Planning Regulatory Provisions* requires referral agency assessment. In its response of 2 December 2014, DSDIP did not raise any concerns with the proposal to develop the centre on land designated as a Rural Living Area.

### **3.5 Assessment – State Planning Policy**

The State Planning Policy (SPP) Interactive Mapping System (DA) identifies the subject site as being located within:

- Natural Hazards Risk and Resilience – Flood Hazard Area – Level 1 – Local Government flooding mapping area;
- Noise Corridor – State Controlled Road (Mandatory Category 1, 2 and 3); and
- Climatic Regions – Stormwater Management Design Objectives.

The development proposed adequately addresses the SPP as the proposed design and recommended conditions will ensure the required outcomes are met. It is also relevant that the application was referred to DSDIP in relation to State-Controlled Road matters.

### **3.6 Assessment – Laidley Shire Council Planning Scheme 2003**

The subject land is included in the Rural Residential Area. As an impact assessable application it is required to be assessed against the planning scheme as a whole.

#### Desired Environmental Outcomes

There are twelve Desired Environmental Outcomes (DEOs) in the planning scheme. An assessment against the nine DEOs relevant to this proposal is provided below.

- a. The areas of high scenic amenity, remnant vegetation, wetlands, fauna habitats and wildlife corridors and regionally significant open space in the Shire are protected.*

**ORDINARY MEETING OF  
COUNCIL SUPPLEMENTARY  
AGENDA  
19 AUGUST 2015**

The development is not proposed in an area of high scenic amenity, remnant vegetation, wetlands, fauna habitats and wildlife corridors and regionally significant open space. It is as a result not inconsistent with this DEO.

*b. Places, areas or sites identified as being susceptible to land degradation, including contamination, erosion, salinity and landslip, are protected and further degradation is minimised.*

The site of the development is not identified as being susceptible to land degradation, including contamination, erosion, salinity and landslip. It is as a result not inconsistent with this DEO.

*c. Ecological sustainability is achieved by maintaining and improving biodiversity, water and air quality.*

The site of the development contained no native vegetation. No impacts on air quality are to be expected. Water quality will be managed through appropriately designed and constructed stormwater and effluent disposal systems. Consistency with this DEO will be achieved through conditions attached to the approval.

*d. Places of historical and indigenous cultural heritage and social significance are protected, maintained and enhanced.*

The site of the development is not a place of historical and indigenous cultural heritage significance or social significance. The provisions that require provision of parking for the golf club and tavern so as to ensure these facilities can continue to operate can be seen as protecting facilities that have social significance to the local community. The development is as a result not inconsistent with this DEO.

*e. Good Quality Agricultural Land is protected as a major economic resource for the region.*

The development is not proposed in an area of good quality agricultural land. It is as a result not inconsistent with this DEO.

*f. Industry, business and employment opportunities are improved and appropriately located to service the community and sub-region, and encourage economic activity within the local area.*

The proposed development will provide a new business and employment opportunity in a location that services the day-to-day needs of the growing rural residential communities. The development is as a result consistent with this DEO. This matter is addressed in greater detail in the section on need.

*h. A convenient access to roads and services is achieved through well located land uses and the efficient use and timely provision of infrastructure such as water, sewerage and roads, walkways and cycling facilities.*

**ORDINARY MEETING OF  
COUNCIL SUPPLEMENTARY  
AGENDA  
19 AUGUST 2015**

The location of the proposed development at the intersection of the Warrego Highway and Fairway Drive means that it is a well located land use with respect to accessibility. The development is as a result consistent with this DEO.

*i. Rural residential and urban residential development occurs in distinct localities that provide a sense of community, amenity, services, and a safe, affordable living environment, whilst maintaining the rural amenity of the Shire.*

The proposed development will, by virtue of its location, assist in the development of a sense of community for Hatton Vale and Kensington Grove and will provide more convenient services for residents of these communities. The development is as a result consistent with this DEO.

*j. Laidley township's role and identity as the main business and community centre of the Shire is consolidated.*

The scale of the proposed development (1,501m<sup>2</sup> of gross floor area) and its location almost 15 kilometres from Laidley means that it will not undermine the role and identity of Laidley as the main business and community centre in the area of the former Laidley Shire. The development is as a result not inconsistent with this DEO.

The codes contained in the Laidley Shire Planning Scheme that are relevant to the assessment of the application are as follows:

- Residential Areas Code;
- Commercial/Retail Uses Code;
- Development Constraints Overlay Code;
- On-site Effluent Disposal Code; and
- Vehicle Access and Parking Code.

Residential Areas Code

One Specific Outcome that applies specifically to rural residential areas is relevant to the proposed development.

*Additional uses, such as general stores, childcare facilities and other community based facilities are located in this area.*

This Specific Outcome supports the position that non-residential uses that serve the day-to-day needs of the local community are supported in rural residential areas.

Commercial/Retail Uses Code:

The Overall Outcome for the Commercial/Retail Uses Code is as follows:

*The overall outcome sought for the Commercial/Retail uses Code is that business and commercial development is appropriately designed, accessible, and the existing streetscape amenity and character is maintained.*

It is considered that the proposed neighbourhood centre has been designed to a scale that is appropriate for the site and to service the surrounding residential communities and that



**ORDINARY MEETING OF  
COUNCIL SUPPLEMENTARY  
AGENDA  
19 AUGUST 2015**

existing streetscape amenity and character will not be negatively impacted by the development.

Six Specific Outcomes are relevant to the proposed development and these are addressed in turn below:

*1. The design of building contributes to the existing or proposed streetscape character, and assists the integration of new development into the public streetscape, which makes efficient use of the site and contributes towards the amenity of the locality.*

The proposed development is consistent with this outcome as it will be of a design that is compatible with the character and amenity of the local area.

*2. The design, features, external finishes and colour of any new building complements the existing streetscape character.*

A condition has been included in the recommendation requiring details of the external finishes and colour of the building to be assessed and approved by Council.

*3. The setback from any road alignment complements the setbacks prevailing in the street.*

The setbacks of the proposal are far greater than those prevailing in Fairway Drive and this will ensure it does not dominate the streetscape.

*4. Outdoor lighting; (a) does not adversely impact upon the safety or well-being of pedestrians and drivers through inappropriate light emissions (b) provides consistency with the character of the locality, and a sense of security; (c) meets the visual requirements of the use; (d) does not cause an unreasonable disturbance to adjoining uses because of light emissions.*

Conditions have been included in the recommendation that will ensure appropriate outcomes for these matters.

*5. Landscaping is designed, established and maintained in a manner which: (a) enhances the appearance of the development when viewed from the surrounding streets; and (b) achieves a high standard of aesthetic quality which contributes to the character and streetscape for the surrounding locality; and (c) screens unsightly buildings, structures, open storage and refuse facilities and the like from the street, surrounding incompatible or sensitive land uses; and (d) integrates existing landform and vegetation, into the landscaping design; and (e) provides for safe and efficient movement of pedestrians, cyclists and motor vehicles; and (f) integrates with surrounding land uses.*

The recommendation includes conditions that require the submission of an operational works application for approval of a landscaping plan.

*6. The establishment of any commercial/retail use does not detrimentally impact upon the adjoining properties or infrastructure resulting from stormwater runoff.*

The recommendation includes conditions that require stormwater to be addressed in a future operational works application.

**ORDINARY MEETING OF  
COUNCIL SUPPLEMENTARY  
AGENDA  
19 AUGUST 2015**

Development Constraints Overlay Code

The only matter of relevance in this code is the impact of the development on the Warrego Highway. This matter has been addressed through the concurrence agency referral which provided requirements on 2 December 2014.

Building Dimensions Code:

The overall and specific outcomes for the Building Dimensions Code are as follows:

*Buildings and structures are compatible with the appearance, character and amenity of the other buildings in the neighbourhood.*

*1. Building size is consistent with that prevailing in the area, and is in keeping with the aesthetics and amenity of the surrounding area.*

The setback of the proposed building from the Warrego Highway and Fairway Drive mitigates the impact of the scale of the development. The maximum height of 6.4m satisfies the 8.0m maximum height for this area. The design of the development is that of a contemporary single level neighbourhood centre and despite its scale is considered to be compatible with the appearance, character and amenity of the other buildings in the neighbourhood. The inclusion of landscaping will assist in ensuring the amenity and aesthetics of the surrounding area is not adversely impacted.

On-site Effluent Disposal Code:

The overall and specific outcomes for the code are as follows:

*Adverse impacts on surface and ground water from the installation and operation of on-site effluent disposal systems are mitigated and minimal risk to public health.*

*1. The intensity and scale of the use of premises does not increase any adverse ecological impacts, particularly on nearby sensitive receiving environments*

This matter will be addressed through the assessment of a future plumbing and drainage application. It is noted that the size of nature of the subject land means it is capable of effectively managing on-site effluent disposal.

Vehicle Access and Parking Code

This code sets the requirements for the car parking and manoeuvring areas for the development.

In terms of the proposed mix of uses the car parking requirements are as follows:

- Shop (including shopping centres) – 1 space per 15m<sup>2</sup> of gross retail area;
- Medical centre – 1 space for every employee and 1 space per 25m<sup>2</sup> of gross floor area plus 1 space for ambulance vehicles; and
- Refreshment service – 1 space per 15m<sup>2</sup> of gross floor area.

**ORDINARY MEETING OF  
COUNCIL SUPPLEMENTARY  
AGENDA  
19 AUGUST 2015**

Based on the mix and size of the proposed uses, the number of parking spaces required by the planning scheme is as follows:

- Shop –  $1,026\text{m}^2 \times 1/15\text{m}^2 = 68.4$  spaces
- Medical Centre –  $50\text{m}^2 \times 1/25\text{m}^2 + 3$  employee spaces = 5 spaces + 1 ambulance bay
- Refreshment service –  $75\text{m}^2 \times 1/15\text{m}^2 = 5$  spaces
- TOTAL =  $68.4 + 6 + 5 = 79.4$  spaces (including the ambulance bay)

The plans submitted with the application propose a total of 131 spaces of which 93 are for the neighbourhood centre and 38 are for the tavern and golf course on Lot 54 RP863701. In respect of the proposed neighbourhood centre the provision of 93 spaces exceeds the requirement of the planning scheme by 13 spaces.

As indicated above, the development of the neighbourhood centre will deprive the tavern and golf course of its parking. The approval for the tavern and golf course required 28 spaces to be provided. It is proposed to supply these 28 spaces as part of the car parking for the neighbourhood centre and to provide in addition a further 10 tandem spaces for cars and trailer combinations used to transport golf buggies to the course. This is considered to be a satisfactory outcome that has only been able to be achieved with the support of the developer of the centre.

The layout of the parking areas and associated manoeuvring areas and the location and layout of the proposed loading area and service vehicle access has been reviewed and is considered to be acceptable.

### 3.7 Need

The development application was supported by Needs Analysis report that was prepared by applicant, being RPS Australia East Pty Ltd.

This report nominated the primary catchment of the centre as Kensington Grove, Brightview, the south-eastern part of Regency Downs and the part of Hatton Vale located to the north of the Warrego Highway. The secondary catchment area includes the balance of Hatton Vale, Summerholm and the Minden and Coolana areas located in the Somerset Regional Council area.

The report indicates the following with respect to current and projected population and household figures for the primary and secondary catchments:

	2011	2014	2016	2018	2021
Population – Primary Catchment	3 206	3 645	3 938	4 230	4 669
Population – Secondary Catchment	2 562	2 645	2 700	2 755	2 838
Population – Total	5 768	6 290	6 638	6 985	7 507
Households – Primary Catchment	1 095	1 245	1 345	1 445	1 595
Households – Secondary Catchment	929	959	979	999	1 029
Households – Total	2 024	2 204	2 324	2 444	2 624

The report indicates that modelling indicates the centre will result in a decline in trade for the Plainland Centre of between 3% and 5% and states this will be offset by population growth in the catchment for the Plainland centre. It also states that between 50 and 60 full time equivalent positions will be created by the centre which represents a significant boost in local

**ORDINARY MEETING OF  
COUNCIL SUPPLEMENTARY  
AGENDA  
19 AUGUST 2015**

employment opportunities for the Hatton Vale, Brightview, Kensington Grove and Regency Downs areas. The report also referred to the cumulative saving to residents of these areas in both time and fuel costs from the availability of a wider range of goods closer to their residences.

To provide some context to the above, the decision of Council in February 2014 to settle the Planning and Environment Court appeal for the proposed shopping centre at North Laidley was based on principle support being given to a neighbourhood centre at North Laidley with a total gross floor area of 1 931m<sup>2</sup> that consisted of:

- retail uses totaling 920m<sup>2</sup>;
- a service station of 285m<sup>2</sup>;
- a gymnasium of 206m<sup>2</sup>;
- a child care centre of 480m<sup>2</sup>; and
- a veterinary clinic of 140m<sup>2</sup>.

This scale of this centre was based on a trade area (primary catchment) that consisted of the area of Laidley north of the railway line that had a 2011 population of 3 400 that was projected to increase to 4 500 by 2021. This is comparable to the primary catchment of the proposed centre which is indicated as being 3 206 in 2011 and 4 669 in 2021.

It is considered that the needs analysis provides an acceptable demonstration that the proposed centre is appropriately sized to service the current and future needs of the primary catchment.

### 3.8 Adopted Infrastructure Charges Resolution

The relevant provisions of Council's Adopted Infrastructure Charges Resolution for Council's charges are as follows:

- Shop and Refreshment Service elements are charged at the rate for Commercial (Retail) which is \$109 per m<sup>2</sup> of gross floor area;
- The Medical Centre element is charged at the rate for Essential Services which is \$111 per m<sup>2</sup> of gross floor area; and
- The stormwater charge is based on a charge of \$10 per m<sup>2</sup> of the impervious area of the site.

The relevant parameters of the development are:

- The Shop and Refreshment Services gross floor area is 1 351m<sup>2</sup>;
- The Medical Centre gross floor area is 50m<sup>2</sup>; and
- The total impervious area (roofs and hardstand) is 6,838m<sup>2</sup>.

A credit of \$12,500 is applicable for the vacant lot.

The resultant Council infrastructure charges are as follows:

Charge Type	Description	Units	Rate	TOTAL
<b>PROPOSED DEMAND</b>		<b>m<sup>2</sup></b>	<b>m<sup>2</sup></b>	
Charge	Commercial (Retail)	1 351	\$109.00	\$147,259.00

**ORDINARY MEETING OF  
COUNCIL SUPPLEMENTARY  
AGENDA  
19 AUGUST 2015**

Charge	Essential Services	50	\$111.00	\$5,550.00
Charge	Stormwater	6 838	\$10.00	\$68,380.00
TOTAL PROPOSED DEMAND				\$221,189.00
<b>EXISTING DEMAND</b>		<b>lot</b>	<b>lot</b>	
Credit	Vacant Serviced Allotment	1	\$12,500.00	\$12,500.00
TOTAL EXISTING DEMAND CREDIT				\$12,500.00
<b>TOTAL PAYABLE</b>				<b>\$208,689.00</b>

**4. Policy and Legal Implications**

There are no policy and legal implications arising from the recommendation provided in this report.

**5. Financial and Resource Implications**

There will be no financial or resource implications arising from the recommendation provided in this report.

**6. Delegations/Authorisations**

There are no implications for delegations or authorisations arising from the recommendation provided in this report.

**7. Communication and Engagement**

The decision of Council will be formally communicated to the applicant and all persons who made a properly made submission in accordance with the requirements of the *Sustainable Planning Act 2009*.

**8. Conclusion**

The development application proposes a neighbourhood centre of an appropriate scale and an acceptable location to service the day-to-day needs of residents of the rural residential areas of Hatton Vale, Kensington Grove, Brightview, Summerholm, Minden and Coolana, which has a current population in the order of 6,500 residents.

The proposed centre is of a contemporary design that will be compatible with the amenity and character of the general area. The impact of the centre on the Warrego Highway/Fairway Drive intersection is the responsibility of DTMR which has not opposed the proposal. The matters raised in the submissions have been considered and have been found not to raise matters that would result in a recommendation other than the one provided in this report. The developers have of their own volition provided a solution to the loss of car parking for the tavern and golf club that would result despite this not being their responsibility.

The application is therefore recommended for approval subject to the conditions provided in the Officers Recommendation.

**9. Action/s**

<p><b>ORDINARY MEETING OF COUNCIL SUPPLEMENTARY AGENDA 19 AUGUST 2015</b></p>
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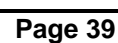
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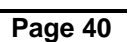
That the application be approved in accordance with the Officers Recommendation.

**Attachments**

- 1 [View](#)    Attach 1    6 Pages  
2 [View](#)    Attach 2    9 Pages







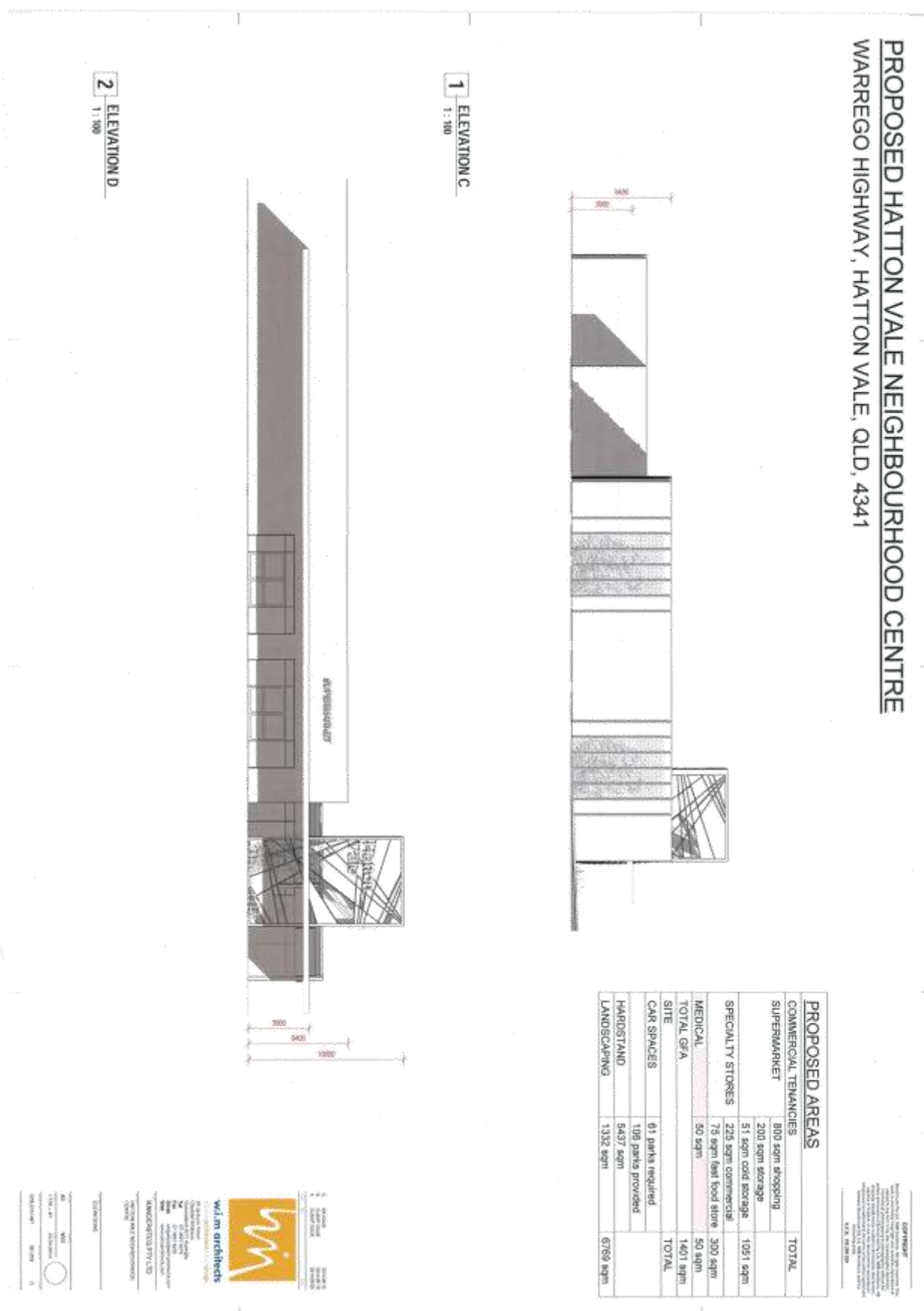




Author's address: Department of Psychology, University of Illinois at Chicago, 4400 South Maryland Avenue, Chicago, IL 60607, USA.  
E-mail: [shawn@uic.edu](mailto:shawn@uic.edu)

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Department of  
State Development,  
Infrastructure and Planning

Our reference: SDA-1014-015465  
Your reference: MCU2014/0021

Date: 2 December 2014

The Chief Executive Officer  
Lockyer Valley Regional Council  
PO Box 82  
Gatton QLD 4343  
[mailbox@lvrc.qld.gov.au](mailto:mailbox@lvrc.qld.gov.au)

Attn: Ms Hayley O'Brien

Dear Ms O'Brien

**Concurrence agency response—with conditions**

Fairway Drive, Hatton Vale

(Given under section 285 of the *Sustainable Planning Act 2009*)

The referral agency material for the development application described below was received by the Department of State Development, Infrastructure and Planning under section 272 of the *Sustainable Planning Act 2009* on 30 October 2014.

**Applicant details**

Applicant name:	Kandersteg Pty Ltd
Applicant contact details:	c/- RPS Australia East PO Box 1559, Fortitude Valley QLD 4006

**Site details**

Street address:	Fairway Drive, Hatton Vale
Lot on plan:	Lot 53 RP863701
Local government area:	Lockyer Valley Regional Council

Page 1

SEQ West Region  
Level 4, 117 Brisbane Street  
PO Box 129  
Ipswich QLD 4305



SDA-1014-015465

#### Application details

Proposed development: Development Permit for a Material Change of Use for  
Medical Centre, Refreshment Service and Shop

#### Aspects of development and type of approval being sought

Nature of Development	Approval Type	Brief Proposal of Description	Level of Assessment
Material Change of Use	Development Permit	Neighbourhood centre of 1,401 m <sup>2</sup> gross floor area including medical centre, café/fast food and shop uses	Impact Assessment

#### Referral triggers

The development application was referred to the department under the following provisions of the *Sustainable Planning Regulation 2009*:

Referral trigger Schedule 7, Table 3, Item 1 – State-controlled road  
Schedule 7, Table 3, Item 12 – SEQ Regional Plan

#### Conditions

Under section 287(1)(a) of the *Sustainable Planning Act 2009*, the conditions set out in Attachment 1 must be attached to any development approval.

#### Reasons for decision to impose conditions

Under section 289(1) of the *Sustainable Planning Act 2009*, the department must set out the reasons for the decision to impose conditions. These reasons are set out in Attachment 2.

#### Approved plans and specifications

The department requires that the following plans and specifications set out below and in Attachment 4 must be attached to any development approval.

Drawing/Report Title	Prepared by	Date	Reference no.	Version/ Issue
<b>Aspect of development: Material Change of Use</b>				
Overall Site Plan	W.I.M Architects	12 September 2014	Project No. GRI-210-HAT Drawing No. SD-100	Issue D
Ground Plan	W.I.M Architects	12 September 2014	Project No. GRI-210-HAT Drawing No. SD-101	Issue D

A copy of this response has been sent to the applicant for their information.



SDA-1014-015485

For further information, please contact Kieran Hanna, Principal Planning Officer, SARA  
SEQ West on (07) 3432 2404, or email [ipswichSARA@dsdip.qld.gov.au](mailto:ipswichSARA@dsdip.qld.gov.au) who will be  
pleased to assist.

Yours sincerely



Nathan Rule  
**Manager - Planning**

enc: Attachment 1—Conditions to be imposed  
Attachment 2—Reasons for decision to impose conditions  
Attachment 3—Further advice  
Attachment 4—Approved Plans and Specifications

cc: Department of Transport and Main Roads, [scrland@tmr.qld.gov.au](mailto:scrland@tmr.qld.gov.au)

SDA-1014-015465

Our reference: SDA-1014-015465

Your reference: MCU2014/0021

**Attachment 1—Conditions to be imposed**

No.	Conditions	Condition timing
<b>Development Permit – Material Change of Use for Medical Centre, Refreshment Service and Shop</b>		
State-controlled road—Pursuant to section 255D of the <i>Sustainable Planning Act 2009</i> , the chief executive administering the Act nominates the Director-General of the Department of Transport and Main Roads to be the assessing authority for the development to which this development approval relates for the administration and enforcement of any matter relating to the following condition(s):		
1.	The development must be carried out generally in accordance with the following plans: <ul style="list-style-type: none"> <li>Overall Site Plan, Project No. GRI-210-HAT Drawing No. SD-100, prepared by W.I.M Architects and dated 23 April 2014.</li> <li>Ground Plan, Project No. GRI-210-HAT Drawing No. SD-101 Issue D, prepared by W.I.M Architects and dated 23 April 2014.</li> </ul>	At all times
2.	(a) Stormwater management of the development must ensure no worsening or actionable nuisance to the state-controlled road. (b) Any works on the land must not: <ul style="list-style-type: none"> <li>(i) create any new discharge points for stormwater runoff onto the state-controlled road;</li> <li>(ii) interfere with and/or cause damage to the existing stormwater drainage on the state-controlled road;</li> <li>(iii) surcharge any existing culvert or drain on the state-controlled road; and</li> <li>(iv) reduce the quality of stormwater discharge onto the state-controlled road.</li> </ul> (c) RPEQ certification must be provided to the Manager (Project Planning and Corridor Management), Darling Downs South West, Department of Transport and Main Roads, confirming that the development has been designed and constructed in accordance with parts (a) and (b) of this condition.	(a) and (b) At all times  (c) Prior to commencement of the use
3.	Street lighting of the existing Warrego Highway / Hatton Vale intersection is to be provided in accordance with the relevant provisions of the Department of Transport and Main Roads' Road Planning and Design Manual (Second Edition) and any relevant reference material referenced therein.  Prior to any physical works being undertaken within the boundary of the State-controlled road, the applicant must obtain written approval for physical works undertaken within the boundary of the State-controlled road under section 33 of the <i>Transport Infrastructure Act 1994</i> .	Prior to commencement of the use

SDA-1014-015465

Our reference: SDA-1014-015465  
Your reference: MCU2014/0021

#### **Attachment 2—Reasons for decision to impose conditions**

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The reasons for this decision are:

- To ensure that the development is undertaken in accordance with the submitted plans and reports.
- To ensure that the development does not adversely impact the safety and efficiency of the state-controlled road.

SDA-1014-015465

Our reference: SDA-1014-015465

Your reference: MCU2014/0021

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**Attachment 3—Further advice**

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No.	Advice
1.	The developer is advised that in the medium to long term (in line with the current programming), the Department of Transport and Main Roads envisions that the Warrego Highway will be upgraded to a motorway standard road and as a consequence it is likely that the Fairway Drive intersection will be closed. The department currently has no set timeframe for these works.
2.	<p>Prior to any physical works being undertaken within the boundary of the State-controlled road, the Department of Transport and Main Roads must issue a separate approval to undertake road access works under section 33 of the <i>Transport Infrastructure Act 1994</i>.</p> <p>Under section 33 of the <i>Transport Infrastructure Act 1994</i>, the applicant must obtain written approval for physical works undertaken within the boundary of the State-controlled road. Section 33 approval is required from the Department of Transport and Main Roads to carry out road works, including road access works, on a State-controlled road.</p> <p>Please contact the Department of Transport and Main Roads' Darling Downs South West Region on ph. (07) 4639 0777 to make an application for road works approval. This approval must be obtained prior to commencing any works on the state-controlled road reserve. The approval process may require the approval of engineering designs of the proposed works, certified by a Registered Professional Engineer of Queensland (RPEQ).</p>

SDA-1014-015465

Our reference: SDA-1014-015465  
Your reference: MCU2014/0021

**Attachment 4—Approved plans and specifications**

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# PROPOSED HATTON VALE NEIGHBOURHOOD CENTRE WARREGO HIGHWAY, HATTON VALE, QLD, 4341

## PROJECT LOCALITY

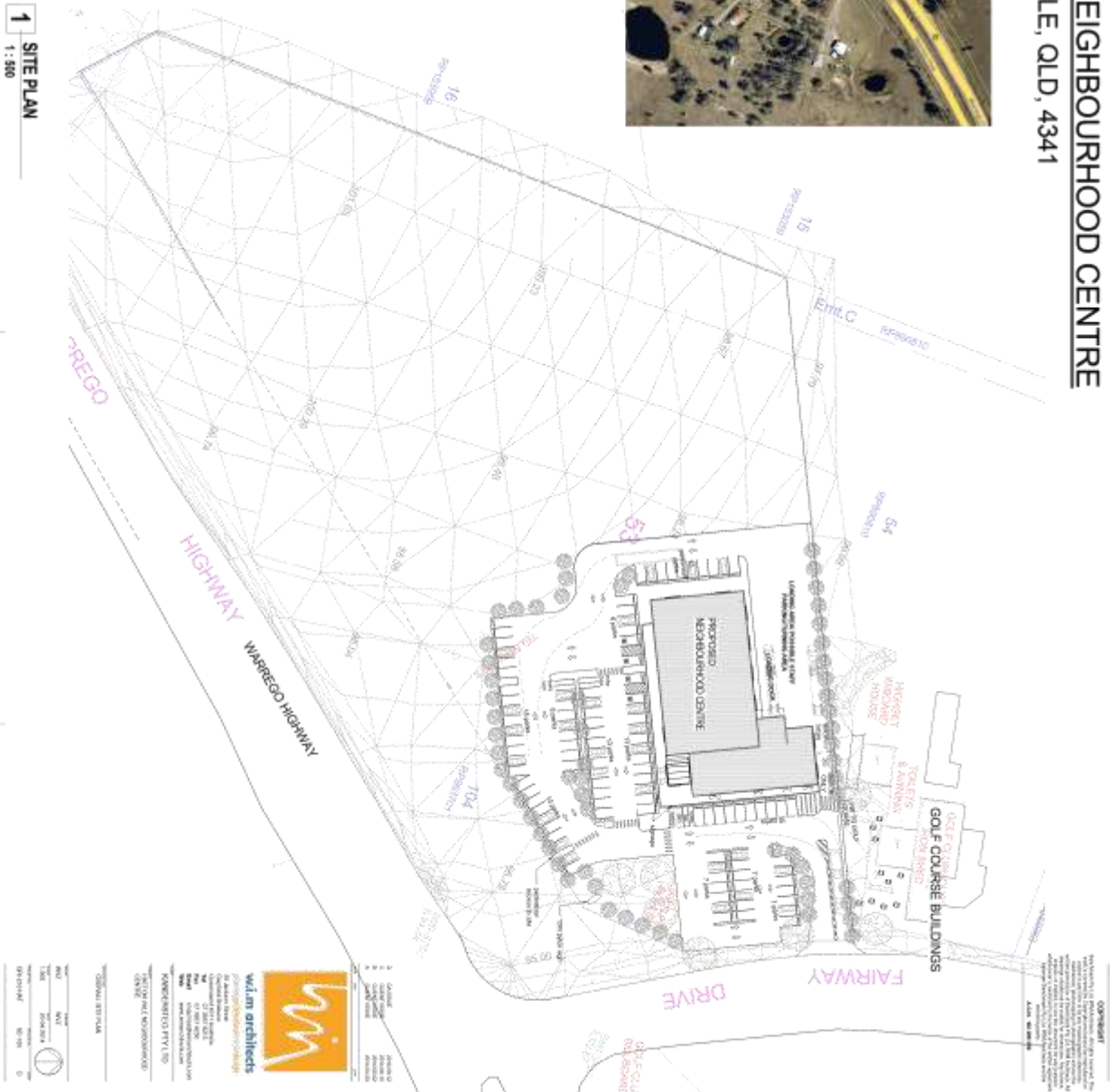


## PROJECT DETAILS

PROJ. NAME: KANGAROOTO PTY LTD NEIGHBOURHOOD CENTRE DEVELOPMENT  
ADDRESS: WARREGO HIGHWAY, HATTON VALE, QLD, 4341  
PROJ. NUMBER: LOT 53  
PROJ. REF: RP 863 701  
PANEL: 80280000  
LOCAL AUTHORITY: LUCKYVALE REGIONAL  
SITE AREA: 2080 sqm  
SITE COVER: 3.4%

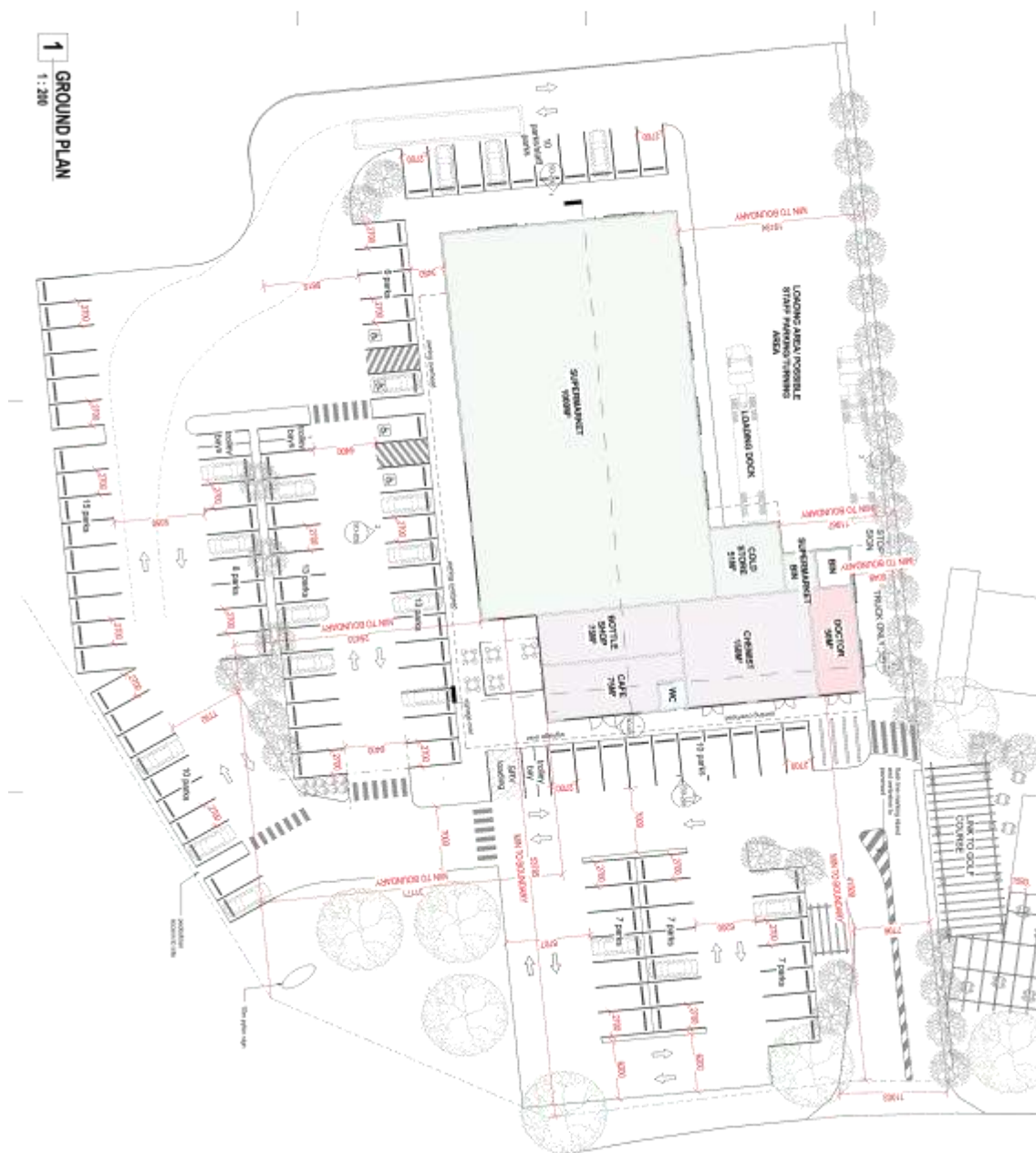
PROPOSED AREAS		TOTAL
COMMERCIAL TENANCIES		
SUPERMARKET	800 sqm shopping	
	200 sqm storage	
	51 sqm cold storage	1051 sqm
SPECIALTY STORES	225 sqm commercial	
	75 sqm fast food store	300 sqm
MEDICAL	50 sqm	50 sqm
TOTAL GFA		1401 sqm
CAR SPACES		TOTAL
	61 parks required	
	106 parks provided	
HARDSTAND	5437 sqm	
LANDSCAPING	1332 sqm	6769 sqm

## 1 SITE PLAN 1:300





**1** **GROUND PLAN**  
1 : 200



PROPOSED AREAS		TOTAL
COMMERCIAL TENANCES		
SUPERMARKET	800 sqm shopping 200 sqm storage	1051 sqm
SPECIALTY STORES	51 sqm cold storage	
	225 sqm commercial	
	75 sqm fast food store	300 sqm
MEDICAL	50 sqm	50 sqm
TOTAL GFA		1401 sqm
SITE		TOTAL
CAR SPACES	61 parks required	
HARDSTAND	106 parks provided	
LANDSCAPING	5407 sqm 1332 sqm	6739 sqm

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**ORDINARY MEETING OF  
COUNCIL SUPPLEMENTARY  
AGENDA  
19 AUGUST 2015**

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**17. CONFIDENTIAL ITEMS**

**17.2 Severe Dog Attack, 13 August 2015 - Withcott**

**Date:** 18 August 2015

**Author:** Peter Driemel, Coordinator Waste Management

**Responsible Officer:** David Lewis, Executive Manager Corporate & Community Services

*That the above item be considered in Closed Session to the exclusion of the press and public in accordance with Section 275 (1) (e) of the Local Government Regulation, 2012, as the matter involves other business for which a public discussion would be likely to prejudice the interests of the local government or someone else, or enable a person to gain a financial advantage.*

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**Summary:**

The purpose of this report is to inform Council with the details of an ongoing investigation into a recent severe dog attack on a woman that occurred in Meadows Road, Withcott on 13 August 2015.