

**APPLICATION DESCRIPTION:** MATERIAL CHANGE OF USE – 32 LOW DENSITY RESIDENTIAL LOTS – PRELIMINARY APPROVAL VARYING THE EFFECT OF THE LOCAL PLANNING INSTRUMENT AND RECONFIGURING A LOT – ONE (1) LOT INTO 32 LOTS – TOOTH STREET PIALBA QLD 4655

**APPLICATION NO:** MCU-101239

**PLANNING OFFICER:** Adam Yem

**ASSESSMENT MANAGER:** Michael Ellery

**ACKNOWLEDGEMENT NOTICE REQUIRED:** Yes

**PUBLIC NOTIFICATION PERIOD:** 30

**ACKNOWLEDGEMENT LETTER REQUIRED:** No

**REFERRALS**

Requirement for further info request: 25 October 2010

Final response/comments: 14 January 2011

| <u>Internal Department</u> | <u>Referral required</u> |
|----------------------------|--------------------------|
| Engineering                | Yes                      |
| Building                   | No                       |
| Vegetation Management      | Yes                      |
| Open Space & Recreation    | No                       |
| Environmental Health       | Yes                      |
| Strategic Planning         | Yes                      |
|                            |                          |

| <u>External Department</u>    | <u>Referral required</u> |
|-------------------------------|--------------------------|
| Wide Bay Water – Keith Disher | Yes                      |
|                               |                          |

**EXTERNAL ADVICE**

|   |     |
|---|-----|
| Ergon Energy –<br>CCG.Southern@ergon.com.au | Yes |
| Telstra – steve.r.foster@team.telstra.com   | Yes |

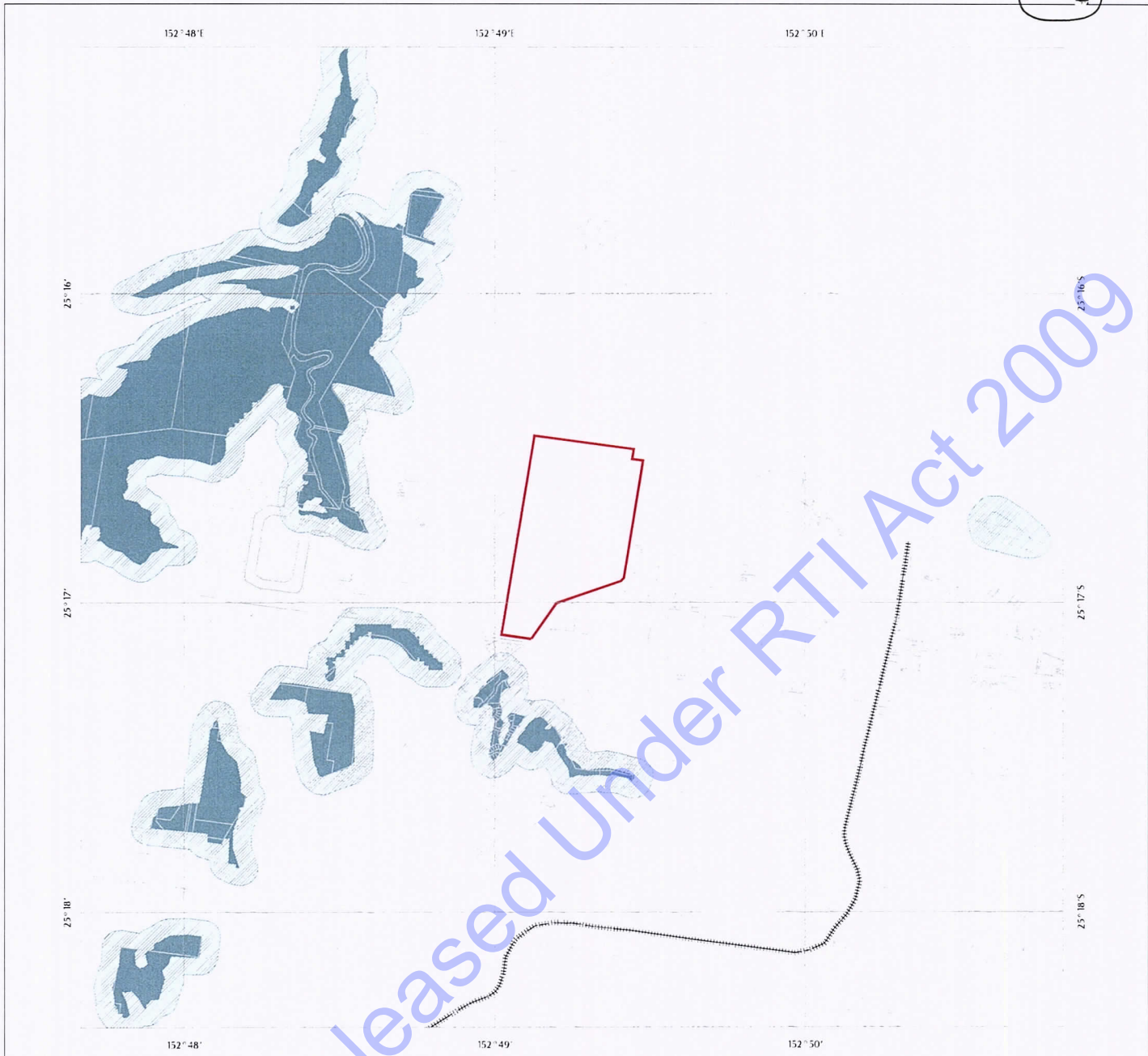
**ADVICE AGENCY REFERRALS**

| <u>Department</u> | <u>Trigger</u>   |
|-------------------|--|
| Ergon             | Advice – Reconfiguring a lot situated within 100m of a substation site |

**CONCURRENCE AGENCY REFERRALS**

| <u>Department</u>                                 | <u>Trigger</u>   |
|---|--|
| Department of Infrastructure and Planning         | Concurrence – Development for which preliminary approval is sought under the Act, section 242  |
| Department of Environment and Resource Management | Concurrence – Material change of use of a lot that is 2 ha or larger for development for which a preliminary approval is sought under the Act, section 242, and the lot contains native vegetation |
| Department of Transport and Main Roads            | Concurrence – Reconfiguring a lot on land relating to a State-controlled road  |

**WILL FURTHER INFORMATION BE REQUESTED?** Yes



FRASERCO - Released Under RTI Act 2009

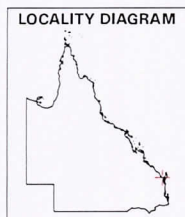
### Map of Referable Wetlands

Requested By: ADAM.YEM@FRASERCOAST.QLD.GOV.AU  
Date: 14 Oct 10 Time: 09.08.25

Centered on Lot on Plan:  
2 SP165309



Queensland  
Government



This scale bar is approximate only  
Horizontal Datum: Geocentric Datum of Australia 1994 (GDA94)  
This product is unprojected and is not suitable for measuring distances

#### Legend

- Selected Land Parcel
- Property Boundary

#### GBR Wetland Protection Area

- Wetland
- Trigger Area

#### Wetland Management Area

- Wetland
- Trigger Area

This map should only be used to apply policies outlined in the Temporary State Planning Policy: Protecting Wetlands of High Ecological Significance in Great Barrier Reef Catchments (SPP for GBR Wetlands).

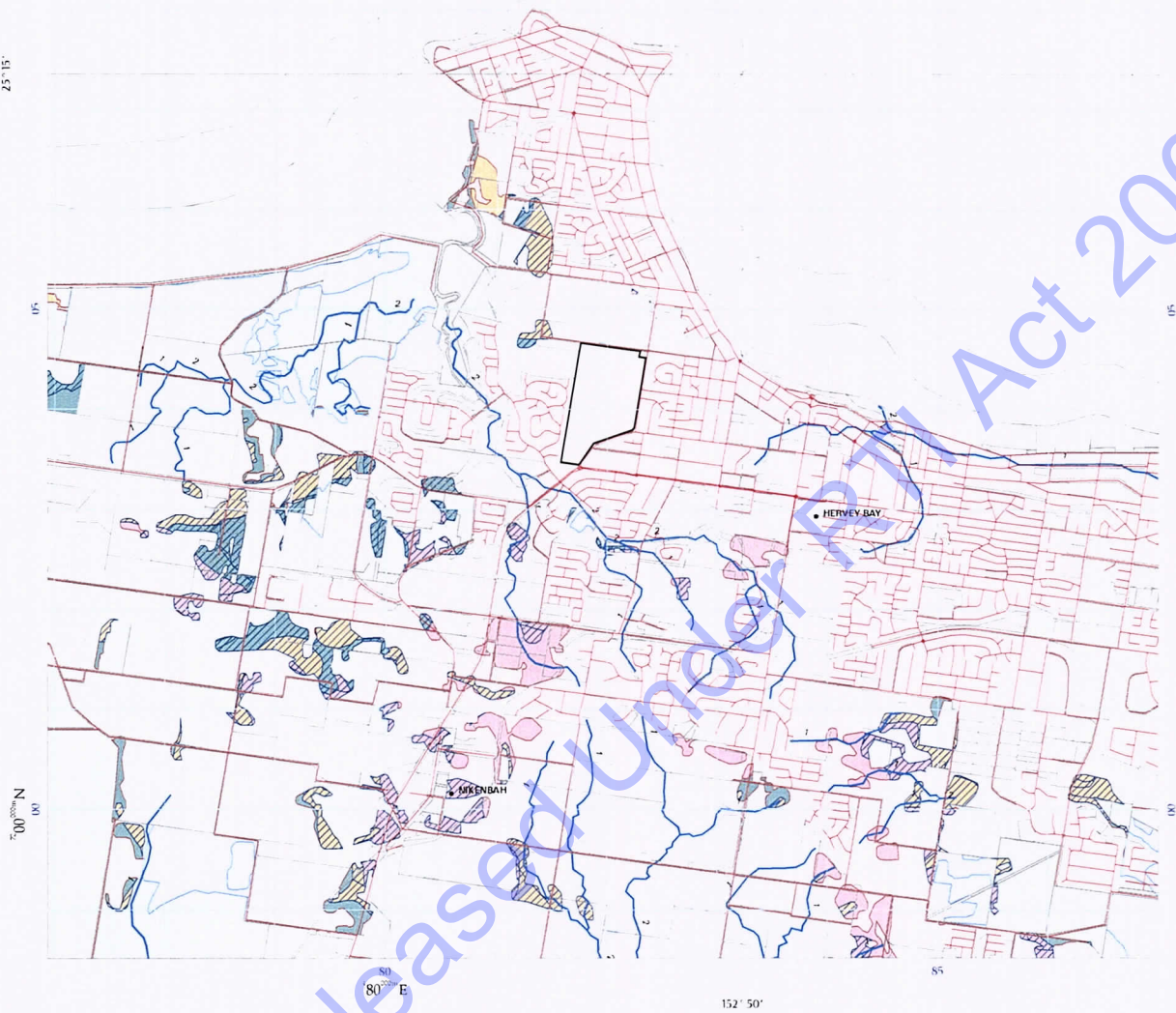
Information shown on the map includes multiple spatial datasets that define policies stated in the Temporary State Planning Policy: Protecting Wetlands of High Ecological Significance in Great Barrier Reef Catchments (SPP for GBR Wetlands). Datasets include wetlands, roads, rail lines and cadastral boundaries.

All datasets are current as at 30 April 2010.

The maps are produced at a scale relevant to the size of the lot on plan identified and should be printed as A4 size in portrait orientation. Consideration of the effects of mapped scale is necessary when interpreting data at a large scale i.e. property level. For property assessment, digital line work should be used as a guide only.

The Wetlands Regulatory Map is A4 portrait and should be printed at this size.

For further information or assistance with interpretation of this product, please contact the Department of Environment and Resource Management at [planning.support@derm.qld.gov.au](mailto:planning.support@derm.qld.gov.au)



### REGROWTH VEGETATION MAP - Version 2.0

Vegetation Management Act Essential Regrowth Habitat with example label number

Great Barrier Reef Wetland Protection Area

High value regrowth vegetation containing Endangered regional ecosystems

High value regrowth vegetation containing Of Concern regional ecosystems

High value regrowth vegetation that is a Least Concern regional ecosystem

#### Remnant Vegetation

(Refer to the Vegetation Management Act Regional Ecosystem and Remnant Map also available from the Department of Environment and Resource Management website for further information on these areas)

#### Non-remnant

PMAV Category X area

Regrowth watercourse (Stream order shown as black number against stream)

Other watercourse (Stream order shown as black number against stream where available)

Subject Lot

Roads

MapInfo Australia Pty Ltd 2009

Cadastral line

The maximum spatial error of parcels extracted for this map from the Digital Cadastral Data Base (DCDB) range from: 14m to 251m at a 95% confidence level. Property boundaries shown are provided as a locational aid only.

Towns

Requested By: ADAM.YEM@FRASERCOAST.QLD.GOV.AU  
Date: 14 Oct 10 Time: 09.08.42

Centered on Lot on Plan:  
2 SP165309

Labels for Vegetation Management Act Essential Regrowth Habitat are centred on the subject lot. Labels correlate to the label field in the attached essential regrowth habitat database.

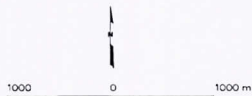
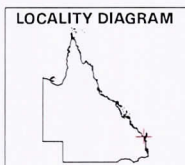
The high value regrowth, regrowth watercourse, other watercourse, Great Barrier Reef wetland protection area and essential regrowth habitat data shown on this map are representations of the preliminary data.

Some watercourse lines are derived from GeoScience Australia 1:250 000 mapping.

For further information go to the website:  
<http://www.derm.qld.gov.au> or contact Vegetation Management, Department of Environment and Resource Management.



Queensland Government





**Property Maps of Assessable Vegetation (PMAVs)**

Requested By: ADAM.YEM@FRASERCOAST.QLD.GOV.AU  
 Date: 14 Oct 10 Time: 09.08.44






Centered on Lot on Plan:  
 2 SP165309



The PMAV data shown on this map are a representation of the data used to create certified PMAVs. Variations may occur between PMAV boundaries and cadastral boundaries. PMAV data incorporates cadastral boundary data as at the time of certification of the PMAV. The cadastral boundaries shown on this map may have shifted relative to the PMAV boundaries as more accurate cadastral boundary data have become available.

All datasets are updated as they become available to provide the most current information as of the date shown on this map.

For further information go to the website:  
<http://www.derm.qld.gov.au/vegetation/index.html>  
 or contact Vegetation Management, Department of Environment and Resource Management.

**Property Map of Assessable Vegetation Vegetation Category Area**

-  Category A area
-  Category B area
-  Category C area
-  Category X area
-  Area that is subject to other PMAVs or, if no PMAV exists, a regional ecosystem map, remnant map or regrowth vegetation map

-  Subject Lot
-  Roads
-  MapInfo Australia Pty Ltd 2009

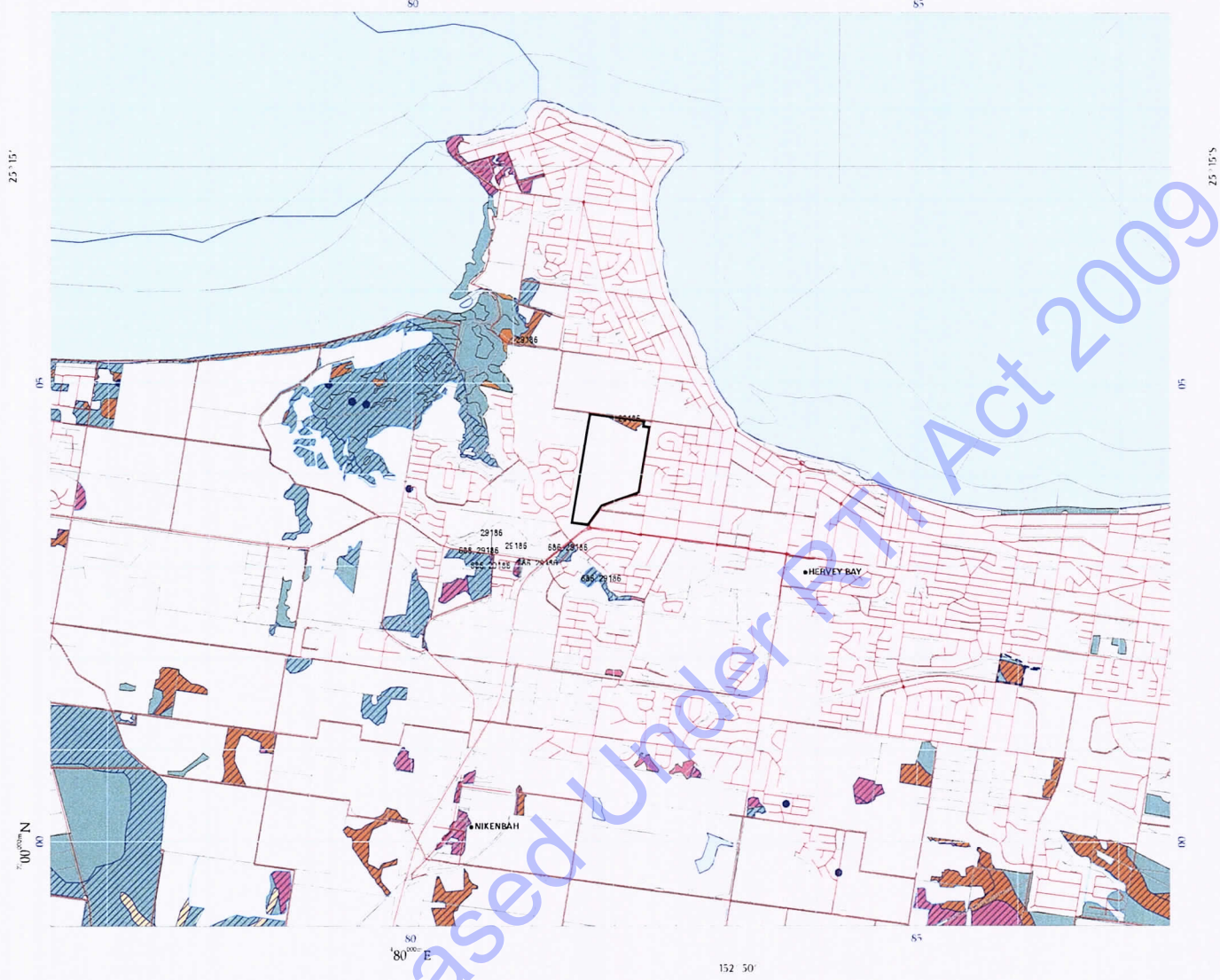
**Cadastral line**  
 The maximum spatial error of parcels extracted for this map from the Digital Cadastral Data Base(DCDB) range from: 14m to 251m at a 95% confidence level. Property boundaries shown are provided as a locational aid only.

-  Towns



Queensland Government





### Vegetation Management Act Essential Habitat Map Version 3.0

- Remnant vegetation containing endangered regional ecosystems
  - Dominant
  - Sub-dominant
- Remnant vegetation containing of concern regional ecosystems
  - Dominant
  - Sub-dominant
- Remnant vegetation that is a least concern regional ecosystem
- Remnant vegetation under Section 20AH of the VMA
  - Non-remnant
  - Plantation Forest
  - Dam or Reservoir
  - Remnant Vegetation
  - PMAV Category X area
  - Vegetation Management Act Essential Habitat
- Vegetation Management Act Essential Habitat Species Records
- Subject Lot
- Roads © MapInfo Australia Pty Ltd 2009
- National Park, Conservation Area State Forest and other reserves
- Cadastral line
 

The maximum spatial error of parcels extracted for this map from the Digital Cadastral Data Base(DCDB) range from: 14m to 251m at a 95% confidence level. Property boundaries shown are provided as a locational aid only.
- Towns

Requested By: ADAM.YEM@FRASERCOAST.QLD.GOV.AU  
Date: 14 Oct 10 Time: 09.08.05

Centered on Lot on Plan:  
2 SP165309



Queensland Government

#### LOCALITY DIAGRAM



Horizontal Datum: Geocentric Datum of Australia 1994 (GDA94)

Labels for the Vegetation Management Act Essential Habitat are centred on the subject lot (1.1km surrounding and including a Lot on Plan). Labels correlate to the label field in the attached essential habitat database.

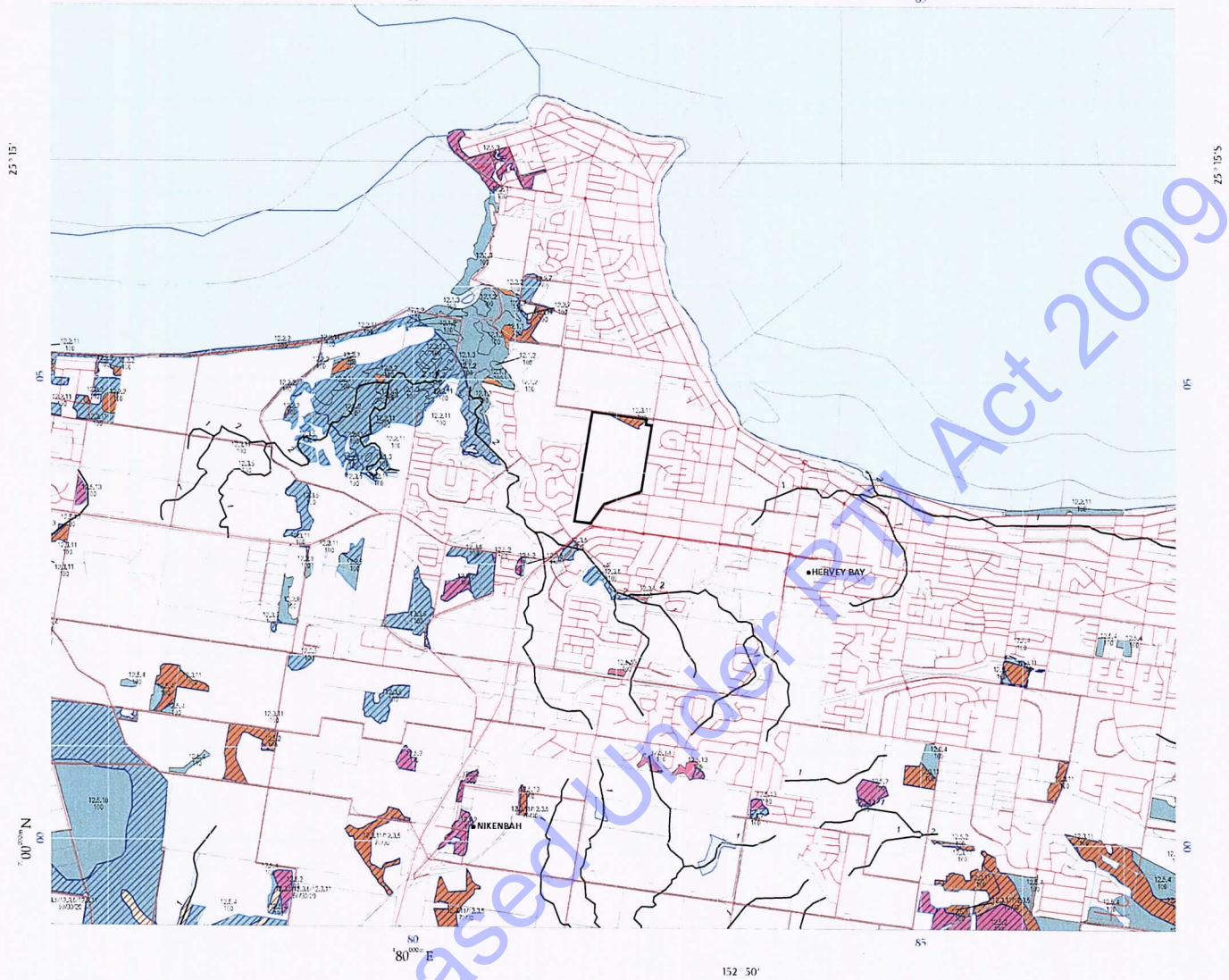
Regional ecosystem linework has been compiled at a scale of 1:100 000, except in designated areas where a compilation scale of 1:50 000 is available. Linework should be used as a guide only. The positional accuracy of RE data mapped at a scale of 1:100 000 is +/-100 metres. The extent of remnant regional ecosystems as of 2006, depicted on this map is based on rectified 2006 Landsat TM imagery (supplied by SLATS, Department of Environment and Resource Management).

**Disclaimer:**  
While every care is taken to ensure the accuracy of this product, the Department of Environment and Resource Management and MapInfo Australia Pty Ltd, makes no representations or warranties about its accuracy, reliability, completeness or suitability for any particular purpose and disclaims all responsibility and all liability (including without limitation, liability in negligence) for all expenses, losses, damages (including indirect or consequential damage) and costs which you might incur as a result of the product being inaccurate or incomplete in any way and for any reason.

All datasets are updated as they become available to provide the most current information as of the date shown on this map.

Additional information is required for the purposes of land clearing or assessment of a regional ecosystem map or PMAV applications. For further information go to the web site: [www.derm.qld.gov.au/vegetation](http://www.derm.qld.gov.au/vegetation) or contact the Department of Environment and Resource Management.

Digital regional ecosystem data is available in shapefile format, for Lot on Plans from [www.derm.qld.gov.au/REDATA](http://www.derm.qld.gov.au/REDATA) or from DERM for larger areas.



### Vegetation Management Act Regional Ecosystem and Remnant Map-Version 6

- Remnant vegetation containing endangered regional ecosystems
- Dominant
- Sub-dominant
- Remnant vegetation containing of concern regional ecosystems
- Dominant
- Sub-dominant
- Remnant vegetation that is a least concern regional ecosystem
- Remnant vegetation under Section 20AH of the VMA
- Non-remnant
- Plantation Forest
- Dam or Reservoir
- Remnant Vegetation
- PMAV Category X area
- Great Barrier Reef Wetlands
- Vegetation Management Act Essential Habitat  
For further information on VMA Essential Habitat, please see the attached VMA Essential Habitat map.
- Subject Lot
- Watercourse (Stream order shown as black number against stream where available)
- Bioregion boundary
- Roads © MapInfo Australia Pty Ltd 2009
- National Park, Conservation Area State Forest and other reserves
- Cadastral line  
The maximum spatial error of parcels extracted for this map from the Digital Cadastral Data Base (DCDB) range from: 14m to 251m at a 95% confidence level. Property boundaries shown are provided as a locational aid only.
- Towns

Based on 2006 Landsat TM imagery  
 Requested By: ADAM.YEM@FRASERCOAST.QLD.GOV.AU  
 Date: 14 Oct 10 Time: 09.08.01  
 Centered on Lot on Plan:  
 2 SP165309  
 Bioregion: Southeast Queensland



Horizontal Datum: Geocentric Datum of Australia 1994 (GDA94)

A remnant map covers areas not covered by a regional ecosystem map.

Defined map areas are labelled with the regional ecosystem (RE) code along with the percentage breakdown if more than one RE occurs within the area. Detailed definitions of regional ecosystems are available from [www.derm.qld.gov.au/REDD](http://www.derm.qld.gov.au/REDD). Defined map areas smaller than 5ha may not be labelled.

Regional ecosystem linework has been compiled at a scale of 1:100 000, except in designated areas where a compilation scale of 1:50 000 is available. Linework should be used as a guide only. The positional accuracy of RE data mapped at a scale of 1:100 000 is +/- 100 metres. The extent of remnant regional ecosystems as of 2006, depicted on this map is based on rectified 2006 Landsat TM imagery (supplied by the Statewide Landcover and Trees Study (SLATS), Department of Environment and Resource Management (DERM)).

Some watercourse lines are derived from GeoScience Australia 1:250 000 mapping.

**Disclaimer:**  
 While every care is taken to ensure the accuracy of this product, the Department of Environment and Resource Management and MapInfo Australia Pty Ltd, makes no representations or warranties about its accuracy, reliability, completeness or suitability for any particular purpose and disclaims all responsibility and all liability (including without limitation, liability in negligence) for all expenses, losses, damages (including indirect or consequential damage) and costs which you might incur as a result of the product being inaccurate or incomplete in any way and for any reason.

All datasets are updated as they become available to provide the most current information as of the date shown on this map.

Additional information is required for the purposes of land clearing or assessment of a regional ecosystem map or PMAV applications. For further information go to the web site: [www.derm.qld.gov.au/vegetation](http://www.derm.qld.gov.au/vegetation) or contact the Department of Environment and Resource Management.

Digital regional ecosystem data is available in shapefile format, for Lot on Plans from [www.derm.qld.gov.au/REDATA](http://www.derm.qld.gov.au/REDATA) or from DERM for larger areas.

(60)

**Kamala Dunn**

---

**From:** Jeff Brannan  
**Sent:** Wednesday, 29 September 2010 3:05 PM  
**To:** Adam Yem  
**Subject:** MCU - 101239 Hervey Bay Golf Club - Please send referral to Strategic Planning for comment.

Adam,

Following the brief discussion with Michael at the IDAP meeting today, could you please arrange for a referral to be provided to the Strategic Planning Department for the MCU - 101239 / Hervey Bay Golf Club.

Any queries please call or email.

Regards

**Jeff Brannan**

Senior Planner

Strategic Planning / Development Services

Fraser Coast Regional Council

Telephone: (07) 4197 4409

Fax: (07) 4197 4595

Web site: <http://www.frasercoast.qld.gov.au>

**Disclaimer:** If you receive this email by mistake please notify the sender and do not make any use of it. Council does not waive any privilege, confidentiality or copyright associated with this email or any attachments.

FCRC - Released Under RTI Act 2009

(b)

**Kamala Dunn**

---

**From:** Nicole Nissen [REDACTED]  
**Sent:** Thursday, 14 October 2010 3:39 PM  
**To:** Adam Yem  
**Subject:** FW: MCU 101239 - Tooth Street, Pialba

**Importance:** High

s.47(3)(b) Sch 4  
Part 3 Item 3

Dear Adam,

I refer to previous correspondence and my telephone conversation with Terry from your office today.

Keith Disher from our office is still currently still assessing this matter and is not in a position to provide our RFI requirements.

I advised that WBWC will more than likely have some "request for information" requirements.

Can you please arrange for this request to be noted in your Acknowledgement Notice.

Once I receive further instructions from Keith I will let you know.

Thanks.

Yours Faithfully,

*Nicole Nissen*

Engineering Administration & Development Officer  
Wide Bay Water Corporation  
PH: 1300 808 888  
Dir: 07 4194 7661 | F: 07 4125 5118  
Email: [REDACTED]  
Web: www.widebaywater.qld.gov.au

s.47(3)(b) Sch 4  
Part 3 Item 3

---

**From:** Nicole Nissen  
**Sent:** Thursday, 14 October 2010 9:07 AM  
**To:** 'Adam Yem'  
**Subject:** FW: MCU 101239 - Tooth Street, Pialba  
**Importance:** High

Dear Adam,

I refer to the emails below.

Can you please urgently advise our office of the Request For Info date and Final Comments date for MCU 101239?

Thank you.

Yours Faithfully,

*Nicole Nissen*

Engineering Administration & Development Officer  
Wide Bay Water Corporation



PH: 1300 808 888  
Dir: 07 4194 7661 | F: 07 4125 5118  
Email: [nicolen@widebaywater.qld.gov.au](mailto:nicolen@widebaywater.qld.gov.au)  
Web: [www.widebaywater.qld.gov.au](http://www.widebaywater.qld.gov.au)

---

**From:** Christine Walton [<mailto:Christine.Walton@frasercoast.qld.gov.au>]  
**Sent:** Wednesday, 13 October 2010 8:29 AM  
**To:** Nicole Nissen  
**Subject:** RE: MCU 101239 - Tooth Street, Pialba

Hi Nicole

This one is Adam Yem's and I have asked him to advise of dates.

Cheers  
Chris

**Chris Walton**

Administration Officer  
Community and Development  
Fraser Coast Regional Council  
Telephone: (07) 4197 4513  
Fax: (07) 4197 4595

Web site: <http://www.frasercoast.qld.gov.au>

**Disclaimer:** If you receive this email by mistake please notify the sender and do not make any use of it. Council does not waive any privilege, confidentiality or copyright associated with this email or any attachments.

---

**From:** Nicole Nissen [REDACTED]  
**Sent:** Tuesday, 12 October 2010 4:19 PM  
**To:** Christine Walton  
**Subject:** MCU 101239 - Tooth Street, Pialba  
**Importance:** High

s.47(3)(b) Sch 4  
Part 3 Item 3

Hi Chris,

Can you please advise which Planner is looking after – MCU101239 – Tooth Street, Pialba.

Also can you please advise the Request For Info date and Final Comments date ?

Thanks,

Yours Faithfully,

*Nicole Nissen*

Engineering Administration & Development Officer  
Wide Bay Water Corporation  
PH: 1300 808 888  
Dir: 07 4194 7661 | F: 07 4125 5118  
Email: [REDACTED]  
Web: [www.widebaywater.qld.gov.au](http://www.widebaywater.qld.gov.au)

s.47(3)(b) Sch 4  
Part 3 Item 3

**Kamala Dunn**

(b2)

**From:** Adam Yem  
**Sent:** Thursday, 14 October 2010 3:44 PM  
**To:** Nicole Nissen  
**Subject:** RE: MCU 101239 - Tooth Street, Pialba

Nicole,

- Please be advised that the Acknowledgement Notice is being prepared now and will be issued shortly; and
- The notice will be stating that the assessment manager will be making an information request.

Please note that the Request for Info date will be 25/10/10 and the final comments date will be 14/01/11.

Regards,

**Adam Yem**

Principal Planner  
Fraser Coast Regional Council  
Telephone: (07) 4197 4553

**Disclaimer:** If you receive this email by mistake please notify the sender and do not make any use of it. Council does not waive any privilege, confidentiality or copyright associated with this email or any attachments.

---

**From:** Nicole Nissen [REDACTED]  
**Sent:** Thursday, 14 October 2010 3:39 PM  
**To:** Adam Yem  
**Subject:** FW: MCU 101239 - Tooth Street, Pialba  
**Importance:** High

s.47(3)(b) Sch 4  
Part 3 Item 3

Dear Adam,

I refer to previous correspondence and my telephone conversation with Terry from your office today.

Keith Disher from our office is still currently still assessing this matter and is not in a position to provide our RFI requirements.

I advised that WBWC will more than likely have some "request for information" requirements.

Can you please arrange for this request to be noted in your Acknowledgement Notice.

Once I receive further instructions from Keith I will let you know.

Thanks.

Yours Faithfully,

*Nicole Nissen*

Engineering Administration & Development Officer  
Wide Bay Water Corporation

PH: 1300 808 888  
Dir: 07 4194 7661 | F: 07 4125 5118  
Email: [REDACTED]  
Web: www.widebaywater.qld.gov.au

s.47(3)(b) Sch 4  
Part 3 Item 3

---

**From:** Nicole Nissen  
**Sent:** Thursday, 14 October 2010 9:07 AM  
**To:** 'Adam Yem'  
**Subject:** FW: MCU 101239 - Tooth Street, Pialba  
**Importance:** High

Dear Adam,

I refer to the emails below.

Can you please urgently advise our office of the Request For Info date and Final Comments date for MCU 101239?

Thank you.

Yours Faithfully,

*Nicole Nissen*

Engineering Administration & Development Officer  
Wide Bay Water Corporation  
PH: 1300 808 888  
Dir: 07 4194 7661 | F: 07 4125 5118  
Email: [REDACTED]  
Web: www.widebaywater.qld.gov.au

s.47(3)(b) Sch 4  
Part 3 Item 3

---

**From:** Christine Walton [REDACTED]  
**Sent:** Wednesday, 13 October 2010 8:29 AM  
**To:** Nicole Nissen  
**Subject:** RE: MCU 101239 - Tooth Street, Pialba

s.47(3)(b) Sch 4  
Part 3 Item 3

Hi Nicole

This one is Adam Yem's and I have asked him to advise of dates.

Cheers  
Chris

**Chris Walton**

Administration Officer  
Community and Development  
Fraser Coast Regional Council  
Telephone: (07) 4197 4513  
Fax: (07) 4197 4595  
Web site: <http://www.frasercoast.qld.gov.au>

**Disclaimer:** If you receive this email by mistake please notify the sender and do not make any use of it. Council does not waive any privilege, confidentiality or copyright associated with this email or any attachments.

**From:** Nicole Nissen [REDACTED]  
**Sent:** Tuesday, 12 October 2010 4:19 PM  
**To:** Christine Walton  
**Subject:** MCU 101239 - Tooth Street, Pialba  
**Importance:** High

s.47(3)(b) Sch 4  
Part 3 Item 3

Hi Chris,

Can you please advise which Planner is looking after – MCU101239 – Tooth Street, Pialba.

Also can you please advise the Request For Info date and Final Comments date ?

Thanks,

Yours Faithfully,

*Nicole Nissen*

Engineering Administration & Development Officer  
Wide Bay Water Corporation  
PH: 1300 808 888  
Dir: 07 4194 7661 | F: 07 4125 5118  
Email: [REDACTED]  
Web: [www.widebaywater.qld.gov.au](http://www.widebaywater.qld.gov.au)

s.47(3)(b) Sch 4  
Part 3 Item 3

---

DISCLAIMER: The information in this e-mail and any attachments is confidential and may be legally privileged. This e-mail is intended solely for the addressee. If you have received this email in error, this does not waive our confidentiality rights. If you are not the addressee, dissemination, copying or other use of this e-mail or any of its content is strictly prohibited and may be unlawful. If you are not the intended recipient please inform the sender immediately and destroy the e-mail and any copies. All liability for viruses is excluded to the fullest extent permitted by law. Any views expressed in this message are those of the individual sender. No contract may be construed by this e-mail. Thank you.

---

This e-mail message has been scanned for Viruses and Content and cleared by **MailMarshal**

---

---

This email has been scanned for Wide Bay Water by the MessageLabs Email Security System.

---

63

**Kamala Dunn**

---

**From:** Debrae Morris  
**Sent:** Tuesday, 19 October 2010 9:28 AM  
**To:** development@widebaywater.qld.gov.au  
**Subject:** New Town Planning Application - MCU-101239 - Hervey Bay Golf and Country Club Inc - Lot 2 SP165309 - Tooth Street Pialba - MCU - 32 Lots - Preliminary Approval - ROL One Lot into 32 Lots  
**Attachments:** DOCSHBCC-#1955249-v1-MCU-101239  
\_-\_Town\_Planning\_App\_-\_Hervey\_Bay\_Golf\_and\_Country\_Club\_Inc\_-\_Lot\_2  
\_SP165309\_-\_Tooth\_Street\_Pialba\_.TIF

Application Officer is Adam Yem.

Please respond to Adam Yem by 25 October 2010 (for an information request only. If not received by this date, we will assume you don't need more information).

Final comments are required by 14 January 2011.

Thanks

***Debrae Morris***

Administration Officer  
Community & Development Services  
Fraser Coast Regional Council  
Telephone: (07) 4197 4511  
Fax: 4197 4595  
Website: [www.frasercoast.qld.gov.au](http://www.frasercoast.qld.gov.au)

Disclaimer: If you receive this email by mistake please notify the sender and do not make any use of it. Council does not waive any privilege, confidentiality or copyright associated with this email or any attachments.

FCRC - Released Under RTI Act 2009

64

**Kamala Dunn**

---

**From:** Debrae Morris  
**Sent:** Tuesday, 19 October 2010 9:49 AM  
**To:** [REDACTED]  
**Subject:** New Town Planning Application - MCU-101239 - Hervey Bay Golf and Country Club Inc - Lot 2 SP165309 - Tooth Street Pialba - MCU - 32 Lots - Preliminary Approval - ROL One Lot into 32 Lots  
**Attachments:** DOCSHBCC-#1964233-v1-MCU-101239  
\_ \_Easimaps\_ \_Aerial\_Photograph\_ \_Hervey\_Bay\_Golf\_and\_Country\_Club\_Inc\_ \_Tooth\_Street\_Pialba\_ \_MCU\_-.DOC; DOCSHBCC-#1964257-v1-MCU-101239  
\_ \_Rescan\_of\_Application\_for\_Telstra\_and\_Ergon.PDF

Telstra & Ergon

for your information only.

If you have any comments please email [adam.yem@frasercoast.qld.gov.au](mailto:adam.yem@frasercoast.qld.gov.au).

Thanks

**Debrae Morris**

Administration Officer  
Community & Development Services  
Fraser Coast Regional Council  
Telephone: (07) 4197 4511  
Fax: 4197 4595  
Website: [www.frasercoast.qld.gov.au](http://www.frasercoast.qld.gov.au)

Disclaimer: If you receive this email by mistake please notify the sender and do not make any use of it. Council does not waive any privilege, confidentiality or copyright associated with this email or any attachments.

FCRC - Released Under RTI Act 2009



Ref: 10071

16 September 2010

The Chief Executive Officer  
Fraser Coast Regional Council  
PO Box 1943  
HERVEY BAY 4655

RECEIVED  
17 SEP 2010  
BY: 11329  
d.45

Dear Sir,

**Development Application for Material Change of Use (s242 of the Sustainable Planning Act 2009) and Reconfiguring a Lot – Golf Course Residential Estate located at Tooth Street and Old Maryborough Road Pialba.**

Please find enclosed herewith a Development Application for Material Change under s242 of the Sustainable Planning Act 2009 and Reconfiguring a Lot for Golf Course Residential Estate lodged on behalf of Hervey Bay Golf and Country Club Inc under the provisions of the Planning Scheme for the City of Hervey Bay.

Pursuant to the provisions of the Sustainable Planning Act 2009 and the Hervey Bay City Planning Scheme, the following information is attached to this correspondence:

- Completed Development Application forms with owner's consent;
- Planning Report; and
- Application fee

We trust all is in order and look forward to receipt of your Acknowledgement Notice.

Yours faithfully



s.47(3)(b) Sch 4  
Part 3 Item 3

**Ward Veitch**  
Urban Planet Town Planning Consultants

|             |   |
|-------------|---|
| Attachments | Development Application<br>Plans<br>Planning Fees |
| B/C         | Hervey Bay Golf & Country Club Inc.               |

RECEIVED  
17 SEP 2010

BY: MCV-161239



## Application Details - IDAS form 1

(Sustainable Planning Act 2009 version 1.0 effective 18 December 2009)

You **MUST** complete **ALL** questions unless the form indicates otherwise. Incomplete forms or forms without all necessary information and documentation will result in your application not being a properly made application.

For all development applications, you must:

- complete this form (*Application details - IDAS form 1*)
- complete any other forms relevant to your application
- provide any mandatory supporting information identified on the forms as being required to accompany your application.

All terms used on this form have the meaning given in the *Sustainable Planning Act 2009* or the *Sustainable Planning Regulation 2009*.

**Applicant details** (note: the applicant is the person responsible for making the application and need not be the owner of the land. The applicant is responsible for ensuring the information provided on all IDAS application forms is correct. Any development permit or preliminary approval that may be issued as a consequence of this application will be issued to the applicant.)

**Please note:** If there is more than one applicant, provide additional applicant details by clicking the "Add another applicant" button below.

Name/s (individual or company name in full)

Hervey Bay Golf and Country Club Inc

For companies, contact name

Ward Veitch

Postal address

P O Box 232 Hervey Bay 4655

Contact phone number

451282888

Mobile number (non-mandatory)

0427282088

Fax number (non-mandatory)

41282588

e-mail address (non-mandatory)

ward@urbanplanet.com.au

1. What is the nature of development proposed? (tick all applicable boxes)

- material change of use of premises
- building work
- operational work
- reconfiguring a lot

RECEIVED  
17 SEP 2010

BY: MCW-101239





**2. What type of approval is being sought?**

- development permit  
 preliminary approval  
 both - provide details below

Preliminary approval under s242 of the Sustainable Planning Act to vary the effect of the Planning Scheme for the City of Hervey Bay

**3. Is the application for a mobile and temporary environmentally relevant activity (ERA)?**

- No  
 Yes - complete table A and then go to question 5

**4. Location of the premises (complete table B and/or table C as applicable. Identify each lot in a separate row)****Table B** - street address/lot for the premises or street address/lot on plan for the land adjoining or adjacent to the premises

|   | Street Address |            |   |           | Lot on plan description |                        | Local government area<br>(e.g. Logan, Cairns) |
|---|----------------|------------|---|-----------|-------------------------|------------------------|---|
|   | Unit No.       | Street No. | Street name and official suburb/locality name | Post code | Lot No.                 | Plan type and plan no. |   |
| 1 |                |            | Tooth Street, Pialba                          | 4655      | 2                       | SP165309               | Fraser Coast                                  |

- Street address / lot on plan  
 Street address / lot on plan for the land adjoining or adjacent to the premises (appropriate for development in water e.g. jetty, pontoon)

**Table C** - premises coordinates (appropriate for development in remote areas, over part of a lot or in water e.g. channel dredging in Moreton Bay)

|   | Coordinates (note: place each set of coordinates in a separate row) |          |          |           | Zone reference | Datum  | Local government area (if applicable) |
|---|---|----------|----------|-----------|----------------|--|---------------------------------------|
|   | Easting   | Northing | Latitude | Longitude |                |  |                                       |
| 1 |   |          |          |           |                | <input type="checkbox"/> GDA94<br><input type="checkbox"/> WGS84<br><input type="checkbox"/> other |                                       |

**5. Total area of the premises on which the development is proposed (indicate hectares or m<sup>2</sup>)**

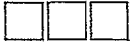
60.13 Ha

**6. Current use/s of the premises (e.g. vacant land, house, apartment building, cane farm, etc.)**

1 Golf Club and ancillary facilities

**7. Provide a brief description of the proposal (e.g. six unit apartment building, 30 lot residential subdivision etc.)**

Reconfiguration of part of the subject site for residential development



8. Is owner's consent required for this application? (refer to notes at the end of this form for more information)

- No  
 Yes - complete either table D, table E or table F as applicable

Table D (note: do not complete this table if lodging the application on-line using Smart eDA)

Name of owner/s of the land Hervey Bay Golf and Country Club Inc.

I/We, the above-mentioned owner/s of the land, consent to the making of this application

Signature of owner/s of the land General Manager (Todd Newman) Club Treasurer (Lynne Egan)

Date 6th September 2010

s.47(3)(b) Sch 4  
Part 3 Item 3

Table E

Name of owner/s of the land

- The owner's written consent is attached or will be provided separately to the assessment manager

Table F

Name of owner/s of the land

- By making this application, I, the applicant, declare that the owner has given written consent to the making of the application.

9. Does the application involve a state resource? (e.g. the application involves state land, or taking quarry materials. Refer to the notes at the end of this form for more information)

- No  Yes - complete table G

10. Identify if any of the following apply to the premises (tick applicable box/es)

- adjacent to a water body, watercourse or aquifer (e.g. creek, river, lake, canal) - complete table H  
 on strategic port land under the *Transport Infrastructure Act 1994* - complete table I  
 in a tidal water area - complete table J

11. Are there any existing easements on the premises? (e.g. for vehicular access, electricity, overland flow, water, etc.)

- No  Yes - ensure the type, location and dimension of each easement is included in the plans submitted

**12. Does the proposal include new building work or operational work on the premises? (including any services)**

No  Yes - ensure the nature, location and dimensions of proposed works are included in plans submitted

**13. Is the payment of a portable long service leave levy applicable to this application? (refer to the notes at the end of this form for more information)**

No - Go to question 15  Yes

**15. Has the local government agreed to apply a superseded planning scheme to this application under section 96 of the *Sustainable Planning Act 2009*?**

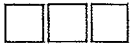
No  
 Yes - provide details below

**16. List below all of the forms and supporting information that accompany this application (include all IDAS forms, checklists, mandatory supporting information etc. that will be submitted as part of this application. Note: this question does not apply for applications made online using Smart eDA)**

|   | Description of attachment or title of attachment | Method of lodgement to assessment manager |
|---|--|---|
| 1 | Planning Report and plans                        | over the counter                          |
| 2 | Form 5   | over the counter                          |
| 3 | Form 7   | over the counter                          |
| 4 | Form 11  | over the counter                          |
| 5 | Form 31  | over the counter                          |
| 6 | Checklist 1                                      | over the counter                          |
| 7 | Checklist 3                                      | over the counter                          |
| 8 | Checklist 3                                      | over the counter                          |

**17. Applicant's declaration**

By making this application, I declare that all information in this application is true and correct (note: it is unlawful to provide false or misleading information).



**Notes for completing this form**

**Question 8:**

- Section 263 of the *Sustainable Planning Act 2009* sets out when the consent of the owner of the land is required for an application. Section 260(1)(e) of the *Sustainable Planning Act 2009* provides that if the owner's consent is required under section 263, then an application must contain, or be accompanied by, the written consent of the owner, or include a declaration by the applicant that the owner has given written consent to the making of the application.
- Owner's consent is not required for a mobile and temporary ERA.

**Question 9:**

- Section 264 of the *Sustainable Planning Act 2009* provides that if a development involves a state resource, a regulation may require the application to be supported by certain evidence prescribed under the regulation. Schedule 14 of the *Sustainable Planning Regulation 2009* prescribes the state resources for which evidence is required to be given, and the evidence required, to support the application.

**Question 13:**

- *The Building and Construction Industry (Portable Long Service Leave) Act 1991* prescribes when the portable long service leave levy is payable.
- The portable long service leave levy amount and other prescribed percentages and rates for calculating the levy are prescribed in the *Building and Construction Industry (Portable Long Service Leave) Regulation 2002*.

**Question 14:**

- The portable long service leave levy need not be paid when the application is made, but the *Building and Construction Industry (Portable Long Service Leave) Act 1991* requires the levy to be paid before a development permit is issued.
- Building and Construction Industry Notification and Payment Forms are available from any Queensland post office or agency, on request from QLeave, or can be completed on the QLeave website at [www.qleave.qld.gov.au](http://www.qleave.qld.gov.au). For further information contact QLeave on 1800 803 481 or [www.qleave.qld.gov.au](http://www.qleave.qld.gov.au).

**Privacy** -the information collected in this form will be used by the Department of Infrastructure and Planning (DIP) in accordance with the processing and assessment of your application. Your personal details will not be disclosed for a purpose outside of the IDAS process, except where required by legislation (including the *Right to Information Act 2009*) or as required by Parliament. This information may be stored in a departmental database. The information collected will be retained as required by the *Public Records Act 2002*.

OFFICE USE ONLY  
 RECEIVED  
 17 SEP 2010

Date received

Reference numbers

MCU-101239

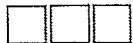
**NOTIFICATION OF ENGAGEMENT OF A PRIVATE CERTIFIER**

To:

[Empty box for name]

Council. I have been engaged as the private certifier for the building work referred to in this application.

| Date of engagement | Name | BSA Certification license number | Building classification/s |
|--------------------|------|----------------------------------|---------------------------|
|                    |      |                                  |                           |



**QLEAVE NOTIFICATION AND PAYMENT** (for completion by assessment manager or private certifier if applicable)

|   | Description of the work | QLeave Project Number | Amount paid (\$) | Date paid | Date received form sighted by assessment manager | Name of officer who sighted the form |
|---|-------------------------|-----------------------|------------------|-----------|--|--------------------------------------|
| 1 |                         |                       |                  |           |  |                                      |

The *Sustainable Planning Act 2009* (SPA) is administered by the Department of Infrastructure and Planning. This form and all other required application materials should be sent to your assessment manager and any referral agencies.

FCRC - Released Under RTI Act 2009



# Material change of use assessable against a planning scheme - IDAS form 5

(Sustainable Planning Act 2009 version 1.0 effective 18 December 2009)

This form must be completed for development applications for a material change of use assessable against a planning scheme.

You **MUST** complete **ALL** questions unless the form indicates otherwise. Incomplete forms or forms without all necessary information and documentation will result in your application not being a properly made application.

For all development applications, you must:

- complete *Applicant details - IDAS form 1*
- complete any other forms relevant to your application
- provide any mandatory supporting information identified on the forms as being required to accompany your application.

All terms used on this form have the meaning given in the *Sustainable Planning Act 2009* or the *Sustainable Planning Regulation 2009*.

This form can also be used for development on strategic port land under the *Transport Infrastructure Act 1994*.

### 1. How is the premises identified / zoned in the applicable planning scheme? (if the premises involves multiple zones, clearly identify the relevant zone for each lot in a separate row in the below table) Non-mandatory

|   | Lot description<br>(i.e. street address or lot on plan details) | Applicable zone / precinct | Applicable overlays |
|---|---|----------------------------|---------------------|
| 1 | Lot 2 on SP165309   | Open Space                 | Odour Impact        |

### 2. How is the proposed use/s defined in the applicable planning scheme?

|   | General explanation of the proposed use | Planning scheme definition (include each definition in a new row) (non-mandatory) | No. of dwelling / tenancy units (if applicable) | Days and hours of operation (if applicable) | No. of employees (if applicable) |
|---|---|---|---|---|----------------------------------|
| 1 | Residential subdivision                 | Reconfiguring a Lot for Low Density Residential development                       | 32  |   |                                  |

### 3. What type of approval is being sought for the material change of use?

- development permit     
  preliminary approval     
  both - provide details below

Preliminary approval under s242 of the Sustainable Planning Act to vary the effect of the Planning Scheme for the City of Hervey Bay

### 4. Are there any current approvals associated with this application for the change of use of the premises? (eg. a preliminary approval)

- No     
  Yes - provide details below

RECEIVED  
17 SEP 2010

MCV-101239



|   | List of approval reference/s | Date approved | Date approval lapses (if applicable) |
|---|------------------------------|---------------|--------------------------------------|
| 1 | 513/3-071007                 | 31 March 2007 |                                      |

**5. Does the proposed use involve (tick applicable box/es)**

- the reuse of existing buildings on the premises       No    Yes  
 new building work on the premises                       No    Yes  
 the reuse of existing operational works on the premises    No    Yes  
 new operational work on the premises                       No    Yes

**6. Confirm that the following mandatory supporting information accompanies this application**

| All applications   | Confirmation of lodgement  | Method of lodgement |
|--|--|---------------------|
| a site plan drawn to scale (1:100, 1:200 or 1:500 are the recommended scales) which shows the following: <ul style="list-style-type: none"> <li>the location and site area of the land to which the application relates (<i>relevant land</i>)</li> <li>the north point</li> <li>the boundaries of the relevant land</li> <li>any road frontages of the relevant land, including the name of the road</li> <li>the location and use of any existing or proposed buildings or structures on the relevant land (note: where extensive demolition or new buildings are proposed, two separate plans (an existing site plan and proposed site plan) may be appropriate)</li> <li>any existing or proposed easements on the relevant land and their function</li> <li>the location and use of buildings on land adjoining the relevant land</li> <li>all vehicle access points and any existing or proposed car parking areas on the relevant land. Car parking spaces for persons with disabilities and any service vehicle access and parking should be clearly marked.</li> <li>for any new building on the relevant land, the location of refuse storage</li> <li>the location of any proposed retaining walls on the relevant land and their height</li> <li>the location of any proposed landscaping on the relevant land</li> <li>the location of any stormwater detention on the relevant land</li> </ul> | <input checked="" type="checkbox"/> confirmed  | over the counter    |
| a statement about how the proposed development addresses the local government's planning schemes and any other planning documents relevant to the application  | <input checked="" type="checkbox"/> confirmed  | over the counter    |
| a statement about the intensity and scale of the proposed use (e.g. number of employees, days and hours of operation, number of visitors, number of seats, capacity of storage area etc.)  | <input checked="" type="checkbox"/> confirmed  | over the counter    |
| information that states: <ul style="list-style-type: none"> <li>the existing or proposed floor area, site cover, maximum number of storeys and maximum height above natural ground level for existing or new buildings (e.g. information regarding existing buildings but not being reused)</li> <li>the existing or proposed number of on-site car parking bays, type of vehicle cross-over (for non-residential uses) and vehicular servicing arrangement (for non-residential uses)</li> </ul>  | <input type="checkbox"/> confirmed<br><br><input checked="" type="checkbox"/> not applicable |                     |



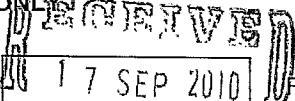
|   | Confirmation of lodgement  | Method of lodgement |
|---|--|---------------------|
| <b>When the application involves the reuse of existing buildings</b>  |  |                     |
| plans showing the size, location, existing floor area, existing site cover, existing maximum number of storeys, and existing maximum height above natural ground level of the buildings to be reused  | <input type="checkbox"/> confirmed<br><input checked="" type="checkbox"/> not applicable |                     |
| <b>When the application involves new building work (including extensions)</b>   |  |                     |
| floor plans drawn to scale (1:50, 1:100 or 1:200 are the recommended scales) which show the following: <ul style="list-style-type: none"> <li>the north point</li> <li>the intended use of each area on the floor plan (for commercial, industrial or mixed use developments only)</li> <li>the room layout (for residential development only) with all rooms clearly labelled</li> <li>the existing and the proposed built form (for extensions only)</li> <li>the gross floor area of each proposed floor area</li> </ul> | <input type="checkbox"/> confirmed   |                     |
| elevations drawn to scale (1:100, 1:200 or 1:500 are the recommended scales) which show plans of all building elevations and facades, clearly labelled to identify orientation (e.g. north elevation)   | <input type="checkbox"/> confirmed   |                     |
| plans showing the size, location, proposed site cover, proposed maximum number of storeys, and proposed maximum height above natural ground level of the proposed new building work   | <input type="checkbox"/> confirmed<br><input type="checkbox"/> not applicable            |                     |
| <b>When the application involves the reuse of other existing works</b>  |  |                     |
| plans showing the nature, location, number of on-site car parking bays, existing area of landscaping, existing type of vehicular cross-cover (non-residential uses), and existing type of vehicular servicing arrangement (non-residential uses) of the works to be reused  | <input type="checkbox"/> confirmed<br><input checked="" type="checkbox"/> not applicable |                     |
| <b>When the application involves new operational work</b>   |  |                     |
| plans showing the nature, location, number of new on-site car parking bays, proposed area of new landscaping, proposed type of new vehicle cross-cover (non-residential uses), proposed maximum new vehicular servicing arrangement (non-residential uses) of the proposed new operational works  | <input checked="" type="checkbox"/> confirmed<br><input type="checkbox"/> not applicable | over the counter    |

**Notes for completing this form:**

- This form can also be used for a material change of use assessable against the land use plan for Cairns airport land or Mackay airport land. Whenever a planning scheme is mentioned, take it to mean land use plan for the airport land.

**Privacy - please refer to your assessment manager for further details on the use of information recorded in this form.**

**OFFICE USE ONLY**


 Date received 17 SEP 2010 Reference numbers MCU-101239

The Sustainable Planning Act 2009 is administered by the Department of Infrastructure and Planning. This form and all other required application materials should be sent to your assessment manager and any referral agencies.



# Reconfiguring a lot - IDAS form 7

(Sustainable Planning Act 2009 version 1.0 effective 18 December 2009)

This form must be completed for development applications for reconfiguring a lot.

You **MUST** complete **ALL** questions unless the form indicates otherwise. Incomplete forms or forms without all necessary information and documentation will result in your application not being a properly made application.

For all development applications, you must:

- complete *Applicant details - IDAS form 1*
- complete any other forms relevant to your application
- provide any mandatory supporting information identified on the forms as being required to accompany your application.

All terms used on this form have the meaning given in the *Sustainable Planning Act 2009* or the *Sustainable Planning Regulation 2009*.

This form can also be used for development on strategic port land under the *Transport Infrastructure Act 1994*.

|  |   |
|--|---|
| 1. What is the total number of existing lots making up the premises? | 1 |
|--|---|

|  |
|--|
| 2. What is the nature of the lot reconfiguration? (tick applicable box/es) |
|--|

- subdivision - complete questions 3-6 and 11
- boundary realignment - complete questions 8, 9 and 11
- creating an easement giving access to a lot from a constructed road - complete questions 10 and 11
- dividing land into parts by agreement - please provide details below and complete questions 7 and 11

|  |  |  |  |  |
|--|--|--|--|--|
| 3. Within the subdivision, what is the number of additional lots being created and their intended final use? |  |  |  |  |
|--|--|--|--|--|

| Intended final use of new lots       | Residential | Commercial | Industrial | Other (Specify) |
|--------------------------------------|-------------|------------|------------|-----------------|
| Number of additional of lots created | 32          |            |            |                 |

|   |
|---|
| 4. What type of approval is being sought for the subdivision? |
|---|

- preliminary approval
- development permit
- both

|  |
|--|
| 5. Are there any current approvals associated with this subdivision application? (e.g. material change of use) |
|--|

- No
- Yes - provide details below

|   |
|---|
| 6. Does the proposal involve multiple stages? |
|---|

- No - complete Table A
- Yes - complete Table B

RECEIVED  
17 SEP 2010

MW-101239



**Table A**

What is the total length of any new road to be constructed?

0

What is the total area of land to be contributed for community purposes?

0

Does the proposal involve the construction of a canal or other artificial waterway?

No       Yes

Does the proposal involve operational work for the building of a retaining wall?

No       Yes

**11. Confirm that the following mandatory information accompanies this application**

| Mandatory supporting information   | Confirmation of lodgement                            | Method of lodgement     |
|--|--|-------------------------|
| <p>site plans drawn to scale (1:100, 1:200 or 1:500 are the recommended scales) which show the following:</p> <ul style="list-style-type: none"> <li>• the location and site area of the land to which the application relates (<i>relevant land</i>)</li> <li>• the north point</li> <li>• the boundaries of the relevant land</li> <li>• any road frontages of the relevant land, including the name of the road</li> <li>• the contours and natural ground levels of the relevant land</li> <li>• the location of any existing buildings or structures on the relevant land</li> <li>• the allotment layout showing existing lots, any proposed lots (including the dimensions of those lots), existing or proposed road reserves, building envelopes and existing or proposed open space (note: numbering is required for all lots)</li> <li>• any drainage features over the relevant land, including any watercourse, creek, dam, waterhole or spring and any land subject to a Q100 flood event</li> <li>• any existing or proposed easements on the relevant land and their function</li> <li>• all existing and proposed roads and access points on the relevant land</li> <li>• any existing or proposed car parking areas on the relevant land</li> <li>• the location of any proposed retaining walls on the relevant land and their height</li> <li>• the location of any stormwater detention on the relevant land</li> <li>• the location and dimension of any land dedicated for community purposes</li> <li>• the final intended use of any new lots</li> </ul> | <p><input checked="" type="checkbox"/> confirmed</p> | <p>over the counter</p> |
| <p>a statement about how the proposed development addresses the local government's planning schemes and any other planning documents relevant to the application</p>   | <p><input checked="" type="checkbox"/> confirmed</p> | <p>over the counter</p> |

**Notes for completing this form:**

- This form can also be used for reconfiguring a lot against the land use plan for Cairns airport land or Mackay airport land. Whenever a planning scheme is mentioned, take it to mean land use plan for the airport land

**Privacy - please refer to your local council for further details on the use of information recorded in this form.**



**OFFICE USE ONLY**

Date Received

17 SEP 2010

Reference Numbers

MW-101239

The *Sustainable Planning Act 2009* is administered by the Department of Infrastructure and Planning. This form and all other required application materials should be sent to your assessment manager and any referral agencies.

FCRC - Released Under RTI Act 2009



## Integrated Development Assessment System form

# Clearing native vegetation - IDAS form 11

(Sustainable Planning Act 2009 version 2.0 effective 24 December 2009)

This form must be completed for development applications that involve the clearing of native vegetation.

You **MUST** complete **ALL** questions unless the form indicates otherwise. Incomplete forms or forms without all necessary information and documentation will result in your application not being a properly made application.

For all development applications, you must:

- complete *Application details - IDAS form 1*
- complete any other forms relevant to your application
- provide any mandatory supporting information identified on the forms as being required to accompany your application.

All terms used on this form have the meaning given in the *Sustainable Planning Act 2009* or the *Sustainable Planning Regulation 2009*.

### 1. What type of development is proposed?

- operational work for clearing vegetation made assessable under Schedule 3 of the *Sustainable Planning Regulation 2009*
- material change of use of the premises
- reconfiguring a lot

### 2. What type of approval is being sought?

- development permit
- preliminary approval
- both - provide details below

Preliminary approval under s242 of the Sustainable Planning Act to vary the effect of the Planning Scheme for the City of Hervey Bay for residential development within the existing golf course

RECEIVED  
17 SEP 2010

BY: MW-101239





**3. Confirm that the following mandatory supporting information accompanies this application**

| For operational work applications  | Confirmation of lodgement   | Method of lodgement |
|--|---|---------------------|
| <p>A property vegetation management plan including:</p> <ul style="list-style-type: none"> <li>• the location extent of the area proposed to be cleared</li> <li>• the relevant purpose under section 22A(2) of the <i>Vegetation Management Act 1999</i> to which the application relates</li> <li>• details of the way the proposed clearing achieves the required outcomes under:               <ul style="list-style-type: none"> <li>- the relevant regional vegetation management code</li> <li>- the declared area code for the area (if the proposed clearing is within a declared area and a declared area code exists for the area)</li> <li>- the wild rivers code under the <i>Wild Rivers Act 2005</i> (if the proposed clearing is in a wild river high preservation area)</li> <li>- the special clearing code (if the proposed clearing is on indigenous land in the Cape York Peninsula Region)</li> </ul> </li> <li>• if an offset is proposed to satisfy a required outcome under a code applying to the application               <ul style="list-style-type: none"> <li>- details on how the clearing of vegetation has been avoided or minimised</li> <li>- details on how the proposed offset complies with the offsets policy</li> </ul> </li> <li>• details of the location and extent of the area of proposed clearing, through either:               <ul style="list-style-type: none"> <li>- a map showing -                   <ul style="list-style-type: none"> <li>- the boundary of the area on an image base</li> <li>- five or more points visible in the image base that corresponds to identifiable fixed features</li> <li>- the Map Grid of Australia 1994 coordinate and zone references for each point, acquired by GPS or similar system of satellite that receives and processes information; and</li> <li>- a description of the feature that each point represents; or</li> </ul> </li> <li>- a description of the boundary of the area by reference to Map Grid of Australia 1994 coordinates and zone references for the area</li> </ul> </li> </ul> | <p><input type="checkbox"/> confirmed</p> <p><input checked="" type="checkbox"/> not applicable</p> |                     |
| <p><b>For an operational works application for which the assessment manager is the local government</b></p>  |   |                     |
| <p>written confirmation that the chief executive of the Department of Environment and Resource Management is satisfied the proposed clearing is for a relevant purpose under the <i>Vegetation Management Act 1999</i>, section 22A</p>  | <p><input type="checkbox"/> confirmed</p> <p><input checked="" type="checkbox"/> not applicable</p> |                     |
| <p><b>For an operational works application where the assessment manager is the Department of Environment and Resource Management</b></p>   |   |                     |
| <p>Either of the following:</p> <ul style="list-style-type: none"> <li>• written confirmation that the the chief executive of the Department of Environment and Resource Management is satisfied the proposed clearing is for a relevant purpose under the <i>Vegetation Management Act 1999</i>, section 22A; or</li> <li>• information identifying the relevant purpose under the <i>Vegetation Management Act 1999</i>, section 22A and demonstrating how the proposed clearing is for that purpose</li> </ul>  | <p><input type="checkbox"/> confirmed</p> <p><input checked="" type="checkbox"/> not applicable</p> |                     |



**For applications for a material change of use or reconfiguring a lot**

A property vegetation management plan including:

- the location and extent of the area proposed to be cleared;
- the relevant purpose under section 22A(2) of the *Vegetation Management Act 1999* to which the application relates
- details of the way the proposed clearing -
  - complies with the applicable concurrence agency policy; and
  - achieves the required outcomes under the relevant regional vegetation management code
- if an offset is proposed to satisfy a required outcome under a code applying to the application -
  - details on how the clearing of vegetation has been avoided or minimised; and
  - details on how the proposed offset complies with the offsets policy
- details of the location and extent of the area of proposed clearing, through either:
  - a map showing -
    - the boundary of the area on an image base
    - five or more points visible in the image base that corresponds to identifiable fixed features the Map Grid of Australia 1994 coordinates and zone reference for each point, acquired by GPS or similar system of satellite that receives and processes information; and
    - a description of the feature that each point represents; or
  - a description of the boundary of the area by reference to Map Grid of Australia 1994 coordinates and zone references for the area

confirmed

not applicable

over the counter

**Notes for completing this form:**

- The Department of Environment and Resource Management (DERM) website contains a comprehensive range of information about the *Vegetation Management Act 1999*, including assessment codes and policies, as well as the *Landholder's guide to vegetation clearing applications*.
- Question 3 for operational works applications -Under the *Vegetation Management Act 1999*, the proposed vegetation clearing is only for a relevant purpose if the applicant satisfies the chief executive of the Department of Environment and Resource Management (DERM) that the development applied for is one of the purposes listed in section 22A of that Act. If the assessment manager is the local government, the applicant must obtain confirmation from the chief executive of DERM that the proposed clearing is for a relevant purpose and provide this with the application. However, if DERM is the assessment manager, the applicant has the choice of either obtaining this confirmation before making the application, or providing adequate information for DERM to make the decision on whether the proposed clearing is for a relevant purpose at the time the application is received.

**Privacy - please refer to your assessment manager for further details on the use of information recorded in this form.**

OFFICE USE ONLY

RECEIVED  
7 SEP 2010

Date Received

BY: .....

Reference Numbers

MW-101239

The *Sustainable Planning Act 2009* (SPA) is administered by the Department of Infrastructure and Planning. This form and all other required application materials should be sent to your assessment manager and any referral agencies.



# Application for preliminary approval varying the effect of the local planning instrument - IDAS form 31

(Sustainable Planning Act 2009 version 1.0 effective 18 December 2009)

This form must be completed for development applications for a preliminary approval that seeks to vary the effect of any local planning instrument for the land the subject of the application.

You **MUST** complete **ALL** questions unless the form indicates otherwise. Incomplete forms or forms without all necessary information and documentation will result in your application not being a properly made application.

For all development applications, you must:

- complete this form (Application details --IDAS form 1)
- complete any other forms relevant to your application
- provide any mandatory supporting information identified on the forms as being required to accompany your application.

All terms used on this form have the meaning given in the *Sustainable Planning Act 2009* or the *Sustainable Planning Regulation 2009*.

## 1. What type of development is proposed?

- material change of use - complete table A
- development other than a material change of use - complete table B
- both - provide details below and complete table A & B

## 2. How does the application seek to vary the effect of the local planning instrument? (tick applicable box/es)

### Table A

- by stating that the material change of use or development relating to the material change of use is exempt development
- by stating that the material change of use or development relating to the material change of use is self-assessable development
- by stating that the material change of use or development relating to the material change of use is development requiring compliance assessment
- by stating that the material change of use or development relating to the material change of use is assessable development requiring code or impact assessment, or both code and impact assessment
- by identifying or including codes for the proposed development - provide details of the codes below

Reconfiguring a Lot Code for residential development

RECEIVED  
17 SEP 2010

MEU-101239





**Table B**

- by stating that the development is exempt development
- by stating that the development is self-assessable development
- by stating that the development is development requiring compliance assessment
- by stating that the development is assessable development requiring code or impact assessment, or both code and impact assessment
- by identifying or including codes for the proposed development - provide details of the codes below

Reconfiguring a Lot Code for residential development

**3. Please nominate the period after which the approval should lapse if the proposed development is started but not completed within the period (non-mandatory)**

4 years

**4. Confirm that the following mandatory supporting information accompanies this application**

|  | Confirmation of lodgement                     | Method of lodgement |
|--|---|---------------------|
| details about the way in which the applicant seeks the approval to vary the effect of any local planning instrument  | <input checked="" type="checkbox"/> confirmed | over the counter    |
| written statement about the consistency of the proposed variations with aspects of the local planning instrument, other than the aspects sought to be varied | <input checked="" type="checkbox"/> confirmed | over the counter    |

Privacy - please refer to your assessment manager for further details on the use of information recorded in this form.

OFFICE USE ONLY

7 SEP 2010

Date Received

Reference Numbers

The Sustainable Planning Act 2009 (SPA) is administered by the Department of Infrastructure and Planning. This form and all other required application materials should be sent to your assessment manager and any referral agencies.



# Development assessment checklist - IDAS EIVE

17 SEP 2010

(Sustainable Planning Act 2009, version 1.0 18 December 2009)

BY: MCW-101239

This checklist applies to the carrying out of development generally.

You are not required to complete this checklist as part of your development application, however you may submit the checklist with your application if you wish. The purpose of the checklist is to assist you in identifying:

- whether you need to make a development application for the proposed development
- if a development application is required, the relevant IDAS forms you need to complete as part of your application
- whether you need to give a copy of your application to any referral agencies.

If your development involves a material change of use, reconfiguring a lot or operational works, it is recommended that you complete *Material change of use - IDAS checklist 2*, *Reconfiguring a lot - IDAS checklist 3* or *Operational works - IDAS checklist 4*, as applicable.

If you are unsure how to answer any questions on this checklist, phone or visit your local government, or go to the Department of Infrastructure and Planning's website at [www.dip.qld.gov.au](http://www.dip.qld.gov.au).

All terms used in this checklist have the meaning given in the *Sustainable Planning Act 2009* or the *Sustainable Planning Regulation 2009*.

## Part 1 - General questions

1.1 Have you received a referral agency response in relation to this proposed development prior to making an application?

|  |  |
|--|--|
| <input checked="" type="checkbox"/> No |  |
| <input type="checkbox"/> Yes           | • To assist you in preparing your application, completing <i>Referral agency responses - IDAS checklist 6</i> is recommended |

1.2 Do you wish the proposed development to be assessed against a superseded planning scheme?

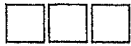
|  |  |
|--|--|
| <input checked="" type="checkbox"/> No |  |
| <input type="checkbox"/> Yes           | • You must complete <i>Request to apply a superseded planning scheme - Sustainable Planning Act form 2</i> and give this notice to the relevant local government. If the local government agrees to your request, details must be provided in <i>Application details - IDAS form 1</i> |

1.3 Does the proposal involve removing quarry material from a watercourse or lake for which an allocation notice is required under the *Water Act 2000*?

|  |  |
|--|--|
| <input checked="" type="checkbox"/> No |  |
| <input type="checkbox"/> Yes           | • It is recommended that you complete part 2 of this checklist |

1.4 Is any part of the proposed development intended to be carried out on a Queensland heritage place under the *Queensland Heritage Act 1992*?

|  |  |
|--|--|
| <input checked="" type="checkbox"/> No |  |
| <input type="checkbox"/> Yes           | • It is recommended that you complete part 3 of this checklist |



**1.5 Does the proposal involve development on a local heritage place?**

|  |  |
|--|--|
| <input checked="" type="checkbox"/> No |  |
| <input type="checkbox"/> Yes           | It is recommended that you complete part 4 of this checklist |

**1.6 Does the proposal involve an environmentally relevant activity, other than an agricultural ERA, a mining activity or a chapter 5A activity?**

|  |  |
|--|--|
| <input checked="" type="checkbox"/> No |  |
| <input type="checkbox"/> Yes           | It is recommended that you complete part 5 of this checklist |

**1.7 Is any part of the development on strategic port land or airport land (other than development for a material change of use that is inconsistent with the land use plan for the strategic port land or airport land)**

|  |  |
|--|--|
| <input checked="" type="checkbox"/> No |  |
| <input type="checkbox"/> Yes           | It is recommended that you complete part 6 of this checklist |

**1.8 Is any part of the development on land below a high water mark within the limits of a port under the Transport Infrastructure Act 1994?**

|  |  |
|--|--|
| <input checked="" type="checkbox"/> No |  |
| <input type="checkbox"/> Yes           | It is recommended that you complete part 7 of this checklist |

**1.9 Is any part of the premises designated for community infrastructure?**

|  |  |
|--|--|
| <input checked="" type="checkbox"/> No |  |
| <input type="checkbox"/> Yes           | It is recommended that you complete part 8 of this checklist |

**1.10 Does the proposal involve the establishment or expansion of a waste water disposal system?**

|  |  |
|--|--|
| <input checked="" type="checkbox"/> No |  |
| <input type="checkbox"/> Yes           | It is recommended that you complete part 9 of this checklist |

**1.11 Is the development on land that adjoins a declared fish habitat area under the Fisheries Act 1994?**

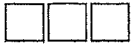
|  |   |
|--|---|
| <input checked="" type="checkbox"/> No |   |
| <input type="checkbox"/> Yes           | It is recommended that you complete part 10 of this checklist |

**Privacy - please refer to your assessment manager for further details on the use of information recorded in this checklist.**

**Disclaimer:**

While the Department of Infrastructure and Planning (DIP) believes that this information contained on this checklist and provided as part of this process will be of assistance to you, it is provided on the basis that you will not rely on the information without first making your own enquiries regarding the interpretation and application of the applicable legislation to your circumstances.

To the full extent permitted by law DIP expressly disclaims all liability (including but not limited to liability for negligence) for errors or omissions of any kind or for any loss (including direct and indirect losses), damage or other consequence which may arise from your reliance on this process and the information contained on this checklist.



OFFICE USE ONLY

RECEIVED  
17 SEP 2010

Date received

17 SEP 2010

Reference numbers

MCW-101239

The Sustainable Planning Act 2009 is administered by the Department of Infrastructure and Planning.

FCRC - Released Under RTI Act 2009



RECEIVED  
17 SEP 2010

# Reconfiguring a lot - IDAS checklist 3

(Sustainable Planning Act 2009 version 1.0 effective 18 December 2009)

BY: mw-101239

This checklist only applies when the development application seeks approval to reconfigure a lot.

You are not required to complete this checklist as part of your development application, however you may submit the checklist with your application if you wish. The purpose of the checklist is to assist you in identifying:

- whether you need to make a development application for the proposed development
- if a development application is required, the relevant IDAS forms you need to complete as part of your application, and
- whether you need to give a copy of your application to any referral agencies.

You should complete all questions unless the checklist indicates otherwise.

If you are unsure how to answer any questions on this checklist, phone or visit your local government, or go to the Department of Infrastructure and Planning's website, [www.dip.qld.gov.au](http://www.dip.qld.gov.au)

All terms used in this checklist have the meaning given in the *Sustainable Planning Act 2009* or the *Sustainable Planning Regulation 2009*.

The checklist and relevant parts do not need to be completed for applications relating only to building work requiring assessment against the *Building Act 1975*.

## Part 1 - General questions

1.1 Is any part of the land located in part of a future state-controlled road or within 100m of a state-controlled road?

- |  |   |
|--|---|
| <input checked="" type="checkbox"/> No | • It is recommended that you complete part 2, question 2.1 of this checklist. |
| <input type="checkbox"/> Yes           | • It is recommended that you complete part 2, question 2.2 of this checklist. |

1.2 Is any part of the premises within a coastal management district?

- |  |   |
|--|---|
| <input checked="" type="checkbox"/> No |   |
| <input type="checkbox"/> Yes           | • This application requires assessment by the Department of Environment and Resource Management as a concurrence agency |

Section reference:

- *Sustainable Planning Regulation 2009*, schedule 7, table 2, item 14(a)

1.3 Is any lot before the proposed reconfiguration two hectares or larger?

- |   |   |
|---|---|
| <input type="checkbox"/> No             |   |
| <input checked="" type="checkbox"/> Yes | • It is recommended that you complete part 3 of this checklist. |

1.4 Is any part of the lot subject to an easement?

- |   |   |
|---|---|
| <input type="checkbox"/> No             |   |
| <input checked="" type="checkbox"/> Yes | • It is recommended that you complete part 4 of this checklist. |

|                          |                          |                          |
|--------------------------|--------------------------|--------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
|--------------------------|--------------------------|--------------------------|

**1.5 Is any part of the lot situated within 100 metres of a substation site under the *Electricity Act 1994*?**

|   |   |
|---|---|
| <input type="checkbox"/> No             |   |
| <input checked="" type="checkbox"/> Yes | <ul style="list-style-type: none"><li>This application requires assessment by the entity responsible for the substation as an advice agency</li></ul> |

Section reference:

- Sustainable Planning Regulation 2009*, schedule 7, table 2, item 21(b)

**1.6 Is all or part of the premises on the environmental management register or contaminated land register under the *Environmental Protection Act 1994*?**

|  |   |
|--|---|
| <input checked="" type="checkbox"/> No |   |
| <input type="checkbox"/> Yes           | <ul style="list-style-type: none"><li>It is recommended that you complete part 5 of this checklist.</li></ul> |

**1.7 Is all or part of the land forming the premises currently used for a notifiable activity, or if there is no existing use was it last used for a notifiable activity?**

|  |   |
|--|---|
| <input checked="" type="checkbox"/> No |   |
| <input type="checkbox"/> Yes           | <ul style="list-style-type: none"><li>It is recommended that you complete part 6 of this checklist.</li></ul> |

**1.8 Is all or part of the land forming the premises used for an industrial activity (other than mining activity or petroleum activity) or, if there is no existing use, was it last used for an industrial activity (other than for a mining activity or petroleum activity)?**

|  |   |
|--|---|
| <input checked="" type="checkbox"/> No |   |
| <input type="checkbox"/> Yes           | <ul style="list-style-type: none"><li>It is recommended that you complete part 7 of this checklist.</li></ul> |

**1.9 Is all or part of the premises in an area for which an area management advice has been given for natural mineralisation or industrial activity (other than for a mining activity or petroleum activity)?**

|  |   |
|--|---|
| <input checked="" type="checkbox"/> No |   |
| <input type="checkbox"/> Yes           | <ul style="list-style-type: none"><li>It is recommended that you complete part 8 of this checklist.</li></ul> |

**1.10 Is all or part of the premises in an area for which an area management advice has been given for unexploded ordnance?**

|  |   |
|--|---|
| <input checked="" type="checkbox"/> No |   |
| <input type="checkbox"/> Yes           | <ul style="list-style-type: none"><li>You must complete <i>Contaminated land - IDAS form 24</i></li><li>This application requires assessment by the Department of Environment and Resource Management as a concurrence agency</li></ul> |

Section reference:

- Sustainable Planning Regulation 2009*, schedule 7, table 2, item 22(b)

**1.11 Is any part of the premises within the South East Queensland (SEQ) designated region?**

|  |   |
|--|---|
| <input checked="" type="checkbox"/> No |   |
| <input type="checkbox"/> Yes           | <ul style="list-style-type: none"><li>It is recommended that you complete part 9 of this checklist.</li></ul> |

**1.12 Is any part of the premises within the Far North Queensland (FNQ Region) designated region?**

|  |  |
|--|--|
| <input checked="" type="checkbox"/> No |  |
| <input type="checkbox"/> Yes           | <ul style="list-style-type: none"><li>It is recommended that you complete part 10 of this checklist.</li></ul> |

|                          |                          |                          |
|--------------------------|--------------------------|--------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
|--------------------------|--------------------------|--------------------------|

**1.13 Is any part of the premises in an interim koala habitat protection area identified under the South East Queensland Koala state planning regulatory provisions (SEQ Koala SPRP)?**

|  |  |
|--|--|
| <input checked="" type="checkbox"/> No | <ul style="list-style-type: none"><li>It is recommended that you complete part 11 (starting from question 11.3) of this checklist.</li></ul> |
| <input type="checkbox"/> Yes           | <ul style="list-style-type: none"><li>It is recommended that you complete part 11 (starting from question 11.1) of this checklist.</li></ul> |

**1.14 Is the proposed reconfiguration in connection with the construction of a canal?**

|  |   |
|--|---|
| <input checked="" type="checkbox"/> No |   |
| <input type="checkbox"/> Yes           | <ul style="list-style-type: none"><li>You must complete <i>Tidal work and coastal management district - IDAS form 23</i></li><li>This application needs to be assessed by the Department of Environment and Resource management as a concurrence agency</li></ul> |

Section references:

- Sustainable Planning Regulation 2009*, schedule 7, table 2, item 14(b)
- South East Queensland Koala State planning regulatory provisions*

**1.15 Is the proposed reconfiguration in an area declared to be a catchment area under the *Water Act 2000*?**

|  |  |
|--|--|
| <input checked="" type="checkbox"/> No |  |
| <input type="checkbox"/> Yes           | <ul style="list-style-type: none"><li>It is recommended that you complete part 12 of this checklist.</li></ul> |

**1.16 Is the proposed reconfiguration of a lot for a purpose or on land mentioned in Schedule 9 of the *Sustainable Planning Regulation 2009* and does it exceed the specified threshold for the purpose or land?**

|  |   |
|--|---|
| <input checked="" type="checkbox"/> No |   |
| <input type="checkbox"/> Yes           | <ul style="list-style-type: none"><li>This application needs to be assessed by the Department of Transport and Main Roads as concurrence agency</li></ul> |

Section references:

- Sustainable Planning Regulation 2009*, schedule 7, table 2, item 33
- Sustainable Planning Regulation 2009*, schedule 9

**1.17 Is the proposed reconfiguration related to rail transport development and listed in Schedule 10 of the *Sustainable Planning Regulation 2009* and does it meet the specified threshold?**

|  |   |
|--|---|
| <input checked="" type="checkbox"/> No |   |
| <input type="checkbox"/> Yes           | <ul style="list-style-type: none"><li>This application needs to be assessed by the Department of Transport and Main Roads as concurrence agency</li></ul> |

Section references:

- Sustainable Planning Regulation 2009*, schedule 7, table 2, item 34
- Sustainable Planning Regulation 2009*, schedule 10

**1.18 Does the proposed reconfiguration result in more than 10 lots or any lot created is less than five hectares in area?**

|   |  |
|---|--|
| <input type="checkbox"/> No             |  |
| <input checked="" type="checkbox"/> Yes | <ul style="list-style-type: none"><li>It is recommended that you complete part 13 of this checklist.</li></ul> |

|                          |                          |                          |
|--------------------------|--------------------------|--------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
|--------------------------|--------------------------|--------------------------|

**1.19 Does the proposed reconfiguration involve a lot sharing a common boundary with a lot that comprises or contains a Queensland Heritage place under the *Queensland Heritage Act 1992*?**

|  |  |
|--|--|
| <input checked="" type="checkbox"/> No |  |
| <input type="checkbox"/> Yes           | <ul style="list-style-type: none"> <li>This application needs to be assessed by the Department of Environment and Resource Management as an advice agency</li> </ul> |

Section reference:

- Sustainable Planning Regulation 2009*, schedule 7, table 2, item 46

**1.20 Can the proposed reconfiguration of a lot be performed without the removal, destruction or damage of marine plants under the *Fisheries Act 1994*?**

|   |  |
|---|--|
| <input type="checkbox"/> No             | <ul style="list-style-type: none"> <li>It is recommended that you complete part 14 of this checklist.</li> </ul> |
| <input checked="" type="checkbox"/> Yes |  |

**1.21 Is any part of the premises within the Wide Bay Burnett (WBB) designated region?**

|   |  |
|---|--|
| <input type="checkbox"/> No             |  |
| <input checked="" type="checkbox"/> Yes | <ul style="list-style-type: none"> <li>It is recommended that you complete part 15 of this checklist.</li> </ul> |

## Part 2 - State-controlled roads

**2.1 Is the proposed reconfiguration listed in *Sustainable Planning Regulation 2009*, schedule 11 and does it exceed the threshold?**

|  |  |
|--|--|
| <input checked="" type="checkbox"/> No |  |
| <input type="checkbox"/> Yes           | <ul style="list-style-type: none"> <li>This application requires assessment by the Department of Transport and Main Roads (DTMR) as concurrence Agency.</li> </ul> |

## Part 3 - Clearing vegetation

**3.1 Is the size of any lot proposed to be created 25 hectares or larger?**

|   |  |
|---|--|
| <input type="checkbox"/> No             | <ul style="list-style-type: none"> <li>End of part 3 of this checklist.</li> </ul> |
| <input checked="" type="checkbox"/> Yes |  |

**3.2 Does any lot subject to the reconfiguration of a lot contain the following?**

|   |                              |  |
|---|------------------------------|--|
| a category A or B area shown on a Property Map of Assessable Vegetation   | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| if there is no Property Map of Assessable Vegetation for a lot, vegetation shown as remnant vegetation on a regional ecosystem or remnant map | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |

- If no to both, then end of part 3 of the checklist.

Section reference:

- Sustainable Planning Regulation 2009*, schedule 3, part 1, table 4, item 1
- Sustainable Planning Regulation 2009*, schedule 26

|                          |                          |                          |
|--------------------------|--------------------------|--------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
|--------------------------|--------------------------|--------------------------|

## Part 4 - Easements

4.1 Is there an easement in favour of a distribution entity or transmission entity under the *Electricity Act 1994* for a transmission grid or supply network under that Act?

No

Yes

- This application requires assessment by the distribution or transmission entity as an advice agency

4.2 Is there an easement in favour of the holder of pipeline licence number 1 issued under the *Petroleum Act 1923* for the construction or operation of the Moonie to Brisbane strategic pipeline under that Act?

No

Yes

- This application requires assessment by the license holder as an advice agency

Section reference:

- *Sustainable Planning Regulation 2009*, schedule 7, table 2, items 21(a) and 35

## Part 11 - Koala conservation

11.3 Is any part of the premises in a koala conservation area or koala sustainability area identified under the *Nature Conservation (Koala) Conservation Plan 2006* outside the current SEQ urban footprint area?

No

- Go to question 11.5.

Yes

11.5 Is any part of the premises in a koala conservation area or koala sustainability area identified under the *Nature Conservation (Koala) Conservation Plan 2006* which is a Department of Environment and Resource Management urban footprint koala area?

No

- End of part 11 of this checklist.

Yes

Section reference:

- *Sustainable Planning Regulation 2009*, schedule 7, table 2, item 36
- *South East Queensland Regional Plan 2009-2031 state planning regulatory provisions*
- *South East Queensland Koala State planning regulatory provisions*
- *Nature Conservation (Koala) Conservation Plan 2006*

## Part 13 - Wetland

13.1 Does the proposed reconfiguration involve a lot situated in, or within 100 metres of, a wetland shown on the 'Map of referable wetlands'?

No

Yes

- This application needs to be assessed by the Department of Environment and Resource Management as an advice agency.



|                          |                          |                          |
|--------------------------|--------------------------|--------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
|--------------------------|--------------------------|--------------------------|

**13.2 Does the reconfiguration involve a lot situated in, or within 100 metres of, the following?**

|  |                              |  |
|--|------------------------------|--|
| a protected area, forest reserve, critical habitat or area of major interest under the <i>Nature Conservation Act 1992</i> | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| a State forest or timber reserve under the <i>Forestry Act 1959</i>  | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| a marine park under the <i>Marine Parks Act 2004</i>   | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| a recreation area under the <i>Recreation Areas Management Act 2006</i>  | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| a world heritage area listed under the World Heritage Convention   | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| Brisbane forest park under the <i>Brisbane Forest Park Act 1977</i>  | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |

- If yes to any of the above, then this application must be assessed by the Department of Environment and Resource Management as an advice agency.

Section reference:

- *Sustainable Planning Regulation 2009*, schedule 7, table 2, items 43 and 44

**Part 15 - Wide Bay Burnett region**

**15.1 Is any part of the premises within the rural living area as identified in the draft WBB regulatory provisions?**

|  |                         |
|--|-------------------------|
| <input checked="" type="checkbox"/> No |                         |
| <input type="checkbox"/> Yes           | • End of this checklist |

FCRC - Released Under PTI Act 2009



**15.2 Do any of the following apply?**

|   |                              |  |
|---|------------------------------|--|
| the application only seeks approval for reconfiguring a lot other than subdivision  | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| the application is only for development inside a rural precinct and the development is consistent with the rural precinct   | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| the application is only for development identified as exempt from assessment against a planning scheme under the planning legislation   | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| the application is only for development carried out under a development approval which has not lapsed for a development application: <ul style="list-style-type: none"> <li>that was properly made before 18 December 2009 or</li> <li>to which division 2 of the draft WBB regulatory provisions applied</li> </ul>  | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| the application is only for development that is consistent with a preliminary approval which has not lapsed, for the part of a development application that states the way in which the effect of a local planning scheme is varied, where the development application for the preliminary approval was: <ul style="list-style-type: none"> <li>properly made before 18 December 2009 or</li> <li>assessed against division 2 of the draft WBB regulatory provisions</li> </ul>   | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| the application is only for development that is generally in accordance with a rezoning approval where the development entitlements from the rezoning approval are conferred by the following: <ul style="list-style-type: none"> <li>the resulting zone in a transitional planning scheme or</li> <li>a development permit or acknowledgement notice mentioned in section 3.2.5(1)(a) of the repealed <i>Integrated Planning Act 1997</i>, for a development application (superseded planning scheme) for the resulting zone in a transitional planning scheme which is a superseded planning scheme, or a notice is issued under section 97 of the <i>Sustainable Planning Act 2009</i> (SPA) agreeing to apply the superseded planning scheme or</li> <li>a planning scheme (other than a transitional planning scheme)</li> </ul> | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| the application is only for development that is declared to be a significant project under the <i>State Development and Public Works Organisation Act 1971</i> , section 26 (1)(a)  | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| the premises are completely within a state development area under the <i>State Development and Public Works Organisation Act 1971</i>   | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| the application is only for development completely within the Cherbourg Aboriginal Shire Council local government area  | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |

- If you answered yes to any of the above, end of this checklist.

**15.3 Is any part of the premises in a development area as defined by the draft WBB regulatory provisions?**

|   |  |
|---|--|
| <input type="checkbox"/> No             | <ul style="list-style-type: none"><li>Go to question 15.5.</li></ul> |
| <input checked="" type="checkbox"/> Yes |  |



**15.4 Do any of the following apply to the subdivision?**

|  |                              |  |
|--|------------------------------|--|
| complies with a master plan for a declared master planned area   | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| results in no additional lots, for example is for amalgamation or boundary realignment   | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| creates one additional lot to accommodate an emergency services facility   | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| creates one additional lot to accommodate a water cycle management infrastructure  | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| creates one additional lot to accommodate a waste management facility  | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| creates one additional lot to accommodate a telecommunication infrastructure   | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| creates one additional lot to accommodate electricity infrastructure   | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| creates one additional lot to accommodate a cemetery or a crematorium  | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| creates one additional lot to accommodate an institution   | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| divides one lot into two, if the existing lot is severed by a road that was gazetted before 18 December 2009, and the resulting lot boundaries use the road as the boundary of division  | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| creates an easement giving access to a lot from a constructed road   | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| is consistent with a development approval for a material change of use of premises that has not lapsed, where the application for the development approval was properly made before 18 December 2009                               | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| is consistent with a development approval for a material change of use of premises that has not lapsed, where the development approval was assessed by a referral agency against division 2 of the draft WBB regulatory provisions | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |

- If you answered no to all of the above, then this application requires assessment by the Department of Infrastructure and Planning as a concurrence agency.

**15.5 Is any part of the premises within the regional landscape and rural production area as identified in the draft WBB regulatory provisions?**

|  |                          |
|--|--------------------------|
| <input checked="" type="checkbox"/> No | • End of this checklist. |
| <input type="checkbox"/> Yes           |                          |

Section reference:

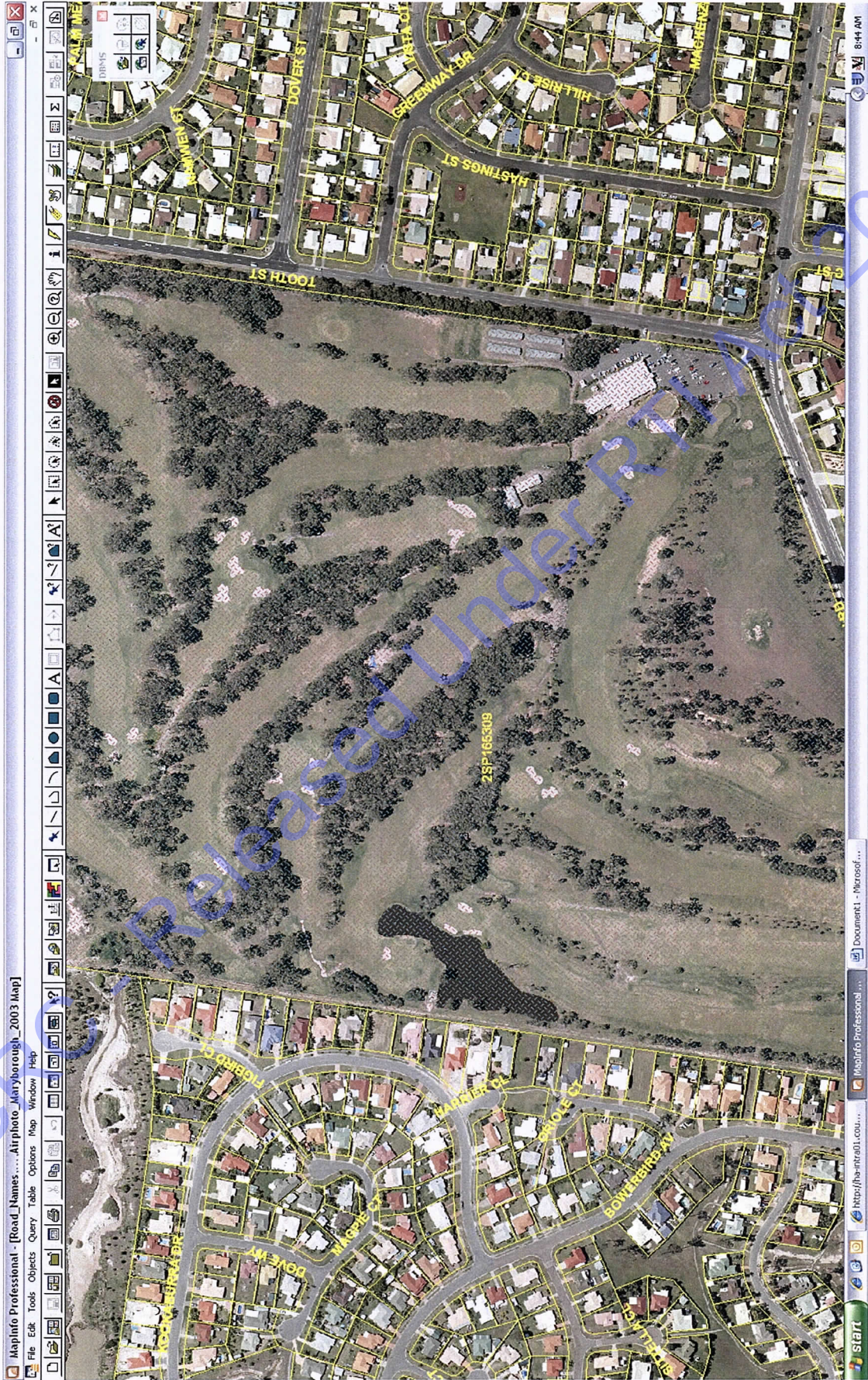
- Wide Bay Burnett regulatory provisions, division 3
- Sustainable Planning Regulation 2009, schedule 7, table 2, item 40A

**Privacy --please refer to your assessment manager for further details on the use of information recorded in this form.**

**Disclaimer:**

While the Department of Infrastructure and Planning (DIP) believes that the information contained on this form and provided as part of this process will be of assistance to you, it is provided on the basis that you will not rely on the information without first making your own enquiries regarding the interpretation and application of the applicable legislation to your circumstances.

To the full extent permitted by law DIP expressly disclaims all liability (including but not limited to liability for negligence) for errors or omissions of any kind or for any loss (including direct and indirect losses), damage or other consequence which may arise from your reliance on this process and the information contained on this form.



**From:** Jeff Brannan  
**Sent:** Friday, 22 October 2010 4:50 PM  
**To:** Adam Yem  
**Subject:** RE: Strategic Planning comments - New Town Planning Application - MCU-101239 - Hervey Bay Golf and Country Club Inc - Lot 2 SP165309 - Tooth Street Pialba - MCU - 32 Lots - Preliminary Approval - ROL One Lot into 32 Lots

Adam,

The strategic planning department has reviewed the application and does not raise any objection to the overall intent of the proposal. However, the following dot points are recommended for inclusion within the forthcoming information request in order for further clarification/additional information to be provided that will assist in the assessment of the application;

Landuse

- To achieve the most efficient use of land, consideration should be given to medium density development up to two storeys consisting of villas and townhouses within the proposed development area adjoining Old Maryborough Road. This area is within proximity to services and facilities including like development located on the corner of Ibis Boulevard/Maryborough-Urangan Road. Medium density development potentially provides a greater yield, variety of housing form and would maximise development potential. Taking a salt and pepper approach to the lot layout will provide for variance and interest in built form bulk and scale. Please consider this landuse change within the proposal.
- The square noted on the plans located behind the Old Maryborough Road lots. It is questioned what is this square suppose to represent. If it is a telecommunications tower this would need to be relocated or any approval issued would need to be sacrificed (handed back to Council) as this cannot be located with such a close proximity to housing due to required seperation. It would also be unsightly.

Traffic management

- Old Maryborough Road; the single access point along this section of road unless suitably designed could create traffic management problems i.e possible banking along Old Maryborough Road when vehicles are trying to enter or leave the site. A traffic management plan will need to be provided to Council in order to appropriately consider this aspect before a full assessment of the application could be made. Tooth Street; the single access point does not appear to present any significant problem along this section of road due to the reasonable distance from the Old Maryborough Road/Tooth Street intersection, however this would also need some form of traffic managed design provided to Council for consideration.
- Seperate additional vehicular parking areas for golf carts, boats and vans. The Statement accompanying the application does not outline the purpose of this additional parking i.e all golf club users or just the residents.
- Due to the close proximity of the service trade zone along Old Maryborough Road and the high volume of traffic, including heavy vehicles that use this route, an Acoustic Report will need to be provided to determine an appropriate type and style of development including setbacks and treatment. The findings from the Acoustic Report may influence the design provisions within the code provided with the application, therefore due consideration should be shown.

Other

- Even though built form is not presented with this proposal, the seperation to Old Maryborough Road and visual treatment is an element for consideration in the Code provided with the application. To maintain the visual amenity of the area, acoustic fencing or back of housing along the street frontage would not be acceptable. Please revise the code provided with the application to reflect this visual design aspect.

I understand that you may massage the dot points in order to tie in with Council's Planning Scheme which is fine.

Regards

**Jeff Brannan**

Senior Planner  
Strategic Planning / Development Services  
Fraser Coast Regional Council  
Telephone: (07) 4197 4409  
Fax: (07) 4197 4595  
Web site: <http://www.frasercoast.qld.gov.au>

**Disclaimer:** If you receive this email by mistake please notify the sender and do not make any use of it. Council does not waive any privilege, confidentiality or copyright associated with this email or any attachments.

---

**From:** Debrae Morris

**Sent:** Tuesday, 19 October 2010 9:09 AM

**To:** David Norman; Leigh Scheltinga; Gerald Brennan; Jeff Brannan

**Subject:** New Town Planning Application - MCU-101239 - Hervey Bay Golf and Country Club Inc - Lot 2 SP165309 - Tooth Street Pialba - MCU - 32 Lots - Preliminary Approval - ROL One Lot into 32 Lots

Application Officer is Adam Yem.

Please respond to Adam Yem by 25 October 2010 (for an information request only. If not received by this date, we will assume you don't need more information).

Final comments are required by 14 January 2011.

Thanks

**Debrae Morris**

Administration Officer  
Community & Development Services  
Fraser Coast Regional Council  
Telephone: (07) 4197 4511  
Fax: 4197 4595  
Website: [www.frasercoast.qld.gov.au](http://www.frasercoast.qld.gov.au)

Disclaimer: If you receive this email by mistake please notify the sender and do not make any use of it. Council does not waive any privilege, confidentiality or copyright associated with this email or any attachments.

**Kamala Dunn**

---

**From:** Jeff Brannan  
**Sent:** Friday, 22 October 2010 5:04 PM  
**To:** Adam Yem  
**Subject:** FW: Strategic Planning comments - New Town Planning Application - MCU-101239 - Hervey Bay Golf and Country Club Inc - Lot 2 SP165309 - Tooth Street Pialba - MCU - 32 Lots - Preliminary Approval - ROL One Lot into 32 Lots

Adam,

Damien mentioned to me that as the application was seeking a development permit they did not need to provide their own code? If this is true I may need to revise my comments.

Please let me no in due course.

Regards

**Jeff Brannan**

Senior Planner  
Strategic Planning / Development Services  
Fraser Coast Regional Council  
Telephone: (07) 4197 4409  
Fax: (07) 4197 4595  
Web site: <http://www.frasercoast.qld.gov.au>

**Disclaimer:** If you receive this email by mistake please notify the sender and do not make any use of it. Council does not waive any privilege, confidentiality or copyright associated with this email or any attachments.

---

**From:** Jeff Brannan  
**Sent:** Friday, 22 October 2010 4:52 PM  
**To:** Adam Yem  
**Subject:** RE: Strategic Planning comments - New Town Planning Application - MCU-101239 - Hervey Bay Golf and Country Club Inc - Lot 2 SP165309 - Tooth Street Pialba - MCU - 32 Lots - Preliminary Approval - ROL One Lot into 32 Lots

Adam,

The strategic planning department has reviewed the application and does not raise any objection to the overall intent of the proposal. However, the following dot points are recommended for inclusion within the forthcoming information request in order for further clarification/additional information to be provided that will assist in the assessment of the application;

Landuse

- To achieve the most efficient use of land, consideration should be given to medium density development up to two storeys consisting of villas and townhouses within the proposed development area adjoining Old Maryborough Road. This area is within proximity to services and facilities including like development located on the corner of Ibis Boulevard/Maryborough-Urangan Road. Medium density development potentially provides a greater yield, variety of housing form and would maximise development potential. Taking a salt and pepper approach to the lot layout will provide for variance and interest in built form bulk and scale. Please consider this landuse change within the proposal.
- The square noted on the plans located behind the Old Maryborough Road lots. It is questioned what is this square suppose to represent. If it is a telecommunications tower this would need to be relocated or any

approval issued would need to be sacrificed (handed back to Council) as this cannot be located with such a close proximity to housing due to required separation. It would also be unsightly.

#### Traffic management

- Old Maryborough Road; the single access point along this section of road unless suitably designed could create traffic management problems i.e possible banking along Old Maryborough Road when vehicles are trying to enter or leave the site. A traffic management plan will need to be provided to Council in order to appropriately consider this aspect before a full assessment of the application could be made. Tooth Street; the single access point does not appear to present any significant problem along this section of road due to the reasonable distance from the Old Maryborough Road/Tooth Street intersection, however this would also need some form of traffic managed design provided to Council for consideration.
- Separate additional vehicular parking areas for golf carts, boats and vans. The Statement accompanying the application does not outline the purpose of this additional parking i.e all golf club users or just the residents.
- Due to the close proximity of the service trade zone along Old Maryborough Road and the high volume of traffic, including heavy vehicles that use this route, an Acoustic Report will need to be provided to determine an appropriate type and style of development including setbacks and treatment. The findings from the Acoustic Report may influence the design provisions within the code provided with the application, therefore due consideration should be shown.

#### Other

- Even though built form is not presented with this proposal, the separation to Old Maryborough Road and visual treatment is an element for consideration in the Code provided with the application. To maintain the visual amenity of the area, acoustic fencing or back of housing along the street frontage would not be acceptable. Please revise the code provided with the application to reflect this visual design aspect.

I understand that you may massage the dot points in order to tie in with Council's Planning Scheme which is fine.

Regards

#### **Jeff Brannan**

Senior Planner

Strategic Planning / Development Services

Fraser Coast Regional Council

Telephone: (07) 4197 4409

Fax: (07) 4197 4595

Web site: <http://www.frasercoast.qld.gov.au>

**Disclaimer:** If you receive this email by mistake please notify the sender and do not make any use of it. Council does not waive any privilege, confidentiality or copyright associated with this email or any attachments.

---

**From:** Debrae Morris

**Sent:** Tuesday, 19 October 2010 9:09 AM

**To:** David Norman; Leigh Scheltinga; Gerald Brennan; Jeff Brannan

**Subject:** New Town Planning Application - MCU-101239 - Hervey Bay Golf and Country Club Inc - Lot 2 SP165309 - Tooth Street Pialba - MCU - 32 Lots - Preliminary Approval - ROL One Lot into 32 Lots

Application Officer is Adam Yem.

Please respond to Adam Yem by 25 October 2010 (for an information request only. If not received by this date, we will assume you don't need more information).

Final comments are required by 14 January 2011.



Thanks

**Debrae Morris**

Administration Officer  
Community & Development Services  
Fraser Coast Regional Council  
Telephone: (07) 4197 4511  
Fax: 4197 4595  
Website: [www.frasercoast.qld.gov.au](http://www.frasercoast.qld.gov.au)

Disclaimer: If you receive this email by mistake please notify the sender and do not make any use of it. Council does not waive any privilege, confidentiality or copyright associated with this email or any attachments.

FCRC - Released Under RTI Act 2009

**Kamala Dunn**

---

**From:** Adam Yem  
**Sent:** Monday, 25 October 2010 8:38 AM  
**To:** Jeff Brannan  
**Subject:** RE: Strategic Planning comments - New Town Planning Application - MCU-101239 - Hervey Bay Golf and Country Club Inc - Lot 2 SP165309 - Tooth Street Pialba - MCU - 32 Lots - Preliminary Approval - ROL One Lot into 32 Lots  
**Attachments:** DOCSHBCC-1950515.DOC.DRF

Jeff,

Under a s.242 application, they can apply to vary the effect of the planning scheme, be it to vary the level of assessment or to identify or include codes for the development. For your information, I refer you to s.242(3) of the *Sustainable Planning Act 2009*.

If you have any queries, please call/see me.

Regards,

**Adam Yem**

Principal Planner  
Fraser Coast Regional Council  
Telephone: (07) 4197 4553

**Disclaimer:** If you receive this email by mistake please notify the sender and do not make any use of it. Council does not waive any privilege, confidentiality or copyright associated with this email or any attachments.

---

**From:** Jeff Brannan  
**Sent:** Friday, 22 October 2010 5:04 PM  
**To:** Adam Yem  
**Subject:** FW: Strategic Planning comments - New Town Planning Application - MCU-101239 - Hervey Bay Golf and Country Club Inc - Lot 2 SP165309 - Tooth Street Pialba - MCU - 32 Lots - Preliminary Approval - ROL One Lot into 32 Lots

Adam,

Damien mentioned to me that as the application was seeking a development permit they did not need to provide their own code? If this is true I may need to revise my comments.

Please let me no in due course.

Regards

**Jeff Brannan**

Senior Planner  
Strategic Planning / Development Services  
Fraser Coast Regional Council  
Telephone: (07) 4197 4409  
Fax: (07) 4197 4595  
Web site: <http://www.frasercoast.qld.gov.au>

**Disclaimer:** If you receive this email by mistake please notify the sender and do not

make any use of it. Council does not waive any privilege, confidentiality or copyright associated with this email or any attachments.

---

**From:** Jeff Brannan

**Sent:** Friday, 22 October 2010 4:52 PM

**To:** Adam Yem

**Subject:** RE: Strategic Planning comments - New Town Planning Application - MCU-101239 - Hervey Bay Golf and Country Club Inc - Lot 2 SP165309 - Tooth Street Pialba - MCU - 32 Lots - Preliminary Approval - ROL One Lot into 32 Lots

Adam,

The strategic planning department has reviewed the application and does not raise any objection to the overall intent of the proposal. However, the following dot points are recommended for inclusion within the forthcoming information request in order for further clarification/additional information to be provided that will assist in the assessment of the application;

#### Landuse

- To achieve the most efficient use of land, consideration should be given to medium density development up to two storeys consisting of villas and townhouses within the proposed development area adjoining Old Maryborough Road. This area is within proximity to services and facilities including like development located on the corner of Ibis Boulevard/Maryborough-Urangan Road. Medium density development potentially provides a greater yield, variety of housing form and would maximise development potential. Taking a salt and pepper approach to the lot layout will provide for variance and interest in built form bulk and scale. Please consider this landuse change within the proposal.
- The square noted on the plans located behind the Old Maryborough Road lots. It is questioned what is this square suppose to represent. If it is a telecommunications tower this would need to be relocated or any approval issued would need to be sacrificed (handed back to Council) as this cannot be located with such a close proximity to housing due to required separation. It would also be unsightly.

#### Traffic management

- Old Maryborough Road; the single access point along this section of road unless suitably designed could create traffic management problems i.e possible banking along Old Maryborough Road when vehicles are trying to enter or leave the site. A traffic management plan will need to be provided to Council in order to appropriately consider this aspect before a full assessment of the application could be made. Tooth Street; the single access point does not appear to present any significant problem along this section of road due to the reasonable distance from the Old Maryborough Road/Tooth Street intersection, however this would also need some form of traffic managed design provided to Council for consideration.
- Separate additional vehicular parking areas for golf carts, boats and vans. The Statement accompanying the application does not outline the purpose of this additional parking i.e all golf club users or just the residents.
- Due to the close proximity of the service trade zone along Old Maryborough Road and the high volume of traffic, including heavy vehicles that use this route, an Acoustic Report will need to be provided to determine an appropriate type and style of development including setbacks and treatment. The findings from the Acoustic Report may influence the design provisions within the code provided with the application, therefore due consideration should be shown.

#### Other

- Even though built form is not presented with this proposal, the separation to Old Maryborough Road and visual treatment is an element for consideration in the Code provided with the application. To maintain the visual amenity of the area, acoustic fencing or back of housing along the street frontage would not be acceptable. Please revise the code provided with the application to reflect this visual design aspect.

I understand that you may massage the dot points in order to tie in with Council's Planning Scheme which is fine.

Regards

**Jeff Brannan**

Senior Planner  
Strategic Planning / Development Services  
Fraser Coast Regional Council  
Telephone: (07) 4197 4409  
Fax: (07) 4197 4595  
Web site: <http://www.frasercoast.qld.gov.au>

**Disclaimer:** If you receive this email by mistake please notify the sender and do not make any use of it. Council does not waive any privilege, confidentiality or copyright associated with this email or any attachments.

---

**From:** Debrae Morris

**Sent:** Tuesday, 19 October 2010 9:09 AM

**To:** David Norman; Leigh Scheltinga; Gerald Brennan; Jeff Brannan

**Subject:** New Town Planning Application - MCU-101239 - Hervey Bay Golf and Country Club Inc - Lot 2 SP165309 - Tooth Street Pialba - MCU - 32 Lots - Preliminary Approval - ROL One Lot into 32 Lots

Application Officer is Adam Yem.

Please respond to Adam Yem by 25 October 2010 (for an information request only. If not received by this date, we will assume you don't need more information).

Final comments are required by 14 January 2011.

Thanks

**Debrae Morris**

Administration Officer  
Community & Development Services  
Fraser Coast Regional Council  
Telephone: (07) 4197 4511  
Fax: 4197 4595  
Website: [www.frasercoast.qld.gov.au](http://www.frasercoast.qld.gov.au)

Disclaimer: If you receive this email by mistake please notify the sender and do not make any use of it. Council does not waive any privilege, confidentiality or copyright associated with this email or any attachments.

**Kamala Dunn**

---

**From:** David Norman  
**Sent:** Monday, 25 October 2010 9:22 AM  
**To:** Adam Yem  
**Subject:** MCU-1011239, RoL Golf course crn Old Maryborough Rd & Tooth St.

Hi Adam,

In relation to the proposed development on the Golf Course land the following additional information is required to enable a full and precise engineering evaluation.

- Provide a Traffic Impact Assessment (TIA) and particular address the issue of the proposed junctions with:-
  - Old Maryborough Rd, the traffic mix ie commercial v's residential mix and the proximity to Islander Dr.
  - Tooth St, given that it is shown directly opposite Greenway Dr.
- The ability to service the proposed lots with reticulated water and sewer and any capacity constraints that may exist in the existing catchment or supply area. Wide Bay Water Corporation should be contacted for comment.
- What the proposed use of the easement is to the north of the lots within the golf course land gaining access to Old Maryborough Rd and any impact that use may have on any proposed residential use.

Cheers

David NORMAN  
Engineering Technical Officer  
DEVELOPMENT ASSESSMENT

69

**Kamala Dunn**

**From:** [REDACTED]  
**Sent:** Monday, 25 October 2010 3:26 PM  
**To:** Adam Yem  
**Cc:** [REDACTED]@tmr.qld.gov.au  
**Subject:** File MCU-101239 for Hervey Bay Golf Club, Tooth Street, Pialba

s.47(3)(b) Sch 4  
 Part 3 Item 3

Hi Adam,

Just received the above application in todays mail.

Upon checking the triggers, I believe that this development will also trigger referral to Transport and Main Roads for public passenger transport and rail matters due to the land subject to the proposal exceeds the 5000m3 threshold under Schedule 12 and 13 of the SPR 2009.

Would you agree? and if so, is it possible for Council's acknowledgement notice be amended to include this trigger?

If you have any questions, please do not hesitate to call me on 4154 0280


Kind regards,

**Bryan Richters**  
 Development Control Officer | Wide Bay/Burnett Region / Bundaberg Office  
**Assets and Operations** | Department of Transport and Main Roads

Floor 1 | Bundaberg Main Roads Building | 23 Quay Street | Bundaberg Qld 4670  
 Locked Bag 486 | Bundaberg Qld 4670  
 P: (07) 41540200 | F: (07) 41523878  
 E: [REDACTED]  
 W: [www.tmr.qld.gov.au](http://www.tmr.qld.gov.au)

s.47(3)(b) Sch 4  
 Part 3 Item 3

**Tomorrow's Queensland: strong, green, smart, healthy and fair – [www.towardQ2.qld.gov.au](http://www.towardQ2.qld.gov.au)**

 Please consider the environment before printing this email

\*\*\*\*\*  
 WARNING: This email (including any attachments) may contain legally privileged, confidential or private information and may be protected by copyright. You may only use it if you are the person(s) it was intended to be sent to and if you use it in an authorised way. No one is allowed to use, review, alter, transmit, disclose, distribute, print or copy this email without appropriate authority.

If this email was not intended for you and was sent to you by mistake, please telephone or email me immediately, destroy any hardcopies of this email and delete it and any copies of it from your computer system. Any right which the sender may have under copyright law, and any legal privilege and confidentiality attached to this email is not waived or destroyed by that mistake.

It is your responsibility to ensure that this email does not contain and is not affected by computer viruses, defects or interference by third parties or replication problems (including incompatibility with your computer system).

Opinions contained in this email do not necessarily reflect the opinions of the Department of Transport and Main Roads, Maritime Safety Queensland or endorsed organisations utilising

10

**Kamala Dunn**

**From:** Christine Walton  
**Sent:** Tuesday, 26 October 2010 2:28 PM  
**To:** Adam Yem  
**Subject:** FW: MCU 101239 - Tooth Street, Pialba - Hervey Bay Golf Club  
**Attachments:** RE: Proposed Golf Links Sub Division

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

**Chris Walton**

Administration Officer  
 Community and Development  
 Fraser Coast Regional Council  
 Telephone: (07) 4197 4513  
 Fax: (07) 4197 4595  
 Web site: <http://www.frasercoast.qld.gov.au>

**Disclaimer:** If you receive this email by mistake please notify the sender and do not make any use of it. Council does not waive any privilege, confidentiality or copyright associated with this email or any attachments.

**From:** Keith Disher [REDACTED]  
**Sent:** Tuesday, 26 October 2010 2:21 PM  
**To:** Christine Walton  
**Cc:** Tony Harding; Jenny Hindmarsh; Louise Baldo; Nicole Nissen  
**Subject:** MCU 101239 - Tooth Street, Pialba - Hervey Bay Golf Club

s.47(3)(b) Sch 4  
 Part 3 Item 3

Hi Christine

Attached please find my preliminary comments to Pat Drover at VDM regarding servicing the proposed development with water and sewerage services.

The current application is Community Title with the common property being the Golf Course as I read the submission. On this basis I make the following comments:

Water supply

According to our GIS records the property has an existing DN100 connection to the DN100 reticulation main in Old Maryborough Rd. WBWC is seeking to reduce/limit the number of metered connections to one per property (reduce the risk of internal cross connection). Given that this is a community title development, water supply to the proposed lots shall be provided from the existing DN100 service. If this DN100 service is considered unsatisfactory by the developer's hydraulic consultant then the service shall be upgraded/replaced at the developer's expense. Any upgraded service shall be provided from the DN200 main in Old Maryborough Rd near the intersection with Tooth St.

WBWC will not be allowing any direct connections to the DN375 main in Tooth St (trunk main and not pressure reduced) or the DN375 main in Old Maryborough Rd (trunk main). Nor will multiple connections be approved to service the property. All internal reticulation beyond the existing meter is the responsibility of the Developer. Each property shall be separately metered.

Sewerage

The application is written stating that water and sewerage services are available. Accordingly it is assumed that the development will connect to WBWC's sewer reticulation network rather than treating and re-using the effluent on site. The Developer shall prepare a servicing proposal for sewerage for the development and submit and gain approval from WBWC for the proposal. All the proposed lots cannot be commanded by gravity from the existing sewer reticulation therefore internal pumping shall likely be required. The nominated connection point for the units/lots along the Old Maryborough Rd Frontage shall be the DN150 sewer near the roundabout on Boat Harbour Drive unless the option of relocating the existing PS68 on islander road to within the property is pursued by the developer. A connection point shall be provided at the developer's expense within the property. A private pump station and rising main external to the development site to PS68 is not an acceptable solution.

The proposed lots near Tooth St should be able to be commanded from the existing gravity sewers on the east side of Tooth St. The developer shall construct a sewer across Tooth St to provide a connection point on and within the property that will command the proposed lots.

Water and Sewer Infrastructure charges in accordance with Council's Policy are applicable to the development.

Keith Disher  
Senior Planning Engineer  
Wide Bay Water Corporation  
Ph 4194 7652  
Mob 0429 900 764

---

DISCLAIMER: The information in this e-mail and any attachments is confidential and may be legally privileged. This e-mail is intended solely for the addressee. If you have received this email in error, this does not waive our confidentiality rights. If you are not the addressee, dissemination, copying or other use of this e-mail or any of its content is strictly prohibited and may be unlawful. If you are not the intended recipient please inform the sender immediately and destroy the e-mail and any copies. All liability for viruses is excluded to the fullest extent permitted by law. Any views expressed in this message are those of the individual sender. No contract may be construed by this e-mail. Thank you.

---

This e-mail message has been scanned for Viruses and Content and cleared by **MailMarshal**

---



71

**Kamala Dunn**

---

**From:** Adam Yem  
**Sent:** Monday, 1 November 2010 9:49 PM  
**To:** Ward Veitch [REDACTED]  
**Subject:** Proposed residential development at Hervey Bay Golf Club (Council Ref: MCU-101239)

s.47(3)(b) Sch 4  
Part 3 Item 3

Ward,

I refer to the above development application being an application for Development Permit - Material Change of Use - 32 Low Density Residential Lots - Preliminary Approval varying the effect of the Local Planning Instrument and Development Permit - Reconfiguring a Lot - One (1) Lot into Thirty-two (32) Lots lodged with Council on 17 September 2010.

It is advised that the information request period for the above application is hereby extended a further 10 business days pursuant to section 277(1) of the *Sustainable Planning Act 2009*. In this regard, the information request period has been extended until 15 November 2010.

Do not hesitate to contact me if you wish to discuss this matter further.

Regards,

**Adam Yem**

Principal Planner  
Development Services  
Fraser Coast Regional Council  
Telephone: (07) 4197 4553  
Fax: (07) 4197 4595  
Web site: <http://www.frasercoast.qld.gov.au>

**Disclaimer:** If you receive this email by mistake please notify the sender and do not make any use of it. Council does not waive any privilege, confidentiality or copyright associated with this email or any attachments.



Please consider the environment before printing this e-mail

72



**Queensland  
Government**

## Facsimile Transmission

Our Ref 830/744 E105543  
Your Ref MCU-101239  
Date 8 November 2010

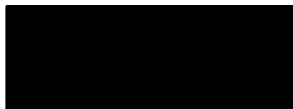
**Attention** Mr Adam Yem  
C/- Mr Andrew Brien  
Chief Executive Officer  
Fraser Coast Regional Council

**From** Bryan Richters

**Facsimile No.** 4197 4455

**No of pages (incl cover sheet)** 2

Find attached for your information, a copy of Transport and Main Roads' facsimile to Hervey Bay Golf and Country Club Inc C/- Urban Planet Town Planning Consultants dated 8 November 2010.



s.47(3)(b) Sch 4  
Part 3 Item 3

Doug Wass  
Regional Director (Wide Bay/Burnett)

FCRC - Released Under RTI Act 2009

### IMPORTANCE NOTICE CONFIDENTIALITY AND LEGAL PRIVILEGE

*This facsimile is intended only for the addressee and may contain legally privileged and confidential information. If you are not the addressee you are notified that the transmission, distribution, or photocopying of this facsimile is strictly prohibited. The legal privilege and confidentiality attached to this facsimile is not waived, lost or destroyed by reason of a mistaken delivery to you. If you have received this facsimile in error please immediately notify me by telephone and return the original to me at my address.*

Department of Transport and Main Roads  
Bundaberg Office - Wide Bay/Burnett Region  
21-23 Quay Street, Bundaberg Qld 4670  
Locked Bag 486 Bundaberg Queensland 4670  
ABN 39 407 690 291  
I:\ALM\_Letters\Drafts\2010\11\_Nov\163\_36.824L HBGCC EIR.doc

Enquiries Bryan Richters  
Telephone 07 4154 0200  
Facsimile 07 4152 3878  
Website [www.tmr.qld.gov.au](http://www.tmr.qld.gov.au)  
Email: [bundaberg.office@tmr.qld.gov.au](mailto:bundaberg.office@tmr.qld.gov.au)



# Facsimile Transmission

Our Ref 830/744(4) E105543  
Your Ref 10071  
Date 8 November 2010

**Attention** Ward Veitch  
Urban Planet Town Planning Consultants

**From** Bryan Richters

**Facsimile No.** 4128 2588

**Subject** EXTENSION OF INFORMATION REQUEST PERIOD

**Fraser Coast Regional Council: Maryborough – Hervey Bay Road**  
**Applicant: Hervey Bay Golf and Country Club Inc C/- Urban Planet Town Planning Consultants**  
**Proposal: (1) Material change of use – 32 low density residential lots**  
**(2) Reconfiguring a lot – one (1) lot into thirty-two (32) lots**  
**Subject land: Lot 2 on SP165309**  
**Situated at Tooth Street, Pialba**  
**Access location: 163 at 36.824L**

**No of pages (incl cover sheet)** 1

Thank you for your development application for the proposal that I received on 25 October 2010.

I advise that I have extended the Information Request period by 10 business days. I give this notice in accordance with Section 277(1) of the *Sustainable Planning Act 2009*.

The amended date for Transport and Main Roads to complete its information request is now 22 November 2010.

I have sent a copy of this letter to Fraser Coast Regional Council for information.

Please contact Bryan Richters on (07) 4154 0200 if you wish to discuss this matter.



s.47(3)(b) Sch 4  
Part 3 Item 3

Doug Wass  
Regional Director (Wide Bay/Burnett)

### IMPORTANCE NOTICE CONFIDENTIALITY AND LEGAL PRIVILEGE

*This facsimile is intended only for the addressee and may contain legally privileged and confidential information. If you are not the addressee you are notified that the transmission, distribution, or photocopying of this facsimile is strictly prohibited. The legal privilege and confidentiality attached to this facsimile is not waived, lost or destroyed by reason of a mistaken delivery to you. If you have received this facsimile in error please immediately notify me by telephone and return the original to me at my address.*

Department of Transport and Main Roads  
Bundaberg Office - Wide Bay/Burnett Region  
21-23 Quay Street, Bundaberg Qld 4670  
Locked Bag 486 Bundaberg Queensland 4670  
ABN 39 407 699 291  
I:\ALM\_Letters\Drafts\2010\11\_Nov\163\_36.824L HBGCC EIR.doc

Enquiries Bryan Richters  
Telephone 07 4154 0200  
Facsimile 07 4152 3878  
Website [www.tmr.qld.gov.au](http://www.tmr.qld.gov.au)  
Email: [bundaberg.office@tmr.qld.gov.au](mailto:bundaberg.office@tmr.qld.gov.au)

**Kamala Dunn**

---

**From:** Ward Veitch [REDACTED]  
**Sent:** Thursday, 11 November 2010 2:08 PM  
**To:** 'Pengelly Evan'  
**Cc:** Adam Yem  
**Subject:** Golf Club  
**Attachments:** 10071 DIMENSIONED SITES.PDF; 10071 - Hervey Bay Golf Club Residential Report.doc

s.47(3)(b) Sch 4  
Part 3 Item 3

Evan, further to our conversation this afternoon, Adam Yem has requested written advice (e-mail) from you in relation to the referral trigger for remnant veg. I have attached the report for you reference.

Kind regards

**Ward Veitch**  
PARTNER - GDURP MPIA

s.47(3)(b) Sch 4  
Part 3 Item 3

T: 07 4128 2888 M: 0427 282 088 F: 07 4128 2588

[REDACTED] [www.urbanplanet.com.au](http://www.urbanplanet.com.au)

2/59 Torquay Road or PO Box 232 Hervey Bay Q 4655



**LAND USE SOLUTIONS** BEYOND THE SQUARE

We do not waive any privilege, confidentiality or copyright associated with this email.  
If you receive it by mistake please do not make any use of it and notify us immediately.

FCRC - Released Under RTI Act 2009

## 1.0 PROPOSAL

Urban Planet has been commissioned by Hervey Bay Golf and Country Club Inc. to lodge a Development Application for Material Change of Use and Reconfiguring a Lot under the provisions of the Hervey Bay City Planning Scheme. It is proposed to reconfigure part of the golf course site to create residential allotments under the provisions of the Body Corporate and Community Management Act generally in accordance with the proposal plans contained at **Attachment 1** to this report.

The project is compliant with the objectives and Desired Environmental Outcomes of the Strategic Framework or otherwise provides suitable design elements to facilitate high quality design outcomes in terms of impacts on the amenity characteristics of the locality. The project is in keeping with the provisions of the Hervey Bay City Planning Scheme and is unlikely to impose adverse impacts on the amenity expectations of patrons.

The development details are:

|                             |   |
|-----------------------------|---|
| <b>PROPOSAL</b>             | <p><b>Material Change of Use</b> for Residential Low Density development to vary the effect of the Planning Scheme under s242 of the Sustainable Planning Act 2009.</p> <p><b>Reconfiguring a Lot</b>-- One (1) Lot into thirty-three (33) lots.</p> <p>This report supports an application for Material Change of Use for Residential Low Density development under the provisions of the Hervey Bay City Planning Scheme. The applicant proposes to reconfigure part of the golf course site to create thirty-two (32) residential allotments with a minimum lot size of 450 m<sup>2</sup>.</p> <p>The subject Development Application seeks preliminary approval to vary the effect of the Planning Scheme under s242 of the Sustainable Planning Act 2009 within the Open Space zone. This approval would permit the use of the proposed new allotments for residential purposes.</p> <p>The subject site is occupied by the Hervey Bay Golf and Country Club, utilised for commercial and recreational activities. The site addresses the Tooth Street, Hythe Street and Old Maryborough Road frontages, Pialba. Existing vehicular and pedestrian access is obtained from Tooth Street only. Car parking is located along the main approach frontage of the site.</p> <p>The proposed residential allotments will be developed along the Tooth Street and Old Maryborough Road frontages of the site. Access to the residential lots will be independent of the existing golf course parking area.</p> <p>The proposed new lots will be reconfigured by Standard Format under the provisions of the Body Corporate and Community Management Act (BCCM). A Community Management Statement will be developed in conjunction with the approval.</p> <p>The details of the development are depicted on the proposal plans at <b>Attachment 1</b>.</p> |
| <b>APPLICANT</b>            | Hervey Bay Golf and Country Club Inc.   |
| <b>PROPERTY DESCRIPTION</b> | Lot 2 on SP165309   |
| <b>FRONTAGE</b>             | Hythe Street (604m) Old Maryborough Road (626m), Tooth Street (770m)  |

|                             |  |
|-----------------------------|--|
| <b>AREA OF LAND</b>         | 60.13 Ha   |
| <b>ADDRESS</b>              | Tooth Street, Pialba   |
| <b>ZONING</b>               | Open Space Zone<br><br> |
| <b>CATEGORY</b>             | Impact Assessable  |
| <b>CURRENT USE</b>          | Outdoor Recreation Use   |
| <b>ADVICE AGENCIES</b>      | Ergon Energy   |
| <b>CONCURRENCE AGENCIES</b> | Department of Environment and Resource Management<br>Department of Infrastructure and Planning             |

## 1.1 Site Description

The subject premises are located at Tooth Street, Pialba on land described as Lot 2 on SP165309. The site is 60.13 Ha in extent and has frontage to Tooth Street, Old Maryborough Road and Hythe Street, road reserves all constructed to bitumen seal standards with kerb and channel. Existing vehicular access is obtained from Tooth Street only. The site is contained within the Open Space zone pursuant to the Hervey Bay City Planning Scheme. The general locality is characterised by light industrial and residential development.

The site is currently developed with an eighteen hole golf course and ancillary facilities including a clubhouse, Pro-shop, beer garden and barbeque area.

The subject site adjoins Eli Waters Residential Estate to the West, and development of a residential nature also exists East of the site and across from Tooth Street. Light industrial development occupies land to the South and the site reverses onto vacant rural land, to the north and across from Hythe Street. A 1.8m chainwire fence traverses the length of the western, southern, northern and part of the eastern property boundaries, providing division between adjacent premises and activities.

The existing development includes provision of sufficient car parking facilities. One hundred and five (105) sealed car parking spaces exist on the main approach side of the site and service the needs of staff and patrons of the golf course and country club. The site is landscaped in accordance with requirements of the superseded Town Planning Scheme. Buffer strips address the street frontage except for points of vehicular entry and egress and are compliant in width, length and location.

The subject land is well located to provide accessibility to employment opportunities in the town and to a range of urban facilities. The proposed development will meet the density and amenity expectations of development within the immediate locality.

The locality of the site is depicted below



## 1.2 History

No relevant planning history. The existing clubhouse and pro shop facilities has been the subject of past planning and building approvals associated with renovation, extension and redevelopment.

## 1.3 Planning Context

The subject site is included in the Open Space zone under the provisions of the Planning Scheme for the City of Hervey Bay. Development of residential allotments is an inconsistent use with the existing zone. The Development Application therefore seeks to vary the provisions of the Planning Scheme under the provisions of s242 of the Sustainable Planning Act 2009. The specific nature of the proposed variations is set out in the Assessment Table and Code contained at **Attachment 2** to this report.

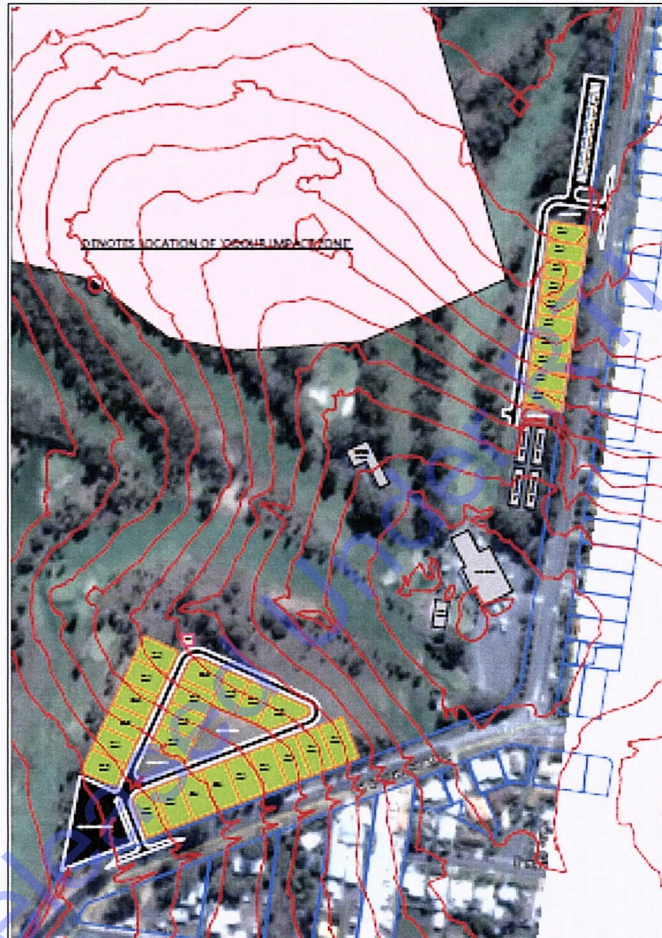
The subject site is also affected by the Odour Overlay from the Eli Waters Waste Water Treatment Plant. The extent of the overlay is depicted below and does not affect the area of the site proposed to be developed for residential purposes.





The applicant seeks to develop two sections of the subject site for the proposed residential allotments. The northern section of the development is located along the Tooth Street frontage on land currently occupied by a practice fairway. The development will be located to the north of the existing buggy sheds and will include parking facilities for the use of residents. Access to this development area will be via Tooth Street.

Development opposite this portion of the site is low density residential. The proposed development is consistent in scale and character to the existing land uses and as such will be suitably integrated in the streetscape and amenity. It must be noted the site is buffered by a stand of vegetation that is located within the Tooth Street road reserve.



The southern section of the proposed development will be located on land used as a driving range for the existing golf club. This portion of the estate will be accessed from Old Maryborough Road. Opposite the site to the south is an area with existing and future industrial development. It is proposed to screen the southern site boundary of the subject land with an acoustic barrier (with supplementary landscaping) to prevent any likely impact on the amenity expectations of the industrial uses and to minimise road noise impacts from Old Maryborough Road.

The proposed development will be carried out (Reconfiguring a Lot) under the provisions of the BCCM. In this regard, a CMS will be developed to include the rights associated with resident access to the golf course and its ancillary facilities.

The subject land is ideally located in planning terms for low to medium density development with high levels of access to community services, shopping and recreational facilities. The site is well serviced with public transport services being adjacent a Traffic Distributor (Old Maryborough Road and Tooth Street).

#### 1.4 Attachments

## 2.0 Planning Assessment

The site is located within the Open Space Zone and the proposed development is an Impact Assessable use. The following Codes are triggered:

**Locality Code**

**Reconfiguring a Lot Code**

**Landscaping Code**

**Works, Services and Infrastructure Code**

**Odour Impact Overlay Code**

Development of residential allotments is an inconsistent use with the existing zone. The Development Application therefore seeks to vary the provisions of the Planning Scheme under the provisions of s242 of the Sustainable Planning Act 2009. The specific nature of the proposed variations is set out in the Assessment Table and Code contained at **Attachment 2** to this report.

In general terms, the Development Application advocates the development of part of the subject site for Low Density Residential lots to a minimum lot size of 450 m<sup>2</sup>. The lots will be configured in a Standard Format and all internal roads and infrastructure will be contained within Common Property. Compliance with the relevant Codes contained in the Planning Scheme in relation to the development of dwellings on each of the lots will be complied with and can be included as conditions of approval if considered necessary.

### 2.1 Desired Environmental Outcomes & Strategies

#### DEO 1 – Economic Development

| Planning Scheme Provision   | The Proposal   |
|---|--|
| <p><b><u>Strategies</u></b></p> <p><i>Hervey Bay will continue to develop, reinforcing its role as a regional centre in the Wide Bay Region. The City will provide a wide range of activities to service community needs and provide opportunities for employment and economic development to support to the rural, resource and tourism sectors. In so doing, development will contribute to the maintenance and strengthening of a strong and productive economy.</i></p> <p><i>Strategies for achieving DEO 1 – Economic Development include –</i></p> <ul style="list-style-type: none"> <li>a) <i>diversification of the primary and secondary industry sectors;</i></li> <li>b) <i>protection and fostering of local employment and skills development areas;</i></li> <li>c) <i>diversification of tourism products on the basis of Hervey Bay's unique location, the sustainable use of the natural and historic and rural-based attributes, and the provision of a range of services and facilities which meet the needs of visitors to the region;</i></li> <li>d) <i>reinforcing the retail and commercial hierarchy for the City;</i></li> <li>e) <i>maintenance and consolidation of the existing settlement hierarchy; and</i></li> <li>f) <i>protection of extractive and mineral resources, Good Quality Agricultural Land, and other identified resources and to facilitate their sustainable use or winning.</i></li> </ul> | <p>The proposed development will further add to the range and scope of residential living choice in the region.</p> <p>It is a reasonable expectation that the development will represent further economic investment in the city and provide for local employment opportunities.</p> <p>The development will also further enhance the development of the existing golf course and its ancillary facilities through an injection of investment funding from the sale of the proposed lots.</p> |
| <p><b><u>Key Planning Measures</u></b></p>  |  |

**Business and Industrial Development**

- a) Existing commercial/retail and industrial centres are consolidated to optimise infrastructure and services efficiencies.
- b) Commercial/retail and industrial centres are developed in accordance with a hierarchy of Centres that –
  - enhance Hervey Bay's role as the principal regional service centre for the Wide Bay area.
  - best caters for the retail, commercial and community service needs of the existing and future population; and
  - facilitates Pialba as the future regional retail and commercial centre of Hervey Bay.
  - ensures the expansion of existing neighbourhood centres to serve local catchments rather than the establishment of new centres.
  - ensures the viability of existing Centres.
- c) Unplanned, new centres and industrial estates outside of the commercial and industrial zone areas are discouraged.
- d) Business and industrial zones enable compatible businesses to be established with minimal regulation.
- e) Business and industrial areas are able to develop and expand without intrusion from incompatible land uses.
- f) Innovative developments in information technology, research and development, education and other sectors are established within the City centre.

**Residential and Rural Development**

- a) The establishment of a variety of accommodation types will be favoured on the Esplanade close to the supporting commercial nodes, the townships of Burrum Heads and Toogoom and the Boat Harbour.
- b) Residential and Rural zones provide for the establishment of appropriate home-based businesses.
- c) Home-based businesses are encouraged, subject to performance limits.

**Tourist Development**

- a) Key tourist attractions, accommodation and entertainment

The site is not a business / industrial use and will not challenge the established retail hierarchy nor the pattern of land uses established in the Planning Scheme.

The site offers high levels of access to the local and travelling community given its proximity to the city and adjacency to community services, shopping and recreational facilities.

The proposed development will further add to the range and scope of residential living choice in the region. The site is ideally located in planning terms for low to medium density development with high levels of access to community services, shopping and recreational facilities. The site is well serviced with public transport services being adjacent a Traffic Distributor (Old Maryborough Road and Tooth Street).

N/A

|   |  |
|---|--|
| <p>areas are identified. Tourism development and activities are encouraged to concentrate in identified nodes and near major tourist attractions.</p> <p>b) Tourism and associated residential, recreation, transport and entertainment facilities are accommodated and encouraged to expand in appropriate locations.</p> <p>c) The visual quality and valuable features of Hervey Bay, on which the tourism industry is based, are protected and enhanced.</p> <p>d) Areas of particular visual prominence and valuable features for tourism and recreation potential are identified and protected.</p> <p>e) Inland tourist accommodation development that provides an alternative to the usual "seaside" accommodation will be encouraged in appropriate locations and where there is a demonstrated need consistent with this DEO, including a particular attraction of significance to City and/or major entry point.</p> |  |
|---|--|

**DEO 2 – Residential Development**

| <b>Planning Scheme Provision</b>   | <b>The Proposal</b>   |
|--|---|
| <p><b><u>Strategies</u></b></p> <p><i>Residential development achieves a balance between continuing growth and the enhancement of the local character, protection of heritage and natural values of the area, and the maintenance of Good Quality Agricultural Land. A variety of housing choice is available and residential areas have a high level of amenity, accessibility and are safe.</i></p> <p><i>Strategies for achieving DEO 2 – Residential Development include –</i></p> <p>g) <i>residential growth makes efficient use of public infrastructure, services and programs;</i></p> <p>h) <i>a variety of housing choices are provided in terms of density, style, location and affordability;</i></p> <p>i) <i>residential design achieves high standards of amenity, ecological sustainability and equity of access;</i></p> <p>j) <i>the impacts of residential development on the natural environment are minimised; and</i></p> <p>k) <i>the impacts of natural hazards on residential development are minimised.</i></p> <p>l) <i>Good Quality Agricultural Land is protected from incompatible development.</i></p> | <p>The proposed development is consistent with the strategies set out for residential development. In this regard, the in planning terms for low to medium density development with high levels of access to community services, shopping and recreational facilities. The site is well serviced with public transport services being adjacent a Traffic Distributor (Old Maryborough Road and Tooth Street).</p> <p>The subject site is located within the core of the urban area of the City and thus will further enhance the equitable use of existing infrastructure services.</p> <p>The proposed development should have no significant impact on natural features or the environment given the site location and characteristics within the urban form of the City.</p> |
| <p><b><u>Key Planning Measures</u></b></p> <p><b><u>Land Use</u></b></p>   |   |

|   |  |
|---|--|
| <p>a) <i>All future residential development occurs within the urban areas (all residential zones excluding Rural and Rural Residential) and the Emerging Community areas identified in the Planning Scheme.</i></p> <p>b) <i>A variety of lot sizes are provided within residential neighbourhoods in order to create housing choice and reduce the need for people to relocate to different parts of the City when changing house type.</i></p> <p>c) <i>New rural residential development opportunities do not unduly constrain future urban expansion needs or compromise the functional use of rural land and consolidate already fragmented rural residential areas.</i></p> | <p>Compliant location within the urban area of the City.</p> <p>A variety of lot sizes are proposed to enhance the utilisation of the site and the diversity of housing options within the site.</p> <p>N/A</p>  |
| <p><b><u>Amenity</u></b></p>  |  |
| <p>a) <i>Residential development provides an interesting and attractive residential design, considers the concept of sustainable housing and the design of residential areas and public spaces will be required to demonstrate the incorporation of crime prevention principles.</i></p> <p>b) <i>'Infill' residential development provides an appropriate residential amenity.</i></p>   | <p>The proposed development can achieve these design outcomes in accordance with the provisions of the Planning Scheme at the stage of building works on the site.</p> <p>The proposed development will achieve a suitable residential amenity within the site consistent with the expectations of the integration with the existing golf course. The development will also be consistent with the existing residential amenity of land located to the east of the site. Amenity considerations for both industrial use and the proposed use along Old Maryborough Road can be maintained with the development of suitable hard and soft barriers. This matter can be conditioned.</p> |
| <p>c) <i>Non-residential development in residential areas demonstrates compatibility with the identified residential amenity of the locality, in both the short and the long term.</i></p>  | <p>N/A</p>   |
| <p>d) <i>Buffers are provided between non-residential development which adjoins existing residential areas to protect the existing levels of adjoining residential amenity.</i></p>   | <p>Amenity considerations for both industrial use and the proposed use along Old Maryborough Road can be maintained with the development of suitable hard and soft barriers. This matter can be conditioned.</p>   |
| <p>e) <i>Home-based employment is encouraged where residential amenity is not compromised.</i></p>  | <p>N/A</p>   |
| <p><b><u>Environment &amp; Natural Hazards</u></b></p>  |  |
| <p>a) <i>Areas of significant vegetation and important ecological</i></p>   | <p>N/A</p>   |

|   |                       |
|---|-----------------------|
| <p>values are protected and retained.</p> <p>b) Consideration of the risks associated with Natural Hazards is undertaken in residential development subject to Natural Hazards.</p> <p>c) Residential development adjoining GQAL provides for an appropriate relationship and interface with the rural use. Such relationship may include the provision of buffers or separation distances or other measures where appropriate.</p> | <p>N/A</p> <p>N/A</p> |
|---|-----------------------|

### DEO 3 – Transport & Access

| Planning Scheme Provision   | The Proposal  |
|---|---|
| <p>Land use and development will be structured around an efficient, sustainable and integrated transport and access system. Promotion of the City as an “Access City” will continue to be an important strategy of Council. Development will contribute positively toward ensuring the efficient, orderly and integrated use and expansion of the City’s movement system (including air, land and water systems), thereby resulting in safe, non-discriminatory and convenient access and movement within and around the City.</p> <p>Strategies for achieving DEO 3 – Transport &amp; Access include –</p> <p>a) consolidating development in and around existing centres;</p> <p>b) containing urban expansion and encouraging infill development;</p> <p>c) encouraging street connectivity, which supports walking, cycling and the efficient and effective provision of bus services;</p> <p>d) identifying the differing land use and transport requirements of rural areas in order to preserve the amenity of those locations;</p> <p>e) the function of transport corridors are protected;</p> <p>f) transport impacts arising from development and other land use planning initiatives are considered and managed; and</p> <p>g) appropriate infrastructure is provided to support and encourage walking &amp; cycling and actively promote these modes of transport.</p> | <p>The proposed development is located in the core area of the urban form of the City and has high levels of accessibility to transport corridors.</p> <p>The proposed development is infill within the existing urban form.</p> <p>The subject site has good access to public transport services along both Old Maryborough Road and Tooth Street.</p> |
| <p><b>Key Planning Measures</b></p> <p>a) Neighbourhood design improves the quality of the</p>  | <p>The proposal is not a</p>  |

|  |   |
|--|---|
| <p><i>transport environment by ensuring development is complementary to the adjacent transport function.</i></p> <p>b) <i>New employment, health, educational and shopping facilities are centrally located to support access by public transport, walking and cycling.</i></p> <p>c) <i>Promote cycling, walking and public transport use within and between major centres through the promotion of compact land use patterns and the appropriate allocation of residential densities around identified centres.</i></p> <p>d) <i>Land use development in the vicinity of airports is controlled in accordance with the State requirements so as not to impact on the operation of the airport.</i></p> | <p>conventional residential use envisaged by these planning measures.</p> |
|--|---|

#### **DEO 4 – Open Space, Natural Environment & Cultural Heritage**

| <b>Planning Scheme Provision</b>   | <b>The Proposal</b>  |
|--|--|
| <p>Hervey Bay's natural resources, ecosystems, open spaces and cultural heritage are sustainably managed to create a framework around which the City will develop. Development does not compromise and endeavours to enhance the environmental values of the City (inclusive of the mainland, islands and waters of Hervey Bay and the Great Sandy Strait) and protects the unique scenic values and landscapes both within, and as backdrops, to the City. Places and features of significant environmental and cultural heritage value are preserved for future generations.</p> <p>Strategies for achieving DEO 4 – Open Space, Natural Environment &amp; Cultural Heritage include –</p> <p>a) <i>open space areas create the framework for the City's future growth and create pedestrian and bicycle links between conservation areas, parks and major public facilities;</i></p> <p>b) <i>the open space system protects and enhances the City's waterways and floodplain management systems, and be used to improve water quality;</i></p> <p>c) <i>the effects of development and land use on the natural environment are sustainably managed;</i></p> <p>d) <i>flora, fauna and natural habitat are protected and enhanced to ensure the long term viability of such areas.</i></p> <p>e) <i>places of Indigenous Cultural Heritage, Post European Heritage and Character that may have historical, architectural, anthropological or archaeological value to the past, present and future residents and visitors to the City are conserved.</i></p> | <p>N/A. The development will not affect any existing open space network. The proposed allotments will have access rights to the existing golf course and ancillary facilities that will be detailed in the Community Management Statement.</p> |
| <p><b>Key Planning Measures</b></p> <p>a) <i>Facilitate development that complements rather than</i></p>   | <p>The development will provide</p>  |

|  |  |
|--|--|
| <p><i>conflicts with natural features of the City.</i></p> <p>b) <i>Ensure development that is sustainable and incorporates measures by which to minimise/mitigate environmental impacts.</i></p> <p>c) <i>Facilitate consolidation of growth in order to promote the efficiency and environmental protection particularly water resources.</i></p> <p>d) <i>Identify and protect places of cultural, heritage or historical significance for aesthetic and identity purposes.</i></p> <p>e) <i>Provide a balanced range of recreational, sporting opportunities and natural environments to meet community needs.</i></p> <p>f) <i>Provide high quality, useable parks and recreation facilities that are diverse in terms of type, size and function.</i></p> <p>g) <i>Planning and design of public areas incorporates safe pedestrian access, lighting, and crime prevention through environmental design.</i></p> <p>h) <i>Residential design provisions establish guidelines for new development to protect identified urban character in key locations.</i></p> | <p>its own internal open space and recreation facilities. In this locality, there is no need to provide public open space.</p> |
|--|--|

**DEO 5 – Community Wellbeing**

| <b>Planning Scheme Provision</b>  | <b>The Proposal</b>   |
|---|---|
| <p>Strategies for achieving DEO 5 – Community Wellbeing include –</p> <p>a) <i>all communities within the City enjoy a high level of amenity, safety and convenience;</i></p> <p>b) <i>new development takes account of Natural Hazards;</i></p> <p>c) <i>community identity is recognised and protected;</i></p> <p>d) <i>social impact assessment is undertaken for major developments; and</i></p> <p>e) <i>communities are allowed equitable and appropriate access to a full range of social infrastructure.</i></p> | <p>The proposed development will be a gated community title and as such will offer high levels of amenity, safety and convenience for future residents. The proposed allotments will have access rights to the existing golf course and ancillary facilities that will be detailed in the Community Management Statement</p> <p>The site has convenient access to major shopping, health and community facilities along main roads.</p> |
| <p><b><u>Key Planning Measures</u></b></p> <p>a) <i>Future urban development is generally intended within the existing urban area.</i></p>  | <p>The site will be landscaped</p>  |



|  |   |
|--|---|
| <p>b) <i>Development promotes the protection and enhancement of streetscapes, public buildings, open space and the foreshore which contribute to distinctive local character.</i></p> <p>c) <i>Ensure developments provide safe, accessible and attractive spaces that foster social interaction and cultural activity.</i></p> <p>d) <i>Provisions of facilities which promote constructive leisure opportunities are encouraged.</i></p> <p>e) <i>Equitable access to the built environment, natural environment, social infrastructure and open space is to be achieved.</i></p> <p>f) <i>A social impact assessment will be required for major developments including retail centres, commercial recreation facilities, industrial uses, large residential developments, high density housing, and other uses which may have social impacts.</i></p> | <p>and buffered and will present as a low-impact use within the existing residential area.</p> <p>High levels of physical and social proximity will be provided within the development, and it is these qualities which will be its major attraction.</p> |
|--|---|

**DEO 6 – Infrastructure Provision**

| <b>Planning Scheme Provision</b>  | <b>The Proposal</b>  |
|---|--|
| <p>The City's population is provided with engineering, transport and community infrastructure, appropriate to each land use type. Existing infrastructure is utilised and operated in a safe and efficient manner (including roads, water and sewerage systems, energy supplies) and protected from inappropriate development. New and future infrastructure is provided in an efficient manner.</p> <p>Strategies for achieving DEO 6 – Infrastructure Provision include –</p> <p>a) <i>development makes efficient use of public infrastructure, services and programs as set out in Council's Priority Infrastructure Plan;</i></p> <p>b) <i>development only occurs consistent with efficient provision of infrastructure and sequencing;</i></p> <p>c) <i>new development will contribute towards the provision of infrastructure as set out in Council's Infrastructure Charges Plan; and</i></p> <p>d) <i>the servicing costs of running the City are minimised.</i></p> | <p>The site is capable of connection to town water, municipal sewerage and all electricity and communications services.</p> <p>The stormwater generated by the proposed development will be retarded on the golf course site for irrigation use.</p> |
| <p><b>Key Planning Measures</b></p> <p>a) <i>Future expansion of the City focuses on infill development and expansion in preferred urban areas as depicted</i></p>  | <p>Infrastructure charges will be paid in accordance with</p>  |

|  |                              |
|--|------------------------------|
| <p><i>within the Locality Plans and the Emerging Community Zone.</i></p> <ul style="list-style-type: none"><li>b) <i>'Infill' residential development is capable of being serviced.</i></li><li>c) <i>New development is consistent with and contributes towards the provision of infrastructure as set out in Council's Infrastructure Charges Plan.</i></li><li>d) <i>Infrastructure charging mechanisms ensure that the real public cost of out-of-sequence development is recovered.</i></li></ul> | <p>Council requirements.</p> |
|--|------------------------------|

FCRC - Released Under RTI Act 2009

2.2 Town Planning Scheme Plan Codes

Zone: Open Space

Proposed Land Use: Low density Residential (Lot sizes to a minimum of 450 m<sup>2</sup>)

Overall Outcomes for the Open Space Zone

2.1.5.1 Development Principles

| URBAN LOCALITY CODE – OPEN SPACE ZONE   |  |   |
|---|--|---|
| Performance Criteria  | Proposed Development   | Complying?  |
| <b>Land Use</b>   |  |   |
| <p><b>PC1</b> The following uses are inconsistent with the overall outcomes of the Open Space Zone and are not located in this Zone:</p> <ul style="list-style-type: none"> <li>any Community use (except where appropriately located, Community facility, Indoor recreation and Outdoor recreation);</li> <li>any Rural use;</li> <li>any Residential use;</li> <li>any Commercial use;</li> <li>any Industrial use;</li> <li>any Other use (except Park facility).</li> </ul> | <p>The proposed development is to be undertaken within a privately owned area of land included in the Open Space zone. In planning terms the site is well located and suited to the inclusion of residential development although the proposed use is considered inconsistent with the intent of the zone.</p> | <p>The Development Application seeks preliminary approval that overrides the provisions of the Planning Scheme in accordance with the Codes and Assessment Tables provided at Attachment 2 to this report. It is submitted the proposed development offers acceptable outcomes in terms of the provisions of the Planning Scheme.</p> |
| <p><b>PC2</b> Parks provide for the active and passive recreational needs of the community.</p>   | <p>The existing golf course provides an active recreational experience for patrons. The proposed allotments will have access rights to the existing golf course and ancillary facilities that will be detailed in the Community Management Statement.</p>  | <p>Meets Acceptable Solution</p>  |
| <b>Siting and Design</b>  |  |   |
| <p><b>PC3</b> The built form and design of park</p>   | <p>The proposed residential</p>  | <p>Meets Acceptable Solution</p>  |

|   |   |                           |
|---|---|---------------------------|
| facilities is consistent in scale, height and bulk with surrounding development.  | development is consistent in scale, height and bulk with the residential development adjoining and opposite the site. Suitable measures can be implemented to protect the amenity of the industrial estate located to the south of the site.<br><br>The eventual built form of the proposed development will be remarkably similar to that existing along the western boundary of the golf course (Eli Waters). |                           |
| <b>PC4</b> Buildings are setback to ensure they do not dominate the open space character of the site.   | All future residential buildings will be set back in compliance with the provisions of the Planning Scheme. setbacks and buffers to the existing gold course will be provided to minimise any conflict between the recreation and residential land uses.  | Meets Acceptable Solution |
| <b>PC5</b> Buildings and recreational activities are located to minimise any conflict with adjoining residential development.                     | The existing golf course development provides sufficient buffering between adjoining land uses, the proposed residential land uses and the existing golf course and ancillary facilities.   | Meets Acceptable Solution |
| <b>PC6</b> Car parking and service areas are appropriately located to ensure they do not to impact on the open space character of the area.       | Car parking is to be provided within each of the residential allotments with additional parking for trailers/buggies/caravans etc adjacent the residential lots. Suitable levels of buffering are provided to integrate car parking space into the locality.  | Meets Acceptable Solution |
| <b>General Requirements</b>   |   |                           |
| <b>PC7</b> The parkland focuses on the values of the area – eg. the recreational, cultural, educational, habitat, ecological or landscape values. | The existing golf course enhances the topographical features of the site and services the community as a high level recreational opportunity.   | Meets Acceptable Solution |
| <b>PC8</b> The nature and type of noise generated does not impact on residential amenity.   | The use will not generate unwanted noise beyond that which is expected in the locality.   | Meets Acceptable Solution |

#### Issues

Nil. The existing open space/recreational facility is a privately owned golf course. The development of residential lots within the bounds of the subject lot will have no adverse impact on the operation of

the golf course, the accessibility of the golf course to members or the general public and will not adversely affect the amenity of adjoining land uses (subject to the implementation of buffer features).

FCRC - Released Under RTI Act 2009

## Overall Outcomes for the Reconfiguring a Lot Code

*a) Provide good neighbourhood design, consistent with the character and environmental values of the zone and locality in which the site is situated.*

The proposed development will be a gated community developed under the provisions of the Body Corporate and Community Management Act (BCCM). The proposed new lots will not have direct access to the external road frontages with all traffic entering and exiting via the common access points to Old Maryborough Road and Tooth Street.

Opposite the site to the south is an area with existing and future industrial development. It is proposed to screen the southern site boundary of the subject land with an acoustic barrier (with supplementary landscaping) to prevent any likely impact on the amenity expectations of the industrial uses and to minimise road noise impacts from Old Maryborough Road.

The northern section of the development is located along the Tooth Street frontage on land currently occupied by a practice fairway. The development will be located to the north of the existing buggy sheds and will include parking facilities for the use of residents. Access to this development area will be via Tooth Street.

Development opposite this portion of the site is low density residential. The proposed development is consistent in scale and character to the existing land uses and as such will be suitably integrated in the streetscape and amenity. It must be noted the site is buffered by a stand of vegetation that is located within the Tooth Street road reserve.

*b) Provide an economical, efficient and functional lot layout.*

The proposed allotment layout offers a simple and efficient lot layout to enable all lots to have equitable access to vehicle access, services and facilities. All internal infrastructure services will be managed and maintained by the Body Corporate structure.

*c) Provide a lot layout that is responsive to the environmental constraints and site characteristics of each allotment.*

The proposed layout has been developed in response to the existing site constraints and access to existing site facilities. Given the development is to be undertaken on land currently cleared and utilised for golf course ancillary facilities, the development will not require the relocation of essential course facilities or the removal of any significant stands of vegetation.

*d) Provides equitable access to basic services and utilities.*

It is our understanding the site has suitable levels of infrastructure services available to service the proposed residential development. The applicant will be required to liaise with Council and Wide Bay Water to secure access to infrastructure. Electricity and telecommunications agreements will be required by conditions of approval.

*e) Lot reconfiguration on and in the vicinity of GQAL supports its ongoing use for soil based production.*

N/A

#### 4.10.4 Development Principles

| RECONFIGURING OF A LOT CODE  |  |   |
|--|--|---|
| Performance Criteria   | Proposed Development   | The Proposal  |
| <b>Land layout</b>   |  |   |
| <p><b>PC1</b> Lot sizes are appropriate for the proposed use and are consistent with the intent and desired character for the locality.</p> <p>Lots have sufficient area and dimensions to accommodate buildings, open space, landscaping, access and car parking.</p> <p>- In the Rural Zone :</p>  | <p><b>AS1.1</b> Lot sizes comply with the minimum lot size and dimensions prescribed in <b>Schedule 1</b> of this Code – Minimum Lot Size and Dimensions except as varied by the Small Lot Housing provisions of this code).</p> <p><b>AS1.2</b> Lots located on the head of a cul-de-sac are to provide frontages in accordance with the <i>Cul-de-sac lot frontage definition</i>.</p>   | <p>Complies with <b>Schedule 1</b> for Low Density Residential development except where small lot provisions area applicable as set out in this Code. The proposed new lots do not conform with the requirements for Open Space development as set out in this Development Application.</p> |
| <p><b>PC2</b> Lots are of a suitable size and dimension to:</p> <ul style="list-style-type: none"> <li>- protect natural and cultural features;</li> <li>- address site constraints such as, steep slopes, soil erosion, flooding, overland flow, storm surge, bushfire risk, etc;</li> <li>- retain special features such as trees and views;</li> <li>- provide adequate buffers to risks and hazards; and</li> <li>- ensure that adequate buffers are provided between incompatible land uses.</li> </ul> | <p><b>AS2.1</b> The site:</p> <ul style="list-style-type: none"> <li>- has slopes less than 15%;</li> <li>- does not occur below a Q50 flood line.</li> </ul> <p><b>AS2.2</b> Reconfiguration does not occur within an area identified on the Overlay Planning Scheme Maps as being:</p> <ul style="list-style-type: none"> <li>- natural area;</li> <li>- medium-high risk bushfire area;</li> <li>- of cultural heritage significance;</li> <li>- potentially mined properties; or</li> <li>- key resource area.</li> </ul> <p style="text-align: center;"><b>OR</b></p> <p>Where land is located within an area identified on the Planning Scheme Maps, the reconfiguration is located and designed to mitigate any impacts on the portion of the site with significance.</p> <p><b>AS2.3</b> Development is adequately separated or buffered from GQAL and existing rural uses to avoid significant conflict with such uses and potential uses on GQAL, in accordance with the State Government's <i>Planning Guidelines: Separating Agricultural and Residential Land Uses</i>.</p> | <p>Complies.</p> <p>The slopes on the site are less than 15% and is not below a Q50 floodline.</p> <p>The portion of the lot proposed to be developed is affected by none of the mentioned Overlay Map Areas.</p> <p>The site is not GQAL or adjacent to GQAL.</p>                          |
| <p><b>PC3</b> Lot frontages must address the street and open space areas to allow casual surveillance.</p>   | <p>No acceptable solution specified.</p>   | <p>Lot frontages are compliant with the Town Planning Scheme for residential low density development with small lot provision.</p>  |
| <p><b>PC4</b> Lot design does not prejudice the development of adjoining land.</p>   | <p><b>AS4.1</b> Lot design incorporates a regularly shaped and useable building area (or 'envelope') suitable for the proposed use.</p>  | <p>Compliant design.</p>  |

|  |  |  |
|--|--|--|
| <p><b>PC5</b> Where hatchet lots are provided, the location of the access strip and dimensions of the allotment is sympathetic to the allotment arrangement of the neighbourhood.</p>  | <p><b>AS5.1</b> Only one (1) hatchet lot is provided behind any regular allotment.<br/> <b>AS5.2</b> The hatchet lot is provided with only one access handle.<br/> <b>AS5.3</b> The access strip of the hatchet lot is utilised for only one allotment.<br/> <b>AS5.4</b> The width of access strips is in accordance with <b>Schedule 1</b> of this Code - Minimum Lot Size and Dimensions.</p>   | <p>Complies. – No hatchet shaped lots</p>  |
| <p><b>Small-Lot Housing</b></p>  |  |  |
| <p><b>PC6</b> Where any lot in the<br/> - Low Density Residential, Medium Density or Township zone does not meet the minimum area specified in Schedule 1 to this code and is for the purpose of a house(s), the small-lot housing lot(s) is:<br/> .....</p>   | <p>Small-lot housing reconfiguration in the Low Density Residential, Medium Density and Township zones has a minimum individual lot area of 350m<sup>2</sup>.</p>  | <p>Complies, minimum lot size is 450 m<sup>2</sup>.</p>  |
| <p><b>PC7</b> Where any lot in the Low Density Residential, Medium Density or Township zones does not meet the minimum area specified in Schedule 1 to this code and is for the purpose of a house(s), the design of the small-lot housing lot(s) and the subsequent house(s) are integrated and coordinated to ensure:</p> <ul style="list-style-type: none"> <li>• the lots are of practical sizes and dimensions;</li> <li>• a mix of allotment sizes;</li> <li>• the provision of adequate private open space and service areas;</li> <li>• energy-efficiency design and solar access;</li> <li>• adequate vehicular access and on-site car parking;</li> <li>• the privacy and access to adequate sunlight of adjoining premises; and</li> <li>• the provision of an attractive streetscape.</li> </ul> | <p>Small-Lot Housing design meets the following:</p> <p>a) Dimensions:</p> <ul style="list-style-type: none"> <li>• allotments are generally square or rectilinear;</li> <li>• lots of less than 600 m<sup>2</sup> in area are capable of containing a rectangle measuring 10 x 15 m behind the building setback from the street frontage;</li> </ul> <p>b) Lot Mix:</p> <ul style="list-style-type: none"> <li>• small-lots are not located adjacent to road intersections;</li> <li>• the average lot size in the subdivision in which the small-lots are proposed is 584 m<sup>2</sup></li> </ul> <p>c) Orientation:</p> <ul style="list-style-type: none"> <li>• the layout facilitates building orientation on the small lot in accordance with AS8.1.</li> </ul> | <p>Provides acceptable outcomes in the proposed location adjacent the golf course.</p>           |
| <p><b>Orientation and Energy</b></p>   |  |  |
| <p><b>PC8</b> Lots are designed to allow the siting of buildings to capitalise on the microclimatic benefits, such as on-site solar</p>  | <p><b>AS8.1</b> Lots are orientated to facilitate siting of dwellings to:</p> <p>a) have appropriate solar orientation (refer Figure 1 following);</p>   | <p>The lots are of suitable dimension and orientation to permit appropriate dwelling design.</p> |



|  |   |  |
|--|---|--|
| access and access to breezes.  | <p>b) take advantage of the south east prevailing breeze and northerly and north easterly summer breeze or any modification of those patterns caused by the local topography;</p> <p>c) ensure minimum exposure of the walls and windows in habitable rooms to low angle eastern and western sun.</p> |  |
| <b>Neighbourhood Design</b>  |   |  |
| <b>PC9</b> The lot layout and design ensures that future development in the locality is able to occur in an orderly, efficient and cohesive manner in accordance with good planning practice.  | For large subdivisions (creating 10 or more allotments) the lot reconfiguration design and layout is in accordance with an approved Structure Plan, designed in accordance with the Structure Planning Code.  | N/A  |
| <b>PC10</b> The lot design and layout provides a mix of lot sizes consistent with the intent of the applicable zone and precinct and enables a variety of: <ul style="list-style-type: none"> <li>- housing types (in the case of residential lot reconfigurations); and</li> <li>- commercial and industrial establishments and other compatible uses (in the case of commercial and industrial lot reconfigurations).</li> </ul> | For large subdivisions (creating 10 or more allotments), a minimum of 20% of the lots created (or part thereof) have a total area of at least 20% greater than the minimum lot size prescribed in <b>Schedule 1</b> of this Code – Minimum Lot Size and Dimensions.                                   | N/A  |
| <b>PC11</b> The lot design and layout for commercial and industrial subdivisions takes account of the general on-site requirements specified in any applicable zone and Locality Code that applies to the land (eg. buffer zones to adjacent residential allotments).  | No acceptable solution specified.   | N/A  |
| <b>PC12</b> The street layout provides a high level of internal and external accessibility with traffic management to restrain vehicle speed in neighbourhood areas.   | No acceptable solution specified.   | Compliant design   |
| <b>PC13</b> Development does not compromise the Road Hierarchy.  | No acceptable solution specified  | Complies. The proposed road will provide a single point of connection to both Old Maryborough Road and Tooth Street.   |
| <b>PC14</b> The street layout provides a strong and positive identity by providing a legible street system, street scaping themes and integration with the open space network  | No acceptable solution specified.   | Road widths have been sized in accordance with Council's requirements. Street tree planting themes can be conditioned. |

|   |   |  |
|---|---|--|
| <b>PC15</b> The pedestrian and cycle network is safe, attractive and efficient, running largely along public spaces including streets and open spaces, fronted by houses, and avoid uses that generate major breaks in surveillance on routes to and from public transport, or those used at night. | No acceptable solution specified.   | N/A  |
| <b>PC16</b> The vehicle, cyclist and pedestrian network, land use mix and lot densities, reduce vehicle trips, travel distances and encourages cyclist and pedestrian travel.   | No acceptable solution specified.   | The layout is efficient in terms of minimising street length per number of lots.                                   |
| <b>PC17</b> Development is located in areas where adequate services may be provided for wastewater treatment, water (domestic/ commercial use and fire fighting), power supply, telecommunications, drainage and street lighting.   | No acceptable solution specified.   | All services are available.  |
| <b>PC18</b> The street network and lot design is able to accommodate (via street widths, road geometry) public transport routes.  | No acceptable solution specified.   | The road width has been sized in accordance with Council's requirements. This road is unlikely to be a bus route.  |
| <b>Road Network</b>   |   |  |
| <b>PC19</b> The road network has clear physical distinctions between the levels of roads in the Road Hierarchy and incorporate design features to ensure driver behaviour is appropriate for the function of the road.  | No acceptable solution specified  | The road width has been sized in accordance with Council's requirements.   |
| <b>PC20</b> The location and design of intersections provides an efficient and safe connection between the Street System and the Road Network for all users.  | <b>AS20.1</b> Road Network intersections are provided in accordance with the following <i>Austrroads</i> standards:<br><ul style="list-style-type: none"> <li>- <i>Part 5 Intersections at Grade 1988;</i></li> <li>- <i>Part 6 Roundabouts 1993;</i></li> <li>- <i>Part 7 Traffic Signals 1993;</i></li> <li>- <i>Part 13 Pedestrians 1995.</i></li> </ul> | Design of the road intersection will be finalised at Operational Works stage in accordance with Council standards. |
| <b>PC21</b> Access arrangements for residential, commercial and industrial development do not impede the traffic performance of the road.   | <b>AS21.1</b> Residential, commercial and industrial lots do not provide for direct vehicle access to the Sub-arterial and Arterial roads as shown on the Planning Scheme Overlay Maps.<br><b>AS21.2</b> The lot reconfiguration design and layout is in accordance with any applicable Locality Code.  | Complies   |

|   |   |   |
|---|---|---|
| <p><b>PC22</b> Buffers or barriers are provided to residential subdivision adjoining State-controlled Roads where necessary to:</p> <ul style="list-style-type: none"> <li>- protect the amenity of future residential areas from the impact of traffic noise, emissions and dust; and</li> <li>- provide acceptable visual amenity along the Road Network.</li> </ul>  | <p><b>AS22.1</b> The development demonstrates how it meets the following acoustic levels (assessed at the L<sub>10</sub>(18 hour) level):</p> <p>(a) 60 dB(A) or less, where existing levels measured at the deemed-to-comply dwelling setback distance are greater than 40dB(A) L<sub>90</sub> (8 hour) between 10pm and 6am; or</p> <p>(b) 57 dB(A) or less, where existing levels measured at the deemed-to-comply dwelling setback distance are less than or equal to 40dB(A) L<sub>90</sub> (8 hour) between 10pm and 6am.</p> | <p>This matter can be conditioned by Council.</p> |
| <p><b>PC23</b> The road network design must take into account:</p> <ul style="list-style-type: none"> <li>- the streetscape;</li> <li>- the topography and vegetation;</li> <li>- views and vistas; and</li> <li>- protection of natural drainage and open space systems.</li> </ul>  | <p>No acceptable solution specified.</p>  | <p>Complies</p>                                   |
| <p><b>PC24</b> In industrial areas, the street widths and geometry of the road network accommodates the movement and access of heavy vehicles.</p>  | <p>No acceptable solution specified.</p>  | <p>N/A</p>  |
| <p><b>Pedestrian and Cyclist Facilities</b></p>   |   |   |
| <p><b>PC25</b> A network of walk/bikeways is provided taking into account:</p> <ul style="list-style-type: none"> <li>- opportunities to link pedestrian and cyclist destinations;</li> <li>- potential impacts on and from vehicular traffic;</li> <li>- potential impacts on other infrastructure and public utilities;</li> <li>- the safety of cyclists and pedestrians;</li> <li>- cost effectiveness;</li> <li>- topography; and</li> <li>- location of existing significant vegetation.</li> </ul> | <p><b>AS4.1</b> No acceptable solution specified.</p>   | <p>N/A</p>  |

|   |   |            |
|---|---|------------|
| <p><b>PC26</b> The alignment and construction of paths:</p> <ul style="list-style-type: none"> <li>- allows safe and convenient use by pedestrians and cyclists, including easily trafficable grades;</li> <li>- conserves trees and other significant natural features; and</li> <li>- takes into account vistas and landmarks.</li> </ul>   | <p>No acceptable solution specified.</p>  | <p>N/A</p> |
| <p><b>Public Open Space</b></p>   |   |            |
| <p><b>Open Space for Recreational Purposes</b></p>  |   |            |
| <p><b>PC27</b> public open space network must be provided which:</p> <ul style="list-style-type: none"> <li>- Contributes to the legibility and character of the development and neighbourhood;</li> <li>- Provides safe, attractive places and convenient access to recreation, sport and open space infrastructure;</li> <li>- Provides parks with a diverse range of recreation and sport activity opportunities and landscape settings;</li> <li>- Contributes to a connected public open space, pedestrian and cycle network across the whole city;</li> <li>- Conserves and takes advantage of significant landmarks and natural features;</li> <li>- Enables the retention of significant vegetation wetlands, waterways and other habitat areas, their associated buffers and linkages/corridors and natural and cultural features</li> </ul> | <p><b>AS27.1</b> Public open space is provided in accordance with either:</p> <ul style="list-style-type: none"> <li>a) Planning Scheme Policy 12 – Structure Plans; or</li> <li>b) an already approved open space strategy or development plan;</li> </ul> <p style="text-align: center;"><b>OR</b></p> <p>Public open space is provided at a rate of either:</p> <ul style="list-style-type: none"> <li>a) 5ha per 1,000 people residential density; or</li> <li>b) An allocation of fair average land that is at least 10% of the total site area for subdivision whichever yields the greatest amount of open space land. <p><b>AS27.2</b> Public open space is developed in accordance with the requirements and specifications set out in Planning Scheme Policy No. 2 – Development Manual.</p> <p><b>AS27.3</b> Pedestrian and cycle connections are provided in accordance with an approved or adopted structure plan.</p> <p style="text-align: center;"><b>OR</b></p> <p>Pedestrian and cycle connections are provided in accordance with adopted Strategies of Council including the "<i>Living Streets Strategy</i>".</p> </li></ul> | <p>N/A</p> |
| <p><b>PC28</b> Public open space and parks:</p> <ul style="list-style-type: none"> <li>- are of a size, shape, location and condition and have physical attributes, suitable for the intended use;</li> <li>- are designed and located for safe recreational opportunities for the community;</li> <li>- provide opportunities for casual surveillance;</li> <li>- are cost effective to</li> </ul>   | <p><b>AS28.1</b> Areas of public open space are provided with sufficient regular dimensions for the intended purpose and are not less than 10 metres wide at any point.</p> <p><b>AS28.2</b> Recreation and sport parks are provided in accordance with <b>Table 1</b> and are embellished with appropriate infrastructure to facilitate recreational or sporting experiences.</p> <p><b>AS28.3</b> Public open space has direct road frontages of:</p>   | <p>N/A</p> |

|   |  |  |
|---|--|--|
| <p>maintain; and</p> <p>- allow for access by vehicle, particularly fire fighting and maintenance vehicles, and for access by foot.</p> | <p>a) Where the intended use is local recreation, a minimum 25% of the total allotment boundary as continuous frontage to a collector road to provide physical access, visibility and passive surveillance opportunities;</p> <p>b) Where the intended use is a recreation corridor, a minimum 50% of the total allotment boundary as frontage to a collector or higher level road to provide physical access, visibility and passive surveillance opportunities;</p> <p>c) Where the intended use is district or city-wide sport or recreation park, 30% frontage of the total allotment boundary and access to a street of urban arterial status or greater;</p> <p>d) A minimum of 30% of the total allotment boundary of the open space area if required for environmental purposes;</p> <p>e) a greater amount of the boundary of the park where the proposed open space is an extension of an existing area with limited road frontage.</p> <p><b>AS28.4</b> Land intended for public open space complements existing adjacent and surrounding open space provision and provides recreational or environmental linkages to other open space areas, or augments existing open space where possible.</p> <p><b>AS28.5</b> Areas of public open space are provided, exclusive of any land affected by unacceptable hazards such as contaminated land under the <i>Contaminated Land Act 1991</i> or land subject to geotechnical hazard.</p> <p><b>AS28.6</b> Adequate areas of public open space for recreation and sporting parks are provided exclusive of:</p> <p>a) Flood inundation below the 1 in 2 ARI level (or Q2);</p> <p>b) Storm surge inundation below the 2 metre AHD for storm tide level;</p> <p>c) Land affected by stormwater or overland flow discharge from adjacent allotments or road reserves;</p> <p>d) Drainage reserves and detention basins which cannot be shown to safely and effectively contribute to recreational opportunities or</p> |  |
|---|--|--|

|   |   |   |
|---|---|---|
|   | <p>visual amenity of the public open space network;</p> <p>e) Land subject to cut and fill, with a batter slope that exceeds a grade of more than 1 in 6;</p> <p>f) Access and service easements; and</p> <p>g) Land required primarily and a buffer to any existing development or major transport corridor.</p> <p><b>AS4.2 AS28.7</b> At least 10% of the</p> <p><b>AS4.3</b> total open space provision is exclusive of flood inundation of below the 1 in 100ARI level or the highest recorded flood level, which ever is the greatest.</p>  |   |
| <b>Public Open Space for Ecological or Landscape Purposes</b>   |   |   |
| <p>Public open space for natural areas is provided to:</p> <p>Protect, preserve and enhance natural habitat and environmental processes</p> <p>Protect and enhance the cultural and natural heritage and scenic/landscape amenity</p> <p>Facilitate appropriate measures for storm water and flood management</p> | <p>Land identified as Natural Area on the Overlay Planning Scheme Maps is reserved for public open space unless:</p> <p>a) it is demonstrated that the land does not accommodate areas of significant ecological or landscape value; or</p> <p>b) development is necessary for the management, maintenance and protection of areas of ecological and landscape significance.</p>  | N/A                                       |
| <b>Easements</b>  |   |   |
| <b>PC29</b> Access easements are of an adequate width and standard to accommodate the land use proposed.  | No acceptable solution specified.   | N/A No easements are proposed             |
| <b>Boundary Realignments</b>  |   |   |
| <b>PC30</b> The adjustment of a boundary or boundaries must not result in the creation of additional allotments and must improve the existing situation.  | <p><b>AS31.1</b> An improvement in the existing situation results when:</p> <ul style="list-style-type: none"> <li>- the frontage to depth ratio is greater than the existing allotments;</li> </ul> <p style="text-align: center;"><b>OR</b></p> <ul style="list-style-type: none"> <li>- access is provided to an allotment that previously had no access;</li> </ul> <p style="text-align: center;"><b>OR</b></p> <ul style="list-style-type: none"> <li>- the size and configuration of the proposed allotments where located in an established area is consistent with the historical pattern of subdivision in the local area.</li> </ul> | N/A – No boundary alignments are proposed |
| <b>Volumetric Subdivisions</b>  |   |   |

|   |  |   |
|---|--|---|
| <p><b>PC31</b> The subdivision of the space above or below the surface of the land must facilitate efficient development in accordance with the intent of the area where the land is located.</p>   | <p>No acceptable solution specified.</p>   | <p>N/A – No volumetric subdivision is proposed</p>  |
| <p><b>Additional requirements for Community Title Development</b></p>   |  |   |
| <p>The setback of buildings must make efficient use of the site and provide amenity for residents.</p>  | <p>Minimum separation distance between the front of buildings on either side of an access way is 12 metres.</p>  | <p>This matter can be suitably conditioned by Council.</p>  |
| <p><b>PC32</b> Internal access ways and driveways must be designed to clearly indicate the function of the access way and provide acceptable levels of access, safety, amenity and convenience for users, as well as catering for carparking facilities.</p>  | <p><b>PC2</b> Internal access ways are designed in accordance with Planning Scheme Policy No. 2 – Development Manual<br/> <b>PC2</b> All cars can enter and exit form garages and carparking spaces in one movement. Internal driveways serving a single dwelling are a maximum of 3.0 metres wide.<br/> <b>PC2</b> Driveways serving more than three lots are at least 4.0 metres wide.</p> | <p>Complies<br/><br/>Complies<br/><br/>Complies and can be conditioned by Council.</p>              |
| <p><b>PC33</b> Communal open space or common property (where proposed) must be designed to meet user needs and determined by:</p> <ul style="list-style-type: none"> <li>- overall housing density;</li> <li>- the quality and extent of alternative private or nearby public open space;</li> <li>- the need for landscaping to create a sense of enclosure while allowing formal surveillance and meeting security needs;</li> <li>- the need to distinguish communal open space from private open space; and</li> <li>- the need to maintain the privacy of nearby dwellings.</li> </ul> | <p>No acceptable solution specified.</p>   | <p>The communal open space areas for the proposed development will be the existing golf course.</p> |

**Issues**

The average lot size were a development includes small lots does not meet the Scheme requirement of 600 m<sup>2</sup>. In this instance however the following grounds are relevant to support the proposal.

- The proposed lots are not located within an existing or proposed residential estate and therefore will not impact on the amenity of an existing community;
- The proposed lots provide for suitable size and dimensions to enable development of dwellings that will form part of the golf course "community";
- The lots are part of a community title scheme and the calculation of medium lot size does not include the common areas provided for parking and storage. Inclusion of these areas would provide for a lot size average in excess of 600 m<sup>2</sup>.

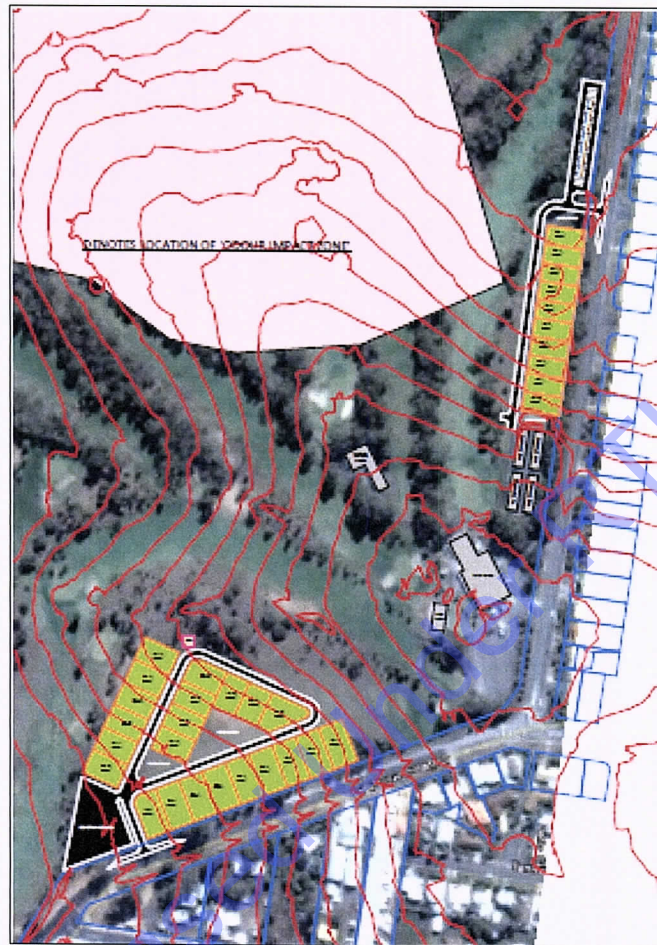
FCRC - Released Under RTI Act 2009



**Overall Outcomes for the Odour Impact Overlay Code**

a) To ensure that residential and commercial development is not affected by odorous emissions.

The proposed residential development is located wholly outside the identified odour buffer area.



**4.8.4 Development Principles**

| ODOUR IMPACT OVERLAY CODE  |  |   |
|--|--|---|
| Performance Criteria   | Proposed Development   | Complying?  |
| PC1 Residential development is not intensified in areas adversely affected by odour emissions.   | Residential development is not located within the odour impact buffer areas of the Eli Creek waste water treatment plant identified on the Planning Scheme Overlay Maps. | Meets Acceptable Solution and can be suitable conditioned by Council. |
| PC2 'Sensitive' land uses and activities are not adversely affected by odour emissions from activities within the odour impact buffer areas. | Sensitive land uses are not located within the identified buffer areas.  | Meets Acceptable Solution and can be suitable conditioned by Council. |

Overall Outcomes for the Works, Services and Infrastructure Code

4.14.4 Development Guidelines

| WORKS, SERVICES & INFRASTRUCTURE CODE   |   |   |
|---|---|---|
| Performance Criteria  | Proposed Development  | Complying?  |
| <b>General Infrastructure Provision and Integration</b>   |   |   |
| <b>PC1</b> Land used for urban purposes must be serviced adequately with regard to water, waste disposal, drainage, telecommunication and electricity infrastructure.   | It is our understanding the subject site is adequately serviced with all necessary infrastructure and has access to all urban services consistent with the requirements for the proposed development. The developer will be required to liaise with Council and Wide Bay Water in respect of connection to infrastructure services. | Meets Acceptable Solution and can be suitable conditioned by Council. |
| <b>PC2</b> An adequate, safe and reliable supply of potable and general use water is provided.  | It is our understanding the subject site is adequately serviced by a reticulated water supply.  | Meets Acceptable Solution and can be suitable conditioned by Council. |
| <b>PC3</b> Provision is made for the treatment and disposal of effluent to ensure there are no adverse impacts on water quality (both ground water and surface waters) and no adverse ecological impacts as a result of the system or as a result of increasing the cumulative effect of systems in the locality. | It is our understanding the subject site is adequately serviced by a reticulated sewerage system.   | Meets Acceptable Solution and can be suitable conditioned by Council. |
| <b>PC4</b> Land is provided with internal and external drainage to an appropriate standard to minimise runoff and impacts on receiving waters (both surface and ground water).  | It is our understanding the subject site is adequately serviced by a reticulated stormwater system pursuant to an established stormwater policy. Stormwater from the residential development will be directed to and retarded on the existing golf course for irrigation purposes.  | Meets Acceptable Solution and can be suitable conditioned by Council. |
| <b>PC5</b> Land is provided with an electricity supply.   | It is our understanding the subject site is adequately connected to an electricity supply   | Meets Acceptable Solution   |
| <b>PC6</b> Telecommunication facilities are provided to all sites and/or development.   | It is our understanding the subject site is adequately connected to a telecommunications system.  | Meets Acceptable Solution   |
| <b>PC7</b> Roads are provided to allow for :<br>a) safe and efficient movement of vehicles on the road adjacent to the site;<br>b) the safe and efficient movement of vehicles to and from the site;<br>c) the safe and efficient movement of pedestrian and cyclists adjacent to the                             | The road frontage is constructed to bitumen sealed standards and can safely and efficiently accommodate traffic movement.   | Meets Acceptable Solution   |

|   |   |   |
|---|---|---|
| site; and<br>d) the safe and efficient movement of pedestrians and cyclists to and from the site.   |   |   |
| <b>Flood management</b>   |   |   |
| <b>PC8</b> Development design must reduce property damage and where applicable, ensure public safety by ensuring that the development levels are set above the relevant design flood event, and by avoiding causing exposure to undue flood hazard. | N/A   | N/A   |
| <b>PC9</b> Development must not compromise flood evacuation procedures, with sufficient access of egress available to enable evacuation during a range of floods up to and beyond the designated flood event.                                       | N/A   | N/A   |
| <b>PC10</b> The proposed stormwater management system or site works must not adversely impact on flooding or drainage of properties that are upstream, downstream or adjacent to the subject site.  | All stormwater design and construction will be carried out in accordance with the existing stormwater policy for this catchment.  | Meets Acceptable Solution and can be suitable conditioned by Council. |
| <b>PC11</b> Development must not reduce the flood storage capacity of the creek or waterway.  | It is our understanding that all site drainage is carried out in accordance with Council's Drainage Strategy and no direct discharge is made to waterways external to the site. | Meets Acceptable Solution and can be suitable conditioned by Council. |
| <b>PC12</b> Development protects and enhances the environmental values in a creek or waterway, including its banks and vegetation.  | It is our understanding the proposal will not impact upon natural environmental assets or ecological processes.   | Meets Acceptable Solution   |
| <b>PC13</b> Landscaping must not impede a natural watercourse, flood channel or overland flow path.   | The subject site is not located within close proximity to a watercourse, such that the proposal would reduce the water quality of receiving waters.                             | Meets Acceptable Solution   |
| <b>Filling and Excavation</b>   |   |   |
| <b>PC14</b> Filling and excavation does not result in the instability of a site or adjacent land.   | N/A   | Meets Acceptable Solution and can be suitable conditioned by Council. |
| <b>PC15</b> Filling or excavation does not result in the contamination of land.   | N/A   | Meets Acceptable Solution and can be suitable conditioned by Council. |
| <b>PC16</b> Changes to site characteristics as a result of filling or excavation has no detrimental impact upon the site or upstream or downstream land.  | It is our understanding that all site drainage is carried out in accordance with Council's Drainage Strategy and no direct discharge is made to waterways external to the site. | Meets Acceptable Solution and can be suitable conditioned by Council. |
| <b>PC17</b> Earthworks are carried out in a   | N/A   | Meets Acceptable Solution   |

|   |     |   |
|---|-----|---|
| manner to ensure no adverse impact upon surrounding land including groundwater, watercourses, drainage lines, wetlands, and native vegetation.  |     | and can be suitable conditioned by Council.                           |
| <b>PC18</b> Embankment location and construction does not impact upon neighbouring properties in terms of :<br><br>a) hydrology;<br>b) alteration of existing overland flow paths and patterns;<br>c) landslip or failure of dam wall; and<br>d) effluent disposal areas. | N/A | Meets Acceptable Solution and can be suitable conditioned by Council. |

**Issues**

Nil

FCRC - Released Under RTI Act 2009





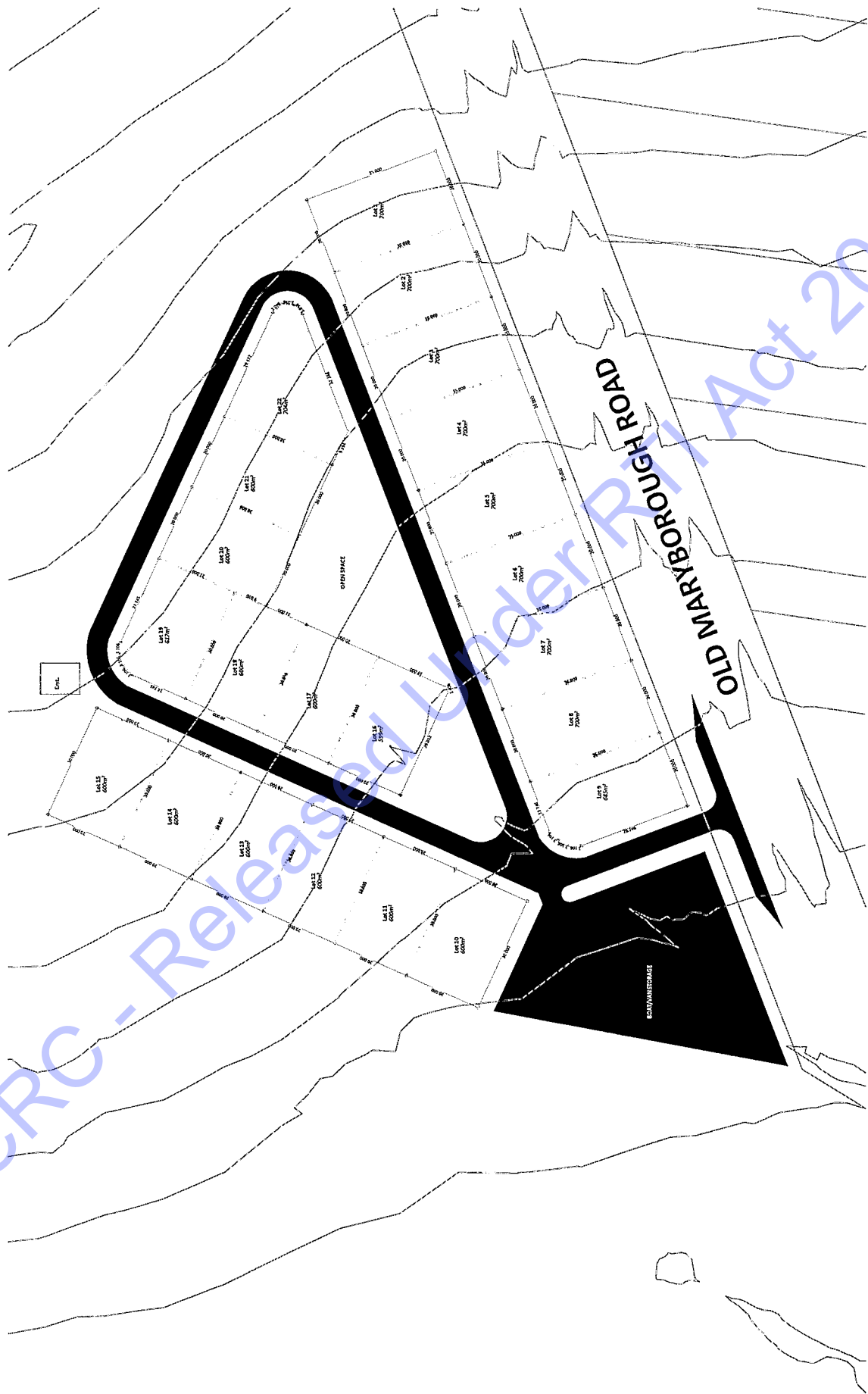
### 3.0 CONCLUSION

It is our opinion that the proposed Material Change of Use is consistent with the objectives and future intent of the Town Planning Scheme for the City of Hervey Bay. The development generally complies with the provisions of the Strategic Framework and the Desired Environmental Outcomes for the City and the scale and nature of development is consistent with the expectations of development in this locality given its compliance with Council's planning requirements.

The proposed development is suitably designed to be compatible with the character of the locality and will not have unacceptable impacts on the area through traffic generation, building scale, noise or visual characteristics, beyond the expectations of the precinct. The development complies with the provisions of the Town Planning Scheme and will offer significant benefits to the growth of the City.

It is therefore submitted that the proposed development is suitable for approval subject to reasonable and relevant conditions.

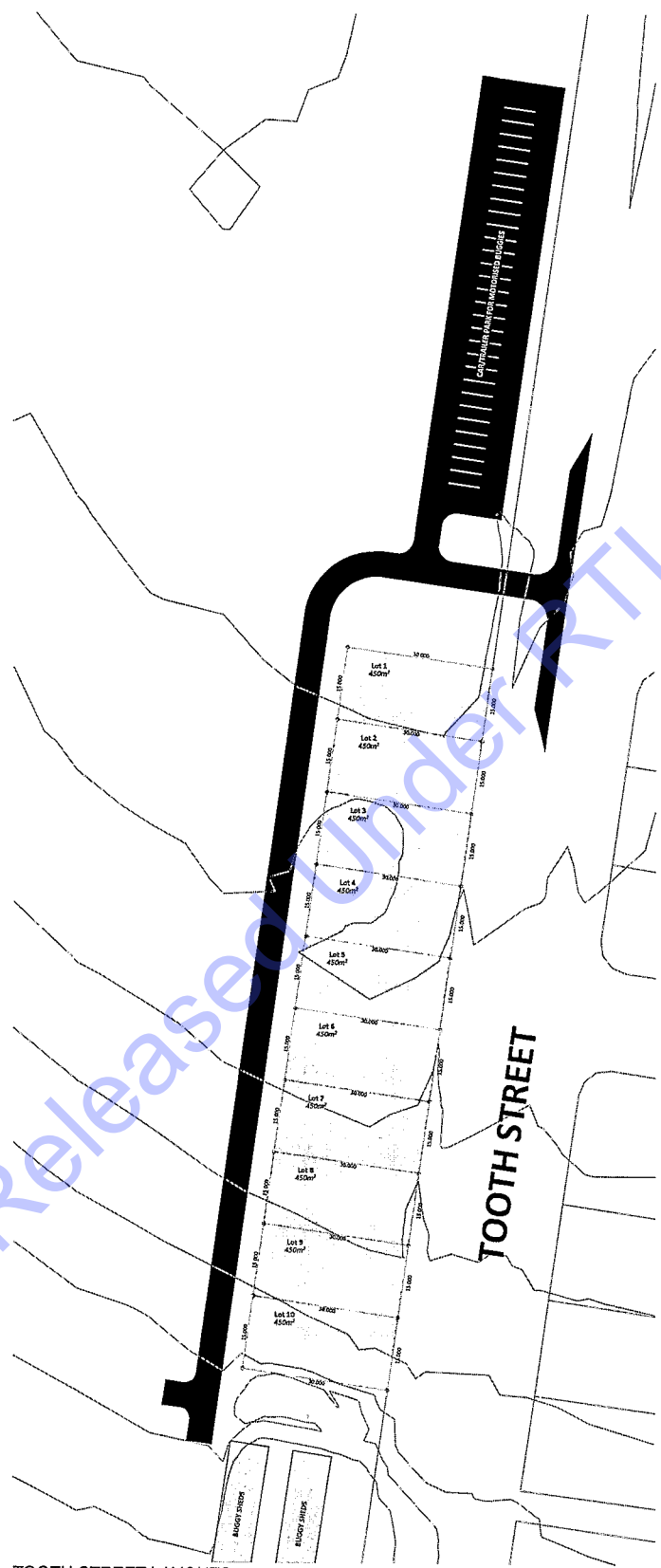
FCRC - Released Under RTI Act 2009



FCRC - Released Under RTI Act 2009

OLD MARYBOROUGH ROAD LAYOUTS  
Scale 1:500





TOOTH STREET LAYOUTS  
Scale 1:500

**Kamala Dunn**

---

**From:** Adam Yem  
**Sent:** Monday, 15 November 2010 5:56 PM  
**To:** Ward Veitch; Doug Mackay  
**Subject:** Proposed 32 Residential Lots at Hervey Bay Golf Club (Council Ref: MCU-101239)

**Importance:** High

Ward/Doug,


Council is requesting that the Information Request Period be extended for a further 2 business days to allow for the finalisation of the Information Request. Pursuant to Section 277(3) of the *Sustainable Planning Act 2009*, can you please provide Council with written agreement to extend the Information Request Period until the 17 November 2010.

Regards,

**Adam Yem**

Principal Planner  
Development Services  
Fraser Coast Regional Council  
Telephone: (07) 4197 4553  
Fax: (07) 4197 4595  
Web site: <http://www.frasercoast.qld.gov.au>

**Disclaimer:** If you receive this email by mistake please notify the sender and do not make any use of it. Council does not waive any privilege, confidentiality or copyright associated with this email or any attachments.

 Please consider the environment before printing this e-mail

FCRC - Released Under RTI Act 2009

75

**Kamala Dunn**

---

**From:** Ward Veitch <ward@urbanplanet.com.au>  
**Sent:** Tuesday, 16 November 2010 8:35 AM  
**To:** Adam Yem  
**Subject:** RE: Proposed 32 Residential Lots at Hervey Bay Golf Club (Council Ref: MCU-101239)

ok

Kind regards

**Ward Veitch**

PARTNER - GDURP MPIA

s.47(3)(b) Sch 4  
Part 3 Item 3

T: 07 4128 2888 M: 0427 282 088 F: 07 4128 2588

[www.urbanplanet.com.au](http://www.urbanplanet.com.au)

2/59 Torquay Road or PO Box 232 Hervey Bay Q 4655



LAND USE SOLUTIONS BEYOND THE SQUARE

We do not waive any privilege, confidentiality or copyright associated with this email.  
If you receive it by mistake please do not make any use of it and notify us immediately.

---

**From:** Adam Yem [REDACTED] s.47(3)(b) Sch 4  
**Sent:** Monday, 15 November 2010 5:57 PM Part 3 Item 3  
**To:** Ward Veitch; Doug Mackay  
**Subject:** Proposed 32 Residential Lots at Hervey Bay Golf Club (Council Ref: MCU-101239)  
**Importance:** High

Ward/Doug,

Council is requesting that the Information Request Period be extended for a further 2 business days to allow for the finalisation of the Information Request. Pursuant to Section 277(3) of the *Sustainable Planning Act 2009*, can you please provide Council with written agreement to extend the Information Request Period until the 17 November 2010.

Regards,

**Adam Yem**

Principal Planner

Development Services

Fraser Coast Regional Council

Telephone: (07) 4197 4553

Fax: (07) 4197 4595

Web site: <http://www.frasercoast.qld.gov.au>

**Disclaimer:** If you receive this email by mistake please notify the sender and do not make any use of it. Council does not waive any privilege, confidentiality or copyright associated with this email or any attachments.

76

**Kamala Dunn**

**From:** Doug Mackay [REDACTED]  
**Sent:** Tuesday, 16 November 2010 9:18 AM  
**To:** Adam Yem  
**Subject:** RE: Proposed 32 Residential Lots at Hervey Bay Golf Club (Council Ref: MCU-101239)

s.47(3)(b) Sch 4  
Part 3 Item 3

Yes – please extend.

Doug Mackay

Partner | **URBAN PLANET TOWN PLANNING CONSULTANTS**  
 2/59 Torquay Road | Hervey Bay | QLD | 4655 | T (07) 41 282888 | F (07) 41 282588 | M 0427-282085 | E [REDACTED]  
 [REDACTED] | W [www.urbanplanet.com.au](http://www.urbanplanet.com.au)

We do not waive any privilege, confidentiality or copyright associated with this email. If you receive it by mistake please do not make any use of it and notify us immediately.

s.47(3)(b) Sch 4  
Part 3 Item 3



Please consider the environment before printing this e-mail

<hr u1:place="" size=2 width="100%" align=center tabindex=-1>

**From:** Adam Yem [REDACTED]  
**Sent:** Monday, 15 November 2010 5:57 PM  
**To:** Ward Veitch; Doug Mackay  
**Subject:** Proposed 32 Residential Lots at Hervey Bay Golf Club (Council Ref: MCU-101239)  
**Importance:** High

Ward/Doug,

Council is requesting that the Information Request Period be extended for a further 2 business days to allow for the finalisation of the Information Request. Pursuant to Section 277(3) of the *Sustainable Planning Act 2009*, can you please provide Council with written agreement to extend the Information Request Period until the 17 November 2010.

Regards,

**Adam Yem**

Principal Planner  
 Development Services  
 Fraser Coast Regional Council  
 Telephone: (07) 4197 4553  
 Fax: (07) 4197 4595  
 Web site: <http://www.frasercoast.qld.gov.au>

**Disclaimer:** If you receive this email by mistake please notify the sender and do not make any use of it. Council does not waive any privilege, confidentiality or copyright associated with this email or any attachments.



Please consider the environment before printing this e-mail

(20101115) \_\_\_\_\_

The message was checked by ESET NOD32 Antivirus.

<http://www.eset.com>

FCRC - Released Under RTI Act 2009

77

**Kamala Dunn**

---

**From:** Adam Yem  
**Sent:** Wednesday, 17 November 2010 8:41 AM  
**To:** Nicole Nissen  
**Subject:** RE: MCU 101239 - Tooth Street, Pialba  
  
**Importance:** High

Nicole,

The Information Request is due today. Does WBWC have any requirements?

Regards,

**Adam Yem**

Principal Planner  
Fraser Coast Regional Council  
Telephone: (07) 4197 4553

**Disclaimer:** If you receive this email by mistake please notify the sender and do not make any use of it. Council does not waive any privilege, confidentiality or copyright associated with this email or any attachments.

---

**From:** Nicole Nissen [REDACTED]  
**Sent:** Thursday, 14 October 2010 3:39 PM  
**To:** Adam Yem  
**Subject:** FW: MCU 101239 - Tooth Street, Pialba  
**Importance:** High

s.47(3)(b) Sch 4  
Part 3 Item 3

Dear Adam,

I refer to previous correspondence and my telephone conversation with Terry from your office today.

Keith Disher from our office is still currently still assessing this matter and is not in a position to provide our RFI requirements.

I advised that WBWC will more than likely have some "request for information" requirements.

Can you please arrange for this request to be noted in your Acknowledgement Notice.

Once I receive further instructions from Keith I will let you know.

Thanks.

Yours Faithfully,

*Nicole Nissen*

Engineering Administration & Development Officer  
Wide Bay Water Corporation  
PH: 1300 808 888  
Dir: 07 4194 7661 | F: 07 4125 5118  
Email: [REDACTED]

s.47(3)(b) Sch 4  
Part 3 Item 3

---

**From:** Nicole Nissen  
**Sent:** Thursday, 14 October 2010 9:07 AM  
**To:** 'Adam Yem'  
**Subject:** FW: MCU 101239 - Tooth Street, Pialba  
**Importance:** High

Dear Adam,

I refer to the emails below.

Can you please urgently advise our office of the Request For Info date and Final Comments date for MCU 101239?

Thank you.

Yours Faithfully,

*Nicole Nissen*

Engineering Administration & Development Officer  
Wide Bay Water Corporation  
PH: 1300 808 888  
Dir: 07 4194 7661 | F: 07 4125 5118  
Email: [REDACTED]  
Web: www.widebaywater.qld.gov.au

s.47(3)(b) Sch 4  
Part 3 Item 3

---

**From:** Christine Walton [REDACTED]  
**Sent:** Wednesday, 13 October 2010 8:29 AM  
**To:** Nicole Nissen  
**Subject:** RE: MCU 101239 - Tooth Street, Pialba

Hi Nicole

This one is Adam Yem's and I have asked him to advise of dates.

Cheers  
Chris

**Chris Walton**

Administration Officer  
Community and Development  
Fraser Coast Regional Council  
Telephone: (07) 4197 4513  
Fax: (07) 4197 4595  
Web site: <http://www.frasercoast.qld.gov.au>

**Disclaimer:** If you receive this email by mistake please notify the sender and do not make any use of it. Council does not waive any privilege, confidentiality or copyright associated with this email or any attachments.

---

**From:** Nicole Nissen [REDACTED]  
**Sent:** Tuesday, 12 October 2010 4:19 PM  
**To:** Christine Walton

s.47(3)(b) Sch 4  
Part 3 Item 3

**Subject:** MCU 101239 - Tooth Street, Pialba  
**Importance:** High

Hi Chris,

Can you please advise which Planner is looking after – MCU101239 – Tooth Street, Pialba.

Also can you please advise the Request For Info date and Final Comments date ?

Thanks,

Yours Faithfully,

*Nicole Nissen*

Engineering Administration & Development Officer  
Wide Bay Water Corporation  
PH: 1300 808 888  
Dir: 07 4194 7661 | F: 07 4125 5118  
Email: [REDACTED]  
Web: www.widebaywater.qld.gov.au

s.47(3)(b) Sch 4  
Part 3 Item 3

---

DISCLAIMER: The information in this e-mail and any attachments is confidential and may be legally privileged. This e-mail is intended solely for the addressee. If you have received this email in error, this does not waive our confidentiality rights. If you are not the addressee, dissemination, copying or other use of this e-mail or any of its content is strictly prohibited and may be unlawful. If you are not the intended recipient please inform the sender immediately and destroy the e-mail and any copies. All liability for viruses is excluded to the fullest extent permitted by law. Any views expressed in this message are those of the individual sender. No contract may be construed by this e-mail. Thank you.

---

This e-mail message has been scanned for Viruses and Content and cleared by **MailMarshal**

---

---

This email has been scanned for Wide Bay Water by the MessageLabs Email Security System.

---



**Kamala Dunn**

s.47(3)(b) Sch 4  
Part 3 Item 3

**From:** PALM [REDACTED]  
**Sent:** Wednesday, 17 November 2010 9:20 AM  
**To:** ward@urbanplanet.com.au  
**Cc:** Adam Yem  
**Subject:** Hervey Bay Golf and Country Club

Hervey Bay Golf & Country Club Inc  
 C/- Ward Veitch  
 PO Box 232  
 Hervey Bay Qld 4655

cc. Fraser Coast Regional Council  
 Attn: Adam Yen  
 PO box 1943  
 Hervey Bay QLD 4655  
 Council Reference: MCU - 101239

Our reference: CROW 45641

Dear Mr Veitch

**Application for development approval**

1. The Chief Executive, Department of Environment and Resource Management (DERM) as referral agency received the application on 27 October 2010.

2. **Application details**

Development approval applied for: Development permit  
 Aspect(s) of development:  
 Material Change of use – Concurrence Agency  
 On land containing a category 1, 2, or 3 area as shown on a property map of assessable vegetation or containing remnant vegetation and the lot is 2ha or larger  
 Material Change of Use – Concurrence Agency  
 Land is on the Environmental Management Register Site id 47880 (Missed Referral)  
*Sustainable Planning Regulation 2009* - Schedule 7, table 2, item 21  
 Reconfiguration of a lot 1 lot into 32  
 Development description: 32 Low density Residential lots  
 Property/Location description: Lot 2 on SP165309  
 Tooth Street Pialba

3. The application is not properly referred (incomplete) to DERM in accordance with section 272 of the Act.

4. The reason(s) DERM is satisfied the application is not properly referred (incomplete) are as follows.

The applicant has not made the application in the approved form. The Form 24 must be completed for development applications that require referral to DERM under the *Sustainable Planning Regulation* Schedule 7 Table 2 Item 21.

The applicant has not provided DERM's concurrence agency application fee of \$5,150.00 as prescribed by Schedule 7 of the *Vegetation Management Regulation 2000*.

The applicant has not provided the supporting information the approved form states is mandatory supporting information for the application. The Form 11 lists a Property Vegetation Management Plan (PVMP) as mandatory supporting information to accompany an application for a material change of use or reconfiguring

of a lot. The information to be included in the PVMP, as required under Part 2, Section 3 (3-5) of the *Vegetation Management Regulation 2000*, is also listed on the form.

5. The action(s) DERM is satisfied the applicant must take on or before 26 November 2010 for the application to not lapse pursuant to section 273 of the Act and be properly referred in accordance with section 272 of the Act are as follows.

Make the application in the approved form.

Provided DERM's concurrence agency application fee of \$5,150.00

Provide the supporting information the approved form states is mandatory supporting information for the application.

6. DERM's referral agency jurisdiction for vegetation clearing was amended in November 2009. The Assessment Manager, Fraser Coast Regional Council, has determined that DERM is a concurrence agency for the assessment of potential vegetation clearing associated with the development you have proposed. Information on the current referral jurisdiction for vegetation clearing can be found at [www.dip.qld.gov.au](http://www.dip.qld.gov.au). IDAS checklists have been updated to reflect these changes and are available to assist you in determining when an application must be referred to DERM. A checklist relevant to your application type is available at [www.dip.qld.gov.au](http://www.dip.qld.gov.au).

If, after consulting the relevant checklist, you consider that your application does not require referral for vegetation clearing, please discuss your reasons with the Assessment Manager. The Assessment Manager Contact for your application is Adam Yem who may be contacted on (07) 4197 4553. DERM Vegetation Management Officers—based in your region—are available to assist both the Assessment Manager and Applicant in understanding and interpreting the referral jurisdiction for vegetation clearing. If you wish to speak with a DERM Vegetation Management Officer, please contact the Bundaberg office on phone number (07) 4131 5504.

7. Should you have any questions about the above, please contact Bernadette Simpson on telephone number 1300 130 372 quoting the above reference number. Please note that a copy of this letter has been sent to the Assessment Manager for their information.

Regards,  
Bernadette Simpson

Senior Administration Officer, Permit and Licence Management

Implementation & Support Unit, Regional Service Delivery

**Telephone** 1300 130 372 (option 4 then option 2) OR 07 3137 4202 **Facsimile** 07 3896 3342

**Email** [REDACTED]

[www.derm.qld.gov.au](http://www.derm.qld.gov.au)

s.47(3)(b) Sch 4  
Part 3 Item 3

Department of Environment and Resource Management

4/41 George St, Brisbane Q 4000

GPO Box 2454, Brisbane Q 4001

**Kamala Dunn**

---

**From:** Adam Yem  
**Sent:** Wednesday, 17 November 2010 2:03 PM  
**To:** Ward Veitch; 'Pengelly Evan'  
**Subject:** RE: Golf Club

Evan,

I refer to the email from Urban Planet regarding the proposed 32-lot residential development at the Hervey Bay Golf Course and need to discuss with you further.

Can you please call me when convenient.

Regards,

**Adam Yem**  
Principal Planner  
Fraser Coast Regional Council  
Telephone: (07) 4197 4553

**Disclaimer:** If you receive this email by mistake please notify the sender and do not make any use of it. Council does not waive any privilege, confidentiality or copyright associated with this email or any attachments.

---

**From:** Ward Veitch [REDACTED]  
**Sent:** Thursday, 11 November 2010 2:08 PM  
**To:** 'Pengelly Evan'  
**Cc:** Adam Yem  
**Subject:** Golf Club

s.47(3)(b) Sch 4  
Part 3 Item 3

Evan, further to our conversation this afternoon, Adam Yem has requested written advice (e-mail) from you in relation to the referral trigger for remnant veg. I have attached the report for you reference.

Kind regards

**Ward Veitch**  
PARTNER - GDURP MPIA

s.47(3)(b) Sch 4  
Part 3 Item 3

T: 07 4128 2888 M: 0427 282 088 F: 07 4128 2588

[REDACTED] [www.urbanplanet.com.au](http://www.urbanplanet.com.au)

2/59 Torquay Road or PO Box 232 Hervey Bay Q 4655



**LAND USE SOLUTIONS** BEYOND THE SQUARE

We do not waive any privilege, confidentiality or copyright associated with this email. If you receive it by mistake please do not make any use of it and notify us immediately.

80

**Kamala Dunn**

---

**From:** Adam Yem  
**Sent:** Wednesday, 17 November 2010 5:10 PM  
**To:** Ward Veitch  
**Subject:** Proposed 32 Residential Lots at Tooth St, Pialba (MCU-101239)

Ward,

Please find attached Council's Information Request for the above development application. If you have any queries, please call me.



MCU-101239 -  
Information Req...

Regards,

**Adam Yem**

Principal Planner  
Development Services  
Fraser Coast Regional Council  
Telephone: (07) 4197 4553  
Fax: (07) 4197 4595  
Web site: <http://www.frasercoast.qld.gov.au>

**Disclaimer:** If you receive this email by mistake please notify the sender and do not make any use of it. Council does not waive any privilege, confidentiality or copyright associated with this email or any attachments.



Please consider the environment before printing this e-mail

Kamala Dunn

s.47(3)(b) Sch 4  
Part 3 Item 3

**From:** Collins James <[redacted]@derm.qld.gov.au>  
**Sent:** Thursday, 18 November 2010 3:03 PM  
**To:** Adam Yem  
**Subject:** MCU/RaL HB Golf Club Lot 2 on SP165309

G'day Adam,

In relation to the above application Ward Veitch from Urban Planet Town Planning has indicated you require advice in relation to the vegetation management triggers. The RaL trigger is listed in Schedule 7 Table 1 Item 4 of the Sustainable Planning Regulation 2009 and the MCU trigger is listed in Schedule 7 Table 3 Item 10 of the Sustainable Planning Regulation 2009.

The triggers relate to operation work and addition exempt operation work that could be carried out as a result of the proposed MCU/RaL. That is if the proposed MCU/RaL will result in the clearing of assessable vegetation (mapped remnant vegetation) the application should be referred to DERM for vegetation clearing.

It was decided when the new triggers were released that council would decide whether an application would be referred. Therefore if council believes there may be clearing of assessable vegetation (operation works) they would refer the application for vegetation assessment.

If council require assistance in the interpretation of the triggers and whether an application meets the triggers DERM can assist but ultimately the decision is councils.

Likewise if an applicant approaches DERM on whether an application is triggered we can advise the applicant on the interpretation of the triggers but we can not say whether the application will be triggered.

Regards

James Collins  
Senior Vegetation Management Officer  
Department of Environment and Resource Management  
**Telephone:** 07 4131 5754 **Facsimile:** 07 4153 1307 [redacted]  
[www.derm.qld.gov.au](http://www.derm.qld.gov.au)

s.47(3)(b) Sch 4  
Part 3 Item 3

Department of Environment and Resource Management  
16-32 Enterprise Street Bundaberg Qld 4670  
PO Box 1167 Bundaberg Qld 4670

+-----+

Think B4U Print

1 ream of paper = 6% of a tree and 5.4kg CO2 in the atmosphere

3 sheets of A4 paper = 1 litre of water

+-----+

82

**Kamala Dunn**

---

**From:** Adam Yem  
**Sent:** Monday, 22 November 2010 2:22 PM  
**To:** Ward Veitch  
**Subject:** Proposed 32 Low Density Residential Lots at the Hervey Bay Golf Club (Council Ref: MCU-101239)

Ward,

Please find attached the amended acknowledgement notice for your attention.




MCU-101239 -  
Amended Ackn...

Regards,

**Adam Yem**

Principal Planner  
Development Services  
Fraser Coast Regional Council  
Telephone: (07) 4197 4553  
Fax: (07) 4197 4595  
Web site: <http://www.frasercoast.qld.gov.au>

**Disclaimer:** If you receive this email by mistake please notify the sender and do not make any use of it. Council does not waive any privilege, confidentiality or copyright associated with this email or any attachments.

 Please consider the environment before printing this e-mail

FCRC - Released Under RTI Act 2009

83

**Kamala Dunn**

---

**From:** Adam Yem  
**Sent:** Friday, 28 January 2011 11:34 AM  
**To:** Ward Veitch  
**Subject:** Hervey Bay Gold Club - (Council Ref: MCU-101239)

Ward,

As requested, please find attached Council's aerial photography over the site for your attention.



A3 Port Standard  
Print1131649...

If you have any queries, please call me.

Regards,

**Adam Yem**

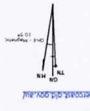
Principal Planner  
Development Services  
Fraser Coast Regional Council  
Telephone: (07) 4197 4553  
Fax: (07) 4197 4595  
Web site: <http://www.frasercoast.qld.gov.au>

**Disclaimer:** If you receive this email by mistake please notify the sender and do not make any use of it. Council does not waive any privilege, confidentiality or copyright associated with this email or any attachments.



Please consider the environment before printing this e-mail

FCRC - Released Under RTI Act 2009



Fraser Coast Regional Council  
 PO Box 1843  
 Highway 1, O 4655  
 WA 6157 4555  
 www.frasercoast.qld.gov.au

**Important Notice!**  
 This map is a product of a survey and is not to be used for any other purpose. The information has been prepared for Council's internal purposes and is not intended to be used for any other purpose. While every care is taken to ensure the accuracy of this data, neither the Fraser Coast Regional Council nor the Department of Environment and Resource Management makes any representation or warranty about its accuracy, completeness or suitability for any particular purpose and disclaims all responsibility and all liability (including without limitation, liability in negligence) for any losses, damages or consequential damages (and costs which you may incur) as a result of the data being inaccurate or incomplete in any way and for any reason.  
 The State of Queensland (Department of Environment and Resource Management) 2010.  
 © Fraser Coast Regional Council 2010.

**Important**  
 This map is based on the Geocentric Datum of Australia (GDA99) and is not to be used for any other purpose. The information has been prepared for Council's internal purposes and is not intended to be used for any other purpose. While every care is taken to ensure the accuracy of this data, neither the Fraser Coast Regional Council nor the Department of Environment and Resource Management makes any representation or warranty about its accuracy, completeness or suitability for any particular purpose and disclaims all responsibility and all liability (including without limitation, liability in negligence) for any losses, damages or consequential damages (and costs which you may incur) as a result of the data being inaccurate or incomplete in any way and for any reason.  
 The State of Queensland (Department of Environment and Resource Management) 2010.  
 © Fraser Coast Regional Council 2010.

Map Scale: 1:3,566 at A4  
 Map Zoom: 0.9876 km  
 Drawn By: planning  
 Date: Friday, 28 January 2011  
 Projection: MGA94 Zone 55



Created on Friday, 28 January 2011 by planning



**From:** John McLennan  
**Sent:** Thursday, 10 February 2011 2:13 PM  
**To:** Adam Yem  
**Cc:** David Norman  
**Subject:** Hervey Bay Golf Course

Adam,

Further to DN's comments I have some other concerns that will need to be provided by the applicant regarding the Hervey Bay Golf Course development proposal.

- The planning report recommends an acoustic barrier to be provide along Old Maryborough Road to "screen" the existing and future development on the opposite of the road. Details of this proposal need to be provided to establish the impact on the amenity of the area and the development. A typical treatment diagram with elevations and sections supported with acoustic analysis will be necessary to properly assess the proposal.
- The location of the proposed intersection on Old Maryborough Road is not in accordance with Council's road hierarchy desirable performance criteria. The preferred separation for intersections within a traffic distributor are 300m. In this instance the proposed intersection is not positioned to provide the appropriate separations. Currently there is approximately 400m separation between Islander Road and Tooth Street. Introducing another intersection between the existing intersections compromises the function of the Traffic Distributor. The alternative is to provide a roundabout intersection at the Islander Road intersection or provide internal access to the development from the current Tooth Street entrance. Some consideration may be given to a Left in Left out intersection positioned equally distant from the Islander Road and Tooth Street intersections. A central median strip would be required to prevent the right turn movements into the site if the T intersection is considered.
- The location of the Tooth Street site access forms a 4 way intersection with Dover Street. Tooth Street is identified as a Controlled Distributor in the Hervey Bay Road Hierarchy plan. The desirable intersection treatment for intersections within Controlled Distributors are signals, roundabouts or Priority T. Alternatively, access could be provided internally from the existing golf club entrance.
- Any consideration to providing access from the existing Golf Course entrance point will need to compensate for the loss of carparking and include a designated corridor separated from the golf club parking area.

Happy to discuss these comments further if required.

Regards,

**John McLennan**

Senior Development Engineer  
Community and Development  
Fraser Coast Regional Council  
Telephone: (07) 4197 4526  
Fax: (07) 4197 4455  
Web site: <http://www.frasercoast.qld.gov.au>

**Disclaimer:** If you receive this email by mistake please notify the sender and do not make any use of it. Council does not waive any privilege, confidentiality or copyright associated with this email or any attachments.

**Kamala Dunn**

---

**From:** Adam Yem  
**Sent:** Friday, 18 February 2011 8:51 AM  
**To:** Ward Veitch  
**Subject:** Hervey Bay Golf Club

Ward,

Acknowledgement Notice attached as requested.




MCU-101239 -  
Acknowledgem...

Regards,

**Adam Yem**

Principal Planner  
Development Services  
Fraser Coast Regional Council  
Telephone: (07) 4197 4553  
Fax: (07) 4197 4595  
Web site: <http://www.frasercoast.qld.gov.au>

**Disclaimer:** If you receive this email by mistake please notify the sender and do not make any use of it. Council does not waive any privilege, confidentiality or copyright associated with this email or any attachments.

 Please consider the environment before printing this e-mail

FCRC - Released Under RTI Act 2009

26

**Kamala Dunn**

---

**From:** Adam Yem  
**Sent:** Friday, 4 March 2011 5:46 PM  
**To:** Ward Veitch ( [REDACTED] )  
**Subject:** Proposed residential development at Hervey Bay Golf Club (Council Ref: MCU-101239)  
**Attachments:** MCU-101239 - RFI Extension.pdf

s.47(3)(b) Sch 4  
Part 3 Item 3

Ward,

Attached is Council's letter extending the Information Request Period. Please note that Council will be issuing an information request early next week.

Regards,

**Adam Yem**

Principal Planner  
Development Services  
Fraser Coast Regional Council  
Telephone: (07) 4197 4553  
Fax: (07) 4197 4595  
Web site: <http://www.frasercoast.qld.gov.au>

**Disclaimer:** If you receive this email by mistake please notify the sender and do not make any use of it. Council does not waive any privilege, confidentiality or copyright associated with this email or any attachments.



Please consider the environment before printing this e-mail

87

**Kamala Dunn**

**From:** STEPHENSEN Peta [REDACTED]  
**Sent:** Tuesday, 8 March 2011 3:04 PM  
**To:** Adam Yem  
**Cc:** info@urbanplanet.com.au  
**Subject:** Ref: MCU-101239 - Tooth Street Pialba  
**Attachments:** 0099\_001.pdf

s.47(3)(b) Sch 4  
Part 3 Item 3

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Good Afternoon,

Attached is your response to the above application.

Thanks

Kind Regards

*Peta Stephensen*

Team Leader Design Support | Southern Design

Ergon Energy

☎: (07) 41 902 712 or 0448950320

✉: [peta.stephensen@ergon.com.au](mailto:peta.stephensen@ergon.com.au)

♻️ Please consider the environment before printing this email.

**From:** ERGON [REDACTED]  
**Sent:** Tuesday, 8 March 2011 3:06 PM  
**To:** STEPHENSEN Peta  
**Subject:** Attached Image

s.47(3)(b) Sch 4  
Part 3 Item 3

<<0099\_001.pdf>>

\*\*\*\*\*  
This e-mail (including any attachments) may contain confidential or privileged information and is intended for the sole use of the person(s) to whom it is addressed. If you are not the intended recipient, or the person responsible for delivering this message to the intended recipient, please notify the sender of the message or send an e-mail to [mailto:help\\_desk@ergon.com.au](mailto:help_desk@ergon.com.au) immediately, and delete all copies. Any unauthorised review, use, alteration, disclosure or distribution of this e-mail by an unintended recipient is prohibited. Ergon Energy accepts no responsibility for the content of any e-mail sent by an employee which is of a personal nature.

Ergon Energy Corporation Limited ABN 50 087 646 062

\*\*\*\*\*



Enquiries to : Peta Stephensen  
Your Ref: MCU-101239

08/03/2011

Fraser Coast Regional Council  
PO Box 1943  
HERVEY BAY QLD 4655

97-99 Adelaide Street  
Maryborough QLD 4650  
PO Box 163  
Maryborough QLD 4650  
Telephone 13 10 46  
Facsimile 07 4123 1124  
Website [www.ergon.com.au](http://www.ergon.com.au)

Dear Sir/Madam,

**Re: Application – MCU-101239  
Lot 2, SP165309  
Tooth Street, Pialba**

In reference to your correspondence dated 23<sup>rd</sup> February 2011, Ergon Energy has no objections to the development application and development permit for Material Change of Use providing the following conditions are met:-

1. Any relocation, repairs, or alterations to the works that may be required by the proposal shall be at the developer's expense as a result of the development.
2. The developer will be required to negotiate electricity supply arrangements by applying in writing to Ergon Energy. Or by contacting Ergon Energy on 13 10 46.

Ergon Energy would like to take this opportunity to advise the developer that our current works program extends beyond 12 months from the date that we receive a signed acceptance of offer.

If you have further enquiries, please contact Peta Stephensen on 07 41 902 712.

Yours faithfully

A handwritten signature in black ink, appearing to read 'P. Stephensen', written over a large, diagonal watermark that says 'FCRC - Released Under RTI Act 2009'.

**For Nev Nolan  
Regional Asset Manager**

88

**Kamala Dunn**

---

**From:** Adam Yem  
**Sent:** Friday, 18 March 2011 5:13 PM  
**To:** Ward Veitch  
**Subject:** Proposed 32 Residential Lots at Tooth St, Pialba (MCU-101239)

Ward,

Please find attached Council's Information Request for the above development application.



MCU-101239 -  
Information Req...

I note that this information request contains additional matters compared to the information request issued on 17 November 2010.

Before you respond, I propose that we arrange for a meeting between yourself, John McLennan and myself to discuss this matter.

If you have any other queries, please call me.

Regards,

**Adam Yem**

Principal Planner  
Development Services  
Fraser Coast Regional Council  
Telephone: (07) 4197 4553  
Fax: (07) 4197 4595  
Web site: <http://www.frasercoast.qld.gov.au>

**Disclaimer:** If you receive this email by mistake please notify the sender and do not make any use of it. Council does not waive any privilege, confidentiality or copyright associated with this email or any attachments.



Please consider the environment before printing this e-mail

89

**Kamala Dunn**

**From:** Bob Goodwin - [REDACTED]  
**Sent:** Wednesday, 30 March 2011 7:40 AM  
**To:** John McLennan; Ward Vietch  
**Cc:** Todd Newman  
**Subject:** FW: MCU 101239 - Hervey Bay Golf Course - Proposed Unit Development  
**Attachments:** Email to FCRC - WBW requirements - 26 Oct 2010.pdf

s.47(3)(b) Sch 4  
Part 3 Item 3

Ward and John,  
 We assume this answer one of the queries from yesterday's meeting.  
 Todd  
 Could Ward and I meet you say 9.00 this Thursday?  
 Some of the committee members may be helpful.

Regards,

Bob Goodwin  
 0408 197 281

**From:** Chris Collin [REDACTED]  
**Sent:** Monday, 31 January 2011 5:32 PM  
**To:** [REDACTED]  
**Cc:** [REDACTED]  
**Subject:** FW: MCU 101239 - Hervey Bay Golf Course - Proposed Unit Development

s.47(3)(b) Sch 4  
Part 3 Item 3

Ward  
 Please find attached email from Keith Disher regarding water and sewer supply to service the proposed development for the Hervey Bay Golf & Country Club. He reiterated in a phone conversation with me today there will be conditions regarding connection locations/details however, the development can connect to existing WBW water and sewer infrastructure.

Regards

**Chris Collin**

Estimator/Project Manager  
**Sunstate Group Qld t/a SGQ**  
 270 Urraween Rd Hervey Bay Q 4655  
 PO Box 1491 Hervey Bay Q 4655  
 M 0429 326 794 | P 07 4191 2900 | F 07 4194 5073

s.47(3)(b) Sch 4  
Part 3 Item 3

**From:** Nicole Nissen [REDACTED]  
**Sent:** Monday, 31 January 2011 4:27 PM  
**To:** Chris Collin - Sunstate Bitumen  
**Subject:** MCU 101239 - Hervey Bay Golf Course - Proposed Unit Development

Hi Chris,

As per your telephone conversation with Keith Disher today, please find attached a copy of Keith's email.

Thanks,

Nicole Nissen | Engineering Development Officer | Engineering Department  
Wide Bay Water Corporation

29-31 Ellengowan St, Hervey Bay Qld 4655 | PO Box 5499, Torquay, Hervey Bay Qld 4655  
Ph: 1300 808 888 | Direct: 07 4194 7661 | Fax: 07 4125 5118

**Web:** [www.widebaywater.qld.gov.au](http://www.widebaywater.qld.gov.au)

s.47(3)(b) Sch 4  
Part 3 Item 3

DISCLAIMER: The information in this e-mail and any attachments is confidential and may be legally privileged. This e-mail is intended solely for the addressee. If you have received this email in error, this does not waive our confidentiality rights. If you are not the addressee, dissemination, copying or other use of this e-mail or any of its content is strictly prohibited and may be unlawful. If you are not the intended recipient please inform the sender immediately and destroy the e-mail and any copies. All liability for viruses is excluded to the fullest extent permitted by law. Any views expressed in this message are those of the individual sender. No contract may be construed by this e-mail. Thank you.

This e-mail message has been scanned for Viruses and Content and cleared by **MailMarshal**

FCRC - Released Under RTI Act 2009



**Nicole Nissen****s.47(3)(b) Sch 4  
Part 3 Item 3**

**From:** Keith Disher  
**Sent:** Tuesday, 26 October 2010 2:21 PM  
**To:** Christine Walton [REDACTED]  
**Cc:** Tony Harding; Jenny Hindmarsh; Louise Baldo; Nicole Nissen  
**Subject:** MCU 101239 - Tooth Street, Pialba - Hervey Bay Golf Club  
**Attachments:** RE: Proposed Golf Links Sub Division

Hi Christine

Attached please find my preliminary comments to Pat Drover at VDM regarding servicing the proposed development with water and sewerage services.  
The current application is Community Title with the common property being the Golf Course as I read the submission. On this basis I make the following comments:

#### Water supply

According to our GIS records the property has an existing DN100 connection to the DN100 reticulation main in Old Maryborough Rd. WBWC is seeking to reduce/limit the number of metered connections to one per property (reduce the risk of internal cross connection). Given that this is a community title development, water supply to the proposed lots shall be provided from the existing DN100 service. If this DN100 service is considered unsatisfactory by the developer's hydraulic consultant then the service shall be upgraded/replaced at the developer's expense. Any upgraded service shall be provided from the DN200 main in Old Maryborough Rd near the intersection with Tooth St.

WBWC will not be allowing any direct connections to the DN375 main in Tooth St (trunk main and not pressure reduced) or the DN375 main in Old Maryborough Rd (trunk main). Nor will multiple connections be approved to service the property. All internal reticulation beyond the existing meter is the responsibility of the Developer. Each property shall be separately metered.

#### Sewerage

The application is written stating that water and sewerage services are available. Accordingly it is assumed that the development will connect to WBWC's sewer reticulation network rather than treating and re-using the effluent on site. The Developer shall prepare a servicing proposal for sewerage for the development and submit and gain approval from WBWC for the proposal. All the proposed lots cannot be commanded by gravity from the existing sewer reticulation therefore internal pumping shall likely be required. The nominated connection point for the units/lots along the Old Maryborough Rd Frontage shall be the DN150 sewer near the roundabout on Boat Harbour Drive unless the option of relocating the existing PS68 on islander road to within the property is pursued by the developer. A connection point shall be provided at the developer's expense within the property. A private pump station and rising main external to the development site to PS68 is not an acceptable solution.

The proposed lots near Tooth St should be able to be commanded from the existing gravity sewers on the east side of Tooth St. The developer shall construct a sewer across Tooth St to provide a connection point on and within the property that will command the proposed lots.

Water and Sewer Infrastructure charges in accordance with Council's Policy are applicable to the development.

Keith Disher  
Senior Planning Engineer  
Wide Bay Water Corporation  
Ph 4194 7652  
Mob 0429 900 764

Kamala Dunn

s.47(3)(b) Sch 4  
Part 3 Item 3

**From:** Bob Goodwin [redacted]  
**Sent:** Wednesday, 30 March 2011 7:46 AM  
**To:** John McLennan; Ward Vietch; Todd Newman  
**Subject:** FW: Golf Club

Regards,

Bob Goodwin  
0408 197 281

s.47(3)(b) Sch 4  
Part 3 Item 3

**From:** Bob Goodwin [redacted]  
**Sent:** Wednesday, 30 March 2011 7:46 AM  
**To:** Mick Kruger ([redacted])  
**Subject:** Golf Club

Mick we had the meeting yesterday afternoon with Adam and John. Once again they were both very helpful. They are trying to remove as many requirements as possible to allow the land to be rezoned. Once the land is rezoned its valuation does increase and the Golf Club can then borrow money against this increased land value to do the development.

There may be some issues where if the Golf Club did do all the required external construction that would be expected from a normal private developer the final return or money to the club won't be sufficient to repay all outstanding loans. If this is the case I will be arranging for some of the executive committee to have meetings with yourself and other Councillors. Your officers must process this application in accordance with the standard guidelines.

Regards,

Bob Goodwin  
0408 197 281

FCRC - Released Under the OIA Act 2009

**Kamala Dunn**

---

**From:** John McLennan  
**Sent:** Wednesday, 30 March 2011 9:15 AM  
**To:** Adam Yem  
**Cc:** Michael Ellery; Peter Smith  
**Subject:** FW: Golf Club

fyi

**John McLennan**

Senior Development Engineer  
Community and Development  
Fraser Coast Regional Council  
Telephone: (07) 4197 4526  
Fax: (07) 4197 4455  
Web site: <http://www.frasercoast.qld.gov.au>

**Disclaimer:** If you receive this email by mistake please notify the sender and do not make any use of it. Council does not waive any privilege, confidentiality or copyright associated with this email or any attachments.

s.47(3)(b) Sch 4  
Part 3 Item 3

---

**From:** Bob Goodwin [REDACTED]  
**Sent:** Wednesday, 30 March 2011 7:46 AM  
**To:** John McLennan; Ward Vietch; Todd Newman  
**Subject:** FW: Golf Club

Regards,

Bob Goodwin  
0408 197 281

---

**From:** Bob Goodwin [REDACTED]  
**Sent:** Wednesday, 30 March 2011 7:46 AM  
**To:** Mick Kruger [REDACTED]  
**Subject:** Golf Club

s.47(3)(b) Sch 4  
Part 3 Item 3

Mick we had the meeting yesterday afternoon with Adam and John. Once again they were both very helpful. They are trying to remove as many requirements as possible to allow the land to be rezoned. Once the land is rezoned its valuation does increase and the Golf Club can then borrow money against this increased land value to do the development.

There may be some issues where if the Golf Club did do all the required external construction that would be expected from a normal private developer the final return or money to the club won't be sufficient to repay all outstanding loans. If this is the case I will be arranging for some of the executive committee to have meetings with yourself and other Councillors. Your officers must process this application in accordance with the standard guidelines.

Regards,

Bob Goodwin

93

**Kamala Dunn**

---

**From:** Amanda Hall  
**Sent:** Monday, 4 April 2011 4:11 PM  
**To:** [REDACTED]  
**Subject:** MCU-101239 - Hervey Bay Golf and Country Club  
**Attachments:** Document5.doc

s.47(3)(b) Sch 4  
Part 3 Item 3

FCRC - Released Under RTI Act 2009

| Legal Description | Owner Name                       | Address                 |
|-------------------|----------------------------------|-------------------------|
| Lot 1 SP165309    | Ergon Energy Corporation Limited | [Redacted]              |
| Lot 2 SP165309    | Hervey Bay Golf Club             | [Redacted]              |
| Lot 213 RP890798  | [Redacted]                       | [Redacted]              |
| Lot 212 RP890798  |                                  | [Redacted]              |
| Lot 211 RP890798  |                                  | [Redacted]              |
| Lot 210 RP890798  |                                  | [Redacted]              |
| Lot 209 RP890798  |                                  | [Redacted]              |
| Lot 208 RP890798  |                                  | [Redacted]              |
| Lot 207 RP890798  |                                  | [Redacted]              |
| Lot 206 RP890798  |                                  | [Redacted]              |
| Lot 205 RP885297  |                                  | [Redacted]              |
| Lot 204 RP885297  |                                  | [Redacted]              |
| Lot 203 RP885297  |                                  | [Redacted]              |
| Lot 202 RP885297  |                                  | [Redacted]              |
| Lot 201 RP885297  |                                  | [Redacted]              |
| Lot 200 RP885297  |                                  | [Redacted]              |
| Lot 182 RP885297  |                                  | [Redacted]              |
| Lot 183 RP885297  |                                  | [Redacted]              |
| Lot 39 RP817666   |                                  | The State of Queensland |
| Lot 38 RP817666   | [Redacted]                       | [Redacted]              |

s.47(3)(b) Sch 4  
Part 3 Item 3

FOI - Released Under RTI Act 2009

|                  |                               |                                     |                                   |
|------------------|-------------------------------|-------------------------------------|-----------------------------------|
| Lot 37 RP817666  | [Redacted]                    | [Redacted]                          |                                   |
| Lot 36 RP817666  |                               |                                     |                                   |
| Lot 35 RP817666  |                               |                                     |                                   |
| Lot 34 RP817666  |                               |                                     |                                   |
| Lot 33 RP817666  |                               |                                     | s.47(3)(b) Sch 4<br>Part 3 Item 3 |
| Lot 32 RP817666  |                               |                                     |                                   |
| Lot 31 RP817666  |                               |                                     |                                   |
| Lot 510 RP817666 | Fraser Coast Regional Council | P O Box 1943<br>Hervey Bay Qld 4655 |                                   |
| Lot 30 RP863346  | [Redacted]                    | [Redacted]                          |                                   |
| Lot 29 RP863346  |                               |                                     |                                   |
| Lot 28 RP863346  |                               |                                     |                                   |
| Lot 27 RP863346  |                               |                                     |                                   |
| Lot 26 RP863346  |                               |                                     |                                   |
| Lot 25 RP863346  |                               |                                     |                                   |
| Lot 24 RP863346  |                               |                                     | s.47(3)(b) Sch 4<br>Part 3 Item 3 |
| Lot 23 RP863346  |                               |                                     |                                   |
| Lot 22 RP863346  |                               |                                     |                                   |
| Lot 500 RP852970 |                               |                                     | Reserve for Park & Recreation     |
| Lot 10 RP852970  | [Redacted]                    | [Redacted]                          |                                   |
| Lot 9 RP852970   |                               |                                     |                                   |
| Lot 8 RP852970   |                               |                                     | s.47(3)(b) Sch 4<br>Part 3 Item 3 |
| Lot 7 RP852970   |                               |                                     |                                   |
| Lot 6 RP852970   |                               |                                     |                                   |

|                  |   |                                     |
|------------------|---|-------------------------------------|
| Lot 502 SP134995 | Fraser Coast Regional Council   | P O Box 1943<br>Hervey Bay Qld 4655 |
| Lot 42 SP185363  |  |                                     |
| Lot 44 SP185363  |   |                                     |
| Lot 45 SP185363  |   |                                     |
| Lot 46 SP185363  |   |                                     |
| Lot 47 SP185363  |   |                                     |
| Lot 48 SP185363  |   |                                     |
| Lot 49 SP185363  |   |                                     |
| Lot 50 SP185363  |   |                                     |
| Lot 51 SP185363  |   |                                     |
| Lot 52 SP185363  |   |                                     |
| Lot 53 SP185363  |   |                                     |
| Lot 54 SP185363  |   |                                     |

s.47(3)(b) Sch 4  
Part 3 Item 3

FCRC - Released Under RTI Act 2009

94

**Kamala Dunn**

---

**From:** Adam Yem  
**Sent:** Friday, 15 April 2011 10:52 AM  
**To:** John McLennan; Jeff Brannan  
**Subject:** MCU-101239 - Response to Information Request - Hervey Bay Golf and Country Club Inc. C/- Urban Planet - MCU - Preliminary Approval s.242 and ROL - 1 into 32 lots - 310311

John/Jeff,

Attached is the applicant's response to Council's information request. Please review and provide with your feedback, additional requirements and conditions by 6 May 2011.




DOC SHBCC-201...

Regards,

**Adam Yem**

Principal Planner  
Development Services  
Fraser Coast Regional Council  
Direct: (07) 4197 4553  
Phone: 1300 79 49 29  
Fax: (07) 4197 4595  
Web site: <http://www.frasercoast.qld.gov.au>

**Disclaimer:** If you receive this email by mistake please notify the sender and do not make any use of it. Council does not waive any privilege, confidentiality or copyright associated with this email or any attachments.

 Please consider the environment before printing this e-mail



**Kamala Dunn**

**From:** Jeff Brannan  
**Sent:** Tuesday, 3 May 2011 12:04 PM  
**To:** Adam Yem  
**Subject:** RE: Strategic planning comments to RFI / MCU-101239 - Response to Information Request - Hervey Bay Golf and Country Club Inc. C/- Urban Planet - MCU - Preliminary Approval s.242 and ROL - 1 into 32 lots - 310311

Adam,

The applicant's RFI response was tabled at the recent Strategic Planning Team Meeting, in which based upon the information provided the Strategic Planning Department does not have any further comments for consideration. Traffic management and acoustic treatment appear to have been previously discussed with the applicant prior to them preparing their RFI response, therefore any advice provided by Council should be suitably encompassed into the proposal prior to any determination being made.

Any queries in relation to this matter please call or email.

**Jeff Brannan**

Senior Planner  
Strategic Planning / Community & Development  
Fraser Coast Regional Council  
Telephone: (07) 4197 4409  
Fax: (07) 4197 4595  
Web site: <http://www.frasercoast.qld.gov.au>

Disclaimer: If you receive this email by mistake please notify the sender and do not make any use of it. Council does not waive any privilege, confidentiality or copyright associated with this email or any attachments.

---

**From:** Adam Yem  
**Sent:** Friday, 15 April 2011 10:53 AM  
**To:** John McLennan; Jeff Brannan  
**Subject:** MCU-101239 - Response to Information Request - Hervey Bay Golf and Country Club Inc. C/- Urban Planet - MCU - Preliminary Approval s.242 and ROL - 1 into 32 lots - 310311

John/Jeff,

Attached is the applicant's response to Council's information request. Please review and provide with your feedback, additional requirements and conditions by 6 May 2011.

<< File: DOCSHBCC-2016083.TIF.DRF >>  
Regards,

**Adam Yem**

Principal Planner  
Development Services  
Fraser Coast Regional Council  
Direct: (07) 4197 4553  
Phone: 1300 79 49 29  
Fax: (07) 4197 4595  
Web site: <http://www.frasercoast.qld.gov.au>

**Disclaimer:** If you receive this email by mistake please notify the sender and do not make any use of it. Council does not waive any privilege, confidentiality or copyright associated with this email or any attachments.

96

s.47(3)(b) Sch 4  
Part 3 Item 3

23 May 2011

Council reference: MCU101239

The Chief Executive Officer  
Fraser Coast Regional Council  
Tavistock Street  
Hervey Bay Qld 4655

To: .....  Make Record  
 File:..... FO.16007 .....  Legal  
 Retention:.....  Restricted  
 25 MAY 2011  
 Plan - Lot: ..... 2/SP.165309 .....  
 Comments: .....  
 ..... Officer:..... W

RECEIVED  
 25 MAY 2011  
 BY: 11690  
 8.30am

Dear Ms Desmond

**SUBMISSION: DEVELOPMENT APPLICATION for 32 RESIDENTIAL LOTS – TOOTH STREET, PIALBA - No MCU101239**

s.47(3)(b) Sch 4  
Part 3 Item 3

1. The location of residential lots adjoining a golf course will add to the limited quantity, and expand the range of high-value real estate in the city. Sea-side and lake-side residential growth opportunities in Hervey Bay have been largely taken up or are severely constrained by legislation. Golf course residential land is a viable and well-established form of high value land which will broaden the residential choices in the city.

2. Given the down-turn in the land development economy, we believe that Council should be welcoming the opportunity to add to the stock of well-located and fully serviced land in the city. This proposal will presumably have the added benefit of securing the long term financial future of the Golf Club, which is a significant facility in the city. The construction of these lots will create short-term employment in the city and provide an additional attraction for new residents who will invest in the local economy.1.

3. This application will hopefully address a situation which has existed in the Hervey Bay Planning Scheme since it was adopted in March 1996.

Prior to the adoption of this Planning Scheme, large areas of land which were used or intended for use for drainage, recreation and private open space were included in the "Special Facilities" Zone. At the time, Council was under pressure from the State Government to remove the many "Special Purposes" zones (which were substantially reduced in number and renamed "Particular Development" Zones) as well as rationalizing the Special Purposes Zones.

Several areas of privately-owned land were included in the Public Open Space Zone as a result. Some of these areas have subsequently been re-developed, particularly along the Toon Creek drainage system, where residential development has been established, detention basins constructed and the remaining land dedicated as open space. For these areas, this was a sound planning policy intent and created a continuous lake-edge open space and walkway system.

However, other properties which did not have the same residential/detention basin/ open space development parameters have been (in our view) unfairly and incorrectly fettered by their inclusion in the "Open Space" zone. We are aware that the Hervey Bay Golf and Country club raised this issue when the planning scheme was on display.

4. We believe that Council's approval of this application will redress the problem of privately-owned land in the Public Open Space Zone. As Council may be aware, Ibis Developments owns land in the Eli Waters area and is investigating a number of residential development options. Some of Ibis Development's land is similarly included in the open space zone and we look forward to Council resolving this issue through the approval of the subject application.

Yours faithfully

s.47(3)(b) Sch 4  
Part 3 Item 3

FCRC - Released Under RTI Act 2009

**Kamala Dunn**

---

**From:** Kylie Matheson  
**Sent:** Monday, 1 August 2011 9:09 AM  
**To:** John McLennan  
**Cc:** Heide Nelson  
**Subject:** HB Golf Course

Hi John

We have numerous concerns regarding flood and drainage impacts related to the HB Golf Course

Apparently, we have just fixed a major drainage issue in that vicinity and would like to ensure that no new issues are created as a result of any works done on / by the Golf Course

Heide has requested some details as to the proposed works, location and a reasonable timeframe to assess the impact of the proposal

Please forward Heide the required details for assessment

Cheers

Kylie

*Kylie A. Matheson*  
Stormwater Planning Officer

s.47(3)(b) Sch 4  
Part 3 Item 3

Surveying and Inundation - Design Section  
Infrastructure and Environment Directorate

For Stormwater and Flood Enquiries -  
[helpdesk.stormwater@frasercoast.qld.gov.au](mailto:helpdesk.stormwater@frasercoast.qld.gov.au)

Fraser Coast Regional Council  
Telephone: (07) 4197 4658  
Fax: (07) 4197 4455  
Web site: <http://www.frasercoast.qld.gov.au>

Disclaimer: If you receive this email by mistake please notify the sender and do not make any use of it. Council does not waive any privilege, confidentiality or copyright associated with this email or any attachments.

*Please consider the environment before printing this e-mail. It takes 1 litre of water to make 3 sheets of A4 paper, 1 ream of paper = 6% of a tree.*

*Reality must take precedence over public relations, for Nature cannot be fooled - Richard P. Feynman*

**INTERNAL MEMORANDUM****TO: Principal Town Planner - Adam Yem****FROM: Senior Development Engineer - John McLennan****SUBJECT: Town Planning Application –  
MCU 513/03 – 101239 – Proposed Golf Course Residential  
Estate.****REFERENCE: MCU 513/03 – 101239****DATE: 29 July 2011**

---

**HERVEY BAY GOLF CLUB - 32 Lot Residential Development**

The application is for the development of residential lots with car parking, boat and van storage areas over Lot 2 on SP1655309. The proposal is to construct 32 standard format lots under a community title management system at the Hervey Bay Golf and Country Club. The development will be accessed by the creation of proposed access driveways and new internal roads off Old Maryborough Road and Tooth Street, at Pialba, Hervey Bay. The development proposes 22 lots to be accessed off Old Maryborough Road and 10 lots to be accessed off Tooth Street. Although the application has not considered the development to be undertaken in stages, each location can be developed independently of the other. The internal roads, car parking and storage areas are intended to be common property as designated in the community title arrangement.

**Roadworks**

Old Maryborough Road is currently constructed and designated as a Traffic Distributor with kerb & channel, all associated underground drainage and a 2.5m wide concrete footpath. The proposal requires the construction of a new intersection with Old Maryborough Road and the creation of an internal loop road. The loop road provides access to the development of 22 standard format lots. The applicant proposes to construct the Old Maryborough Road access approximately 60 to 80 metres north of the Islander Road intersection. This proposal is in contradiction with the recommended road hierarchy intersection separations for a Traffic Distributor. The desirable spacing is 300 metres with round a bout or priority T intersection as preferred treatments.

The applicant will need to amend their layout to demonstrate compliance with this requirement and provide a traffic impact assessment with concept plans demonstrating that the intersection will operate adequately and safely.

Tooth Street is partly constructed with kerb and channel on its eastern side with a formed shoulder and table drain treatment on the western side. The hierarchy designation identifies it as a Controlled Distributor requiring at least a 10 metre wide pavement width between kerb inverts. The current widths at each end are twelve (12) metres. It is recommended that the developer maintain this width along the frontage as part of their works.

The development proposes to construct an access point directly opposite the Dover Street intersection which forms a 4 way intersection. It will be a requirement for the applicant to demonstrate how the intersection will be safe via the provision of a traffic impact assessment.

The developer will be required to construct concrete kerb and channel including underground drainage from the existing kerb at the entrance to the Golf Club along the frontage of the development in Tooth Street to the proposed intersection at Dover Street. Appropriate taper lengths, line marking and traffic control devices will be necessary to complete the works. This work may generate trunk offsets provided it is constructed to a Controlled Distributor standard.

Currently there is no concrete footpath constructed within Tooth Street. The developer will be required to provide a 2.5 m wide footpath that links to the existing footpath infrastructure in Old Maryborough Road along the frontage of the site to the Dover Street intersection. Alternative arrangements may be negotiated to pay a contribution in lieu of construction for the footpath works. The footpath and road construction works may attract trunk infrastructure credits provided the works are in accordance with the trunk standards.

Access to the internal standard lots must be via the road system shown on the submitted plans. Any crossover must be constructed to a residential crossover standard as per Council standard. All driveways, associated aisles and car parking areas must be designed and constructed to Council's standards and policies, including the ability to manoeuvre ~~garbage trucks~~ waste collection vehicles in and out of the site in a reasonable manner.

The internal access road includes multiple car parking bays to service each super lot development. The internal road will need to be wide enough to allow two-way traffic, services corridors and appropriate car parking space such that ~~garbage trucks~~ waste collection vehicles and service vehicles can manoeuvre such that they can enter and exit the site in a forward manner. The applicant will need to submit truck turning plans to demonstrate compliance with this requirement.

### **Stormwater**

The proposal forms part of an overall drainage strategy submitted with the development of the 14 stage subdivision. The applicant will be required to provide an overall stormwater strategy prior to the submission of an operational works application for this development. A detailed plan will be required to demonstrate that site levels are provided to ensure immunity from the minor (Q2) and major (Q100) storm events. The site is not subject to storm surge inundation.

The development falls within the Eli Creek Catchment Management Plan and will ultimately drain into Eli Creek. The applicant is required to provide a stormwater management plan as part of the ultimate development. It is required that the principles of Water Sensitive Urban Design will apply to the development. The applicant will be required to demonstrate how they meet the Queensland Water Quality Objectives and Environmental Planning Policy (Water) standards prior to any operational works approval is given.

Council's Flooding and Inundation officer has provided the following comments:

- *There have previously been issues with flooding both upstream and downstream of the subject land. The applicant will need to demonstrate that their proposal will not compromise works that have been undertaken to alleviate this flooding ie flow paths through the golf course, the bund wall or the storage available in the ponds within the course.*
- *The drainage strategy that has been put in place is based on the assumption that no higher level of development occurs on the golf course. The applicant will need to demonstrate that the increased density of development will not negatively impact existing development flows, quantities or velocities. Alternatively they could choose to detain their flows back to those which currently exist*
- *No provision has been made for increased density of development relating to discharge to the street, so the developer will have to demonstrate that the increase will not negatively impact of local street drainage, alternatively they can detain back to predevelopment conditions or discharge onto the golf course after documentation the arrangement.*

The area fall within the confines of Council Planning Scheme Policy No. 4 therefore, the applicant is required to provide a contribution to Council in accordance with this strategy.

### **Sewerage Reticulation**

Comments were received from Wide Bay Water of which are detailed below;

*The application is written stating that water and sewerage services are available. Accordingly it is assumed that the development will connect to WBWC's sewer reticulation network rather than treating and re-using the effluent on site. The Developer shall prepare a servicing proposal for sewerage for the development and submit and gain approval from WBWC for the proposal. All the proposed lots cannot be commanded by gravity from the existing sewer reticulation therefore internal pumping shall likely be required. The nominated connection point for the units/lots along the Old Maryborough Rd Frontage shall be the DN150 sewer near the roundabout on Boat Harbour Drive unless the option of relocating the existing PS68 on islander road to within the property is pursued by the developer. A connection point shall be provided at the developer's expense within the property. A private pump station and rising main external to the development site to PS68 is not an acceptable solution.*

*The proposed lots near Tooth St should be able to be commanded from the existing gravity sewers on the east side of Tooth St. The developer shall construct a sewer across Tooth St to provide a connection point on and within the property that will command the proposed lots.*

### **Water Reticulation**

Comments were received from Wide Bay Water of which are detailed below;

*According to our GIS records the property has an existing DN100 connection to the DN100 reticulation main in Old Maryborough Rd. WBWC is seeking to reduce/limit the number of metered connections to one per property (reduce the risk of internal cross connection). Given that this is a community title development, water supply to the proposed lots shall be provided from the existing DN100 service. If this DN100 service is considered unsatisfactory by the developer's hydraulic consultant then the service shall be upgraded/replaced at the developer's expense. Any upgraded service shall be provided from the DN200 main in Old Maryborough Rd near the intersection with Tooth St.*

*WBWC will not be allowing any direct connections to the DN375 main in Tooth St (trunk main and not pressure reduced) or the DN375 main in Old Maryborough Rd (trunk main). Nor will multiple connections be approved to service the property. All internal reticulation beyond the existing meter is the responsibility of the Developer.*

*Each property shall be separately metered.*

### **CONCLUSION AND RECOMMENDATION**

That the application by Hervey Bay Golf and Country Club Inc. c/o Urban Planet for Material Change of Use for Low Density Residential Use and Reconfiguration of Lots by Standard Format in a Community management Scheme, on part of Lot 2 SP 165309, Parish of Urangan, Tooth St, Pialba, be approved generally in accordance with plans XXXXXXXXXXXX, prepared by George Group, Job No. 2812, subject to the following conditions which must be met prior to the commencement of the use, the endorsement of the survey plan or at such other time as may be specified in the terms set out hereunder. These conditions must be implemented at no cost to Council or Wide Bay Water Corporation unless specified in any particular condition. The following conditions are recommended for inclusion;

## **ADMINISTRATION**

1. The development must be undertaken in accordance with Council's Planning Scheme, Planning Scheme Policies and Local Laws.
2. Submit an amended plan of development layout relocating the proposed access in Old Maryborough Road to be approximately equidistant between the Tooth Street and Islander Road intersections.
3. Liaise directly with Council's Waste Services Coordinator with regard to the size and quantity of bins and the method and frequency of service. The access road for the collection vehicle must provide for adequate turning space such that the vehicle enters and exits each site in a forward direction.
4. Submit engineering drawings detailing all civil engineering site works, road works, sewer relocations and stormwater works within and external to each site in an Operational Works Application. The design of these works is to be approved by Council before any works commence on site. All such works are to be completed to Council's satisfaction prior to the commencement of the approved use.
5. All final designs must be certified by a Registered Professional Engineer of Queensland (RPEQ).
6. Lodge a bond in the amount of \$10,000 in accordance with Council's Development Manual Planning Scheme Policy (General performance Bond), prior to the commencement of any building or operational work associated for each stage of the development. In staged developments, if substantial compliance problems are experienced in any stage, the bond amount may be increased by Council to reflect the conditions of the site. The increased bond is to be paid prior to commencement of any subsequent stage.
7. This bond (less any deductions for purposes defined in the Planning Scheme Policies) will be refunded when:
  - a) works to revert to Council have been accepted "on maintenance", and
  - b) all Building and Operational Works on the site have been completed and a Final Certificate (if applicable) issued by Council.

## **SITE and ENVIRONMENTAL MANAGEMENT**

8. Submit to and gain approval from Council as part of any Operational Works application and prior to the commencement of works being carried out onsite, a site specific Construction Management Plan. The plan must include, but not be limited to:
  - a. proposed construction vehicle transport route(s);
  - b. specification of measures to ensure the safe and orderly ingress and egress of vehicles to and from the site;
  - c. the means by which the direction of traffic flows to and from parking areas will be controlled both on and off site to ensure no damage is cause to Council's road infrastructure to and from the site including the pavement, kerb, channel, crossovers to adjoining properties and verges;
  - d. owner's permission for access over and/or parking on other land;
  - e. measures to discourage staff and contractor parking in adjoining lots;
  - f. lawful source and disposal sites of any fill or excavated material;
  - g. wheel wash down and shake down grids for construction vehicles;
  - h. the location of all areas on and/or off site to be used for staff and contractor parking;
  - i. Maintenance of the existing drainage pattern of the land to avoid adverse impact on the downstream and upstream environments;
  - j. Stormwater runoff quality management during operational works. The management plan must be in accordance with the general environmental values and water quality objectives outlined in the EPP (Water) 1997;



- k. That at any one time, the exposed soil area/work surface is minimised and sediment retention measures are implemented to ensure avoidance of sediment transport to the downstream environment;
  - l. Avoidance of unacceptable risk to existing land uses from flooding and erosion;
  - m. the means of ensuring the appearance of building works or materials does not detrimentally affect the amenity of the area;
  - n. That at any one time dust control measure is implemented onsite to ensure avoidance of dust nuisance and
  - o. Location of site sheds and facilities.
9. Submit to and gain approval from Council, (i) as part of an approval of any application for Operational Works for civil works and (ii) prior to the commencement of works being carried out on-site a Site Specific Erosion and Sediment Control Plan. The site specific erosion and sediment control must be designed in accordance with Best Practice Erosion and Sediment Control (IECA, 2008).
  10. Provide laboratory testing for Acid Sulphate Soils in accordance with the State Planning Policy 2/02 "Planning and Managing Development involving Acid Sulphate Soils" as part of the Operational Works application and gain approval before any earthworks commence on-site.

## **STORMWATER**

11. Submit to and gain approval from Council as part of any Operational Works application and prior to the commencement of works being carried out onsite a final and detailed 'Site Specific Stormwater Management Plan' (SSSMP). The SSSMP must include detailed designs and layout of all essential stormwater drainage systems and stormwater quality management systems. The designs of stormwater drainage and quality management systems must comply with Councils Policies and the Queensland Urban Drainage Manual as adopted by Council and must be undertaken and/or supervised and duly certified by a registered professional engineer, Queensland (RPEQ).
12. The SSSMP must demonstrate that the stormwater drainage systems will ensure the development will not make material changes to the pre-development flood flows' location, duration, frequency or concentration of overland stormwater flow at the point of discharge to all downstream properties including road reserves. In the event that a material change to the pre-development stormwater flow will occur, the applicant must produce evidence to Council's satisfaction of a legal right as to the method for stormwater discharge over the downstream land.
13. The SSSMP must demonstrate that the design stormwater drainage will ensure no restriction to existing or developed stormwater flow from upstream properties or ponding of stormwater within upstream properties occurs as a result of the development.
14. The SSSMP must demonstrate how stormwater runoff from the site will be adequately managed post 'fully developed site stage' and especially during operational works to ensure the stormwater runoff quality is not adversely affected and the downstream environment is protected. To that effect all runoff from the site, especially during the operational works stage, must be through a suitable stormwater quality improvement and/or treatment device located within the site boundaries. The design is to incorporate Water Sensitive Urban Design techniques with the provision of, Rain Gardens, swales, Gross Pollutant Traps, Rainwater Tanks, or similar features located within the dedicated landscaped areas of the site to treat all stormwater runoff from the car parks. Water discharged from the site, during operational works stage and post fully developed site, must meet State Planning Policy 04/10 Healthy Waters and Environmental Planning Policy (Water) and relevant State Planning Polices.
15. The stormwater drainage must be designed such that the development will not make material changes to the pre-development location, duration, frequency or concentration of overland stormwater flow at the point of discharge to all downstream properties including road reserves. In the event that a material change to the pre-development stormwater flow will occur, the applicant must produce evidence to Council's satisfaction of a legal right as to the method for stormwater discharge over the downstream land.

16. The Developer must construct all stormwater control and management structures, including underground pipes, open drains and detention basins, in accordance with the SSSMP, Council's Policies and the Queensland Urban Drainage Manual.
17. Drainage easements or reserves are to be provided as may be required for all overland stormwater flows and drainage structures of 300mm diameter pipe (or equivalent) or greater, traversing land within the development (other than roads and parklands). The easements or reserves must be a minimum width of 3 metres or such greater width as necessary to convey the fully developed flow with the appropriate clearance required by Council policy. All easements and reserves are to be provided at no cost to Council.
18. An underground drainage system must be provided to collect and convey all minor stormwater flows from impervious areas within each standard format lot to an existing underground drainage system at a location approved by Council. The minor drainage system must be designed and constructed in accordance with Council policy and to ensure that existing stormwater discharge from surrounding property is not detrimentally affected.

### **Water Reticulation**

19. The Developer must consult directly with Wide Bay Water Corporation with respect to the Corporation's requirements for design, construction and inspection of all water reticulation associated with this development. The design must ensure sufficient capacity to meet the demands from the development and to sustain any commercial fire stream requirement in the locality.
20. The Developer must provide for the construction of all water supply works external to the development as may be required to service the development. The works must be in accordance with engineering design plans and other documentation approved by Council. Such engineering plans are to be in accordance with Wide Bay Water Corporation's water supply strategy and design guidelines.
21. Provide for a reticulated water supply to serve the development. The internal water reticulation must be designed such that a separate water meter and control valve can be installed to serve each standard lot.
22. Water and Electricity conduits are to be installed to service the development by boring under the existing roads where required. Standard kerb markers are to be installed to mark the location of the conduits. A plan showing the location of the conduits is to be approved by Council prior to the commencement of works.
23. Provide blue reflective pavement markers on the road centreline opposite all hydrants.

### **Sewer Reticulation**

24. Submit to and gain approval from Council and Wide Bay Water, as part of any Operational Works application and prior to the commencement of works being carried out, a sewer reticulation servicing proposal for the development.
25. The nominated sewer connection point for the development along Old Maryborough Road shall be the DN150 sewer at the round about at Boat Harbour Drive
26. The developer shall construct a sewer across Tooth Street to provide a connection point on and within the property that will command the proposed development lots.
27. The Developer must consult directly with Wide Bay Water Corporation with respect to the Corporation's requirements for design, construction and inspection of all connection details to Council's existing sewerage system.
28. The Developer must provide for construction of all sewerage works external to the development as may be required to service the development. The works must be in accordance with engineering design plans and other documentation approved by Council. Such engineering plans are to be in accordance with Wide Bay Water Corporation's sewerage reticulation strategy and design guidelines.
29. Provide a triple interceptor trap for all wash-down water adjacent to the boat and van storage area prior to discharge into Council sewer.

### **Electricity**

30. The Developer must provide all easements required by Ergon Energy over existing or proposed power lines, cables and equipment in the development site.
31. Prior to the approval of the plan of subdivision, the Developer must enter into an agreement with Ergon Energy to ensure that electricity will be available to each lot within the development without further capital contribution.

### **Site and Environmental Management**

32. Undertake the development works in accordance with the results of the laboratory testing for Acid Sulphate Soils. In this regard all earthworks must be undertaken in accordance with the guidelines of State Planning Policy 2/02 "Planning and managing Development involving Acid Sulphate Soils".

### **Car Parking**

33. Construct car parking spaces, associated access aisles and driveways to the dimensions detailed in Council's Planning Scheme Policies and Australian Standard AS 2890.1. Provide manoeuvring areas to ensure that vehicle ingress and egress can enter and exit the property in a forward direction. Driveways, car parking and reversing areas are to be constructed to the standards defined in Council's development manual and car parking spaces are to be permanently marked. Provide at least one disabled visitor car space at ground level, conforming to AS 1428 - Design for Access and Mobility.

### **Footpaths**

34. Construct a minimum 2.5m wide concrete footpath and associated pram crossings along the western side of Tooth Street from the intersection of Old Maryborough Road to the Dover Street intersection. The footpath construction may be offset against Regulated Infrastructure Charges.

### **Vehicular Access**

35. Prior to the submission of an application for Operational Works provide a traffic impact assessment detailing the impact that the development will have on the immediate road network. The impact assessment is to provide details of the proposed access intersection treatments to the development from Tooth Street and Old Maryborough Road.
36. Construct an intersection/access on Old Maryborough Road and Tooth St in accordance with the approved development layout and traffic impact assessment.
37. Property access and driveways are to be constructed to the standards defined in Council's Development Manual.
38. Construct concrete kerb and channel on an alignment approved by Council on the western side of Tooth Street from the existing kerb adjacent to the current golf club entrance to the northern side of the proposed intersection opposite Dover Street. The works are to include underground drainage and infill pavement to a Controlled Distributor standard. The road construction works may be offset against the Regulated Infrastructure Charges.

### **General**

39. The developer must meet the costs of all development works including any necessary alteration or relocation of services, provision of upgrading of roadworks to accommodate all vehicular access works together with all public utility mains and/or installations.
40. The Developer must accurately locate all existing services before any development works commence.

### **Administration**

41. All works that will revert to Council control must be designed and supervised by a Registered Professional Engineer in accordance with Council Policy. The works will be required to comply with all Local Laws, Policies and Standards of Council current at the time of submission of the application for approval of Operational Works. No works associated with this permit may commence until an Operational Works Permit has been issued by Council.
42. All works that will revert to Council control are subject to a twelve (12) month maintenance period during which time the Developer must be responsible for the maintenance of the works,

the rectification of any design omissions or defects, and the repair of any construction defects that are subsequently found. Council requires the developer to secure the maintenance of the works by the submission of a bond valued at 5% of the total value of the works. The bond must be submitted in accordance with Council's policy.

43. Prior to acceptance of the works on maintenance, the supervising engineer must arrange for the collection and submission to Council of digital "as constructed" information for the works. The digital information must comply with Council's "Submission of Digital As Constructed Manual" and must be certified as specified in the Manual prior to the operation of the approved use.
44. Prior to acceptance of the works on maintenance, all outstanding rates, sewerage, cleaning or water charges or other charges due to Council, must be paid prior to sealing of survey plan or commencement of use. Where arrangements have been made with Council to pay the rates and charges on an instalment basis, all unpaid and outstanding instalments must be paid prior to approval of dual occupancy application.
45. Provide a plan sealing report and supporting documentation demonstrating compliance with each condition of this approval prior to the commencement of the use or the sealing of any survey plan.
46. All outstanding rates or other charges due to Council must be paid prior to the approval of the plan of survey.

Advice Note:

*Infrastructure charges are payable - refer to the accompanying Adopted Infrastructure Charges Notice for details.*

**John McLennan**  
**Senior Development Engineer**  
**Development Assessment**

FCRC - Released Under RTI Act 2009

**Kamala Dunn**

---

**From:** John McLennan  
**Sent:** Monday, 1 August 2011 11:29 AM  
**To:** Kylie Matheson  
**Cc:** Heide Nelson  
**Subject:** FW: HB Golf Course - Application details and proposed Stormwater Conditions  
**Attachments:** DOCSHBCC-1955249.TIF.DRF; DOCSHBCC-2016083.TIF.DRF

References for HBGC

The following stormwater conditions are proposed.

11. Submit to and gain approval from Council as part of any Operational Works application and prior to the commencement of works being carried out onsite a final and detailed 'Site Specific Stormwater Management Plan' (SSSMP). The SSSMP must include detailed designs and layout of all essential stormwater drainage systems and stormwater quality management systems. The designs of stormwater drainage and quality management systems must comply with Councils Policies and the Queensland Urban Drainage Manual as adopted by Council and must be undertaken and/or supervised and duly certified by a registered professional engineer, Queensland (RPEQ).
12. The SSSMP must demonstrate that the stormwater drainage systems will ensure the development will not make material changes to the pre-development flood flows' location, duration, frequency or concentration of overland stormwater flow at the point of discharge to all downstream properties including road reserves. In the event that a material change to the pre-development stormwater flow will occur, the applicant must produce evidence to Council's satisfaction of a legal right as to the method for stormwater discharge over the downstream land.
13. The SSSMP must demonstrate that the design stormwater drainage will ensure no restriction to existing or developed stormwater flow from upstream properties or ponding of stormwater within upstream properties occurs as a result of the development.
14. The SSSMP must demonstrate how stormwater runoff from the site will be adequately managed post 'fully developed site stage' and especially during operational works to ensure the stormwater runoff quality is not adversely affected and the downstream environment is protected. To that effect all runoff from the site, especially during the operational works stage, must be through a suitable stormwater quality improvement and/or treatment device located within the site boundaries. The design is to incorporate Water Sensitive Urban Design techniques with the provision of, Rain Gardens, swales, Gross Pollutant Traps, Rainwater Tanks, or similar features located within the dedicated landscaped areas of the site to treat all stormwater runoff from the car parks. Water discharged from the site, during operational works stage and post fully developed site, must meet State Planning Policy 04/10 Healthy Waters and Environmental Planning Policy (Water) and relevant State Planning Polices.
15. The stormwater drainage must be designed such that the development will not make material changes to the pre-development location, duration, frequency or concentration of overland stormwater flow at the point of discharge to all downstream properties including road reserves. In the event that a material change to the pre-development stormwater flow will occur, the applicant must produce evidence to Council's satisfaction of a legal right as to the method for stormwater discharge over the downstream land.
16. The Developer must construct all stormwater control and management structures, including underground pipes, open drains and detention basins, in accordance with the SSSMP, Council's Policies and the Queensland Urban Drainage Manual.
17. Drainage easements or reserves are to be provided as may be required for all overland stormwater flows and drainage structures of 300mm diameter pipe (or equivalent) or greater, traversing land within the development (other than roads and parklands). The easements or reserves must be a minimum width of 3 metres or such greater width as necessary to convey the fully developed flow

with the appropriate clearance required by Council policy. All easements and reserves are to be provided at no cost to Council.

18. An underground drainage system must be provided to collect and convey all minor stormwater flows from impervious areas within each standard format lot to an existing underground drainage system at a location approved by Council. The minor drainage system must be designed and constructed in accordance with Council policy and to ensure that existing stormwater discharge from surrounding property is not detrimentally affected.

Regards,

**John McLennan**

Senior Development Engineer  
Community and Development  
Fraser Coast Regional Council  
Telephone: (07) 4197 4526  
Fax: (07) 4197 4455

Web site: <http://www.frasercoast.qld.gov.au>

**Disclaimer:** If you receive this email by mistake please notify the sender and do not make any use of it. Council does not waive any privilege, confidentiality or copyright associated with this email or any attachments.

---

**From:** John McLennan  
**Sent:** Monday, 1 August 2011 10:16 AM  
**To:** Kylie Matheson  
**Cc:** Heide Nelson  
**Subject:** RE: HB Golf Course

Thanks Kylie,

Appreciate the quick response.

The application was flimsy and the RFI was much the same. Ward has basically indicated that they don't have the money to offer much supporting information and for Council to condition any shortfall.

Regards,

**John McLennan**

Senior Development Engineer  
Community and Development  
Fraser Coast Regional Council  
Telephone: (07) 4197 4526  
Fax: (07) 4197 4455

Web site: <http://www.frasercoast.qld.gov.au>

**Disclaimer:** If you receive this email by mistake please notify the sender and do not make any use of it. Council does not waive any privilege, confidentiality or copyright associated with this email or any attachments.

---

**From:** Kylie Matheson  
**Sent:** Monday, 1 August 2011 9:09 AM  
**To:** John McLennan

**Cc:** Heide Nelson  
**Subject:** HB Golf Course

Hi John

We have numerous concerns regarding flood and drainage impacts related to the HB Golf Course

Apparently, we have just fixed a major drainage issue in that vicinity and would like to ensure that no new issues are created as a result of any works done on / by the Golf Course

Heide has requested some details as to the proposed works, location and a reasonable timeframe to assess the impact of the proposal

Please forward Heide the required details for assessment

Cheers

Kylie

*Kylie A. Matheson*  
Stormwater Planning Officer

s.47(3)(b) Sch 4  
Part 3 Item 3

████████████████████  
Surveying and Inundation - Design Section  
Infrastructure and Environment Directorate

For Stormwater and Flood Enquiries -  
[helpdesk.stormwater@frasercoast.qld.gov.au](mailto:helpdesk.stormwater@frasercoast.qld.gov.au)

Fraser Coast Regional Council  
Telephone: (07) 4197 4658  
Fax: (07) 4197 4455  
Web site: <http://www.frasercoast.qld.gov.au>

Disclaimer: If you receive this email by mistake please notify the sender and do not make any use of it. Council does not waive any privilege, confidentiality or copyright associated with this email or any attachments.

*Please consider the environment before printing this e-mail. It takes 1 litre of water to make 3 sheets of A4 paper, 1 ream of paper = 6% of a tree.*

*Reality must take precedence over public relations, for Nature cannot be fooled - Richard P. Feynman*

100



**Urban Planet**  
town planning consultants

ABN 85 825 004 550

tel 07 4128 2888  
fax 07 4128 2588  
email info@urbanplanet.com.au  
address 2/59 Torquay Rd  
postal PO Box 232  
Hervey Bay QLD 4655  
web www.urbanplanet.com.au

**FRASER COAST REGIONAL COUNCIL**

To: Adam Yem  Make Record  
 File: F016007  Legal  
 Retention:  Restricted

04 APR 2011

Plan - Lot: 2/59165309  
 Comments: Pls send large drawings to Adam together with duplicate drawings  
 Officer: CS

Ref: 10071  
Your Ref: MCU-101239

31 March 2011

The Chief Executive Officer  
Fraser Coast Regional Council  
PO Box 1943  
HERVEY BAY 4655

RECEIVED

- 1 APR 2011

BY: 14790 JK

3:10 pm

Dear Sir,

**Development Application for Material Change of Use (s242 of the Sustainable Planning Act 2009) and Reconfiguring a Lot – Golf Course Residential Estate located at Tooth Street and Old Maryborough Road Pialba.**

We refer to your request for additional information dated 18 March 2011 and our subsequent meeting with Mr A Yem and Mr J McLellan in Council offices. Urban Planet Town Planning Consultants provides the following response in accordance with the discussions held on 29 March 2011.

**Planning**

1. We have attached an amended plan of development that has been overlaid on the aerial photo for the subject site. The amended plan depicts the offsets from the existing site boundaries to the proposed new lots and the associated facilities. Copies of drawings at A1 and A3 have been provided for clarity. Please note that areas assigned for boat/van/buggy storage will be require further deign input in relation to dimensions for manoeuvring and vehicle size demands.
2. We have attached an amended assessment table for the development that includes provision for Multiple Residential development as a Code Assessment process.
3. It is our understanding the proposed telecommunications tower site has been relocated and does not impact on the proposed residential development.
4. Parking areas depicted will be for residents of the proposed development. The proposed development is likely to be reconfigured as a Community Title Scheme and parking/storage will be allocated to each site in the CMS.
5. The proposed residential lots will be protected from golf course activities by physical separation, vegetation and constructed (fence/net) barriers. The location of suitable screening measures where necessary has not been



decided at this point of time, however will be designed as part the civil design works for the development.

6. An acoustic barrier will be constructed along the Old Maryborough Road frontage of the site. We have attached for your reference a typical detail of the future presentation of the barrier. The acoustic qualities of the proposed fence have not been determined but can be appropriately conditioned by Council as discussed.

#### **Engineering**

- 7-10 Pursuant to our discussions in relation to traffic generation and management, we acknowledge that Council will impose relevant development conditions in relation to access to the subject site from Old Maryborough Road and Tooth Street. In this regard the Traffic Impact Assessment will not be required by Council.
11. Council have advised that conditions can be imposed on the proposed development that will require the provision of suitable acoustic attenuation measures to protect the amenity expectations of existing Service/Trade zoned land opposite the site and the future residential dwellings on the subject site. The acoustic report will therefore not be required at this time.
- 12-13 Advice has been received from Wide Bay Water in respect of water and sewer supply to the development site. A copy of the advice is attached for your reference.

#### **Landscaping**

14. The provision of a landscape plan can be conditioned in accordance with the requirements of the Landscaping Code contained in the Planning Scheme. a landscape development plan will be lodged as part of the future Operational Works application.

#### **Vegetation Management**

15. As discussed with Council, the attached plan of development has been overlaid on the aerial photo for the subject site and therefore shows the vegetation that will be affected by the location of the proposed residential lots. There is no proposal to remove any healthy vegetation outside the development site unless it can be demonstrated that it poses danger to persons or structures on the land.
16. Residential buildings will be located at least 6 metres from the existing vegetation located in the road reserve areas. This distance equates to a TPZ/CRZ separation for vegetation up to 50 centimetres in diameter. Nearly all vegetation in this locality has a lesser diameter. Only three (3) trees were identified along the Tooth Street frontage in close proximity to

the site boundary that had a diameter of 50 cm or greater (1.5 metres above ground). Along the Old Maryborough Road frontage there were only two such trees in the vicinity of the proposed residential lots and near the property boundary.

Pursuant to the provisions of s278 of the Sustainable Planning Act 2009 this correspondence and attachments represents sufficient information to form a formal response to your request for additional information and will allow the assessment of the Development Application as discussed with Council Officers. The application will therefore proceed to the public notification stage of the IDAS process (no information requests have been received from Concurrence Agencies).

Yours faithfully,



s.47(3)(b) Sch 4  
Part 3 Item 3

**Ward Veitch**

Urban Planet Town Planning Consultants

|             |   |
|-------------|---|
| Attachments | Amended Plans (A1 and A3)<br>Wide Bay Water Advice<br>Fencing Details<br>Assessment Table |
| B/C         | Hervey Bay Golf & Country Club Inc.   |

FCRC - Released Under RIPA Act 2009

## Golf Club Residential in the Open Space Zone

### Making a Material Change of Use

*Non Statutory Note – The level of assessment for development may be affected by overlays. See Planning Scheme Overlay Maps to determine whether the land is affected.*

| Golf Club Residential in the Open Space Zone – Making a Material Change of Use |  |  |
|--|--|--|
| Column 1<br>Defined Use  | Column 2<br>Assessment Category  | Column 3<br>Relevant Assessment Criteria – applicable code if development is self-assessable or code assessment  |
| <b>RESIDENTIAL USES</b>  |  |  |
| Accommodation Building   | Impact Assessable  |  |
| Bed and Breakfast  | Impact Assessable  |  |
| Caravan Park   | Impact Assessable  |  |
| Caretaker's Residence  | Impact Assessable  |  |
| Family Day Care  | Self Assessable; or<br><b>Code Assessable</b> - if the assessment criteria for self assessable development is not complied with. | If self assessable -<br>Applicable Locality Code (acceptable solutions – Low Density Residential Zone)<br>Home Business Code (acceptable solutions)<br>Parking and Access Code (acceptable solutions)<br>Works, Services and Infrastructure Code (acceptable solution 8.1)<br>If code assessable –<br>Applicable Locality Code<br>Home Business Code<br>Landscaping Code<br>Parking and Access Code<br>Works, Services and Infrastructure Code |
| House  | Self Assessable; or<br><b>Code Assessable</b> - if the criteria for self assessable development is not complied with.            | If self assessable -<br>Applicable Locality Code (acceptable solutions – Low Density Residential Zone)<br>House Code (acceptable solutions)<br>Works Services & Infrastructure Code (acceptable solution 8.1)<br>If code assessable –<br>Applicable Locality Code<br>House Code<br>Works, Services and Infrastructure Code   |
| Home Activity  | Self Assessable; or<br><b>Code Assessable</b> - if the assessment criteria for self assessable development is not complied with. | If self assessable -<br>Applicable Locality Code (acceptable solutions – Low Density Residential Zone)<br>Home Business Code (acceptable solutions)<br>Parking and Access Code (acceptable solutions)<br>Works, Services and Infrastructure Code (acceptable solution 8.1)<br>If code assessable –   |

|                             |                   |   |
|-----------------------------|-------------------|---|
|                             |                   | Applicable Locality Code<br>Home Business Code<br>Landscaping Code<br>Parking and Access Code<br>Works, Services and Infrastructure Code        |
| Home Business               | Impact Assessable |   |
| Motel                       | Impact Assessable |   |
| Multiple Residential        | Code Assessable   | Applicable Locality Code<br>Multiple Residential Code<br>Landscaping Code<br>Parking and Access Code<br>Works, Services and Infrastructure Code |
| Relocatable home park       | Impact Assessable |   |
| Retirement Village          | Impact Assessable |   |
| <b>RURAL USES</b>           |                   |   |
| Agriculture                 | Impact Assessable |   |
| Animal Husbandry            | Impact Assessable |   |
| Aquaculture                 | Impact Assessable |   |
| Intensive animal keeping    | Impact Assessable |   |
| Minor Aquaculture           | Impact Assessable |   |
| Roadside stall              | Impact Assessable |   |
| <b>COMMERCIAL USES</b>      |                   |   |
| Car Park                    | Impact Assessable |   |
| Display Home Office         | Code Assessable   | Applicable Locality Code<br>Commercial Uses Code<br>Landscaping Code<br>Parking and Access Code<br>Works, Services and Infrastructure Code      |
| Funeral Parlour             | Impact Assessable |   |
| Licensed Premises           | Impact Assessable |   |
| Local shop                  | Impact Assessable |   |
| Medical Centre              | Impact Assessable |   |
| Office                      | Impact Assessable |   |
| Outdoor Sales Premises      | Impact Assessable |   |
| Restaurant                  | Impact Assessable |   |
| Shop                        | Impact Assessable |   |
| Veterinary Facility         | Impact Assessable |   |
| <b>INDUSTRIAL USES</b>      |                   |   |
| Extractive Industry         | Impact Assessable |   |
| Equipment and vehicle depot | Impact Assessable |   |
| Industry                    | Impact Assessable |   |
| Special Industry            | Impact Assessable |   |
| Mechanical Repair workshop  | Impact Assessable |   |
| Service Station             | Impact Assessable |   |
| Warehouse                   | Impact Assessable |   |
| <b>COMMUNITY USES</b>       |                   |   |
| Cemetery                    | Impact Assessable |   |
| Child Care Centre           | Impact Assessable |   |
| Community Facilities        | Impact Assessable |   |

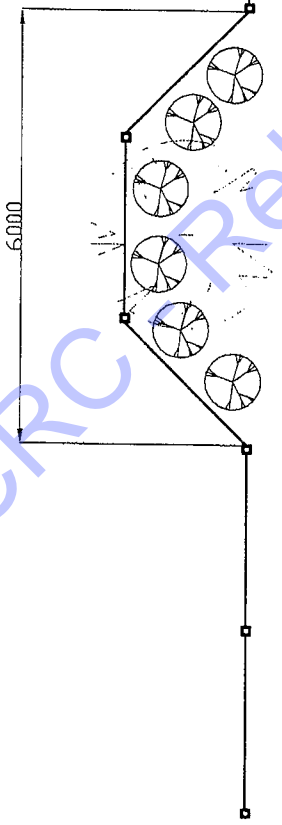
|                                      |  |  |
|--------------------------------------|--|--|
| <b>Correctional Facility</b>         | <b>Impact Assessable</b>   |  |
| <b>Indoor Recreation</b>             | <b>Impact Assessable</b>   |  |
| <b>Outdoor Recreation</b>            | <b>Impact Assessable</b>   |  |
| <b>Passenger Terminal</b>            | <b>Impact Assessable</b>   |  |
| <b>OTHER USES</b>                    |  |  |
| <b>Minor Public Utility</b>          | <b>Exempt</b>  | <b>Not applicable</b>  |
| <b>Park Facility</b>                 | <b>Self Assessable</b> ; or<br><b>Code Assessable</b> - if the assessment criteria for self assessable development is not complied with. | If self assessable –<br>Applicable Locality Code (acceptable solutions – Low Density Residential Zone)<br>Community Uses Code (acceptable solutions)<br>Parking and Access Code (acceptable solutions)<br>Works, Services and Infrastructure Code (acceptable solution 8.1)<br>If code assessable –<br>Applicable Locality Code<br>Community Uses Code<br>Landscaping Code<br>Parking and Access Code<br>Works, Services and Infrastructure Code |
| <b>Public Utility</b>                | <b>Code Assessable</b>   | Applicable Locality Code<br>Community Uses Code<br>Landscaping Code<br>Parking and Access Code<br>Works, Services and Infrastructure Code  |
| <b>Telecommunications Facility</b>   | <b>Impact Assessable</b>   |  |
| <b>Road</b>                          | <b>Exempt</b>  | <b>Not applicable</b>  |
| <b>Other use – where not defined</b> | <b>Impact Assessable</b>   |  |

FCRC - Released Under the Official Information Act 2009

Other Development

*Non Statutory Note – The level of assessment for development may be affected by overlays. See Planning Scheme Overlay Maps to determine whether the land is affected.*

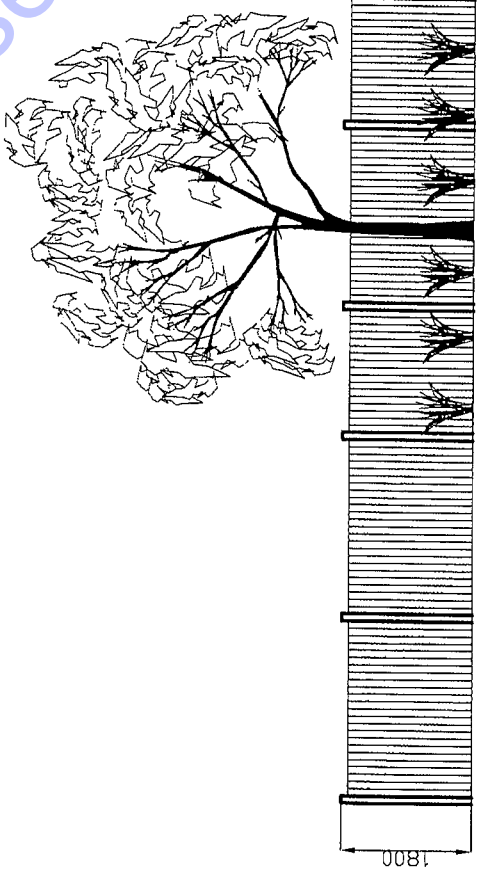
| Golf Club Residential in the Open Space Zone – Other Development          |  |  |
|---|--|--|
| <b>Column 1<br/>Type of Development</b>                                   | <b>Column 2<br/>Assessment Category</b>  | <b>Column 3<br/>Relevant Assessment Criteria – applicable code<br/>if development is self-assessable or code assessment</b>  |
| Placing an advertising device on a premises                               | <b>Code Assessable</b>   | Applicable Locality Code<br>Signs and Advertising Devices Code   |
| <b>Building work</b> – where not associated with a Material Change of Use | <b>Self Assessable</b> ; or<br><b>Code Assessable</b> - if the assessment criteria for self assessable development is not complied with.   | If self assessable –<br>Applicable Locality Code (acceptable solutions –<br>Low Density Residential Zone)<br>If code assessable –<br>Applicable Locality Code  |
| <b>Filling and Excavation</b>   | <b>Self Assessable</b> – if involving 100m <sup>3</sup> or less of filling or excavation;<br>or<br><b>Code Assessable</b> –<br>- if involving more than 100m <sup>3</sup> filling or excavation; or<br>- if the assessment criteria for self assessable development is not complied with.  | If self assessable –<br>Works, Services and Infrastructure Code (acceptable solutions 14.1 (a), 14.2 (a), 14.3 (a), 15.1 and 15.2)<br>Code assessable -<br>Applicable Locality Code<br>Works, Services and Infrastructure Code |
| <b>Reconfiguring a lot</b>  | <b>Code Assessable</b>   | Applicable Locality Code<br>Landscaping Code<br>Golf Course Residential Reconfiguration of a Lot Code<br>Works, Services and Infrastructure Code   |
| <b>Operational Work</b> associated with reconfiguring a lot               | <b>Code Assessable</b>   | Applicable Locality Code<br>Works, Services and Infrastructure Code  |
| <b>Clearing of vegetation</b>   | <b>Self Assessable</b> - if land is not within an area identified in the Natural Areas Overlay Code; or<br><b>Code Assessable</b> –<br>- where located (wholly or partially) within an area identified in the Natural Areas Overlay Code; or<br>- if the assessment criteria for self assessable development is not complied with. | If self assessable –<br>Natural Areas Overlay Code (acceptable solutions)<br>If code assessable -<br>Applicable Locality Code<br>Natural Areas Overlay Code  |



2.400

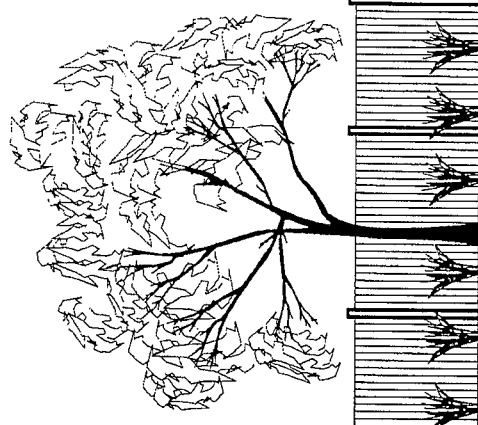
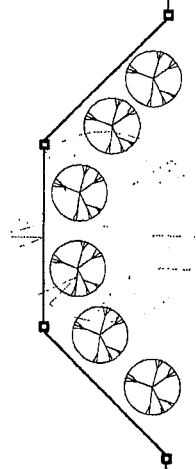
6.000

PLAN OF PROPOSED FENCE  
SCALE: 1:100 @A4



1.800

SECTION ELEVATION OF PROPOSED FENCE  
SCALE: 1:100 @A4



TITLE: LOT 2 SP165309 - TOOTH STREET, PIALBA  
PROPOSED FENCING

CLIENT: HERVEY BAY GOLF & COUNTRY CLUB INC

PLAN NO: 10071-FENCE

DATE: MARCH 2011  
REVISED:

DRAWN: ME

## Nicole Nissen

---

**From:** Keith Disher  
**Sent:** Tuesday, 26 October 2010 2:21 PM  
**To:** Christine Walton ( [REDACTED] )  
**Cc:** Tony Harding; Jenny Hindmarsh; Louise Baldo; Nicole Nissen  
**Subject:** MCU 101239 - Tooth Street, Pialba - Hervey Bay Golf Club  
**Attachments:** RE: Proposed Golf Links Sub Division

s.47(3)(b) Sch 4  
Part 3 Item 3

Hi Christine

Attached please find my preliminary comments to Pat Drover at VDM regarding servicing the proposed development with water and sewerage services.

The current application is Community Title with the common property being the Golf Course as I read the submission. On this basis I make the following comments:

### Water supply

According to our GIS records the property has an existing DN100 connection to the DN100 reticulation main in Old Maryborough Rd. WBWC is seeking to reduce/limit the number of metered connections to one per property (reduce the risk of internal cross connection). Given that this is a community title development, water supply to the proposed lots shall be provided from the existing DN100 service. If this DN100 service is considered unsatisfactory by the developer's hydraulic consultant then the service shall be upgraded/replaced at the developer's expense. Any upgraded service shall be provided from the DN200 main in Old Maryborough Rd near the intersection with Tooth St.

WBWC will not be allowing any direct connections to the DN375 main in Tooth St (trunk main and not pressure reduced) or the DN375 main in Old Maryborough Rd (trunk main). Nor will multiple connections be approved to service the property. All internal reticulation beyond the existing meter is the responsibility of the Developer. Each property shall be separately metered.

### Sewerage

The application is written stating that water and sewerage services are available. Accordingly it is assumed that the development will connect to WBWC's sewer reticulation network rather than treating and re-using the effluent on site. The Developer shall prepare a servicing proposal for sewerage for the development and submit and gain approval from WBWC for the proposal. All the proposed lots cannot be commanded by gravity from the existing sewer reticulation therefore internal pumping shall likely be required. The nominated connection point for the units/lots along the Old Maryborough Rd Frontage shall be the DN150 sewer near the roundabout on Boat Harbour Drive unless the option of relocating the existing PS68 on islander road to within the property is pursued by the developer. A connection point shall be provided at the developer's expense within the property. A private pump station and rising main external to the development site to PS68 is not an acceptable solution.

The proposed lots near Tooth St should be able to be commanded from the existing gravity sewers on the east side of Tooth St. The developer shall construct a sewer across Tooth St to provide a connection point on and within the property that will command the proposed lots.

Water and Sewer Infrastructure charges in accordance with Council's Policy are applicable to the development.

Keith Disher  
Senior Planning Engineer  
Wide Bay Water Corporation  
Ph 4194 7652  
Mob 0429 900 764

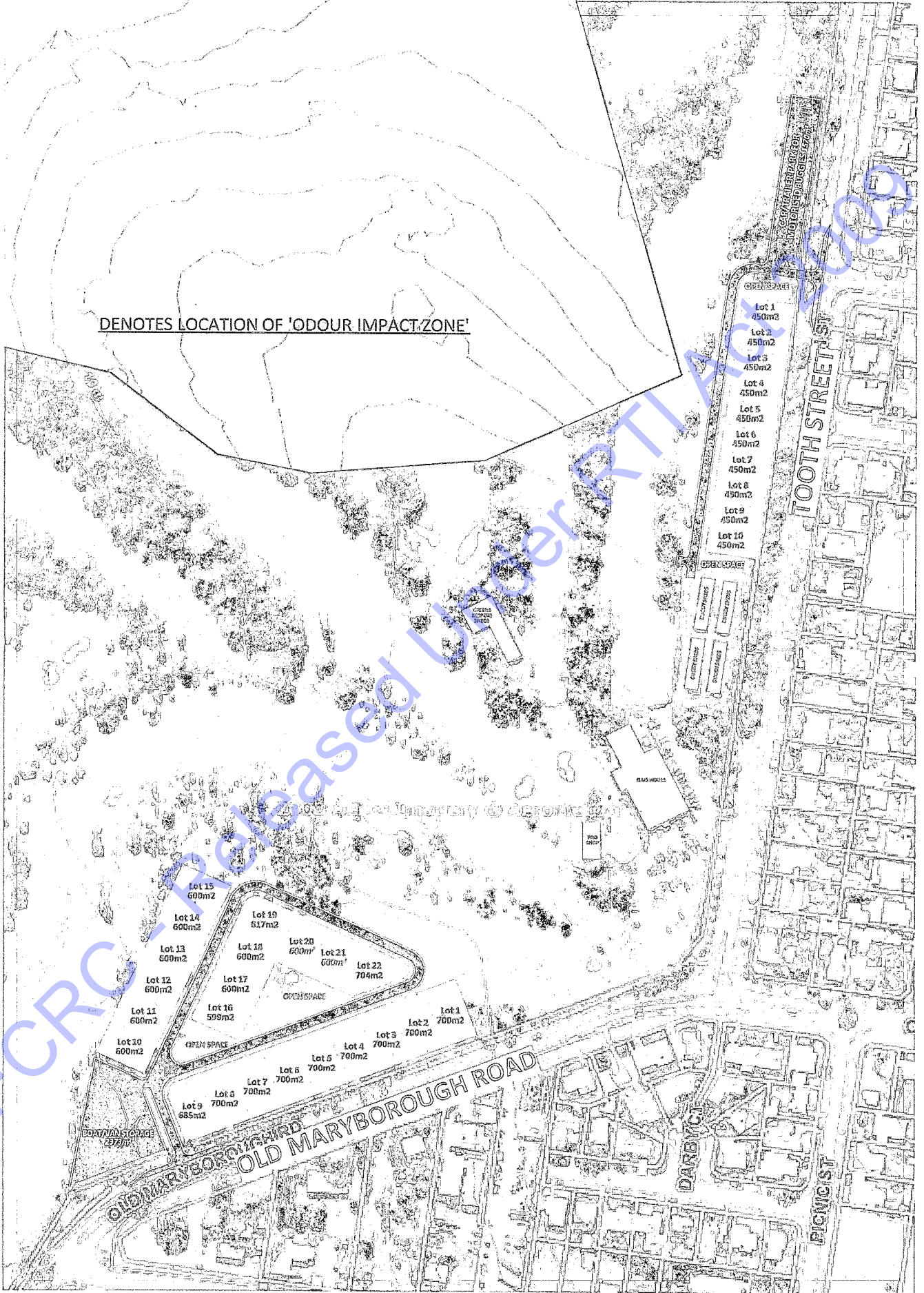


REAL PROPERTY DESCRIPTION:

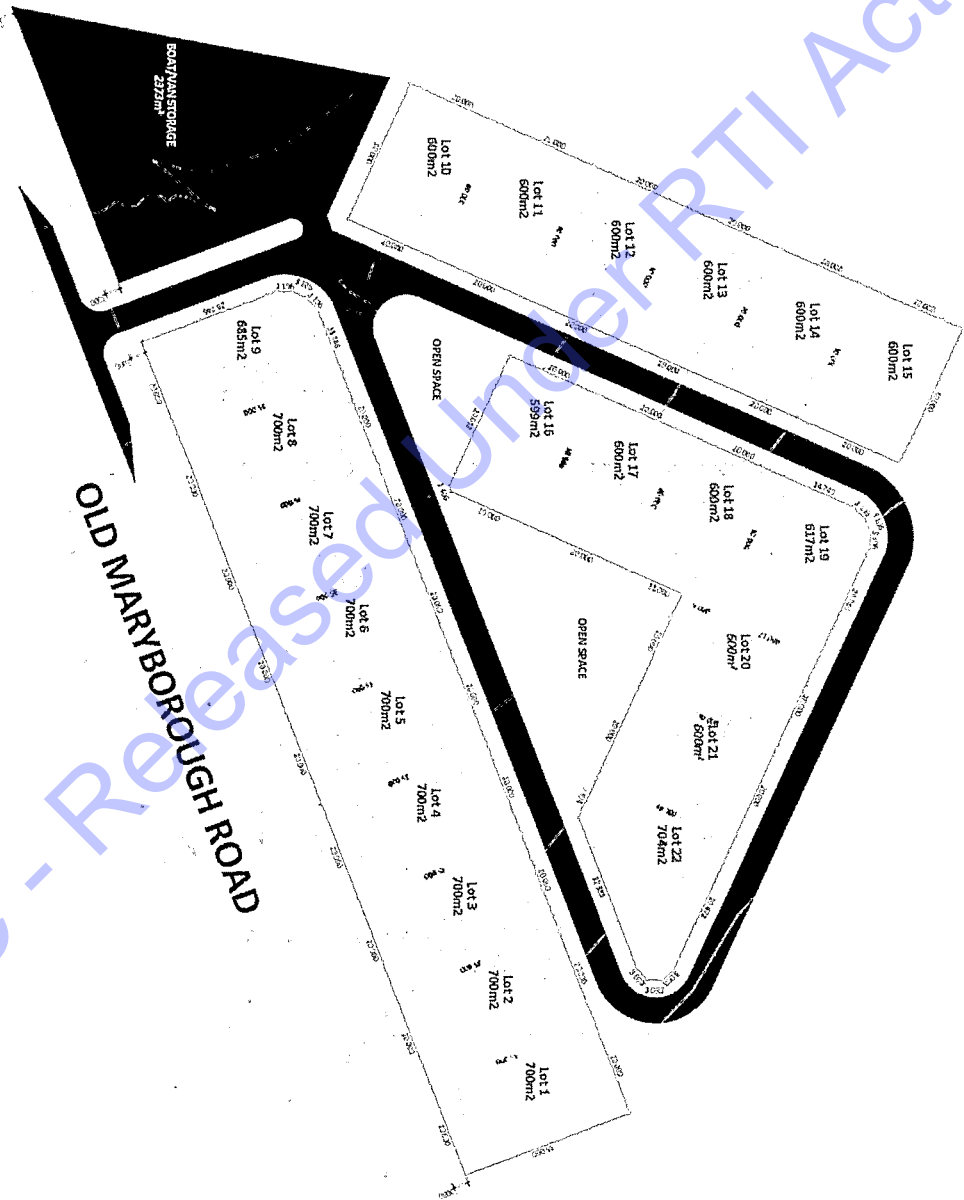
Lot 2 on SP165309  
 Parish of VERNON  
 County of March  
 Site Area = 60.13ha



Denotes Location of 'ODOUR IMPACT ZONE'



FCRC - Released Under RTI Act 2009



OLD MARYBOROUGH ROAD LAYOUTS  
Scale 1:500



TOOTH STREET LAYOUTS  
Scale 1:500

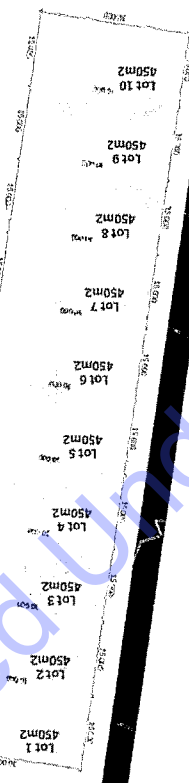
TOOTH STREET

EXISTING HEAVY FOLIAGE AND OPEN STORMWATER DRAIN

CONTRIBUTOR PARK FOR  
MOTORISED BUSES 1570m<sup>2</sup>

ODOUR IMPACT ZONE

| Address | Notes |
|---------|-------|
|         |       |
|         |       |



FCRC - Released Under RTI Act 2009

| Lot No | Lot size             |
|--------|----------------------|
| 1      | 700                  |
| 2      | 700                  |
| 3      | 700                  |
| 4      | 700                  |
| 5      | 700                  |
| 6      | 700                  |
| 7      | 700                  |
| 8      | 700                  |
| 9      | 685                  |
| 10     | 600                  |
| 11     | 600                  |
| 12     | 600                  |
| 13     | 600                  |
| 14     | 600                  |
| 15     | 600                  |
| 16     | 599                  |
| 17     | 600                  |
| 18     | 600                  |
| 19     | 617                  |
| 20     | 600                  |
| 21     | 600                  |
| 22     | 704                  |
| 1      | 450                  |
| 2      | 450                  |
| 3      | 450                  |
| 4      | 450                  |
| 5      | 450                  |
| 6      | 450                  |
| 7      | 450                  |
| 8      | 450                  |
| 9      | 450                  |
| 10     | 450                  |
|        | 18705 Total Lot area |
|        | 585 Average Lot area |

FCRC - Released Under RTI Act 2009

101

s.47(3)(b) Sch 4  
Part 3 Item 3



Assessment Manager  
Fraser Coast Regional Council  
P.O. Box 1943  
HERVEY BAY QLD 4655

Ref: Application # MCU – 101239

Dear Sir,

After viewing the D/A at Councils office I would like to make the following comments. They cover four ( 4 ) aspects of the D/A & I will cover them in point form

- 1 Danger of stray golf balls. There would appear to be nothing in the D/A covering the containment of stray golf balls into either of the two areas in the application. Having a good knowledge of the golf course we know how many balls are mishit into both areas & it would be extremely dangerous for any future residents.
- 2 Vehicle access to both sites. This is a little hard to comment on as you have told me Council has rejected the access ( both in & out ) for both tooth street & old Maryborough road & written to the applicant about this & other matters.

Of the options you outlined as acceptable for tooth street I believe the only one that would work would be traffic lights. Tooth street is two narrow for a round -about & a staggered "T" intersection would only cause more traffic congestion & probably more accidents.

Access through the existing entrance to the club would only make it more dangerous because of its proximity to the old Maryborough Road intersection.

Access to Old Maryborough Road causes similar problems except that it is slightly wider & may have enough room for a round -A- Bout. "Left turn " in & out would only create more people doing " U " turns in Old Maryborough Road which would be far more dangerous.

I also believe a round - A – Bout would be too close to the one at Boat Harbour Drive as the traffic is regularly backed up Old Maryborough Road past this point.

Once again I believe the only answer would be traffic lights. Entrance through the existing entrance would once again mean too much traffic at this point & would also eat into the existing car park.

RECEIVED  
20 MAY 2011

BY: .....

- 3 Parking. At present the club has a policy that says that cars with golf cart trailers cannot park in the main car park & must park below the cart sheds.

This is where part of the development proposal is to be & on their application it has been moved north to below the new Development. How this was to be reached by these vehicles was not clear & I believe that the ground is too prone to flood & would mean the removal of a lot of trees.

It is also too far from the club house for people to walk to. How are these people supposed to get to the club house Up the 9<sup>th</sup> fairway or up the dirt track. ?

This would lead to these people parking in tooth street & driving their unregistered golf carts back to the course on the road.

Whilst I understand that this is not Councils problem surely you have a duty of care to make sure this does not happen by putting in a condition that proper parking for these vehicles be made adjacent to the existing car park.

These people are mostly elderly & disabled & just cannot walk up to the clubhouse from down there.

It is also a stated policy of the club for the existing car park to be extended down onto the existing practice fairway. Whether this plan would overlap the proposed development I do not know, but Council also needs to look at this aspect as the club has stated that the existing car park is too small.

The over spill onto tooth street & the foot path by cars etc. is already happening on a fairly regular basis.

- 4 As both areas of the proposed development have been used to some extent as part of the golf course & been watered with recycled water & treated with chemicals, what action by the proposer or council has been taken to check to see if the ground is contaminated. ? It would also appear that there would need to be a number of trees removed. Where is the storm water from the houses in the tooth street proposal to go.? The open drain on the western side of tooth street cannot cope with the water from normal rain fall & regularly floods the road at the bottom of the hill.

Attachments

1 [REDACTED] This shows design & size of car park extensions & clearly states that cart trailers & vehicles have to park on the 19<sup>th</sup> fairway. This is where the proposed development on tooth street is to go.

2 [REDACTED]

s.47(3)(b) Sch 4 Part 3  
Item 3 and 2 for both

FCRC - Released Under RTI Act 2009

1

s.47(3)(b) Sch 4 Part  
3 Item 3 and 2

FCRC - Released Under RTI Act 2009



**CAR PARKING:**

Over the next three (3) years the Club will need to enlarge the size of the car park, resurface some areas and mark out spaces.

To do this we will require a portion of the current practice fairway area. Further possibilities would be to extend the car park into the bus terminal area. (See attached sketch). Motorised carts on trailers will only be allowed to park on the 19<sup>th</sup> fairway.

1. This would be carried out in two (2) stages owing to the costs involved.

Stage one: As per attached drawing [REDACTED]

Stage two: Council approval for removal of trees required. [REDACTED]

2. Cost to surface and mark out the existing unsurfaced area [REDACTED]

Current funding application has been forwarded to Council for this project.

[REDACTED]

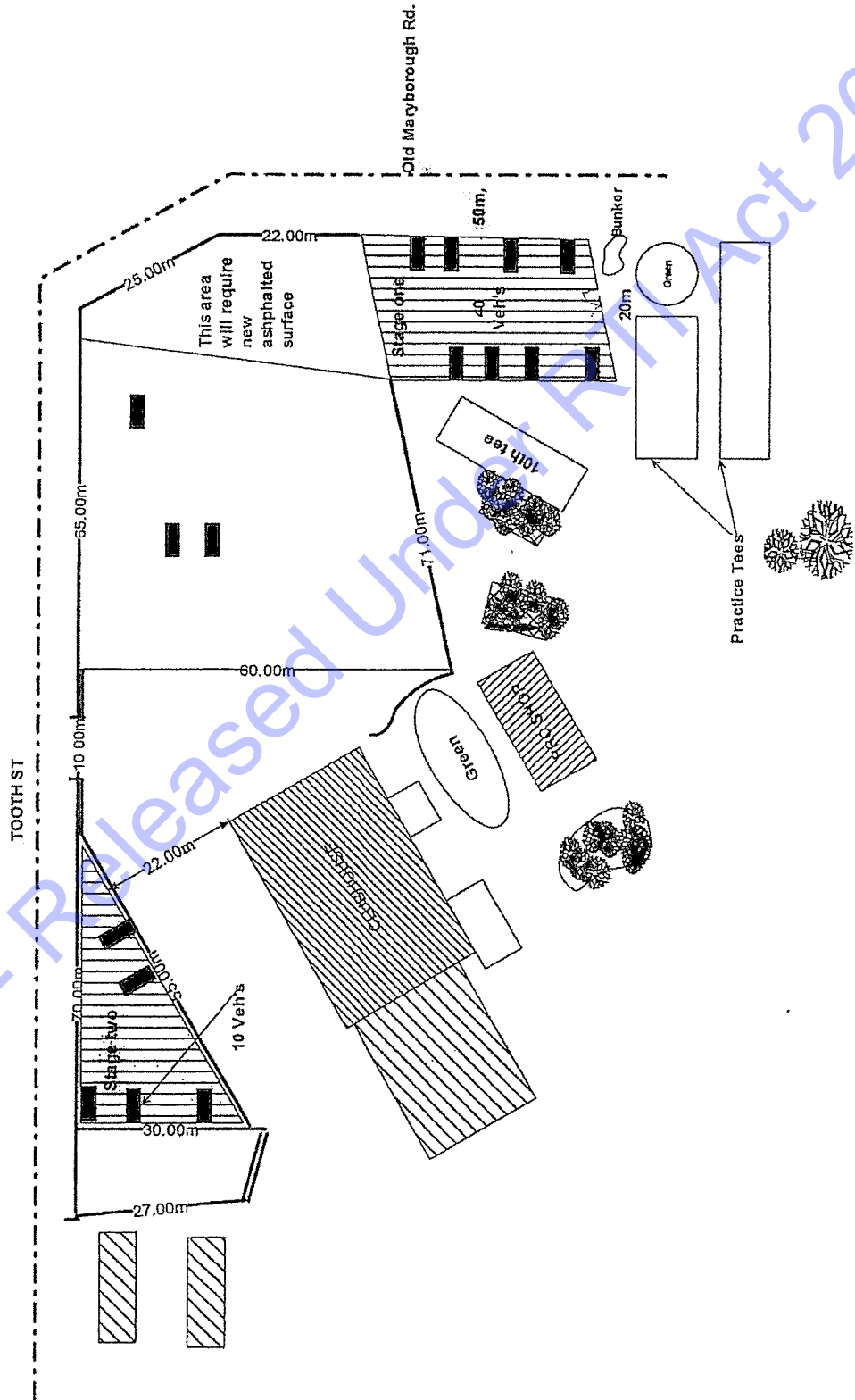
s.47(3)(b) Sch 4 Part 3  
Item 3 and 2 for all

s.47(3)(b) Sch 4 Part  
3 Item 3 and 2

FCRC - Released Under RTI Act 2009

FCRC - Released Under RIA Act 2009

Extra Car Parking for approx. 50 vehicles



2

s.47(3)(b) Sch 4 Part  
3 Item 3 and 2

FCRC - Released Under RTI Act 2009

s.47(3)(b) Sch 4  
Part 3 Item 3 and 2

FCRC - Released Under RTI Act 2009

s.47(3)(b) Sch 4 Part  
3 Item 3 and 2

FCRC - Released Under RTI Act 2009

s.47(3)(b) Sch 4 Part 3  
Item 3 and 2

FCRC - Released Under RTI Act 2009

### Summary of non residential land and zones



| No. | Address                                      | Lot & RP Desc | Zone            | Details of existing approvals   | Existing use  |
|-----|--|---------------|-----------------|---|---|
| 1   | 21-23 Old Maryborough Road<br>(Prop# 103343) | L113 SP200632 | Service / Trade | Nil   | Residential   |
| 2   | 25-27 Old Maryborough Road<br>(Prop# 103344) | L114 RP35258  | Service / Trade | Nil   | Residential   |
| 3   | 29 Old Maryborough Road<br>(Prop# 103345)    | L115 RP35258  | Service / Trade | Request to extend currency period for 513/3-051166 (Industrial showroom, industrial retail outlet, warehouse and light industry) is currently being assessed by Council | Residential   |
| 4   | 31 Old Maryborough Road<br>(Prop# 103346)    | L116 RP35258  | Service / Trade | 513/3-001854 (Light industry)   | Light industry (office and showroom)                      |
| 5   | 31 Old Maryborough Road<br>(Prop# 103347)    | L117 RP35258  | Service / Trade | 513/3-031147 (Light industry)   | Light industry (Contractors depot and self storage sheds) |



**Kamala Dunn**

---

**From:** Heide Nelson  
**Sent:** Monday, 1 August 2011 11:56 AM  
**To:** John McLennan  
**Cc:** Kylie Matheson  
**Subject:** RE: HB Golf Course - Application details and proposed Stormwater Conditions

Hi John,

now that I have seen a plan it is not nearly as bad as I thought. I do however have a couple of comments

- There have previously been issues with flooding both upstream and downstream of the subject land. The applicant will need to demonstrate that their proposal will not compromise works that have been undertaken to alleviate this flooding ie flow paths through the golf course, the bund wall or the storage available in the ponds within the course.
- The drainage strategy that has been put in place is based on the assumption that no higher level of development occurs on the golf course. The applicant will need to demonstrate that the increased density of development will not negatively impact existing development flows, quantities or velocities. Alternatively they could choose to detain their flows back to those which currently exist
- No provision has been made for increased density of development relating to discharge to the street, so the developer will have to demonstrate that the increase will not negatively impact of local street drainage, alternatively they can detain back to predevelopment conditions or discharge onto the golf course after documentation the arrangement.

Other than that I can live with it.

cheers

**Heide Nelson**

Principal Officer Catchment Management  
Infrastructure & Environment  
Fraser Coast Regional Council  
Telephone: (07) 4125 9742  
Fax: (07) 4197 4455

Web site: <http://www.frasercoast.qld.gov.au>

Disclaimer: If you receive this email by mistake please notify the sender and do not make any use of it. Council does not waive any privilege, confidentiality or copyright associated with this email or any attachments.

---

**From:** John McLennan  
**Sent:** Monday, 1 August 2011 11:37 AM  
**To:** Kylie Matheson  
**Cc:** Heide Nelson  
**Subject:** FW: HB Golf Course - Application details and proposed Stormwater Conditions

References for HBGC

The following stormwater conditions are proposed.

11. Submit to and gain approval from Council as part of any Operational Works application and prior to the commencement of works being carried out onsite a final and detailed 'Site Specific Stormwater

Management Plan' (SSSMP). The SSSMP must include detailed designs and layout of all essential stormwater drainage systems and stormwater quality management systems. The designs of stormwater drainage and quality management systems must comply with Council's Policies and the Queensland Urban Drainage Manual as adopted by Council and must be undertaken and/or supervised and duly certified by a registered professional engineer, Queensland (RPEQ).

12. The SSSMP must demonstrate that the stormwater drainage systems will ensure the development will not make material changes to the pre-development flood flows' location, duration, frequency or concentration of overland stormwater flow at the point of discharge to all downstream properties including road reserves. In the event that a material change to the pre-development stormwater flow will occur, the applicant must produce evidence to Council's satisfaction of a legal right as to the method for stormwater discharge over the downstream land.
13. The SSSMP must demonstrate that the design stormwater drainage will ensure no restriction to existing or developed stormwater flow from upstream properties or ponding of stormwater within upstream properties occurs as a result of the development.
14. The SSSMP must demonstrate how stormwater runoff from the site will be adequately managed post 'fully developed site stage' and especially during operational works to ensure the stormwater runoff quality is not adversely affected and the downstream environment is protected. To that effect all runoff from the site, especially during the operational works stage, must be through a suitable stormwater quality improvement and/or treatment device located within the site boundaries. The design is to incorporate Water Sensitive Urban Design techniques with the provision of, Rain Gardens, swales, Gross Pollutant Traps, Rainwater Tanks, or similar features located within the dedicated landscaped areas of the site to treat all stormwater runoff from the car parks. Water discharged from the site, during operational works stage and post fully developed site, must meet State Planning Policy 04/10 Healthy Waters and Environmental Planning Policy (Water) and relevant State Planning Policies.
15. The stormwater drainage must be designed such that the development will not make material changes to the pre-development location, duration, frequency or concentration of overland stormwater flow at the point of discharge to all downstream properties including road reserves. In the event that a material change to the pre-development stormwater flow will occur, the applicant must produce evidence to Council's satisfaction of a legal right as to the method for stormwater discharge over the downstream land.
16. The Developer must construct all stormwater control and management structures, including underground pipes, open drains and detention basins, in accordance with the SSSMP, Council's Policies and the Queensland Urban Drainage Manual.
17. Drainage easements or reserves are to be provided as may be required for all overland stormwater flows and drainage structures of 300mm diameter pipe (or equivalent) or greater, traversing land within the development (other than roads and parklands). The easements or reserves must be a minimum width of 3 metres or such greater width as necessary to convey the fully developed flow with the appropriate clearance required by Council policy. All easements and reserves are to be provided at no cost to Council.
18. An underground drainage system must be provided to collect and convey all minor stormwater flows from impervious areas within each standard format lot to an existing underground drainage system at a location approved by Council. The minor drainage system must be designed and constructed in accordance with Council policy and to ensure that existing stormwater discharge from surrounding property is not detrimentally affected.

Regards,

**John McLennan**

Senior Development Engineer

Community and Development

Fraser Coast Regional Council

Telephone: (07) 4197 4526

Fax: (07) 4197 4455

Web site: <http://www.frasercoast.qld.gov.au>

**Disclaimer:** If you receive this email by mistake please notify the sender and do not make any use of it.

Council does not waive any privilege, confidentiality or copyright associated with this email or any attachments.

---

**From:** John McLennan  
**Sent:** Monday, 1 August 2011 10:16 AM  
**To:** Kylie Matheson  
**Cc:** Heide Nelson  
**Subject:** RE: HB Golf Course

Thanks Kylie,

Appreciate the quick response.

The application was flimsy and the RFI was much the same. Ward has basically indicated that they don't have the money to offer much supporting information and for Council to condition any shortfall.

Regards,

**John McLennan**

Senior Development Engineer  
Community and Development  
Fraser Coast Regional Council  
Telephone: (07) 4197 4526  
Fax: (07) 4197 4455

Web site: <http://www.frasercoast.qld.gov.au>

**Disclaimer:** If you receive this email by mistake please notify the sender and do not make any use of it. Council does not waive any privilege, confidentiality or copyright associated with this email or any attachments.

---

**From:** Kylie Matheson  
**Sent:** Monday, 1 August 2011 9:09 AM  
**To:** John McLennan  
**Cc:** Heide Nelson  
**Subject:** HB Golf Course

Hi John

We have numerous concerns regarding flood and drainage impacts related to the HB Golf Course

Apparently, we have just fixed a major drainage issue in that vicinity and would like to ensure that no new issues are created as a result of any works done on / by the Golf Course

Heide has requested some details as to the proposed works, location and a reasonable timeframe to assess the impact of the proposal

Please forward Heide the required details for assessment

Cheers

Kylie

*Kylie. A. Matheson*  
Stormwater Planning Officer

████████████████████  
Surveying and Inundation - Design Section  
Infrastructure and Environment Directorate

For Stormwater and Flood Enquiries -  
[helpdesk.stormwater@frasercoast.qld.gov.au](mailto:helpdesk.stormwater@frasercoast.qld.gov.au)

Fraser Coast Regional Council  
Telephone: (07) 4197 4658  
Fax: (07) 4197 4455  
Web site: <http://www.frasercoast.qld.gov.au>

Disclaimer: If you receive this email by mistake please notify the sender and do not make any use of it. Council does not waive any privilege, confidentiality or copyright associated with this email or any attachments.

*Please consider the environment before printing this e-mail. It takes 1 litre of water to make 3 sheets of A4 paper, 1 ream of paper = 6% of a tree.*

*Reality must take precedence over public relations, for Nature cannot be fooled - Richard P. Feynman*

FCRC - Released Under RTI Act 2009

104

**Kamala Dunn**

---

**From:** Ian Gay  
**Sent:** Monday, 1 August 2011 2:13 PM  
**To:** Keith Disher  
**Subject:** DOCSHBCC-#2056545-v1-101239  
\_Engineering\_Comment\_Material\_Change\_of\_Use\_Golf\_Course\_Residential\_Development.DOC

Keith,  
Are you OK with these conditions??? Regards,  
Ian

---

**INTERNAL MEMORANDUM**

**TO: Principal Town Planner - Adam Yem**

**FROM: Senior Development Engineer - John Mclellan**

**SUBJECT: Town Planning Application –  
MCU 513/03 – 101239 – Proposed Golf Course Residential  
Estate.**

**REFERENCE: MCU 513/03 – 101239**

**DATE: 29 July 2011**

---

## **HERVEY BAY GOLF CLUB - 32 Lot Residential Development**

The application is for the development of residential lots with car parking, boat and van storage areas over Lot 2 on SP1655309. The proposal is to construct 32 standard format lots under a community title management system at the Hervey Bay Golf and Country Club. The development will be accessed by the creation of proposed access driveways and new internal roads off Old Maryborough Road and Tooth Street, at Pialba, Hervey Bay. The development proposes 22 lots to be accessed off Old Maryborough Road and 10 lots to be accessed off Tooth Street. Although the application has not considered the development to be undertaken in stages, each location can be developed independently of the other. The internal roads, car parking and storage areas are intended to be common property as designated in the community title arrangement.

### **Roadworks**

Old Maryborough Road is currently constructed and designated as a Traffic Distributor with kerb & channel, all associated underground drainage and a 2.5m wide concrete footpath. The proposal requires the construction of a new intersection with Old Maryborough Road and the creation of an internal loop road. The loop road provides access to the development of 22 standard format lots. The applicant proposes to construct the Old Maryborough Road access approximately 60 to 80 metres north of the Islander Road intersection. This proposal is in contradiction with the recommended road hierarchy intersection separations for a Traffic Distributor. The desirable spacing is 300 metres with round a bout or priority T intersection as preferred treatments.

The applicant will need to amend their layout to demonstrate compliance with this requirement and provide a traffic impact assessment with concept plans demonstrating that the intersection will operate adequately and safely.

Tooth Street is partly constructed with kerb and channel on its eastern side with a formed shoulder and table drain treatment on the western side. The hierarchy designation identifies it as a Controlled

Distributor requiring at least a 10 metre wide pavement width between kerb inverts. The current widths at each end are twelve (12) metres. It is recommended that the developer maintain this width along the frontage as part of their works.

The development proposes to construct an access point directly opposite the Dover Street intersection which forms a 4 way intersection. It will be a requirement for the applicant to demonstrate how the intersection will be safe via the provision of a traffic impact assessment.

The developer will be required to construct concrete kerb and channel including underground drainage from the existing kerb at the entrance to the Golf Club along the frontage of the development in Tooth Street to the proposed intersection at Dover Street. Appropriate taper lengths, line marking and traffic control devices will be necessary to complete the works. This work may generate trunk offsets provided it is constructed to a Controlled Distributor standard.

Currently there is no concrete footpath constructed within Tooth Street. The developer will be required to provide a 2.5 m wide footpath that links to the existing footpath infrastructure in Old Maryborough Road along the frontage of the site to the Dover Street intersection. Alternative arrangements may be negotiated to pay a contribution in lieu of construction for the footpath works. The footpath and road construction works may attract trunk infrastructure credits provided the works are in accordance with the trunk standards.

Access to the internal standard lots must be via the road system shown on the submitted plans. Any crossover must be constructed to a residential crossover standard as per Council standard. All driveways, associated aisles and car parking areas must be designed and constructed to Council's standards and policies, including the ability to manoeuvre garbage trucks-waste collection vehicles in and out of the site in a reasonable manner.

The internal access road includes multiple car parking bays to service each super lot development. The internal road will need to be wide enough to allow two-way traffic, services corridors and appropriate car parking space such that garbage trucks waste collection vehicles and service vehicles can manoeuvre such that they can enter and exit the site in a forward manner. The applicant will need to submit truck turning plans to demonstrate compliance with this requirement.

### **Stormwater**

The proposal forms part of an overall drainage strategy submitted with the development of the 14 stage subdivision. The applicant will be required to provide an overall stormwater strategy prior to the submission of an operational works application for this development. A detailed plan will be required to demonstrate that site levels are provided to ensure immunity from the minor (Q2) and major (Q100) storm events. The site is not subject to storm surge inundation.

The development falls within the Eli Creek Catchment Management Plan and will ultimately drain into Eli Creek. The applicant is required to provide a stormwater management plan as part of the ultimate development. It is required that the principles of Water Sensitive Urban Design will apply to the development. The applicant will be required to demonstrate how they meet the Queensland Water Quality Objectives and Environmental Planning Policy (Water) standards prior to any operational works approval is given.

Council's Flooding and Inundation officer has provided the following comments:

- *There have previously been issues with flooding both upstream and downstream of the subject land. The applicant will need to demonstrate that their proposal will not compromise works that have been undertaken to alleviate this flooding ie flow paths through the golf course, the bund wall or the storage available in the ponds within the course.*
- *The drainage strategy that has been put in place is based on the assumption that no higher level of development occurs on the golf course. The applicant will need to demonstrate that the increased density of development will not negatively impact existing development flows, quantities or velocities. Alternatively they could choose to detain their flows back to those which currently exist*

- *No provision has been made for increased density of development relating to discharge to the street, so the developer will have to demonstrate that the increase will not negatively impact of local street drainage, alternatively they can detain back to predevelopment conditions or discharge onto the golf course after documentation the arrangement.*

The area fall within the confines of Council Planning Scheme Policy No. 4 therefore, the applicant is required to provide a contribution to Council in accordance with this strategy.

### **Sewerage Reticulation**

Comments were received from Wide Bay Water of which are detailed below;

*The application is written stating that water and sewerage services are available. Accordingly it is assumed that the development will connect to WBWC's sewer reticulation network rather than treating and re-using the effluent on site. The Developer shall prepare a servicing proposal for sewerage for the development and submit and gain approval from WBWC for the proposal. All the proposed lots cannot be commanded by gravity from the existing sewer reticulation therefore internal pumping shall likely be required. The nominated connection point for the units/lots along the Old Maryborough Rd Frontage shall be the DN150 sewer near the roundabout on Boat Harbour Drive unless the option of relocating the existing PS68 on islander road to within the property is pursued by the developer. A connection point shall be provided at the developer's expense within the property. A private pump station and rising main external to the development site to PS68 is not an acceptable solution.*

*The proposed lots near Tooth St should be able to be commanded from the existing gravity sewers on the east side of Tooth St. The developer shall construct a sewer across Tooth St to provide a connection point on and within the property that will command the proposed lots.*

### **Water Reticulation**

Comments were received from Wide Bay Water of which are detailed below;

*According to our GIS records the property has an existing DN100 connection to the DN100 reticulation main in Old Maryborough Rd. WBWC is seeking to reduce/limit the number of metered connections to one per property (reduce the risk of internal cross connection). Given that this is a community title development, water supply to the proposed lots shall be provided from the existing DN100 service. If this DN100 service is considered unsatisfactory by the developer's hydraulic consultant then the service shall be upgraded/replaced at the developer's expense. Any upgraded service shall be provided from the DN200 main in Old Maryborough Rd near the intersection with Tooth St.*

*WBWC will not be allowing any direct connections to the DN375 main in Tooth St (trunk main and not pressure reduced) or the DN375 main in Old Maryborough Rd (trunk main). Nor will multiple connections be approved to service the property. All internal reticulation beyond the existing meter is the responsibility of the Developer.*

*Each property shall be separately metered.*

### **CONCLUSION AND RECOMMENDATION**

That the application by Hervey Bay Golf and Country Club Inc. c/o Urban Planet for Material Change of Use for Low Density Residential Use and Reconfiguration of Lots by Standard Format in a Community

management Scheme, on part of Lot 2 SP 165309, Parish of Urangan, Tooth St, Pialba, be approved generally in accordance with plans XXXXXXXXXXXX , prepared by George Group, Job No. 2812 , subject to the following conditions which must be met prior to the commencement of the use, the endorsement of the survey plan or at such other time as may be specified in the terms set out hereunder. These conditions must be implemented at no cost to Council or Wide Bay Water Corporation unless specified in any particular condition. The following conditions are recommended for inclusion;

#### **ADMINISTRATION**

1. The development must be undertaken in accordance with Council's Planning Scheme, Planning Scheme Policies and Local Laws.
2. Submit an amended plan of development layout relocating the proposed access in Old Maryborough Road to be approximately equidistant between the Tooth Street and Islander Road intersections.
3. Liaise directly with Council's Waste Services Coordinator with regard to the size and quantity of bins and the method and frequency of service. The access road for the collection vehicle must provide for adequate turning space such that the vehicle enters and exits each site in a forward direction.
4. Submit engineering drawings detailing all civil engineering site works, road works, sewer relocations and stormwater works within and external to each site in an Operational Works Application. The design of these works is to be approved by Council before any works commence on site. All such works are to be completed to Council's satisfaction prior to the commencement of the approved use.
5. All final designs must be certified by a Registered Professional Engineer of Queensland (RPEQ).
6. Lodge a bond in the amount of \$10,000 in accordance with Council's Development Manual Planning Scheme Policy (General performance Bond), prior to the commencement of any building or operational work associated for each stage of the development. In staged developments, if substantial compliance problems are experienced in any stage, the bond amount may be increased by Council to reflect the conditions of the site. The increased bond is to be paid prior to commencement of any subsequent stage.
7. This bond (less any deductions for purposes defined in the Planning Scheme Policies) will be refunded when:
  - a) works to revert to Council have been accepted "on maintenance", and
  - b) all Building and Operational Works on the site have been completed and a Final Certificate (if applicable) issued by Council.

#### **SITE and ENVIRONMENTAL MANAGEMENT**

8. Submit to and gain approval from Council as part of any Operational Works application and prior to the commencement of works being carried out onsite, a site specific Construction Management Plan. The plan must include, but not be limited to:
  - a. proposed construction vehicle transport route(s);
  - b. specification of measures to ensure the safe and orderly ingress and egress of vehicles to and from the site;
  - c. the means by which the direction of traffic flows to and from parking areas will be controlled both on and off site to ensure no damage is cause to Council's road infrastructure to and from the site including the pavement, kerb, channel, crossovers to adjoining properties and verges;
  - d. owner's permission for access over and/or parking on other land;
  - e. measures to discourage staff and contractor parking in adjoining lots;
  - f. lawful source and disposal sites of any fill or excavated material;
  - g. wheel wash down and shake down grids for construction vehicles;
  - h. the location of all areas on and/or off site to be used for staff and contractor parking;
  - i. Maintenance of the existing drainage pattern of the land to avoid adverse impact on the downstream and upstream environments;
  - j. Stormwater runoff quality management during operational works. The management plan must be in accordance with the general environmental values and water quality objectives outlined in the EPP (Water) 1997;



- k. That at any one time, the exposed soil area/work surface is minimised and sediment retention measures are implemented to ensure avoidance of sediment transport to the downstream environment;
  - l. Avoidance of unacceptable risk to existing land uses from flooding and erosion;
  - m. the means of ensuring the appearance of building works or materials does not detrimentally affect the amenity of the area;
  - n. That at any one time dust control measure is implemented onsite to ensure avoidance of dust nuisance and
  - o. Location of site sheds and facilities.
9. Submit to and gain approval from Council, (i) as part of an approval of any application for Operational Works for civil works and (ii) prior to the commencement of works being carried out on-site a Site Specific Erosion and Sediment Control Plan. The site specific erosion and sediment control must be designed in accordance with Best Practice Erosion and Sediment Control (IECA, 2008).
10. Provide laboratory testing for Acid Sulphate Soils in accordance with the State Planning Policy 2/02 "Planning and Managing Development involving Acid Sulphate Soils" as part of the Operational Works application and gain approval before any earthworks commence on-site.

## **STORMWATER**

11. Submit to and gain approval from Council as part of any Operational Works application and prior to the commencement of works being carried out onsite a final and detailed 'Site Specific Stormwater Management Plan' (SSSMP). The SSSMP must include detailed designs and layout of all essential stormwater drainage systems and stormwater quality management systems. The designs of stormwater drainage and quality management systems must comply with Councils Policies and the Queensland Urban Drainage Manual as adopted by Council and must be undertaken and/or supervised and duly certified by a registered professional engineer, Queensland (RPEQ).
12. The SSSMP must demonstrate that the stormwater drainage systems will ensure the development will not make material changes to the pre-development flood flows' location, duration, frequency or concentration of overland stormwater flow at the point of discharge to all downstream properties including road reserves. In the event that a material change to the pre-development stormwater flow will occur, the applicant must produce evidence to Council's satisfaction of a legal right as to the method for stormwater discharge over the downstream land.
13. The SSSMP must demonstrate that the design stormwater drainage will ensure no restriction to existing or developed stormwater flow from upstream properties or ponding of stormwater within upstream properties occurs as a result of the development.
14. The SSSMP must demonstrate how stormwater runoff from the site will be adequately managed post 'fully developed site stage' and especially during operational works to ensure the stormwater runoff quality is not adversely affected and the downstream environment is protected. To that effect all runoff from the site, especially during the operational works stage, must be through a suitable stormwater quality improvement and/or treatment device located within the site boundaries. The design is to incorporate Water Sensitive Urban Design techniques with the provision of, Rain Gardens, swales, Gross Pollutant Traps, Rainwater Tanks, or similar features located within the dedicated landscaped areas of the site to treat all stormwater runoff from the car parks. Water discharged from the site, during operational works stage and post fully developed site, must meet State Planning Policy 04/10 Healthy Waters and Environmental Planning Policy (Water) and relevant State Planning Polices.
15. The stormwater drainage must be designed such that the development will not make material changes to the pre-development location, duration, frequency or concentration of overland stormwater flow at the point of discharge to all downstream properties including road reserves. In the event that a material change to the pre-development stormwater flow will occur, the applicant must produce evidence to Council's satisfaction of a legal right as to the method for stormwater discharge over the downstream land.
16. The Developer must construct all stormwater control and management structures, including underground pipes, open drains and detention basins, in accordance with the SSSMP, Council's Policies and the Queensland Urban Drainage Manual.
17. Drainage easements or reserves are to be provided as may be required for all overland stormwater flows and drainage structures of 300mm diameter pipe (or equivalent) or greater, traversing land within the development (other than roads and parklands). The easements or reserves must be a

minimum width of 3 metres or such greater width as necessary to convey the fully developed flow with the appropriate clearance required by Council policy. All easements and reserves are to be provided at no cost to Council.

18. An underground drainage system must be provided to collect and convey all minor stormwater flows from impervious areas within each standard format lot to an existing underground drainage system at a location approved by Council. The minor drainage system must be designed and constructed in accordance with Council policy and to ensure that existing stormwater discharge from surrounding property is not detrimentally affected.

### **Water Reticulation**

19. The Developer must consult directly with Wide Bay Water Corporation with respect to the Corporation's requirements for design, construction and inspection of all water reticulation associated with this development. The design must ensure sufficient capacity to meet the demands from the development and to sustain any commercial fire stream requirement in the locality.
20. The Developer must provide for the construction of all water supply works external to the development as may be required to service the development. The works must be in accordance with engineering design plans and other documentation approved by Council. Such engineering plans are to be in accordance with Wide Bay Water Corporation's water supply strategy and design guidelines.
21. Provide for a reticulated water supply to serve the development. The internal water reticulation must be designed such that a separate water meter and control valve can be installed to serve each standard lot.
22. Water and Electricity conduits are to be installed to service the development by boring under the existing roads where required. Standard kerb markers are to be installed to mark the location of the conduits. A plan showing the location of the conduits is to be approved by Council prior to the commencement of works.
23. Provide blue reflective pavement markers on the road centreline opposite all hydrants.

### **Sewer Reticulation**

24. Submit to and gain approval from Council and Wide Bay Water, as part of any Operational Works application and prior to the commencement of works being carried out, a sewer reticulation servicing proposal for the development.
25. The nominated sewer connection point for the development along Old Maryborough Road shall be the DN150 sewer at the round about at Boat Harbour Drive
26. The developer shall construct a sewer across Tooth Street to provide a connection point on and within the property that will command the proposed development lots.
27. The Developer must consult directly with Wide Bay Water Corporation with respect to the Corporation's requirements for design, construction and inspection of all connection details to Council's existing sewerage system.
28. The Developer must provide for construction of all sewerage works external to the development as may be required to service the development. The works must be in accordance with engineering design plans and other documentation approved by Council. Such engineering plans are to be in accordance with Wide Bay Water Corporation's sewerage reticulation strategy and design guidelines.
29. Provide a triple interceptor trap for all wash-down water adjacent to the boat and van storage area prior to discharge into Council sewer.

### **Electricity**

30. The Developer must provide all easements required by Ergon Energy over existing or proposed power lines, cables and equipment in the development site.
31. Prior to the approval of the plan of subdivision, the Developer must enter into an agreement with Ergon Energy to ensure that electricity will be available to each lot within the development without further capital contribution.

### **Site and Environmental Management**

32. Undertake the development works in accordance with the results of the laboratory testing for Acid Sulphate Soils. In this regard all earthworks must be undertaken in accordance with the guidelines of State Planning Policy 2/02 "Planning and managing Development involving Acid Sulphate Soils".

### **Car Parking**

33. Construct car parking spaces, associated access aisles and driveways to the dimensions detailed in Council's Planning Scheme Policies and Australian Standard AS 2890.1. Provide manoeuvring areas to ensure that vehicle ingress and egress can enter and exit the property in a forward direction. Driveways, car parking and reversing areas are to be constructed to the standards defined in Council's development manual and car parking spaces are to be permanently marked. Provide at least one disabled visitor car space at ground level, conforming to AS 1428 - Design for Access and Mobility.

### **Footpaths**

34. Construct a minimum 2.5m wide concrete footpath and associated pram crossings along the western side of Tooth Street from the intersection of Old Maryborough Road to the Dover Street intersection. The footpath construction may be offset against Regulated Infrastructure Charges.

### **Vehicular Access**

35. Prior to the submission of an application for Operational Works provide a traffic impact assessment detailing the impact that the development will have on the immediate road network. The impact assessment is to provide details of the proposed access intersection treatments to the development from Tooth Street and Old Maryborough Road.
36. Construct an intersection/access on Old Maryborough Road and Tooth St in accordance with the approved development layout and traffic impact assessment.
37. Property access and driveways are to be constructed to the standards defined in Council's Development Manual.
38. Construct concrete kerb and channel on an alignment approved by Council on the western side of Tooth Street from the existing kerb adjacent to the current golf club entrance to the northern side of the proposed intersection opposite Dover Street. The works are to include underground drainage and infill pavement to a Controlled Distributor standard. The road construction works may be offset against the Regulated Infrastructure Charges.

### **General**

39. The developer must meet the costs of all development works including any necessary alteration or relocation of services, provision of upgrading of roadworks to accommodate all vehicular access works together with all public utility mains and/or installations.
40. The Developer must accurately locate all existing services before any development works commence.

### **Administration**

41. All works that will revert to Council control must be designed and supervised by a Registered Professional Engineer in accordance with Council Policy. The works will be required to comply with all Local Laws, Policies and Standards of Council current at the time of submission of the application for approval of Operational Works. No works associated with this permit may commence until an Operational Works Permit has been issued by Council.
42. All works that will revert to Council control are subject to a twelve (12) month maintenance period during which time the Developer must be responsible for the maintenance of the works, the rectification of any design omissions or defects, and the repair of any construction defects that are subsequently found. Council requires the developer to secure the maintenance of the works by the submission of a bond valued at 5% of the total value of the works. The bond must be submitted in accordance with Council's policy.
43. Prior to acceptance of the works on maintenance, the supervising engineer must arrange for the collection and submission to Council of digital "as constructed" information for the works. The digital information must comply with Council's "Submission of Digital As Constructed Manual" and must be certified as specified in the Manual prior to the operation of the approved use.
44. Prior to acceptance of the works on maintenance, all outstanding rates, sewerage, cleaning or water charges or other charges due to Council, must be paid prior to sealing of survey plan or

commencement of use. Where arrangements have been made with Council to pay the rates and charges on an instalment basis, all unpaid and outstanding instalments must be paid prior to approval of dual occupancy application.

45. Provide a plan sealing report and supporting documentation demonstrating compliance with each condition of this approval prior to the commencement of the use or the sealing of any survey plan.
46. All outstanding rates or other charges due to Council must be paid prior to the approval of the plan of survey.

Advice Note:

*Infrastructure charges are payable - refer to the accompanying Adopted Infrastructure Charges Notice for details.*

**John McLennan**  
**Senior Development Engineer**  
**Development Assessment**

FCRC - Released Under RTI Act 2009

**Kamala Dunn**

---

**From:** Heide Nelson  
**Sent:** Monday, 1 August 2011 11:56 AM  
**To:** John McLennan  
**Cc:** Kylie Matheson  
**Subject:** RE: HB Golf Course - Application details and proposed Stormwater Conditions

Hi John,

now that I have seen a plan it is not nearly as bad as I thought. I do however have a couple of comments

- There have previously been issues with flooding both upstream and downstream of the subject land. The applicant will need to demonstrate that their proposal will not compromise works that have been undertaken to alleviate this flooding ie flow paths through the golf course, the bund wall or the storage available in the ponds within the course.
- The drainage strategy that has been put in place is based on the assumption that no higher level of development occurs on the golf course. The applicant will need to demonstrate that the increased density of development will not negatively impact existing development flows, quantities or velocities. Alternatively they could choose to detain their flows back to those which currently exist
- No provision has been made for increased density of development relating to discharge to the street, so the developer will have to demonstrate that the increase will not negatively impact of local street drainage, alternatively they can detain back to predevelopment conditions or discharge onto the golf course after documentation the arrangement.

Other than that I can live with it.

cheers

**Heide Nelson**  
Principal Officer Catchment Management  
Infrastructure & Environment  
Fraser Coast Regional Council  
Telephone: (07) 4125 9742  
Fax: (07) 4197 4455  
Web site: <http://www.frasercoast.qld.gov.au>

Disclaimer: If you receive this email by mistake please notify the sender and do not make any use of it. Council does not waive any privilege, confidentiality or copyright associated with this email or any attachments.

---

**From:** John McLennan  
**Sent:** Monday, 1 August 2011 11:37 AM  
**To:** Kylie Matheson  
**Cc:** Heide Nelson  
**Subject:** FW: HB Golf Course - Application details and proposed Stormwater Conditions

References for HBGC

The following stormwater conditions are proposed.

11. Submit to and gain approval from Council as part of any Operational Works application and prior to the commencement of works being carried out onsite a final and detailed 'Site Specific Stormwater

Management Plan' (SSSMP). The SSSMP must include detailed designs and layout of all essential stormwater drainage systems and stormwater quality management systems. The designs of stormwater drainage and quality management systems must comply with Council's Policies and the Queensland Urban Drainage Manual as adopted by Council and must be undertaken and/or supervised and duly certified by a registered professional engineer, Queensland (RPEQ).

12. The SSSMP must demonstrate that the stormwater drainage systems will ensure the development will not make material changes to the pre-development flood flows' location, duration, frequency or concentration of overland stormwater flow at the point of discharge to all downstream properties including road reserves. In the event that a material change to the pre-development stormwater flow will occur, the applicant must produce evidence to Council's satisfaction of a legal right as to the method for stormwater discharge over the downstream land.
13. The SSSMP must demonstrate that the design stormwater drainage will ensure no restriction to existing or developed stormwater flow from upstream properties or ponding of stormwater within upstream properties occurs as a result of the development.
14. The SSSMP must demonstrate how stormwater runoff from the site will be adequately managed post 'fully developed site stage' and especially during operational works to ensure the stormwater runoff quality is not adversely affected and the downstream environment is protected. To that effect all runoff from the site, especially during the operational works stage, must be through a suitable stormwater quality improvement and/or treatment device located within the site boundaries. The design is to incorporate Water Sensitive Urban Design techniques with the provision of, Rain Gardens, swales, Gross Pollutant Traps, Rainwater Tanks, or similar features located within the dedicated landscaped areas of the site to treat all stormwater runoff from the car parks. Water discharged from the site, during operational works stage and post fully developed site, must meet State Planning Policy 04/10 Healthy Waters and Environmental Planning Policy (Water) and relevant State Planning Policies.
15. The stormwater drainage must be designed such that the development will not make material changes to the pre-development location, duration, frequency or concentration of overland stormwater flow at the point of discharge to all downstream properties including road reserves. In the event that a material change to the pre-development stormwater flow will occur, the applicant must produce evidence to Council's satisfaction of a legal right as to the method for stormwater discharge over the downstream land.
16. The Developer must construct all stormwater control and management structures, including underground pipes, open drains and detention basins, in accordance with the SSSMP, Council's Policies and the Queensland Urban Drainage Manual.
17. Drainage easements or reserves are to be provided as may be required for all overland stormwater flows and drainage structures of 300mm diameter pipe (or equivalent) or greater, traversing land within the development (other than roads and parklands). The easements or reserves must be a minimum width of 3 metres or such greater width as necessary to convey the fully developed flow with the appropriate clearance required by Council policy. All easements and reserves are to be provided at no cost to Council.
18. An underground drainage system must be provided to collect and convey all minor stormwater flows from impervious areas within each standard format lot to an existing underground drainage system at a location approved by Council. The minor drainage system must be designed and constructed in accordance with Council policy and to ensure that existing stormwater discharge from surrounding property is not detrimentally affected.

Regards,

**John McLennan**

Senior Development Engineer

Community and Development

Fraser Coast Regional Council

Telephone: (07) 4197 4526

Fax: (07) 4197 4455

Web site: <http://www.frasercoast.qld.gov.au>

**Disclaimer:** If you receive this email by mistake please notify the sender and do not make any use of it.

**Kamala Dunn**

**From:** Christine.Walton [REDACTED]  
**Sent:** Monday, 1 August 2011 12:36 PM  
**To:** Ian Gay  
**Cc:** Christine Walton  
**Subject:** FW: MCU 101239 - Tooth Street, Pialba - Hervey Bay Golf Club  
**Attachments:** RE: Proposed Golf Links Sub Division

s.47(3)(b) Sch 4  
Part 3 Item 3

-----Original Message-----

**From:** Keith Disher [REDACTED]  
**Sent:** 26/10/2010 2:21:10 PM  
**To:** Christine Walton [REDACTED];  
**CC:** Jenny Hindmarsh [REDACTED]; Tony Harding [REDACTED]; Nicole Nissen [REDACTED]; Louise Baldo [REDACTED]  
**Subject:** MCU 101239 - Tooth Street, Pialba - Hervey Bay Golf Club

s.47(3)(b) Sch 4  
Part 3 Item 3

Hi Christine

Attached please find my preliminary comments to Pat Drover at VDM regarding servicing the proposed development with water and sewerage services.

The current application is Community Title with the common property being the Golf Course as I read the submission. On this basis I make the following comments:

**Water supply**

According to our GIS records the property has an existing DN100 connection to the DN100 reticulation main in Old Maryborough Rd. WBWC is seeking to reduce/limit the number of metered connections to one per property (reduce the risk of internal cross connection). Given that this is a community title development, water supply to the proposed lots shall be provided from the existing DN100 service. If this DN100 service is considered unsatisfactory by the developer's hydraulic consultant then the service shall be upgraded/replaced at the developer's expense. Any upgraded service shall be provided from the DN200 main in Old Maryborough Rd near the intersection with Tooth St.

WBWC will not be allowing any direct connections to the DN375 main in Tooth St (trunk main and not pressure reduced) or the DN375 main in Old Maryborough Rd (trunk main). Nor will multiple connections be approved to service the property. All internal reticulation beyond the existing meter is the responsibility of the Developer. Each property shall be separately metered.

**Sewerage**

The application is written stating that water and sewerage services are available. Accordingly it is assumed that the development will connect to WBWC's sewer reticulation network rather than treating and re-using the effluent on site. The Developer shall prepare a servicing proposal for sewerage for the development and submit and gain approval from WBWC for the proposal. All the proposed lots cannot be commanded by gravity from the existing sewer reticulation therefore internal pumping shall likely be required. The nominated connection point for the units/lots along the Old Maryborough Rd Frontage shall be the DN150 sewer near the roundabout on Boat Harbour Drive unless the option of relocating the existing PS68 on islander road to within the property is pursued by the developer. A connection point shall be provided at the developer's expense within the property. A private pump station and rising main external to the development site to PS68 is not an acceptable solution.

The proposed lots near Tooth St should be able to be commanded from the existing gravity sewers on the east side of Tooth St. The developer shall construct a sewer across Tooth St to provide a connection point on and within the property that will command the proposed lots.

Water and Sewer Infrastructure charges in accordance with Council's Policy are applicable to the development.

Keith Disher  
Senior Planning Engineer  
Wide Bay Water Corporation  
Ph 4194 7652  
Mob 0429 900 764

---

DISCLAIMER: The information in this e-mail and any attachments is confidential and may be legally privileged. This e-mail is intended solely for the addressee. If you have received this email in error, this does not waive our confidentiality rights. If you are not the addressee, dissemination, copying or other use of this e-mail or any of its content is strictly prohibited and may be unlawful. If you are not the intended recipient please inform the sender immediately and destroy the e-mail and any copies. All liability for viruses is excluded to the fullest extent permitted by law. Any views expressed in this message are those of the individual sender. No contract may be construed by this e-mail. Thank you.

---

This e-mail message has been scanned for Viruses and Content and cleared by **MailMarshal**

---



Council does not waive any privilege, confidentiality or copyright associated with this email or any attachments.

---

**From:** John McLennan  
**Sent:** Monday, 1 August 2011 10:16 AM  
**To:** Kylie Matheson  
**Cc:** Heide Nelson  
**Subject:** RE: HB Golf Course

Thanks Kylie,

Appreciate the quick response.

The application was flimsy and the RFI was much the same. Ward has basically indicated that they don't have the money to offer much supporting information and for Council to condition any shortfall.

Regards,

**John McLennan**

Senior Development Engineer  
Community and Development  
Fraser Coast Regional Council  
Telephone: (07) 4197 4526  
Fax: (07) 4197 4455  
Web site: <http://www.frasercoast.qld.gov.au>

**Disclaimer:** If you receive this email by mistake please notify the sender and do not make any use of it. Council does not waive any privilege, confidentiality or copyright associated with this email or any attachments.

---

**From:** Kylie Matheson  
**Sent:** Monday, 1 August 2011 9:09 AM  
**To:** John McLennan  
**Cc:** Heide Nelson  
**Subject:** HB Golf Course

Hi John

We have numerous concerns regarding flood and drainage impacts related to the HB Golf Course

Apparently, we have just fixed a major drainage issue in that vicinity and would like to ensure that no new issues are created as a result of any works done on / by the Golf Course

Heide has requested some details as to the proposed works, location and a reasonable timeframe to assess the impact of the proposal

Please forward Heide the required details for assessment

Cheers

Kylie

*Kylie A. Matheson*  
Stormwater Planning Officer

Surveying and Inundation - Design Section  
Infrastructure and Environment Directorate

s.47(3)(b) Sch 4  
Part 3 Item 3

For Stormwater and Flood Enquiries -  
[helpdesk.stormwater@frasercoast.qld.gov.au](mailto:helpdesk.stormwater@frasercoast.qld.gov.au)

Fraser Coast Regional Council  
Telephone: (07) 4197 4658  
Fax: (07) 4197 4455  
Web site: <http://www.frasercoast.qld.gov.au>

Disclaimer: If you receive this email by mistake please notify the sender and do not make any use of it. Council does not waive any privilege, confidentiality or copyright associated with this email or any attachments.

*Please consider the environment before printing this e-mail. It takes 1 litre of water to make 3 sheets of A4 paper, 1 ream of paper = 6% of a tree.*

*Reality must take precedence over public relations, for Nature cannot be fooled - Richard P. Feynman*

FCRC - Released Under RTI Act 2009

**Kamala Dunn**

---

**From:** Michael Ellery  
**Sent:** Tuesday, 16 August 2011 8:33 AM  
**To:** Sue Brooks  
**Cc:** Peter Smith; Adam Yem  
**Subject:** RE: Enquiry from Sue Brooks re Fwd: Supplementary Open and Confidential Agenda - 17 August, 2011

Cr Brooks, I'm not aware of the previous situation but it appears that both situations you mention are correct.

If any part of the block is covered by the Natural Areas overlay then development will trigger assessment against the corresponding code, even if the development is outside of the area that is mapped. However, when assessing compliance with the code the fact that vegetation to be removed is outside of the natural areas overlay can be taken into account and can be used to justify any conflict between a decision and the provisions of the code. Ground truthing of vegetation on the site is also necessary to determine the values of vegetation to be removed - sometimes the extent of vegetation is less than the overlay, sometimes it extends beyond the boundaries of the overlay. Without ground truthing every block it is impossible to be 100% accurate with the extent of the mapped overlay, and this was not done in the preparation of the 2006 Hervey Bay Scheme and nor is it practical to do so during scheme preparation - the time and cost would be extremely high. In saying that, it would have been developed using the best information Council had to hand at the time including state mapping and air photos. By using the trigger of the overlay when assessing applications we can protect vegetation that warrants it and allow removal of vegetation where it is appropriate to do so. The vegetation that will be impacted upon on the golf course by this development is largely single, scattered trees that provide limited ecological value and some aesthetic value which can be adequately replaced with landscaping.

**Michael Ellery**

Executive Manager Development Assessment  
Fraser Coast Regional Council  
Telephone: (07) 4197 4318  
Mobile: 0438 727 038  
Fax: (07) 4194 4595  
Web site: <http://www.frasercoast.qld.gov.au>

**Disclaimer:** If you receive this email by mistake please notify the sender and do not make any use of it. Council does not waive any privilege, confidentiality or copyright associated with this email or any attachments.

---

**From:** Sue Brooks  
**Sent:** Monday, 15 August 2011 5:34 PM  
**To:** Michael Ellery  
**Cc:** Peter Smith  
**Subject:** Enquiry from Sue Brooks re Fwd: Supplementary Open and Confidential Agenda - 17 August, 2011

I am confused. When I asked questions previously about my own block of land and others within Vine Forest Dve, Dundowran Beach, that have a Natural Areas Overlay impacting on them I was clearly informed by our staff that the overlay impacts on the entire block of land although the mapping shows it to be impacting on a section of the land. In relation to the Golf Course DA assessment I note that it states that the area of vegetation impacted by the development is not within the Natural Areas overly area.

This seems to me to be contradictory.

Can I be advised as to which interpretation is the correct one please?

Could I also have forwarded a map showing the overlay on the site please?

Cheers, Sue

Sent from my iPad

[www.frasercoast.qld.gov.au](http://www.frasercoast.qld.gov.au)  
0409485818

s.47(3)(b) Sch 4  
Part 3 Item 3 for  
both

Begin forwarded message:

**From:** "Toni Souvlis" [REDACTED]  
**To:** "A1-Councillors" [REDACTED]  
**Subject:** Supplementary Open and Confidential Agenda - 17 August, 2011

Good Afternoon

Please find attached for your information PDF of Ordinary Meeting No. 15 Supplementary Combined Open and Confidential Agenda for Wednesday 17 August 2011.

COUNCILLORS: For those Councillors who receive a hard copy, photocopying will shortly be under way and hard copies available tomorrow approximately mid morning.

COUNCILLOR HAWES: Hervey Bay or Maryborough ???

COUNCILLOR ARTHUR: As copying will not be completed today, did you want your hard copy retained at the Bay office for collection, or did you want me to bring it back to Maryborough tomorrow afternoon?

Regards

Toni Souvlis  
Executive Assistant  
Office of CEO  
Fraser Coast Regional Council  
Telephone (07) 4197 4458  
Fax: (07) 4197 4455  
Web site: <http://www.frasercoast.qld.gov.au>

Disclaimer: If you receive this email by mistake please notify the sender and do not make any use of it. Council does not waive any privilege, confidentiality or copyright associated with this email or any attachments.

<FCRC Meeting #15 Combined Open and Confidential Supplementary Agenda 170811.pdf>

**Kamala Dunn**

---

**From:** Adam Yem  
**Sent:** Tuesday, 16 August 2011 8:35 AM  
**To:** Sue Brooks  
**Cc:** Peter Smith; Michael Ellery  
**Subject:** FW: Enquiry from Sue Brooks re Fwd: Supplementary Open and Confidential Agenda - 17 August, 2011  
**Attachments:** Golf Course Overlay Map.pdf

Cr Brooks,

Please find attached a map showing the golf course site and the area mapped as natural overlays.

Regards,

**Adam Yem**

Principal Planner  
Fraser Coast Regional Council  
Direct: (07) 4197 4553  
Phone: 1300 79 49 29

**Disclaimer:** If you receive this email by mistake please notify the sender and do not make any use of it. Council does not waive any privilege, confidentiality or copyright associated with this email or any attachments.

---

**From:** Michael Ellery  
**Sent:** Tuesday, 16 August 2011 8:01 AM  
**To:** Adam Yem  
**Cc:** Peter Smith; Sue Brooks  
**Subject:** FW: Enquiry from Sue Brooks re Fwd: Supplementary Open and Confidential Agenda - 17 August, 2011

Adam, can you please email Cr Brooks a copy of the overlay map relating to the golf course land.

**Michael Ellery**

Executive Manager Development Assessment  
Fraser Coast Regional Council  
Telephone: (07) 4197 4318  
Mobile: 0438 727 038  
Fax: (07) 4194 4595  
Web site: <http://www.frasercoast.qld.gov.au>

**Disclaimer:** If you receive this email by mistake please notify the sender and do not make any use of it. Council does not waive any privilege, confidentiality or copyright associated with this email or any attachments.

---

**From:** Sue Brooks  
**Sent:** Monday, 15 August 2011 5:34 PM  
**To:** Michael Ellery  
**Cc:** Peter Smith  
**Subject:** Enquiry from Sue Brooks re Fwd: Supplementary Open and Confidential Agenda - 17 August, 2011

I am confused. When I asked questions previously about my own block of land and others within Vine Forest Dve, Dundowran Beach, that have a Natural Areas Overlay impacting on them I was clearly informed by our staff that the overlay impacts on the entire block of land although the mapping shows it to be impacting on a section of the land. In relation to the Golf Course DA assessment I note that it states that the area of vegetation impacted by the development is not within the Natural Areas overly area.

This seems to me to be contradictory.

Can I be advised as to which interpretation is the correct one please?

Could I also have forwarded a map showing the overlay on the site please?

Cheers, Sue

Sent from my iPad

[www.frasercoast.qld.gov.au](http://www.frasercoast.qld.gov.au)

0409485818

s.47(3)(b) Sch 4  
Part 3 Item 3 for  
both

Begin forwarded message:

**From:** "Toni Souvlis"

**To:** "A1-Councillors"

**Subject:** Supplementary Open and Confidential Agenda - 17 August, 2011

Good Afternoon

Please find attached for your information PDF of Ordinary Meeting No. 15 Supplementary Combined Open and Confidential Agenda for Wednesday 17 August 2011.

COUNCILLORS: For those Councillors who receive a hard copy, photocopying will shortly be under way and hard copies available tomorrow approximately mid morning.

COUNCILLOR HAWES: Hervey Bay or Maryborough ???

COUNCILLOR ARTHUR: As copying will not be completed today, did you want your hard copy retained at the Bay office for collection, or did you want me to bring it back to Maryborough tomorrow afternoon?

Regards

Toni Souvlis

Executive Assistant

Office of CEO

Fraser Coast Regional Council

Telephone (07) 4197 4458

Fax: (07) 4197 4455

Web site: <http://www.frasercoast.qld.gov.au>

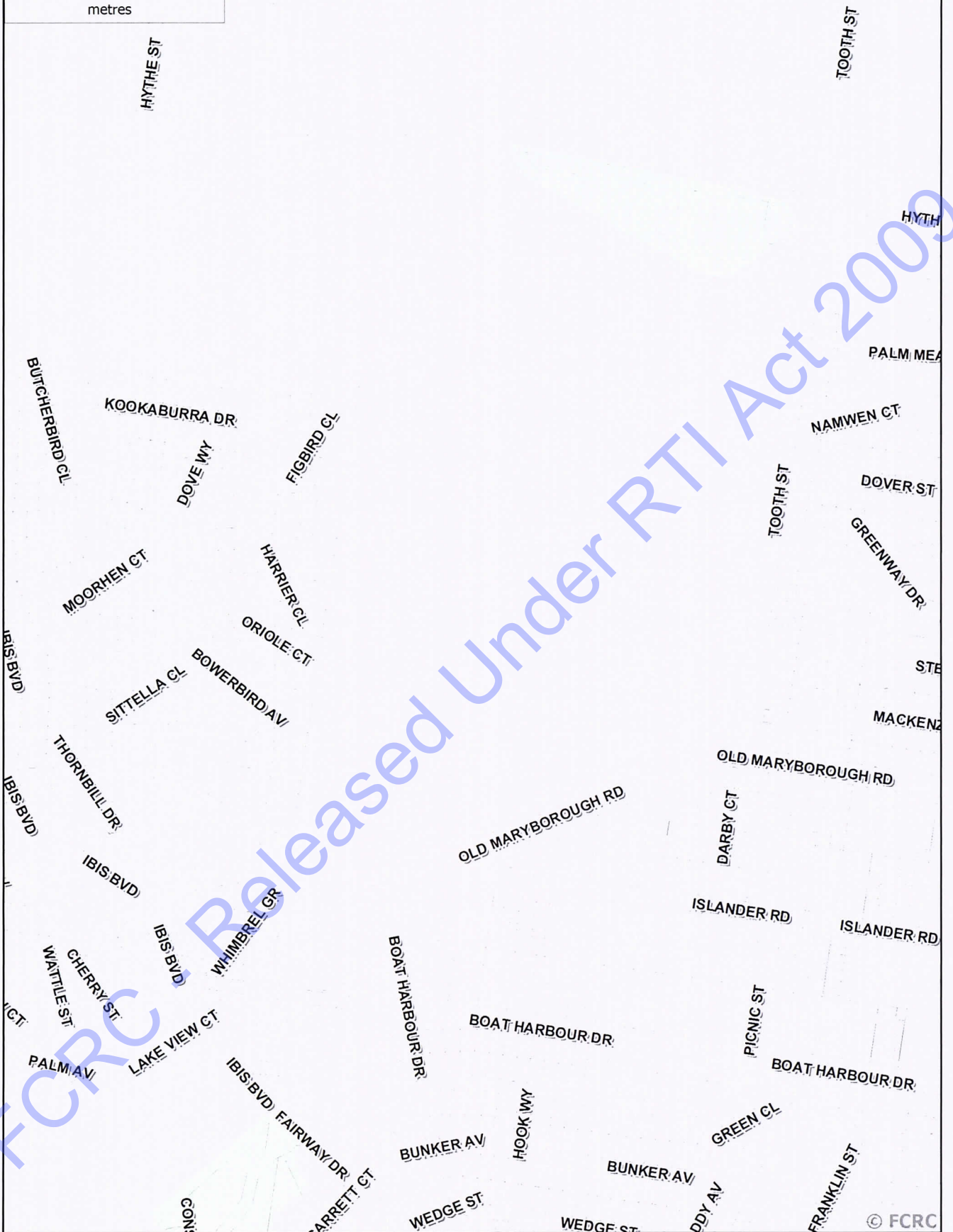
Disclaimer: If you receive this email by mistake please notify the sender and do not make any use of it. Council does not waive any privilege, confidentiality or copyright associated with this email or any attachments.

FCRC - Released Under RTI Act 2009

0 50 100 150 200 250



metres



**Important Notice!**

This map is not a precise survey document. Accurate locations can only be determined by a survey on the ground.

This information has been prepared for Council's internal purposes and for no other purpose. No statement is made about the accuracy or suitability of the information for use for any purpose (whether the purpose has been notified to Council or not). While every care is taken to ensure the accuracy of this data, neither the Fraser Coast Regional Council nor the Department of Environment and Resource Management makes any representations or warranties about its accuracy, reliability, completeness or suitability for any particular purpose and disclaims all responsibility and all liability (including without limitation, liability in negligence) for all expenses, losses, damages (including indirect or consequential damage) and costs which you might incur as a result of the data being inaccurate or incomplete in any way and for any reason.

© The State of Queensland (Department of Environment and Resource Management) 2011. © Fraser Coast Regional Council 2011



Diagrammatically for the centre of the Survey Bay Local Government Area. Magnetic North is correct for 2001 moving easterly by 0.04° or about five years.

**Important**

This map was produced on the GEOCENTRIC DATUM OF AUSTRALIA 1994 (GDA94), which has superseded the Australian Geographic Datum of 1984 (AGD84/83). Heights are referenced to the Australia Height Datum (AHD) heights. For most practical purposes GDA94 coordinates and satellite derived (GPS) coordinates based on the World Geodetic Datum 1984 (WGS84) are the same.

**Photography:**

Contour Interval: 1m  
Projection: MGA94 Zone 56

**Cost:**

Date: Tuesday, 16 August 2011

Drawn By: planning

Map Zoom: 1:349 km

Map Scale: 1:7,500 at A4  
Map Zoom: 1:349 km

Fraser Coast REGIONAL COUNCIL  
PO Box 1943, Hervey Bay, Q 4655  
Ph: 1300 794 929  
Fax: 07 4197 4655  
Web: [www.frasercoast.qld.gov.au](http://www.frasercoast.qld.gov.au)



© FCRC



109

Kamala Dunn

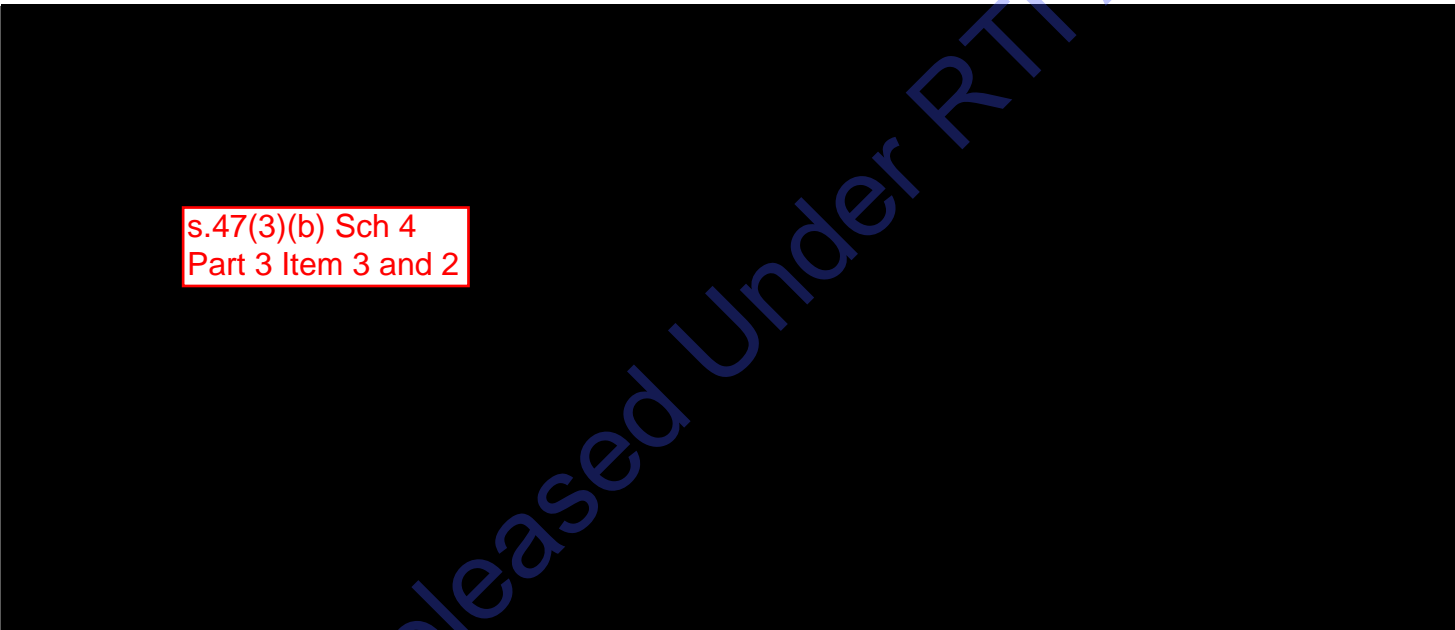
**From:** Todd Newman [REDACTED]  
**Sent:** Wednesday, 17 August 2011 8:53 AM  
**To:** Adam Yem  
**Subject:** FW: Authority to file application dispute.

s.47(3)(b) Sch 4  
Part 3 Item 3

**From:** Todd Newman [REDACTED]  
**Sent:** Wednesday, 17 August 2011 8:49 AM  
**To:** 'Adam.Yem@frasercoast.id.gov.u'  
**Subject:** Authority to file application dispute.

s.47(3)(b) Sch 4  
Part 3 Item 3

May I firstly suggest that such opposition to the validity of the application has primarily arisen from a small group of members who are against the proposed development.

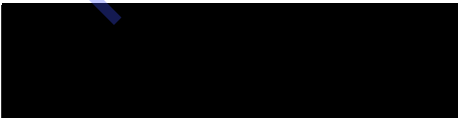


s.47(3)(b) Sch 4  
Part 3 Item 3 and 2

I respond to any suggestion that the application was not discussed openly and endorsed accordingly by the Management Committee of the Hervey Bay Golf Club to be invalid. Minutes can be produced to endorsed the above facts. Information has been published in the Golf Club surrounding this application since it was submitted and it would now appear a disapproving educated member is looking to have the application disrupted on what they believe is a technicality. There should be no risk to Council in granting this application.

Regards Todd Newman

Manager



s.47(3)(b) Sch 4  
Part 3 Item 3



FCRC - Released Under RTI Act 2009

s.47(3)(b) Sch 4  
Part 3 Item 3 and 2

FCRC - Released Under RTI Act 2009

RECEIVED  
AUG  
25 JUL 2011  
BY: *[Signature]*

(111)

TO : JENNY WINTON 3 pages

Department Environment & Resource Management  
P O Box 212  
MARYBOROUGH QLD 4650

Fax: (07) 4122 4007

25 August 2011

**URGENT**

Dear Sir / Madam

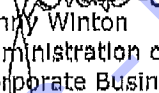
**URGENT TITLE SEARCH REQUEST**

Would you please provide title search information on the following property/ies **today via facsimile on 4194 8107** and include all relevant information for the properties including Reserve details, Trusteeship, Lease Information, caveat details etc

**Lot 2 on SP165309**

In accordance with Section 265A of the Queensland Local Government Act 2009, this information is to be provided without payment of a fee. However, I realise a fee will be charged for the information to be returned via facsimile and request that your invoice be **marked to my attention.**

Yours faithfully

  
Jenny Winton  
Administration officer  
Corporate Business

Contact Officer: Jenny Winton  
Phone: (07) 4194 8104

Req No:  
12186278  
25/8/11 AKSeale

FCRC Released Under RTI Act 2009

**CURRENT TITLE SEARCH**

ENVIRONMENT AND RESOURCE MANAGEMENT, QUEENSLAND

Request No: 12186278  
Search Date: 25/08/2011 10:07Title Reference: 50486452  
Date Created: 23/03/2004

Previous Title: 50196633

**REGISTERED OWNER**

Dealing No: 707578936 22/03/2004

HERVEY BAY GOLF AND COUNTRY CLUB INCORPORATED

**ESTATE AND LAND**

Estate in Fee Simple

LOT 2 SURVEY PLAN 165309  
County of MARCH Parish of URANGAN  
Local Government: FRASER COAST**EASEMENTS, ENCUMBRANCES AND INTERESTS**

1. Rights and interests reserved to the Crown by Deed of Grant No. 10364226 (POR 8)
2. EASEMENT IN GROSS No 602639021 (H901984) 19/06/1986  
BURDENING THE LAND  
TO COUNCIL OF THE CITY OF HERVEY BAY  
OVER EASEMENT A ON RP208051
3. MORTGAGE No 602639022 (K275584K) 16/05/1990  
TO NATIONAL AUSTRALIA BANK LIMITED
4. EASEMENT IN GROSS No 703041744 02/12/1998 at 15:25  
burdening the land  
COUNCIL OF THE CITY OF HERVEY BAY  
over  
EASEMENT D ON SP107149
5. LEASE No 713588535 24/11/2010 at 14:37  
OPTUS MOBILE PTY LIMITED A.C.N. 054 365 696  
OF LEASE C ON SP240216  
TERM: 21/08/2010 TO 20/08/2020 OPTION NIL
6. LEASE No 713588538 24/11/2010 at 14:38  
OPTUS MOBILE PTY LIMITED A.C.N. 054 365 696  
OF LEASE C ON SP240216  
TERM: 21/08/2020 TO 20/08/2030 OPTION NIL
7. EASEMENT IN GROSS No 713840643 06/05/2011 at 16:03  
burdening the land  
ERGON ENERGY CORPORATION LIMITED A.C.N. 087 646 062  
over  
EASEMENT E ON SP241969

ADMINISTRATIVE ADVICES - NIL

### CURRENT TITLE SEARCH

ENVIRONMENT AND RESOURCE MANAGEMENT, QUEENSLAND

Request No: 12186278  
Search Date: 25/08/2011 10:07

Title Reference: 50486452  
Date Created: 23/03/2004

UNREGISTERED DEALINGS - NIL

CERTIFICATE OF TITLE ISSUED - No

Caution - Charges do not necessarily appear in order of priority

\*\* End of Current Title Search \*\*

COPYRIGHT THE STATE OF QUEENSLAND (ENVIRONMENT AND RESOURCE MANAGEMENT) [2011]  
Requested By: SMIS .

FCRC - Released Under RTI Act 2009

**ITEM NO: ORD 11.2**

**FRASER COAST REGIONAL COUNCIL  
ORDINARY MEETING NO. 16**

**WEDNESDAY 7 SEPTEMBER 2011**

**SUBJECT:** APPLICATION FOR MATERIAL CHANGE OF USE - 32 LOW DENSITY RESIDENTIAL LOTS - PRELIMINARY APPROVAL VARYING THE EFFECT OF A LOCAL PLANNING INSTRUMENT AND RECONFIGURING A LOT - ONE (1) LOT INTO 32 LOTS - LOCATED AT TOOTH STREET, PIALBA - HERVEY BAY GOLF AND COUNTRY CLUB INC. C/- URBAN PLANET TOWN PLANNING CONSULTANTS

**DIRECTORATE:** COMMUNITY AND DEVELOPMENT

**RESPONSIBLE OFFICER:** EXECUTIVE MANAGER DEVELOPMENT ASSESSMENT - Michael Ellery

**AUTHOR:** PRINCIPAL PLANNER - Adam Yem

**APPLICATION NO:** MCU-101239

**REFERENCE:** N/A

**DOC NO:** #2038593

**APPLICATION SUMMARY**

|                             |  |
|-----------------------------|--|
| <b>PROPOSAL</b>             | Material Change of Use - 32 Low Density Residential Lots - Preliminary Approval Varying the Effect of a Local Planning Instrument and Reconfiguring a Lot - One (1) Lot into 32 Lots   |
| <b>PROPERTY DESCRIPTION</b> | Lot 2 on SP165309  |
| <b>ADDRESS</b>              | Tooth Street, Pialba QLD 4655  |
| <b>SITE AREA</b>            | 60.13Ha  |
| <b>PLANNING SCHEME</b>      | Hervey Bay City Planning Scheme 2006 and Relevant Policies   |
| <b>LOCALITY</b>             | Urban Locality   |
| <b>ZONING</b>               | Open Space Zone  |
| <b>CURRENT USE</b>          | Golf Course  |
| <b>PROPERLY MADE DATE</b>   | 17 September 2010  |
| <b>STATUS</b>               | Second 20 day decision stage ended on 27 July 2011   |
| <b>REFERRAL AGENCIES</b>    | Department of Infrastructure and Planning<br>Department of Environment and Resource Management<br>Department of Transport and Main Roads   |
| <b>NO. OF SUBMITTERS</b>    | Two (2)  |
| <b>ISSUES</b>               | <ul style="list-style-type: none"> <li>Conflict with the Open Space zone;</li> <li>Noise from traffic and the Services/Trade Zone may impact on the proposed residential lots;</li> <li>The location of the proposed access on Old Maryborough Road does not achieve sufficient separation from existing intersections; and,</li> <li>The development will result in the loss of significant vegetation within the site.</li> </ul>  |
| <b>SUMMARY</b>              | <ul style="list-style-type: none"> <li>Sufficient ground exist to approve the development despite the conflict with the scheme;</li> <li>Subject to the submission of an Acoustic Report, it is considered that the proposed lots can be provided with appropriate amenity;</li> <li>The proposed access on Old Maryborough Road should be re-located to achieve sufficient separation from existing intersections; and,</li> <li>Appropriate offset planting can be conditioned to account for the loss of significant vegetation.</li> </ul> |
| <b>RECOMMENDATION</b>       | Approval, subject to conditions.   |

---

## 1. INTRODUCTION

### 1.1 Proposal

The application seeks a Material Change of Use – 32 Low Density Residential Lots – Preliminary Approval varying the effect of a local planning instrument and a Development Permit for Reconfiguring a Lot – One (1) lot into 32 lots and balance lot over part of the land occupied by the Hervey Bay Golf Club. The proposal involves the creation of two (2) residential areas located off Old Maryborough Road and Tooth Street respectively.

The area of the proposed lots will range between 450m<sup>2</sup> and 704m<sup>2</sup> with the overall average area being 585m<sup>2</sup>. The residential areas will be subdivided under a body corporate arrangement and will be serviced by private roads located within common property.

It is noted that the residential area located off Old Maryborough Road, which contains 22 lots, will be serviced by a private loop road obtaining access from Old Maryborough Road approximately 55 metres to the north-east from the intersection of Islander Road with the residential area located off Tooth Street, being serviced by a road obtaining access off Tooth Street at the intersection of Dover Street.

Each of the residential areas will be provided with boat/van storage areas, forming part of the proposed common property areas.

#### **Refer Attachment 2 – Proposal Plans**

The applicant seeks to vary the effect of the planning scheme and has submitted:

- an alternative level of assessment table, titled '*Golf Club Residential in the Open Space Zone*', that specifies the levels of assessment and applicable codes for future development within the proposed residential areas; and,
- an alternative reconfiguration of a lot code, titled '*Golf Course Residential Reconfiguration of a Lot Code*', that prescribes the performance criteria and acceptable solutions for future reconfiguration of a lot proposals within the proposed residential areas.

**Refer Attachment 3 – 'Golf Club Residential in the Open Space Zone'**

**Refer Attachment 4 – 'Golf Course Residential Reconfiguring of a Lot Code'**

### 1.2 History

#### 1.2.1 Site History

Various approvals have been issued over the subject site with the following considered to be relevant in the assessment of this application:

##### Consent Approval

A consent approval (778) was approved in 1983 for extensions to the existing club house.



---

513/3-071007

Approval was granted for the renovation and extensions to the existing golf club facilities consisting of a new covered entry for the club house, two (2) designated outdoor smoking areas and a freestanding pro shop. The approval also included a modification of the internal layout of the existing club house, resulting in an increase to the licensed area of approximately 103m<sup>2</sup>.

MCU-101146

Approval was granted for a telecommunications facility, consisting of a 36 metre tall monopole, which will be located approximately 280 metres to the north-west of the existing clubhouse. It is noted that the facility will obtain a separation of at least 270 metres from the proposed residential areas.

### **1.2.2 Application History**

The application was lodged on 17 September 2010 and required referral to the following referral agencies:

- Department of Transport and Main Roads for state controlled road matters;
- Department of Environment and Resource Management for contaminated land matters;
- Department of Infrastructure and Planning for preliminary approvals under section 242 under the *Sustainable Planning Act 2009*; and,
- Ergon as the site was within 100 metres of a substation site.

The application is impact assessable and was required to be publicly notified, which was undertaken between 6 April 2011 and 26 May 2011. The application formally entered the Decision Period on 31 May 2011.

The original report was presented to the Ordinary Meeting No. 15 on the 17 August 2011, however, Council resolved to defer the matter to the next Ordinary Meeting of Council (Refer ORD 15/749/08/11).

### **1.3 Site Description**

The subject site is bound by Old Maryborough Road to the south, Tooth Street to the east and Hythe Street to the North. The western boundary of the site abuts lots within the Low-Density Residential zone, generally developed with houses and ancillary structures.

The site currently contains an 18-hole golf course including a clubhouse, pro-shop and ancillary structures (i.e. green keeper sheds, golf cart sheds, etc.). It is noted that the northern portion of the site is located in proximity to the Eli Creek Waste Water Treatment Plant.

Most of the properties within close proximity to the site are within the Low-Density Residential Zone and are developed with houses and ancillary structures. Land located within the Services/Trade Zone is located on the southern side of Old Maryborough Road with land located within the Emerging Community Zone located on the northern side of Hythe Street. The north-western corner of the site abuts land located within the Special Purposes 2 (Government Purposes), which contains an effluent storage pond.

---

Old Maryborough Road is classified as a 'Traffic Distributor' and is developed with a bitumen road, kerbing and channelling and concrete footpaths. Tooth Street is classified as a 'Controlled Distributor' and is developed with a bitumen road with kerbing and channelling only on the eastern side.

The area of the subject site proposed for residential development on Old Maryborough Road is generally clear of vegetation with some scattered significant trees located in the area immediately around, and the land has a gentle fall to the south-west, having natural surface levels between 7 metres AHD and 15 metres AHD. The proposed residential area on Tooth Street, consisting of a gentle fall to the north, having natural surface levels between 9 metres AHD and 14 metres AHD.

**Refer Attachment 1** – Locality Map

## **2. PLANNING ASSESSMENT**

Section 316 of the *Sustainable Planning Act 2009* prescribes development, which seeks to vary the effect of the planning scheme, as impact assessable and specifies that the assessment manager must assess the proposal with regard to the following, considered relevant to this proposal:

- the Hervey Bay City Planning Scheme 2006;
- the draft Wide Bay Burnett Regional Plan;
- State planning policies (where not reflected in other planning instruments)
- the consistency of the proposed variations with the planning scheme;
- the effect the proposed variations would have on any right of a submitter for future applications; and
- any referral agency's response for the application.

### **2.1 Hervey Bay City Planning Scheme 2006**

Locality: Urban Locality

Zone: Open Space

Applicable Overlays: Airport Buffer Radius 6-8km, Obstacle Limitation Surface 130m AHD, Odour Impact Buffer, Potential Acid Sulfate Soils and Natural Areas (Wetlands and remnant Vegetation)

Proposal: 32 Residential Low Density lots

The following codes of the Hervey Bay City Planning Scheme 2006 (the 'planning scheme') have been identified as being relevant to the application:

- Urban Locality Code – Open Space Zone;
- Urban Locality Code – Low-Density Residential Zone;
- Reconfiguration of a Lot Code;
- Landscaping Code;
- Works, Services and Infrastructure Code;
- Airport Environs Overlay Code;
- Acid Sulfate Soils Overlay Code; and,
- Natural Areas Overlay Code.

Given the level of assessment for the proposal is impact assessable, the assessment must also have regard to the entire scheme, including the Desired Environmental Outcomes (DEOs).

---

In this instance, the proposal is considered to not compromise the applicable DEOs and that the proposal generally complies or can be conditioned to comply with the acceptable solutions of the abovementioned codes, with the exception of the following matters:

### **2.1.1 Conflict with the Open Space Zone**

The proposal conflicts with the planning scheme in that it seeks approval for residential uses within Open Space zoned land. In this instance, the following matters are considered:

#### Balance of zones

The proposal seeks to convert approximately 2.9 ha of Open Space zoned land into Residential Zoned land. Given the extent of land located within the Open Space and Low-Density Residential zones, it is considered that proposal is acceptable as the effect on the balance of zones will be insignificant.

#### Access to services and employment

The proposed residential areas are within an urban area, that can be easily serviced with municipal services (water, sewer, refuse disposal, etc.) and will be conveniently located to other services and employment opportunities. In this regard, the proposal will allow for the efficient use of municipal services and support businesses and employment opportunities within the city.

#### Safety

The proposal seeks to create residential uses adjacent to the 9<sup>th</sup> and 10<sup>th</sup> holes of the golf course and hence would require protection from wayward golf balls. The applicant advised that the proposed lots will be protected by physical separation, vegetation and constructed barriers (fence/net), the details of which can be provided as part of the detailed design of the proposed development.

#### Private open space

Although located in the Open Space zone, it should be noted that the land is privately owned and from a public perspective, only contributes as passive open space. Additionally, it is noted that the proposal only seeks to convert 4.8% of the total site area of the golf course, being 60.13ha, which is considered insignificant.

#### Viability of the Hervey Bay Golf and Country Club

Through discussions with the applicant, it is clear that this approval is sought to provide much needed funds to provide for the long term viability of the golf course itself.

#### Impact on golf course operations

With respect to the proposed area on Tooth Street, it is not being utilised nor is required for the continued operations of the golf course. With respect to the proposed area on Old Maryborough Road, it is irregularly used as a practice range as it has limitations (i.e. it is not large enough to allow full use of all practice shots). In this instance, it is considered that the proposal will not impact on the continued operations of the golf course.

---

Given the above, it is considered that sufficient grounds exist to approve the development as the proposal:

- will not affect the balance of zones under the planning scheme;
- will create residential land that can be easily serviced and is convenient to services and employment opportunities;
- can be provided with appropriate safety measures to protect it from golf course operations;
- will not significantly decrease the overall open space enjoyed by the public;
- will ensure the long term viability of the golf course; and,
- will not impact on the continued operations of the golf course.

### **2.1.2 Amenity**

It was identified that the proposed residential area located along Old Maryborough Road would potentially be subjected to noise from traffic and the nearby businesses within the Services/Trades Zone. The applicant responded to Council's information request and submitted a preliminary design for an acoustic fence and has requested Council to apply a condition for an acoustic assessment, to determine the acoustic qualities for the proposed fence.

From internal consultation, it is considered that the proposed residential area on Old Maryborough Road can be allowed subject to conditions in any recommendation for approval, for an acoustic fence to be constructed and appropriate landscaping be provided for its visual relief when viewed from Old Maryborough Road.

### **2.1.3 Traffic impacts**

The proposed access for the residential area off Old Maryborough Road is not sufficiently separated from the intersection of Islander Road, as required by Council's 'Hervey Bay Traffic Hierarchy Report (prepared by Eppel Olsen).

To address this issue, Council's Senior Development Engineer has recommended that:

- the proposed access be relocated to be equidistant between the intersections of Islander Road and Tooth Street on Old Maryborough Road; and,
- a Traffic Impact Assessment be submitted detailing the impact the development will have on the road network and the proposed access intersection treatments required.

These requirements will be reflected as conditions in any recommendation for approval.

### **2.1.4 Vegetation**

The significant vegetation located adjoining the residential areas should be protected and retained where possible.

With respect to the vegetation within the site, the applicant submitted an amended site plan showing the proposed layout over aerial photography. It is noted that the amended plan does not clearly show the amount of vegetation proposed to be removed, however, given that this portion of the site is not within the Natural Areas Overlay and contains relatively little vegetation, it is considered appropriate

---

that the proposed removal of vegetation would be acceptable subject to the submission of an application for Operational Works for Vegetation Removal, which would be supported by a detailed tree survey plan to assist in determining the amount of replacement planting required.

With respect to the significant vegetation within the adjoining road reserves, the applicant advised that that residential buildings will be sited more than 6 metres from Old Maryborough Road and Tooth Street, which will protect the tree protection zone and critical root zone for trees within the adjoining road reserves having a trunk diameter of 50cm or less. It is noted that only three (3) trees within Tooth Street and two (2) trees within Old Maryborough Road, within close proximity to the proposed residential areas, have a trunk diameter in excess of 50cm. However, it is considered that the proposed development will not impact on the health and viability of these trees.

These requirements will be reflected as conditions in any recommendation for approval.

### **2.1.5 Alternative Level of Assessment Table and Reconfiguring of a Lot Code**

The applicant has submitted an alternative Level of Assessment Table and Reconfiguring of a Lot Code for future development over the site. With respect to the alternative Level of Assessment Table, the following is noted:

- The alternative Level of Assessment Table is based on the Low-Density Residential Zone of the current planning scheme, except for the following:
  - Future Multiple Residential proposals are triggered as Code Assessable;
  - Future Local Shop proposals are triggered as Impact Assessable;
- The proposed amendments to the planning scheme, expected to be adopted soon, will incorporate provisions of the Queensland Development Code as well as any required alternative provisions;
- In addition, the amendments will consolidate the assessment requirements for houses and outbuildings, simplifying development requirements for domestic proposals;
- Council is currently in the process of preparing a new consolidated planning scheme for the whole local government area, which is expected to be adopted within the next two (2) years.

Given the above, it is considered that the future development of the residential lots are made assessable against the current planning scheme, or the planning scheme in force at the time of the development being undertaken, in lieu of the submitted alternative Level of Assessment Table.

With respect to the submitted alternative Reconfiguring of a Lot Code, it is noted that the applicant also seeks a Development Permit for Reconfiguring a Lot – One (1) lot into 32 lots and balance lot, and if approved, there is no need for the alternative Reconfiguring of a Lot Code to be endorsed.

## 2.2 Planning Scheme Policies

The following Planning Scheme Policies are relevant to this development:

| Planning Scheme Policy   | Proposed Development   | Comments?                           |
|--|--|-------------------------------------|
| Planning Scheme Policy No. 4 – Infrastructure Contributions (Superseded) | The proposed residential areas are not affected by any trunk infrastructure in accordance with Schedule 6 (PFTI) of this Policy. | Can comply.                         |
| Planning Scheme Policy No. 16 – Development Manual                       | All works undertaken as part of the development should be in accordance with this policy.  | Can comply – subject to conditions. |

## 2.3 Other Policies

| Policy   | Proposed Development                                      | Comments?  |
|--|---|--|
| Adopted Regulated Infrastructure Charges and Infrastructure Charges Incentives Administration Policy | Infrastructure charges are applicable to the development. | A Regulated Infrastructure Charges Notice will be issued with the Decision Notice. |

## 2.4 Draft Wide Bay Burnett Regional Plan 2010

As noted above, the proposal is for a residential development within land located within the *urban footprint*. The intent of the *urban footprint* within the Draft Wide Bay Burnett Regional Plan 2010 (DWBBRP) "*identifies land that can meet the region's projected urban development needs to at least 2031.*"

The DWBBRP states that land within the urban footprint is suitable for future urban development that incorporates a range of urban uses (including residential) that contributes to urban consolidation.

In this instance, the proposal is in accordance with the intent of the DWBBRP as it is for residential infill development.

## 2.5 State Planning Policies

The following State Planning Policy, which is not reflected in the planning scheme is applicable to the application:

- *State planning policy 4/10: Healthy Waters*

Conditions for the treatment of stormwater run-off water from the development will be included in any recommendation for approval.

## 3. REFERRALS

### 3.1 Internal Referrals

The application was referred to the various internal officers within Council. A summary of the internal feedback is detailed in the following table:

| Officer                     | Docs#   | Comments  |
|-----------------------------|---------|---|
| Senior Development Engineer | 2056545 | No objection to proposal subject to engineering conditions.   |
| Senior Planner (Strategic)  | 2023265 | No objection to proposal subject to resolution of traffic and acoustic issues (Note: Traffic and acoustic issues are addressed in sections 2.1.2 and 2.1.3 of this report)  |
| Environmental Planner       | 1966602 | No objection to proposal subject to identification and protection of significant vegetation within the proposed residential areas and adjoining road reserve. (Note: Vegetation issue has been addressed in section 2.1.4 of this report) |

### 3.2 External Referrals

#### 3.2.1 Department of Transport and Main Roads

The application was referred to the Department of Transport and Main Roads (DTMR) as a concurrence agency for state controlled road matters. The DTMR issued a Concurrence Agency Response approving the proposed development subject to the prohibition of access to Boat Harbour Drive. It is noted that the proposed development would comply with this requirement.

**Refer Attachment 5** – DTMR's Concurrence Agency response

#### 3.2.2 Department of Infrastructure and Planning

The application was referred to the Department of Infrastructure and Planning (DIP) as a concurrence agency as the proposal is for a preliminary approval under section 242 of the SPA. The DIP issued a Concurrence Agency Response advising of no requirements.

**Refer Attachment 6** – DIP's Concurrence Agency response

#### 3.2.3 Department of Environment and Resource Management

The application was referred to the Department of Environment and Resource Management (DERM) as a concurrence agency as the site contains a fuel storage facility associated with the maintenance operations for the golf course, and therefore, is listed on the Environmental Management Register (the site). However, the DERM did not issue any response and therefore, pursuant to section 286 of the SPA, Council must decide the application as if the DERM had no concurrence agency requirements.

#### 3.2.4 Ergon

The application was referred to Ergon as a concurrence agency as the site is within 100 metres of a sub-station. However, Ergon did not issue any response and therefore, pursuant to section 286 of the SPA, Council must decide the application as if Ergon had no concurrence agency requirements.

### 3.2.5 Other External Referrals

The application was also referred to other various external organisations. A summary of feedback received is detailed in the following table:

| Organisation                      | Docs#   | Comments   |
|-----------------------------------|---------|--|
| Wide Bay Water Corporation (WBWC) | 1974887 | WBWC advised as follows: <ul style="list-style-type: none"> <li>• water and sewer services are available to the proposed residential areas subject to any appropriate connections and required extensions; and,</li> <li>• WBWC also advised that all water and sewer connections or disconnections to live mains are to be performed by WBWC at the developer's expense.</li> </ul> |
| Ergon                             | 2036405 | Ergon advised as follows: <ul style="list-style-type: none"> <li>• Any relocation, repairs or alterations to the works that may be required by the proposal shall be at the developer's expense; and,</li> <li>• The developer will be required to negotiate electricity supply arrangements with Ergon.</li> </ul>  |

## 4. PUBLIC NOTIFICATION

The application was required to be notified in accordance with the provisions of the *Sustainable Planning Act 2009*. A Notice of Compliance was received on the 31 May 2011. In this instance, two (2) submissions, one supporting and the other objecting to the proposed development, were received by Council prior to the close of the public notification period on 26 May 2011. The relevant matters raised within the submission objecting the proposed development have been considered in the assessment of the proposed development, which are detailed in the following table:

| Concern   | Comment  |
|---|--|
| The proposed residential areas will be subject to danger from stray golf balls.   | As discussed in the report, a condition will be imposed in any recommendation for approval for the applicant to submit details of any safety measures (i.e. vegetation and constructed barriers) required for the proposed development.  |
| The proposed vehicle access to the proposed areas would create traffic congestion and that both accesses would need to be provided with traffic lights. | It is noted that schedule 6 (PFTI) of the superseded Planning Scheme Policy No. 4 has not identified any future traffic signals along the site's frontage to Old Maryborough Road and Tooth Street.<br><br>Additionally, Council's Senior Development Engineer has assessed the traffic impacts of the proposal and has recommended that the proposed access on Tooth Street be approved with the proposed access on Old Maryborough Road to be relocated to be equidistant between the intersections of Tooth Street and Islander Road. |



| Concern  | Comment  |
|--|--|
|  | Given the above, it is considered unnecessary that traffic lights be provided for the proposed accesses for the proposed development.  |
| Insufficient parking is provided for the existing golf course and the proposal may limit the future extensions to the existing car parking areas.  | The existing car parking areas for the golf course have been lawfully established and that any condition requiring extensions to the car parking area would be unreasonable and irrelevant. A plan supplied by the submitter shows proposed car park extensions to the east of the existing club house and to the south of the 9 <sup>th</sup> tee. In this instance, the proposal will not impact on this proposal. |
| The areas proposed for residential development may be contaminated from being irrigated with treated effluent and fertilised with chemicals.       | The use of treated irrigation or fertilisers would not render the proposed areas for development as contaminated. Additionally, the land is not listed on the Environmental Management Register or Contaminated land Register due to these activities.<br><br>Given the above, it is considered unnecessary that the applicant undertake a site contamination report/analysis.                                       |
| Stormwater from the proposed development, particularly from the proposed residential area on Tooth Street would create adverse impacts downstream. | Council's Senior Development Engineer has assessed this aspect of the proposal and has recommended that a concrete kerb and channel be constructed along the western alignment of Tooth Street, which is to include underground drainage.  |

## 5. CONCLUSION

The application seeks a Material Change of Use – 32 Low Density Residential Lots – Preliminary Approval varying the effect of a local planning instrument and a Development Permit for Reconfiguring a Lot – One (1) lot into 32 lots and balance lot at Tooth Street, Pialba being part of the existing Hervey Bay Golf Club.

The assessment undertaken has demonstrated the following:

- Sufficient grounds exist to approve the development despite the conflict with the planning scheme;
- The proposed residential development is considered to be appropriate for the locality, subject to the provision of acoustic attenuation;
- The proposal is consistent with the intent of the urban footprint of the Draft Wide Bay Burnett Regional Plan 2010; and,
- The proposal will not impact on the continued operations of the golf course.

Additionally, the Department of Transport and Main Roads (as a concurrence agency) has assessed and issued its concurrence agency response for the proposal approving the development provided access to Boat Harbour Drive is prohibited.

In assessing the proposed use of the land, the relevant provisions of the Hervey Bay City Planning Scheme 2006 and the *Sustainable Planning Act 2009*, it is considered that the proposal should be approved subject to the conditions detailed in the recommendation.

## 6. RECOMMENDATION

### MATERIAL CHANGE OF USE

That the application by the Hervey Bay Golf and Country Club Inc. C/- Urban Planet Town Planning Consultants for a Material Change of Use – 32 Low Density Residential Lots – Preliminary Approval varying the effect of a local planning instrument pursuant to section 242 of the *Sustainable Planning Act* 2009 and a Development Permit for Reconfiguring a Lot – One (1) lot into 32 lots and balance lot on land situated at Tooth Street, Pialba, be approved generally in accordance with the following drawings:

| Plan/Document number | Plan/Document name   | Date                   |
|----------------------|--|------------------------|
| ---                  | "Foundation"   | 1/4/2011<br>(received) |
| ---                  | "Old Maryborough Road Layouts"   | 1/4/2011<br>(received) |
| ---                  | "Tooth Street Layouts"   | 1/4/2011<br>(received) |
| 10071-FENCE          | "Proposed Fencing", prepared by Urban Planet Town Planning Consultants | 1/4/2011<br>(received) |

This approval is subject to the following conditions which must be met prior to the commencement of the use, or at such other time as may be specified in any particular condition. These conditions must be implemented at no cost to Council or Wide Bay Water Corporation (WBWC) unless specified in any particular condition:

### CONDITIONS APPLICABLE TO MATERIAL CHANGE OF USE

#### Amended Plans

1. Submit to Council for approval, prior to the approval of any application related to this approval, amended plans, incorporating the following changes:
  - (a) relocate the proposed access in Old Maryborough Road to be approximately equidistant between the Tooth Street and Islander Road intersections;
  - (b) locate all residential lots 3 metres setback from Old Maryborough Road and Tooth Street; and,
  - (c) the setback required by (b), must be included in common property and set aside for the provision of an acoustic fence and landscaping.

When approved, the amended plans will become the endorsed plans for the development.

#### Use

2. All future development within the area designated for residential uses on the approved plan must be carried out in accordance with the Low Density Residential Zone provisions (or equivalent) of the Planning Scheme in force at the time of development. In the instance where there is a conflict between the approval and the Planning Scheme, the provisions of the Preliminary Approval prevail.

---

### **General**

3. This approval lapses 5 years from the date it takes effect or the day that Council adopts a new Planning Scheme that changes the zoning of that part of the land affected by this approval to Low-Density Residential or similar, whichever occurs sooner.

### **Acoustic**

4. Submit to Council for approval, prior to the approval of any application related to this approval, an Acoustic Report prepared by a suitable qualified person. The report must demonstrate the proposed acoustic treatments that will ensure that the acoustic levels of the proposed lots will meet the following criteria:
  - (a) 60 dB(A) or less, where existing levels measured at the deemed-to-comply dwelling setback distance are greater than 40dB(A) L<sub>90</sub> (8 hour) between 10pm and 6am; or
  - (b) 57 dB(A) or less, where existing levels measured at the deemed-to-comply dwelling setback distance are less than or equal to 40dB(A) L<sub>90</sub> (8 hour) between 10pm and 6am.

When approved, the report will become part of the approved documents for the development.

### **CONDITIONS APPLICABLE TO RECONFIGURING A LOT**

#### **Amended Plans**

5. Submit to Council for approval, prior to the approval of any application related to this approval, amended plans, incorporating the following:
  - (a) the changes as detailed in condition 1 of this approval;
  - (b) the dimensions and areas for all proposed lots and common areas relative to the existing boundaries of the site;
  - (c) the location of all acoustic fencing required by the endorsed Acoustic Report; and,
  - (d) the extent of all common areas, which must include the internal roads, storage areas and communal open space.

When approved, the amended plans will become the endorsed plans for the development.

#### **General**

6. The developer must meet the costs of all development works including any necessary alteration or relocation of services, provision of upgrading of roadworks to accommodate all vehicular access works together with all public utility mains and/or installations.

#### **Administration**

7. The development must be undertaken in accordance with Council's Planning Scheme, Planning Scheme Policies and Local Laws.

- 
8. Liaise directly with Council's Waste Services Coordinator with regard to the size and quantity of bins and the method and frequency of service. The access road for the collection vehicle must provide for adequate turning space such that the vehicle enters and exits each site in a forward direction.
  9. Submit engineering drawings detailing all civil engineering site works, road works, sewer relocations and stormwater works within and external to each site in an Operational Works Application. The design of these works is to be approved by Council before any works commence on site. All such works are to be completed to Council's satisfaction prior to the commencement of the approved use.
  10. All final designs must be certified by a Registered Professional Engineer of Queensland (RPEQ).
  11. Lodge a bond in accordance with Council's Development Manual Planning Scheme Policy (General performance Bond), prior to the commencement of any building or operational work associated for each stage of the development. In staged developments, if substantial compliance problems are experienced in any stage, the bond amount may be increased by Council to reflect the conditions of the site. The increased bond is to be paid prior to commencement of any subsequent stage.

This bond (less any deductions for purposes defined in the Planning Scheme Policies) will be refunded when:

- (a) works to revert to Council have been accepted "on maintenance", and
  - (b) all Building and Operational Works on the site have been completed and a Final Certificate (if applicable) issued by Council.
12. All works that will revert to Council control must be designed and supervised by a Registered Professional Engineer in accordance with Council Policy. The works will be required to comply with all Local Laws, Policies and Standards of Council current at the time of submission of the application for approval of Operational Works. No works associated with this permit may commence until an Operational Works Permit has been issued by Council.
  13. All works that will revert to Council control are subject to a twelve (12) month maintenance period during which time the Developer must be responsible for the maintenance of the works, the rectification of any design omissions or defects, and the repair of any construction defects that are subsequently found. Council requires the developer to secure the maintenance of the works by the submission of a bond valued at 5% of the total value of the works. The bond must be submitted in accordance with Council's policy.
  14. Prior to acceptance of the works on maintenance, the supervising engineer must arrange for the collection and submission to Council of digital "as constructed" information for the works. The digital information must comply with Council's "Submission of Digital As Constructed Manual" and must be certified as specified in the Manual prior to the operation of the approved use.
  15. All outstanding rates or other charges due to Council must be paid prior to the endorsement of the plan of survey.

- 
16. Provide a plan sealing report and supporting documentation demonstrating compliance with each condition of this approval prior to the endorsement of the plan of survey.

### **Site and Environmental Management**

17. Submit to and gain approval from Council as part of any Operational Works application and prior to the commencement of works being carried out onsite, a site specific Construction Management Plan (CMP). The CMP must include, but not be limited to:
- (a) proposed construction vehicle transport route(s);
  - (b) specification of measures to ensure the safe and orderly ingress and egress of vehicles to and from the site;
  - (c) the means by which the direction of traffic flows to and from parking areas will be controlled both on and off site to ensure no damage is cause to Council's road infrastructure to and from the site including the pavement, kerb, channel, crossovers to adjoining properties and verges;
  - (d) owner's permission for access over and/or parking on other land;
  - (e) measures to discourage staff and contractor parking in adjoining lots;
  - (f) lawful source and disposal sites of any fill or excavated material;
  - (g) wheel wash down and shake down grids for construction vehicles;
  - (h) the location of all areas on and/or off site to be used for staff and contractor parking;
  - (i) Maintenance of the existing drainage pattern of the land to avoid adverse impact on the downstream and upstream environments;
  - (j) Stormwater runoff quality management during operational works. The management plan must be in accordance with the general environmental values and water quality objectives outlined in the EPP (Water) 1997;
  - (k) That at any one time, the exposed soil area/work surface is minimised and sediment retention measures are implemented to ensure avoidance of sediment transport to the downstream environment;
  - (l) Avoidance of unacceptable risk to existing land uses from flooding and erosion;
  - (m) the means of ensuring the appearance of building works or materials does not detrimentally affect the amenity of the area;
  - (n) That at any one time dust control measure is implemented onsite to ensure avoidance of dust nuisance and
  - (o) Location of site sheds and facilities.
18. Submit to and gain approval from Council, as part of an approval of any application for Operational Works for civil works and prior to the commencement of works being carried out on-site a Site Specific Erosion and Sediment Control Plan (SSESCP). The SSESCP must be designed in accordance with Best Practice Erosion and Sediment Control (IECA, 2008).
19. Provide laboratory testing for Acid Sulphate Soils in accordance with the State Planning Policy 2/02 "Planning and Managing Development involving Acid Sulphate Soils" as part of the Operational Works application and gain approval before any earthworks commence on-site.

---

## Environmental Health

20. Undertake Sediment and Erosion control measures in accordance with the endorsed SSESCP.
21. Carry out the development in accordance with the endorsed CMP.
22. Confine dust and other emissions, such as fumes, sediments, light, or odour from the building work on site and take all reasonable steps to prevent a release to neighbouring properties.
23. Dispose of building construction and demolition waste only at an approved waste disposal facility. It is an offence to dispose of waste at other than an approved site. The burning of any construction or demolition waste is not permitted on site.
24. Contain all litter building waste, and sediments on the building site by the use of a skip and any other reasonable means during construction to prevent release to a neighbouring properties or roads.
25. Unless otherwise approved by the Executive Manager Development Assessment, do not undertake works:
  - (a) on a Sunday or public holiday, at any time; or
  - (b) on a Saturday or business day, before 6.30 am or after 6.30 pm

## Stormwater

26. Submit to and gain approval from Council as part of any Operational Works application and prior to the commencement of works being carried out onsite a final and detailed 'Site Specific Stormwater Management Plan' (SSSMP). The SSSMP must include detailed designs and layout of all essential stormwater drainage systems and stormwater quality management systems. The designs of stormwater drainage and quality management systems must comply with Councils Policies and the Queensland Urban Drainage Manual as adopted by Council and must be undertaken and/or supervised and duly certified by a registered professional engineer, Queensland (RPEQ).
27. The SSSMP must demonstrate that the stormwater drainage systems will ensure the development will not make material changes to the pre-development flood flows' location, duration, frequency or concentration of overland stormwater flow at the point of discharge to all downstream properties including road reserves. In the event that a material change to the pre-development stormwater flow will occur, the applicant must produce evidence to Council's satisfaction of a legal right as to the method for stormwater discharge over the downstream land.
28. The SSSMP must demonstrate that the design stormwater drainage will ensure no restriction to existing or developed stormwater flow from upstream properties or ponding of stormwater within upstream properties occurs as a result of the development.
29. The SSSMP must demonstrate how stormwater runoff from the site will be adequately managed post 'fully developed site stage' and especially during operational works to ensure the stormwater runoff quality is not adversely affected and the downstream environment is protected. To that effect all

---

runoff from the site, especially during the operational works stage, must be through a suitable stormwater quality improvement and/or treatment device located within the site boundaries. The design is to incorporate Water Sensitive Urban Design techniques with the provision of, Rain Gardens, swales, Gross Pollutant Traps, Rainwater Tanks, or similar features located within the dedicated landscaped areas of the site to treat all stormwater runoff from the car parks. Water discharged from the site, during operational works stage and post fully developed site, must meet State Planning Policy 04/10 Healthy Waters and Environmental Planning Policy (Water) and relevant State Planning Polices.

30. The stormwater drainage must be designed such that the development will not make material changes to the pre-development location, duration, frequency or concentration of overland stormwater flow at the point of discharge to all downstream properties including road reserves. In the event that a material change to the pre-development stormwater flow will occur, the applicant must produce evidence to Council's satisfaction of a legal right as to the method for stormwater discharge over the downstream land.
31. The Developer must construct all stormwater control and management structures, including underground pipes, open drains and detention basins, in accordance with the SSSMP, Council's Policies and the Queensland Urban Drainage Manual.
32. Drainage easements or reserves are to be provided as may be required for all overland stormwater flows and drainage structures of 300mm diameter pipe (or equivalent) or greater, traversing land within the development (other than roads and parklands). The easements or reserves must be a minimum width of 3 metres or such greater width as necessary to convey the fully developed flow with the appropriate clearance required by Council policy. All easements and reserves are to be provided at no cost to Council.
33. An underground drainage system must be provided to collect and convey all minor stormwater flows from impervious areas within each standard format lot to an existing underground drainage system at a location approved by Council. The minor drainage system must be designed and constructed in accordance with Council policy and to ensure that existing stormwater discharge from surrounding property is not detrimentally affected.

### **Water Reticulation**

34. Consult directly with Wide Bay Water Corporation with respect to the Corporation's requirements for design, construction and inspection of all water reticulation associated with this development. The design must ensure sufficient capacity to meet the demands from the development and to sustain any commercial fire stream requirement in the locality.
35. Construct all water supply works external to the development necessary to service the development. The works must be in accordance with engineering design plans and other documentation approved by Council. Such engineering plans are to be in accordance with Wide Bay Water Corporation's water supply strategy and design guidelines.
36. Provide a reticulated water supply to serve the development. The internal water reticulation must be designed such that a separate water meter and control valve can be installed to serve each standard lot.

- 
37. Water and Electricity conduits are to be installed to service the development by boring under the existing roads where required. Standard kerb markers are to be installed to mark the location of the conduits. A plan showing the location of the conduits is to be approved by Council prior to the commencement of works.
  38. Provide blue reflective pavement markers on the road centreline opposite all hydrants.

#### **Sewer Reticulation**

39. Submit to and gain approval from Council and Wide Bay Water, as part of any Operational Works application and prior to the commencement of works being carried out, a sewer reticulation servicing proposal for the development.
40. The nominated sewer connection point for the development along Old Maryborough Road must be the DN150 sewer at the round a bout at Boat Harbour Drive
41. The developer must construct a sewer across Tooth Street to provide a connection point on and within the property that will command the proposed development lots.
42. The Developer must consult directly with Wide Bay Water Corporation with respect to the Corporation's requirements for design, construction and inspection of all connection details to Council's existing sewerage system.
43. Construction all sewerage works external to the development necessary to service the development. The works must be in accordance with engineering design plans and other documentation approved by Council. Such engineering plans are to be in accordance with Wide Bay Water Corporation's sewerage reticulation strategy and design guidelines.
44. Provide a triple interceptor trap for all wash-down water adjacent to the boat and van storage area prior to discharge into Council sewer.

#### **Electricity**

45. Provide all easements required by Ergon Energy over existing or proposed power lines, cables and equipment in the development site.
46. Prior to the approval of the plan of subdivision, enter into an agreement with Ergon Energy to ensure that electricity will be available to each lot within the development without further capital contribution.

#### **Site and Environmental Management**

47. Undertake the development works in accordance with the results of the laboratory testing for Acid Sulphate Soils. In this regard all earthworks must be undertaken in accordance with the guidelines of State Planning Policy 2/02 "Planning and managing Development involving Acid Sulphate Soils".



---

### **Car Parking**

48. Construct car parking spaces, associated access aisles and driveways to the dimensions detailed in Council's Planning Scheme Policies and Australian Standard AS 2890.1. Provide manoeuvring areas to ensure that vehicle ingress and egress can enter and exit the property in a forward direction. Driveways, car parking and reversing areas are to be constructed to the standards defined in Council's development manual and car parking spaces are to be permanently marked. Provide at least one disabled visitor car space at ground level, conforming to AS 1428 - Design for Access and Mobility.

### **Footpaths**

49. Construct a minimum 2.5m wide concrete footpath and associated pram crossings along the western side of Tooth Street from the intersection of Old Maryborough Road to the Dover Street intersection. The footpath construction may be offset against the Adopted Infrastructure Charges.

### **Vehicular Access**

50. Prior to the submission of an application for Operational Works provide a traffic impact assessment detailing the impact that the development will have on the immediate road network. The impact assessment is to provide details of the proposed access intersection treatments to the development from Tooth Street and Old Maryborough Road.
51. Construct an intersection/access on Old Maryborough Road and Tooth Street in accordance with the approved development layout and traffic impact assessment.
52. Property access and driveways are to be constructed to the standards defined in Council's Development Manual.
53. Construct concrete kerb and channel on an alignment approved by Council on the western side of Tooth Street from the existing kerb adjacent to the current golf club entrance to the northern side of the proposed intersection opposite Dover Street. The works are to include underground drainage and infill pavement to a Controlled Distributor standard. The road construction works may be offset against the Regulated Infrastructure Charges.

### **Vegetation Management**

54. Submit to Council for approval, prior to the approval of any application related to this approval, a Vegetation Management Plan (VMP) that clearly identifies the vegetation proposed to be removed and retained to facilitate the development. The plan is to include:
- (a) the accurate location of all trees that are greater than 50cm at girth or 4 metres in height located and with 20 metres of the proposed development footprint;
  - (b) Details for each tree (mentioned above) including species identification, height, canopy spread, health and if the tree is to be retained or removed;
  - (c) The required Tree Protection Zone including Critical Root Zone as determined in accordance with AS4970 – Protection of Trees on Development Sites; and

- 
- (d) Details of the proposed location of all infrastructure including water, sewerage, electricity, WSUD features and roads that will be constructed or upgraded that may impact on existing vegetation.

55. Undertake the development in accordance with the approved VMP.

### **Landscaping**

56. Submit to and gain approval from Council, prior to the approval of any application related to this approval, detailed Landscape Plans. The plans must be drawn to scale with dimensions and three (3) copies must be provided. Landscape Plans must include but not be limited to the following detail:
- (a) The location of any acoustic fencing;
  - (b) Details of all external and internal fencing types and heights, including any acoustic fences required by the endorsed Acoustic Report. All acoustic fences to road frontages must be setback 3 metres from the road, articulated at 13 metre intervals and screened by a minimum 2 metre wide landscape strip;
  - (c) The areas set aside for landscaping;
  - (d) Low maintenance landscape plantings that incorporate at least 70% local endemic plant species;
  - (e) A schedule of all proposed trees, shrubs and ground cover, including the location and size at maturity of all plants, the botanical names of such plants and the location of all areas to be covered by turf or other surface material;
  - (f) A mixture of shrubs and substantial trees;
  - (g) A fully reticulated watering system;
  - (h) Consideration of Crime Prevention through Environmental Design (CPTED) principles;
  - (i) Enhancement, buffering and amenity planting;
  - (j) Measures to ensure that the planted trees will be retained and managed to allow growth of the trees to mature size;
  - (k) Details of all fencing noting that for the full extent of any road frontage of the site fencing is limited to a maximum height of 1.2m if solid and 1.5m if at least 50% transparent;
  - (l) Clear delineation of garden areas;
  - (m) Paving and surface treatment details for the site;
  - (n) The location of proposed services including stormwater pits and pipes, sewerage and water lines and electricity lines for comparison with plant locations;
  - (o) Additional screen planting to the fence adjacent the recreational areas to improve the visual privacy to the adjoining properties;
  - (p) Additional horticultural specification to successfully establish and ensure a quality landscape product such as imported soil quality, staking and planting techniques of advanced stock, reference to Australian Standards where applicable, fertiliser type and application, turf laying detail, garden bed preparation techniques, minimum soil depths, plant quality details and proposed maintenance regime for establishment (usually 3 months); and,

- 
- (q) Hardscape details proposed including hard edging specification, raised planter construction details, paving types and details and key spot levels.

When approved, such plans will form part of the endorsed plans under this development approval.

57. Complete landscaping in accordance with the approved Landscaping Plans, prior to the sealing of the survey plan. Landscaping is to be maintained to the satisfaction of the Executive Manager Development Assessment.

**Acoustic Fence**

58. Implement all recommendations of the endorsed Acoustic Report, prior to the sealing of the survey plan or where the report requires measures to be implemented into the design of new buildings, prior to the issuance of the certificate of completion. Certification from a suitably qualified person shall be provided stating that any acoustic fences or new buildings have been constructed in accordance with the requirements of the endorsed Acoustic Report.

**ATTACHMENTS**

1. **Locality Plan**
2. **Proposal Plans**
3. **'Golf Club Residential in the Open Space Zone'**
4. **'Golf Course Residential Reconfiguring of a Lot Code'**
5. **DTMR's Concurrence Agency Response**
6. **DIP's Concurrence Agency Response**

**Kamala Dunn**

---

**From:** Adam Yem  
**Sent:** Wednesday, 7 September 2011 11:04 AM  
**To:** Amanda Hall  
**Cc:** Michael Ellery  
**Subject:** MCU-101239

Hey Amanda,

Today, Council resolved to approve the Gold Course application as per the recommendation. Please prepare the Decision Notice. I've placed the file in your in-tray.

Regards,

**Adam Yem**

Principal Planner  
Development Services  
Fraser Coast Regional Council  
Direct: (07) 4197 4553  
Phone: 1300 79 49 29  
Fax: (07) 4197 4595  
Web site: <http://www.frasercoast.qld.gov.au>

Disclaimer: If you receive this email by mistake please notify the sender and do not make any use of it. Council does not waive any privilege, confidentiality or copyright associated with this email or any attachments.



Please consider the environment before printing this e-mail

FCRC - Released Under RTI Act 2009

114

15 September 2011

Ergon  
PO Box 15107  
BRISBANE QLD 4001

Dear Sir/Madam

**DEVELOPMENT APPLICATION NO MCU-101239 – MATERIAL CHANGE OF USE –  
32 LOW DENSITY RESIDENTIAL LOTS – PRELIMINARY APPROVAL VARYING  
THE EFFECT OF A LOCAL PLANNING INSTRUMENT; AND RECONFIGURING A  
LOT – ONE (1) LOT INTO THIRTY TWO LOTS (32) – HERVEY BAY GOLF AND  
COUNTRY CLUB INC – LOCATED AT TOOTH STREET PIALBA QLD 4655**

Please find attached a copy of Council's Decision Notice with regard to this matter.

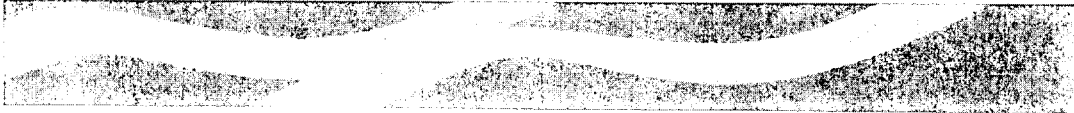
Please do not hesitate to contact the officer listed below if you require further assistance.

Yours faithfully

**MICHAEL ELLERY  
EXECUTIVE MANAGER  
DEVELOPMENT ASSESSMENT**

**Reference:** DOCS #2085932

FCRC - Released Under RTIA Act 2009



15 September 2011

Ergon  
PO Box 15107  
BRISBANE QLD 4001

PO Box 1943  
Hervey Bay Qld 4655

T 1300 79 49 29  
F (07) 4197 4455  
E [enquiry@frasercoast.qld.gov.au](mailto:enquiry@frasercoast.qld.gov.au)  
[www.frasercoast.qld.gov.au](http://www.frasercoast.qld.gov.au)

Dear Sir/Madam

**DEVELOPMENT APPLICATION NO MCU-101239 – MATERIAL CHANGE OF USE – 32 LOW DENSITY RESIDENTIAL LOTS – PRELIMINARY APPROVAL VARYING THE EFFECT OF A LOCAL PLANNING INSTRUMENT; AND RECONFIGURING A LOT – ONE (1) LOT INTO THIRTY TWO LOTS (32) – HERVEY BAY GOLF AND COUNTRY CLUB INC – LOCATED AT TOOTH STREET PIALBA QLD 4655**

Please find attached a copy of Council's Decision Notice with regard to this matter.

Please do not hesitate to contact the officer listed below if you require further assistance.

Yours faithfully



**MICHAEL ELLERY  
EXECUTIVE MANAGER  
DEVELOPMENT ASSESSMENT**

**s.47(3)(b) Sch 4  
Part 3 Item 3**

Reference: DOCS #2085932

FCRC - Released Under the Information Act 2009

15 September 2011

Department of Infrastructure  
And Planning  
PO Box 979  
BUNDABERG QLD 4670

Dear Sir/Madam

**DEVELOPMENT APPLICATION NO MCU-101239 – MATERIAL CHANGE OF USE –  
32 LOW DENSITY RESIDENTIAL LOTS – PRELIMINARY APPROVAL VARYING  
THE EFFECT OF A LOCAL PLANNING INSTRUMENT; AND RECONFIGURING A  
LOT – ONE (1) LOT INTO THIRTY TWO LOTS (32) – HERVEY BAY GOLF AND  
COUNTRY CLUB INC – LOCATED AT TOOTH STREET PIALBA QLD 4655**

Please find attached a copy of Council's Decision Notice with regard to this matter.

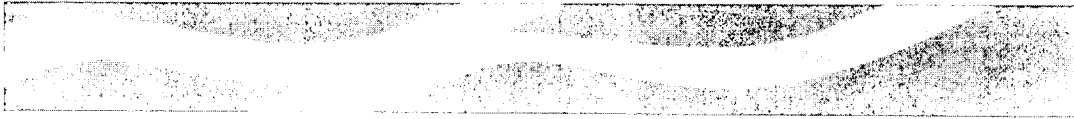
Please do not hesitate to contact the officer listed below if you require further assistance.

Yours faithfully

**MICHAEL ELLERY  
EXECUTIVE MANAGER  
DEVELOPMENT ASSESSMENT**

**Reference:** DOCS #2085932

FCRC - Released Under FOI Act 2009



15 September 2011

Department of Infrastructure  
And Planning  
PO Box 979  
BUNDABERG QLD 4670

PO Box 1943  
Hervey Bay Qld 4655  
T 1300 79 49 29  
F (07) 4197 4455  
E enquiry@frasercoast.qld.gov.au  
www.frasercoast.qld.gov.au

Dear Sir/Madam

**DEVELOPMENT APPLICATION NO MCU-101239 - MATERIAL CHANGE OF USE -  
32 LOW DENSITY RESIDENTIAL LOTS - PRELIMINARY APPROVAL VARYING  
THE EFFECT OF A LOCAL PLANNING INSTRUMENT; AND RECONFIGURING A  
LOT - ONE (1) LOT INTO THIRTY TWO LOTS (32) - HERVEY BAY GOLF AND  
COUNTRY CLUB INC - LOCATED AT TOOTH STREET PIALBA QLD 4655**

Please find attached a copy of Council's Decision Notice with regard to this matter.

Please do not hesitate to contact the officer listed below if you require further assistance.

Yours faithfully

[Redacted Signature]

**MICHAEL ELLERY  
EXECUTIVE MANAGER  
DEVELOPMENT ASSESSMENT**

Reference: DOCS #2085932

s.47(3)(b) Sch 4  
Part 3 Item 3

FCRC - Released Under RIA Act 2009



116

15 September 2011

Department of Environment and  
Resource Management  
Permit and Licence Management  
Implementation Support Unit  
GPO Box 2454  
BRISBANE QLD 4001

Dear Sir/Madam

**DEVELOPMENT APPLICATION NO MCU-101239 – MATERIAL CHANGE OF USE –  
32 LOW DENSITY RESIDENTIAL LOTS – PRELIMINARY APPROVAL VARYING  
THE EFFECT OF A LOCAL PLANNING INSTRUMENT; AND RECONFIGURING A  
LOT – ONE (1) LOT INTO THIRTY TWO LOTS (32) – HERVEY BAY GOLF AND  
COUNTRY CLUB INC – LOCATED AT TOOTH STREET PIALBA QLD 4655**

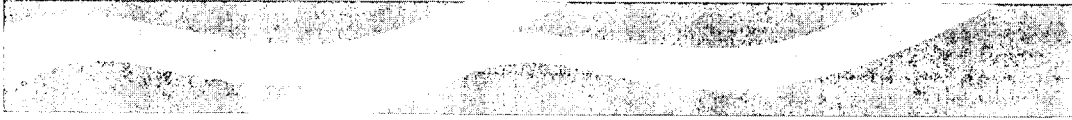
Please find attached a copy of Council's Decision Notice with regard to this matter.

Please do not hesitate to contact the officer listed below if you require further assistance.

Yours faithfully

**MICHAEL ELLERY  
EXECUTIVE MANAGER  
DEVELOPMENT ASSESSMENT**

**Reference:** DOCS #2085932



15 September 2011

Department of Environment and  
Resource Management  
Permit and Licence Management  
Implementation Support Unit  
GPO Box 2454  
BRISBANE QLD 4001

PO Box 1943  
Hervey Bay Qld 4655  
T 1300 79 49 29  
F (07) 4197 4455  
E [enquiry@frasercoast.qld.gov.au](mailto:enquiry@frasercoast.qld.gov.au)  
[www.frasercoast.qld.gov.au](http://www.frasercoast.qld.gov.au)

Dear Sir/Madam

**DEVELOPMENT APPLICATION NO MCU-101239 – MATERIAL CHANGE OF USE –  
32 LOW DENSITY RESIDENTIAL LOTS – PRELIMINARY APPROVAL VARYING  
THE EFFECT OF A LOCAL PLANNING INSTRUMENT; AND RECONFIGURING A  
LOT – ONE (1) LOT INTO THIRTY TWO LOTS (32) – HERVEY BAY GOLF AND  
COUNTRY CLUB INC – LOCATED AT TOOTH STREET PIALBA QLD 4655**

Please find attached a copy of Council's Decision Notice with regard to this matter.

Please do not hesitate to contact the officer listed below if you require further assistance.

Yours faithfully

s.47(3)(b) Sch 4  
Part 3 Item 3

**MICHAEL ELLERY  
EXECUTIVE MANAGER  
DEVELOPMENT ASSESSMENT**

Reference: DOCS #2085932

FCRC - Released Under RIA Act 2009

117

15 September 2011

Department of Transport  
And Main Roads  
Locked Bag 486  
BUNDABERG QLD 4670

Dear Sir/Madam

**DEVELOPMENT APPLICATION NO MCU-101239 – MATERIAL CHANGE OF USE –  
32 LOW DENSITY RESIDENTIAL LOTS – PRELIMINARY APPROVAL VARYING  
THE EFFECT OF A LOCAL PLANNING INSTRUMENT; AND RECONFIGURING A  
LOT – ONE (1) LOT INTO THIRTY TWO LOTS (32) – HERVEY BAY GOLF AND  
COUNTRY CLUB INC – LOCATED AT TOOTH STREET PIALBA QLD 4655**

Please find attached a copy of Council's Decision Notice with regard to this matter.

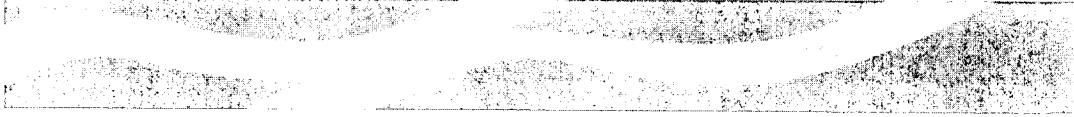
Please do not hesitate to contact the officer listed below if you require further assistance.

Yours faithfully

**MICHAEL ELLERY  
EXECUTIVE MANAGER  
DEVELOPMENT ASSESSMENT**

**Reference:** DOCS #2085932

FCRC - Released Under FOI Act 2009



15 September 2011

Department of Transport  
And Main Roads  
Locked Bag 486  
BUNDABERG QLD 4670

PO Box 1943  
Hervey Bay Qld 4655  
T 1300 79 49 29  
F (07) 4197 4455  
E enquiry@frasercoast.qld.gov.au  
www.frasercoast.qld.gov.au

Dear Sir/Madam

**DEVELOPMENT APPLICATION NO MCU-101239 – MATERIAL CHANGE OF USE –  
32 LOW DENSITY RESIDENTIAL LOTS – PRELIMINARY APPROVAL VARYING  
THE EFFECT OF A LOCAL PLANNING INSTRUMENT; AND RECONFIGURING A  
LOT – ONE (1) LOT INTO THIRTY TWO LOTS (32) – HERVEY BAY GOLF AND  
COUNTRY CLUB INC – LOCATED AT TOOTH STREET PIALBA QLD 4655**

Please find attached a copy of Council's Decision Notice with regard to this matter.

Please do not hesitate to contact the officer listed below if you require further assistance.

Yours faithfully



**MICHAEL ELLERY  
EXECUTIVE MANAGER  
DEVELOPMENT ASSESSMENT**

Reference: DOCS #2085932

s.47(3)(b) Sch 4  
Part 3 Item 3

FCRC - Released Under RIA Act 2009

118

## ADOPTED INFRASTRUCTURE CHARGE NOTICE

MCU-101239

To: **HERVEY BAY GOLF CLUB**

C/- HEVERY BAY GOLF AND COUNTRY CLUB INC  
WARD VEITCH  
P O BOX 232  
HERVEY BAY QLD 4655

**Land to which charges apply** Property Description: Lot 2 SP 165309  
Property Address: TOOTH STREET PIALBA QLD 4655

s.47(3)(b) Sch 4  
Part 3 Item 2

**TOTAL PAYABLE PRIOR TO APPROVAL OF PLAN OF SUBDIVISION OR PRIOR TO ISSUANCE OF CERTIFICATE OF CLASSIFICATION , WHICHEVER OCCURS FIRST**

**+ ANNUAL ADJUSTMENTS AND/OR REVIEWS**

**Note:** The above amount includes discounts which are applicable if the Infrastructure Charges are paid on or before 30 June 2012 or within twelve (12) months of the Development Permit taking effect, whichever is later.

**Adjustments to charge** Charge rates may be subject to index adjustments and/or reviews. As the total charge amount on this notice is current at the date of issue, the total charges due at the date of payment may be greater.

**Due date for payment** Prior to the Approval of Subdivision Plan or issuance of the Certificate of Classification, whichever occurs first.

**Payment details**

Payment of the Adopted Infrastructure Charges must be made to:

**Fraser Coast Regional Council**

Payment can be made at Hervey Bay or Maryborough council offices, by Credit Card (Visa, Mastercard and AMEX only) or cheque, payment can also be made by EFT. Payments by post are to be sent to:

**PO Box 1943, HERVEY BAY, QLD 4655**

**Failure to pay charge** An adopted infrastructure charge levied by a local government is, for the purposes of recovery, taken to be a rate within the meaning of the *Local Government Act 2009*.

**Authority for charge** *Sustainable Planning Act 2009*.

**GST** The Federal Government has determined that contributions made by developers to Government for infrastructure and services under the *Sustainable Planning Act 2009* are GST exempt.

**Enquiries** Enquiries regarding this Adopted Infrastructure Charge Notice should be directed to the Assessing Officer on **Ph: 1300 79 49 29**, during office hours, 8.15am - 5.00pm, Monday to Friday or via email to [development@frasercoast.qld.gov.au](mailto:development@frasercoast.qld.gov.au)

Yours faithfully

**MICHAEL ELLERY  
EXECUTIVE MANAGER  
DEVELOPMENT ASSESSMENT**

Contact Officer: Michael Ellery  
Docs Reference: #2086511

**ADOPTED INFRASTRUCTURE CHARGE NOTICE**

MCU-101239



To: **HERVEY BAY GOLF CLUB**  
  
C/- HEVERY BAY GOLF AND COUNTRY CLUB INC  
WARD VEITCH  
P O BOX 232  
HERVEY BAY QLD 4655

PO Box 1943  
Hervey Bay Qld 4655

T 1300 79 49 29  
F (07) 4197 4455  
E enquiry@frasercoast.qld.gov.au  
www.frasercoast.qld.gov.au

**Land to which charges apply** Property Description: Lot 2 SP 165309  
Property Address: TOOTH STREET PIALBA QLD 4655

s.47(3)(b) Sch 4  
Part 3 Item 2

**TOTAL PAYABLE PRIOR TO APPROVAL OF PLAN OF SUBDIVISION OR PRIOR TO ISSUANCE OF CERTIFICATE OF CLASSIFICATION, WHICHEVER OCCURS FIRST**

**+ ANNUAL ADJUSTMENTS AND/OR REVIEWS**

**Note:** The above amount includes discounts which are applicable if the Infrastructure Charges are paid on or before 30 June 2012 or within twelve (12) months of the Development Permit taking effect, whichever is later.

**Adjustments to charge** Charge rates may be subject to index adjustments and/or reviews. As the total charge amount on this notice is current at the date of issue, the total charges due at the date of payment may be greater.

**Due date for payment** Prior to the Approval of Subdivision Plan or issuance of the Certificate of Classification, whichever occurs first.

**Payment details** Payment of the Adopted Infrastructure Charges must be made to:  
**Fraser Coast Regional Council**  
Payment can be made at Hervey Bay or Maryborough council offices, by Credit Card (Visa, Mastercard and AMEX only) or cheque, payment can also be made by EFT. Payments by post are to be sent to:  
**PO Box 1943, HERVEY BAY, QLD 4655**

**Failure to pay charge** An adopted infrastructure charge levied by a local government is, for the purposes of recovery, taken to be a rate within the meaning of the *Local Government Act 2009*.

**Authority for charge** *Sustainable Planning Act 2009*.

**GST** The Federal Government has determined that contributions made by developers to Government for infrastructure and services under the *Sustainable Planning Act 2009* are GST exempt.

**Enquiries** Enquiries regarding this Adopted Infrastructure Charge Notice should be directed to the Assessing Officer on **Ph: 1300 79 49 29**, during office hours, 8.15am - 5.00pm, Monday to Friday or via email to [development@frasercoast.qld.gov.au](mailto:development@frasercoast.qld.gov.au)

Yours faithfully,

  
**MICHAEL ELLERY  
EXECUTIVE MANAGER  
DEVELOPMENT ASSESSMENT**

s.47(3)(b) Sch 4  
Part 3 Item 3

Contact Officer: Michael Ellery  
Docs Reference: #2086511

**ADOPTED INFRASTRUCTURE CHARGE NOTICE**

---

|                   |  |
|-------------------|--|
| Application:      | 32 Residential Lots                        |
| Property Address: | Hervey Bay Golf Club, Tooth Street, Pialba |
| Permit No.        | MCU-101239                                 |

---

s.47(3)(b) Sch 4  
Part 3 Item 2

FCRC - Released Under RTI Act 2009

FCRC - Released Under RTI Act 2009

s.47(3)(b) Sch 4  
Part 3 Item 2



**Kamala Dunn**

---

**From:** Bob Goodwin [REDACTED]  
**Sent:** Wednesday, 5 October 2011 2:06 PM  
**To:** John McLennan  
**Subject:** Hervey Bay Golf Club

s.47(3)(b) Sch 4  
Part 3 Item 3

John  
This morning I attended a meeting with Ward and delegates from the golf club.  
At the meeting Ward said that the external road work that may be offset against the adopted infrastructure charges really means this work will cost the golf club no more than its infrastructure charge which is \$806,400.

If the fair value of the work exceeds their contribution then Council will cover the excess.

I am trying to advise members what are all their costs so can you please verify this????

Thanks.

Regards,

**Bob Goodwin**  
Chief Executive Officer  
**Sunstate Group Qld t/a SGQ**  
270 Urraween Rd Hervey Bay Q 4655  
PO Box 1491 Hervey Bay Q 4655  
M 0408 197 281 | P 07 4191 2900 | F 07 4194 5073

[REDACTED]

s.47(3)(b) Sch 4  
Part 3 Item 3

FCRC - Released Under RTI Act 2009

120

**Kamala Dunn**

---

**From:** John McLennan  
**Sent:** Thursday, 6 October 2011 9:24 AM  
**To:** Bob Goodwin  
**Cc:** Michael Ellery  
**Subject:** Hervey Bay Golf Club

Hi Bob,

In response to your inquiry I offer the following information.

Council can enter into an infrastructure agreement with the Golf Club to construct Tooth Street to the trunk standard.

The Golf Club is conditioned to undertake frontage works however, if the works meet the trunk serviceability standards then credits will be available.

The value of the trunk works may be in excess of the contributions or may be less than the contributions, the infrastructure agreement will set the conditions of payment, values of works and time of payment.

ie You may be required to pay infrastructure charges and wait for trunk cost reimbursements to be paid back at a later date. The point being that the trunk funds may not be fully collected until some time after the works are built.

It is important to point out that the value of the construction works in Tooth Street may not be fully compensated as trunk because you would have to do minimum frontage works to service your site. The value of trunk credits may be potentially the difference between your minimum requirement and the trunk infrastructure requirements.

The credits may be for the construction of additional pavement width and depth, additional stormwater pipes to drain the trunk road that would not be required to service your development, additional concrete footpath width in excess of the minimum footpath requirement etc.

It is very difficult to determine the actual costs at this stage without undertaking a proper cost due diligence and preliminary estimate of the works.

Please do not hesitate to contact me should you wish to discuss this matter further.

Regards,

**John McLennan**

Senior Development Engineer  
Community and Development  
Fraser Coast Regional Council  
Telephone: (07) 4197 4526  
Fax: (07) 4197 4455  
Web site: <http://www.frasercoast.qld.gov.au>

**Disclaimer:** If you receive this email by mistake please notify the sender and do not make any use of it. Council does not waive any privilege, confidentiality or copyright associated with this email or any attachments.

---

**From:** Bob Goodwin [REDACTED]  
**Sent:** Wednesday, 5 October 2011 2:06 PM  
**To:** John McLennan  
**Subject:** Hervey Bay Golf Club

s.47(3)(b) Sch 4  
Part 3 Item 3

John

This morning I attended a meeting with Ward and delegates from the golf club.

At the meeting Ward said that the external road work that may be offset against the adopted infrastructure charges really means this work will cost the golf club no more than its infrastructure charge which is \$806,400.

If the fair value of the work exceeds their contribution then Council will cover the excess.

I am trying to advise members what are all their costs so can you please verify this???

Thanks.

Regards,

**Bob Goodwin**

Chief Executive Officer

**Sunstate Group Qld t/a SGQ**

270 Urraween Rd Hervey Bay Q 4655

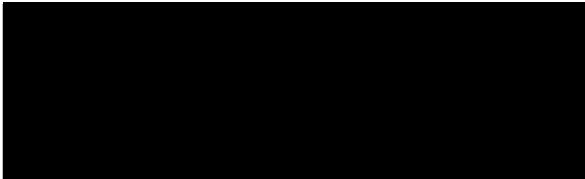
PO Box 1491 Hervey Bay Q 4655

M 0408 197 281 | P 07 4191 2900 | F 07 4194 5073

s.47(3)(b) Sch 4  
Part 3 Item 3

121

1 November 2011



s.47(3)(b) Sch 4  
Part 3 Item 3

Dear Sir/Madam

**SUBMISSION RECEIVED BY COUNCIL FOR DEVELOPMENT APPLICATION NO MCU-101239 - MATERIAL CHANGE OF USE - 32 LOW DENSITY RESIDENTIAL LOTS - PRELIMINARY APPROVAL VARYING THE EFFECT OF A LOCAL PLANNING INSTRUMENT AND RECONFIGURING A LOT - ONE (1) INTO 32 LOTS - HERVEY BAY GOLF AND COUNTRY CLUB INC - LOCATED AT TOOTH STREET PIALBA QLD 4655**

I refer to your submission received by Council in relation to the above application.

Please find attached a copy of Council's Decision Notice with regard to this matter.

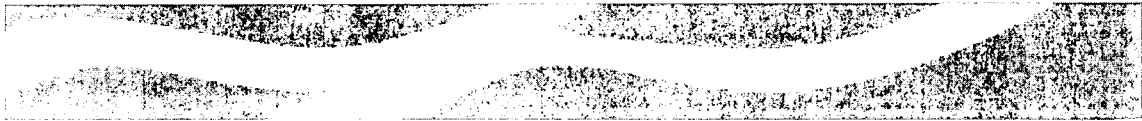
If you have any queries in regards to this matter, please contact the below listed officer.

Yours faithfully

**MICHAEL ELLERY  
EXECUTIVE MANAGER  
DEVELOPMENT ASSESSMENT**

**Contact Officer:** Michael Ellery  
**Phone:** 4197 4318  
**Our Reference:** DOCS #2109516  
**File Number:** MCU-101239

FCRC - Released Under FOIA Act 2009



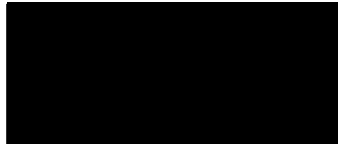
1 November 2011



PO Box 1943  
Hervey Bay Qld 4655

T 1300 79 49 29  
F (07) 4197 4455  
E enquiry@frasercoast.qld.gov.au  
www.frasercoast.qld.gov.au

s.47(3)(b) Sch 4  
Part 3 Item 3



Dear Sir/Madam

**SUBMISSION RECEIVED BY COUNCIL FOR DEVELOPMENT APPLICATION NO  
MCU-101239 - MATERIAL CHANGE OF USE - 32 LOW DENSITY  
RESIDENTIAL LOTS - PRELIMINARY APPROVAL VARYING THE EFFECT OF A  
LOCAL PLANNING INSTRUMENT AND RECONFIGURING A LOT - ONE (1)  
INTO 32 LOTS - HERVEY BAY GOLF AND COUNTRY CLUB INC - LOCATED AT  
TOOTH STREET PIALBA QLD 4655**

I refer to your submission received by Council in relation to the above application.

Please find attached a copy of Council's Decision Notice with regard to this matter.

If you have any queries in regards to this matter, please contact the below listed officer.

Yours faithfully

s.47(3)(b) Sch 4  
Part 3 Item 3



**MICHAEL ELLERY  
EXECUTIVE MANAGER  
DEVELOPMENT ASSESSMENT**

**Contact Officer:** Michael Ellery  
**Phone:** 4197 4318  
**Our Reference:** DOCS #2109516  
**File Number:** MCU-101239

FCRC - Released Under RTI Act 2009

122

1 November 2011



s.47(3)(b) Sch 4  
Part 3 Item 3

Dear Sir/Madam

**SUBMISSION RECEIVED BY COUNCIL FOR DEVELOPMENT APPLICATION NO MCU-101239 – MATERIAL CHANGE OF USE – 32 LOW DENSITY RESIDENTIAL LOTS – PRELIMINARY APPROVAL VARYING THE EFFECT OF A LOCAL PLANNING INSTRUMENT AND RECONFIGURING A LOT – ONE (1) INTO 32 LOTS – HERVEY BAY GOLF AND COUNTRY CLUB INC - LOCATED AT TOOTH STREET PIALBA QLD 4655**

I refer to your submission received by Council in relation to the above application.

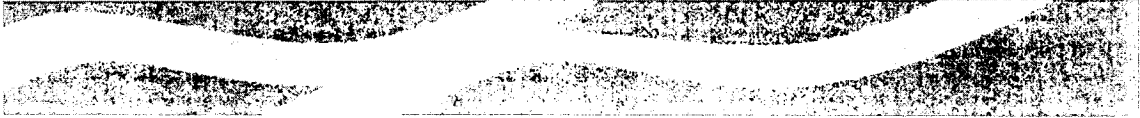
Please find attached a copy of Council's Decision Notice with regard to this matter.

If you have any queries in regards to this matter, please contact the below listed officer.

Yours faithfully

**MICHAEL ELLERY  
EXECUTIVE MANAGER  
DEVELOPMENT ASSESSMENT**

**Contact Officer:** Michael Ellery  
**Phone:** 4197 4318  
**Our Reference:** DOCS #2109516  
**File Number:** MCU-101239



1 November 2011



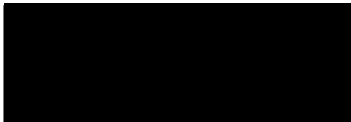
**Fraser Coast**  
REGIONAL COUNCIL

PO Box 1943  
Hervey Bay Qld 4655

T 1300 79 49 29  
F (07) 4197 4455  
E [enquiry@frasercoast.qld.gov.au](mailto:enquiry@frasercoast.qld.gov.au)

[www.frasercoast.qld.gov.au](http://www.frasercoast.qld.gov.au)

s.47(3)(b) Sch 4  
Part 3 Item 3



Dear Sir/Madam

**SUBMISSION RECEIVED BY COUNCIL FOR DEVELOPMENT APPLICATION NO  
MCU-101239 - MATERIAL CHANGE OF USE - 32 LOW DENSITY  
RESIDENTIAL LOTS - PRELIMINARY APPROVAL VARYING THE EFFECT OF A  
LOCAL PLANNING INSTRUMENT AND RECONFIGURING A LOT - ONE (1)  
INTO 32 LOTS - HERVEY BAY GOLF AND COUNTRY CLUB INC - LOCATED AT  
TOOTH STREET PIALBA QLD 4655**

I refer to your submission received by Council in relation to the above application.

Please find attached a copy of Council's Decision Notice with regard to this matter.

If you have any queries in regards to this matter, please contact the below listed officer.

Yours faithfully



s.47(3)(b) Sch 4  
Part 3 Item 3

**MICHAEL ELLERY  
EXECUTIVE MANAGER  
DEVELOPMENT ASSESSMENT**

**Contact Officer:** Michael Ellery  
**Phone:** 4197 4318  
**Our Reference:** DOCS #2109516  
**File Number:** MCU-101239

FCRC - Released Under RTI Act 2009

s.47(3)(b) Sch 4  
Part 3 Item 3

FCRC - Released Under RTI Act 2009

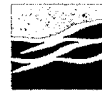
FAXED  
2.27pm

04.11.2011

POSTED 06.11.2011



124

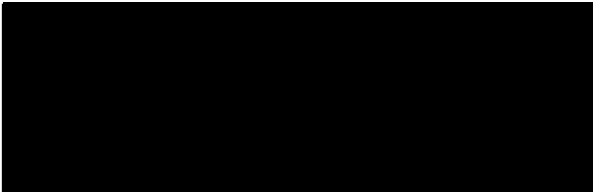


Fraser Coast  
REGIONAL COUNCIL

16 November 2011

PO Box 1943  
Hervey Bay Qld 4655

T 1300 79 49 29  
F (07) 4197 4455  
E enquiry@frasercoast.qld.gov.au  
www.frasercoast.qld.gov.au



s.47(3)(b) Sch 4  
Part 3 Item 3



s.47(3)(b) Sch 4  
Part 3 Item 3

FCRC - Released Under RTI Act 2009

s.47(3)(b) Sch 4  
Part 3 Item 3

Yours faithfully

LISA DESMOND  
**CHIEF EXECUTIVE OFFICER**

**Contact Officer:** Michael Ellery  
**Phone:** 4197 4318  
**Reference:** Docs#2119171

FCRC - Released Under RTI Act 2009

s.47(3)(b) Sch 4  
Part 3 Item 3

LISA DESMOND  
CHIEF EXECUTIVE OFFICER

Contact Officer: Michael Ellery  
Phone: 4197 4318  
Reference: Docs#2119171

FCRC - Released Under RTI Act 2009

**DEVELOPMENT APPLICATION MCU-101239 APPROVED UNDER DELEGATED AUTHORITY ON 7 SEPTEMBER 2011 AT ORDINARY COUNCIL MEETING NO.16**

**APPLICATION FOR MATERIAL CHANGE OF USE – 32 LOW DENSITY RESIDENTIAL LOTS – PRELIMINARY APPROVAL VARYING THE EFFECT OF A LOCAL PLANNING INSTRUMENT AND RECONFIGURING A LOT – 1 LOT INTO 32 LOTS – HERVEY BAY GOLF AND COUNTRY CLUB INC C/- URBAN PLANET TOWN PLANNING CONSULTANTS – LOCATED AT TOOTH STREET, PIALBA QLD 4655**

**Part 1 – FRASER COAST REGIONAL COUNCIL CONDITIONS**

|             |                                 |
|-------------|---------------------------------|
|             | <b>STATUS OF CONDITIONS</b>     |
| <b>DATE</b> | <b>AMOUNT PAID    COMPLETED</b> |

**CONDITIONS APPLICABLE TO MATERIAL CHANGE OF USE**

|   |
|---|
| <b>Amended Plans</b>  |
| 1. Submit to Council for approval, prior to the approval of any application related to this approval, amended plans, incorporating the following changes:   |
| (a) relocate the proposed access in Old Maryborough Road to be approximately equidistant between the Tooth Street and Islander Road intersections;  |
| (b) locate all residential lots 3 metres setback from Old Maryborough Road and Tooth Street; and,   |
| (c) the setback required by (b), must be included in common property and set aside for the provision of an acoustic fence and landscaping.  |
| When approved, the amended plans will become the endorsed plans for the development.  |
| <b>Use</b>  |
| 2. All future development within the area designated for residential uses on the approved plan must be carried out in accordance with the Low Density Residential Zone provisions (or equivalent) of the Planning Scheme in force at the time of development. In the instance where there is a conflict between the approval and the Planning Scheme, the provisions of the Preliminary Approval prevail. |
| <b>General</b>  |
| 3. This approval lapses 5 years from the date it takes effect or the day that Council adopts a new Planning Scheme that changes the zoning of that part of the land affected by this approval to Low-Density Residential or similar, whichever occurs sooner.   |

**Acoustic**

4. Submit to Council for approval, prior to the approval of any application related to this approval, an Acoustic Report prepared by a suitable qualified person. The report must demonstrate the proposed acoustic treatments that will ensure that the acoustic levels of the proposed lots will meet the following criteria:

(a) 60 dB(A) or less, where existing levels measured at the deemed-to-comply dwelling setback distance are greater than 40dB(A)  $L_{90}$  (8 hour) between 10pm and 6am; or

(b) 57 dB(A) or less, where existing levels measured at the deemed-to-comply dwelling setback distance are less than or equal to 40dB(A)  $L_{90}$  (8 hour) between 10pm and 6am.

When approved, the report will become part of the approved documents for the development.

FCRC - Released Under RTI Act 2009

## CONDITIONS APPLICABLE TO RECONFIGURING A LOT

### Amended Plans

5. Submit to Council for approval, prior to the approval of any application related to this approval, amended plans, incorporating the following:

(a) the changes as detailed in condition 1 of this approval;

(b) the dimensions and areas for all proposed lots and common areas relative to the existing boundaries of the site;

(c) the location of all acoustic fencing required by the endorsed Acoustic Report; and,

(d) the extent of all common areas, which must include the internal roads, storage areas and communal open space.

When approved, the amended plans will become the endorsed plans for the development.

### General

6. The developer must meet the costs of all development works including any necessary alteration or relocation of services, provision of upgrading of roadworks to accommodate all vehicular access works together with all public utility mains and/or installations.

### Administration

7. The development must be undertaken in accordance with Council's Planning Scheme, Planning Scheme Policies and Local Laws.

8. Liaise directly with Council's Waste Services Coordinator with regard to the size and quantity of bins and the method and frequency of service. The access road for the collection vehicle must provide for adequate turning space such that the vehicle enters and exits each site in a forward direction.

9. Submit engineering drawings detailing all civil engineering site works, road works, sewer relocations and stormwater works within and external to each site in an Operational Works Application. The design of these works is to be approved by Council before any works commence on site. All such works are to be completed to Council's satisfaction prior to the commencement of the approved use.

10. All final designs must be certified by a Registered Professional Engineer of Queensland (RPEQ).

11. Lodge a bond in accordance with Council's Development Manual Planning Scheme Policy (General performance Bond), prior to the commencement of any building or operational work associated for each stage of the development. In staged developments, if substantial compliance problems are experienced in any stage, the bond amount may be increased by Council to reflect the conditions of the site. The increased bond is to be paid prior to commencement of any subsequent stage.

This bond (less any deductions for purposes defined in the Planning Scheme Policies) will be refunded when:

(a) works to revert to Council have been accepted "on maintenance", and

(b) all Building and Operational Works on the site have been completed and a Final Certificate (if applicable) issued by Council.

12. All works that will revert to Council control must be designed and supervised by a Registered Professional Engineer in accordance with Council Policy. The works will be required to comply with all Local Laws, Policies and Standards of Council current at the time of submission of the application for approval of Operational Works. No works associated with this permit may commence until an Operational Works Permit has been issued by Council.

13. All works that will revert to Council control are subject to a twelve (12) month maintenance period during which time the Developer must be responsible for the maintenance of the works, the rectification of any design omissions or defects, and the repair of any construction defects that are subsequently found. Council requires the developer to secure the maintenance of the works by the submission of a bond valued at 5% of the total value of the works. The bond must be submitted in accordance with Council's policy.

14. Prior to acceptance of the works on maintenance, the supervising engineer must arrange for the collection and submission to Council of digital "as constructed" information for the works. The digital information must comply with Council's "Submission of Digital As Constructed Manual" and must be certified as specified in the Manual prior to the operation of the approved use.

15. All outstanding rates or other charges due to Council must be paid prior to the endorsement of the plan of survey.

16. Provide a plan sealing report and supporting documentation demonstrating compliance with each condition of this approval prior to the endorsement of the plan of survey.

**Site and Environmental Management**

17. Submit to and gain approval from Council as part of any Operational Works application and prior to the commencement of works being carried out onsite, a site specific Construction Management Plan (CMP). The CMP must include, but not be limited to:

(a) proposed construction vehicle transport route(s);

(b) specification of measures to ensure the safe and orderly ingress and egress of vehicles to and from the site;

(c) the means by which the direction of traffic flows to and from parking areas will be controlled both on and off site to ensure no damage is cause to Council's road infrastructure to and from the site including the pavement, kerb, channel, crossovers to adjoining properties and verges;

(d) owner's permission for access over and/or parking on other land;

(e) measures to discourage staff and contractor parking in adjoining lots;

(f) lawful source and disposal sites of any fill or excavated material;

(g) wheel wash down and shake down grids for construction vehicles;

(h) the location of all areas on and/or off site to be used for staff and contractor parking;

(i) Maintenance of the existing drainage pattern of the land to avoid adverse impact on the downstream and upstream environments;

(j) Stormwater runoff quality management during operational works. The management plan must be in accordance with the general environmental values and water quality objectives outlined in the EPP (Water) 1997;

(k) That at any one time, the exposed soil area/work surface is minimised and sediment retention measures are implemented to ensure avoidance of sediment transport to the downstream environment;

(l) Avoidance of unacceptable risk to existing land uses from flooding and erosion;



|  |
|--|
| (m) the means of ensuring the appearance of building works or materials does not detrimentally affect the amenity of the area;   |
| (n) That at any one time dust control measure is implemented onsite to ensure avoidance of dust nuisance, and  |
| (o) Location of site sheds and facilities.   |
| 18. Submit to and gain approval from Council, as part of an approval of any application for Operational Works for civil works and prior to the commencement of works being carried out on-site a Site Specific Erosion and Sediment Control Plan (SSESCP). The SSESCP must be designed in accordance with Best Practice Erosion and Sediment Control (IECA, 2008). |
| 19. Provide laboratory testing for Acid Sulphate Soils in accordance with the State Planning Policy 2/02 "Planning and Managing Development involving Acid Sulphate Soils" as part of the Operational Works application and gain approval before any earthworks commence on-site.  |
| <b>Environmental Health</b>  |
| 20. Undertake Sediment and Erosion control measures in accordance with the endorsed SSESCP.  |
| 21. Carry out the development in accordance with the endorsed CMP.   |
| 22. Confine dust and other emissions, such as fumes, sediments, light, or odour from the building work on site and take all reasonable steps to prevent a release to neighbouring properties.  |
| 23. Dispose of building construction and demolition waste only at an approved waste disposal facility. It is an offence to dispose of waste at other than an approved site. The burning of any construction or demolition waste is not permitted on site.  |
| 24. Contain all litter building waste, and sediments on the building site by the use of a skip and any other reasonable means during construction to prevent release to a neighbouring properties or roads.  |
| 25. Unless otherwise approved by the Executive Manager Development Assessment, do not undertake works:   |
| (a) on a Sunday or public holiday, at any time; or   |
| (b) on a Saturday or business day, before 6.30 am or after 6.30 pm   |

## Stormwater

26. Submit to and gain approval from Council as part of any Operational Works application and prior to the commencement of works being carried out onsite a final and detailed 'Site Specific Stormwater Management Plan' (SSSMP). The SSSMP must include detailed designs and layout of all essential stormwater drainage systems and stormwater quality management systems. The designs of stormwater drainage and quality management systems must comply with Councils Policies and the Queensland Urban Drainage Manual as adopted by Council and must be undertaken and/or supervised and duly certified by a registered professional engineer, Queensland (RPEQ).
27. The SSSMP must demonstrate that the stormwater drainage systems will ensure the development will not make material changes to the pre-development flood flows' location, duration, frequency or concentration of overland stormwater flow at the point of discharge to all downstream properties including road reserves. In the event that a material change to the pre-development stormwater flow will occur, the applicant must produce evidence to Council's satisfaction of a legal right as to the method for stormwater discharge over the downstream land.
28. The SSSMP must demonstrate that the design stormwater drainage will ensure no restriction to existing or developed stormwater flow from upstream properties or ponding of stormwater within upstream properties occurs as a result of the development.
29. The SSSMP must demonstrate how stormwater runoff from the site will be adequately managed post 'fully developed site stage' and especially during operational works to ensure the stormwater runoff quality is not adversely affected and the downstream environment is protected. To that effect all runoff from the site, especially during the operational works stage, must be through a suitable stormwater quality improvement and/or treatment device located within the site boundaries. The design is to incorporate Water Sensitive Urban Design techniques with the provision of, Rain Gardens, swales, Gross Pollutant Traps, Rainwater Tanks, or similar features located within the dedicated landscaped areas of the site to treat all stormwater runoff from the car parks. Water discharged from the site, during operational works stage and post fully developed site, must meet State Planning Policy 04/10 Healthy Waters and Environmental Planning Policy (Water) and relevant State Planning Polices.

30. The stormwater drainage must be designed such that the development will not make material changes to the pre-development location, duration, frequency or concentration of overland stormwater flow at the point of discharge to all downstream properties including road reserves. In the event that a material change to the pre-development stormwater flow will occur, the applicant must produce evidence to Council's satisfaction of a legal right as to the method for stormwater discharge over the downstream land.

31. The Developer must construct all stormwater control and management structures, including underground pipes, open drains and detention basins, in accordance with the SSSMP, Council's Policies and the Queensland Urban Drainage Manual.

32. Drainage easements or reserves are to be provided as may be required for all overland stormwater flows and drainage structures of 300mm diameter pipe (or equivalent) or greater, traversing land within the development (other than roads and parklands). The easements or reserves must be a minimum width of 3 metres or such greater width as necessary to convey the fully developed flow with the appropriate clearance required by Council policy. All easements and reserves are to be provided at no cost to Council.

33. An underground drainage system must be provided to collect and convey all minor stormwater flows from impervious areas within each standard format lot to an existing underground drainage system at a location approved by Council. The minor drainage system must be designed and constructed in accordance with Council policy and to ensure that existing stormwater discharge from surrounding property is not detrimentally affected.

#### **Water Reticulation**

34. Consult directly with Wide Bay Water Corporation with respect to the Corporation's requirements for design, construction and inspection of all water reticulation associated with this development. The design must ensure sufficient capacity to meet the demands from the development and to sustain any commercial fire stream requirement in the locality.

35. Construct all water supply works external to the development necessary to service the development. The works must be in accordance with engineering design plans and other documentation approved by Council. Such engineering plans are to be in accordance with Wide Bay Water Corporation's water supply strategy and design guidelines.

36. Provide a reticulated water supply to serve the development. The internal water reticulation must be designed such that a separate water meter and control valve can be installed to serve each standard lot.

37. Water and Electricity conduits are to be installed to service the development by boring under the existing roads where required. Standard kerb markers are to be installed to mark the location of the conduits. A plan showing the location of the conduits is to be approved by Council prior to the commencement of works.

38. Provide blue reflective pavement markers on the road centreline opposite all hydrants.

#### **Sewer Reticulation**

39. Submit to and gain approval from Council and Wide Bay Water, as part of any Operational Works application and prior to the commencement of works being carried out, a sewer reticulation servicing proposal for the development.

40. The nominated sewer connection point for the development along Old Maryborough Road must be the DN150 sewer at the round about at Boat Harbour Drive.

41. The developer must construct a sewer across Tooth Street to provide a connection point on and within the property that will command the proposed development lots.

42. The Developer must consult directly with Wide Bay Water Corporation with respect to the Corporation's requirements for design, construction and inspection of all connection details to Council's existing sewerage system.

43. Construction all sewerage works external to the development necessary to service the development. The works must be in accordance with engineering design plans and other documentation approved by Council. Such engineering plans are to be in accordance with Wide Bay Water Corporation's sewerage reticulation strategy and design guidelines.

44. Provide a triple interceptor trap for all wash-down water adjacent to the boat and van storage area prior to discharge into Council sewer.

**Electricity**

45. Provide all easements required by Ergon Energy over existing or proposed power lines, cables and equipment in the development site.
46. Prior to the approval of the plan of subdivision, enter into an agreement with Ergon Energy to ensure that electricity will be available to each lot within the development without further capital contribution.

**Site and Environmental Management**

47. Undertake the development works in accordance with the results of the laboratory testing for Acid Sulphate Soils. In this regard all earthworks must be undertaken in accordance with the guidelines of State Planning Policy 2/02 "Planning and managing Development involving Acid Sulphate Soils".

**Car Parking**

48. Construct car parking spaces, associated access aisles and driveways to the dimensions detailed in Council's Planning Scheme Policies and Australian Standard AS 2890.1. Provide manoeuvring areas to ensure that vehicle ingress and egress can enter and exit the property in a forward direction. Driveways, car parking and reversing areas are to be constructed to the standards defined in Council's development manual and car parking spaces are to be permanently marked. Provide at least one disabled visitor car space at ground level, conforming to AS 1428 - Design for Access and Mobility.

**Footpaths**

49. Construct a minimum 2.5m wide concrete footpath and associated pram crossings along the western side of Tooth Street from the intersection of Old Maryborough Road to the Dover Street intersection. The footpath construction may be offset against the Adopted Infrastructure Charges.

**Vehicular Access**

50. Prior to the submission of an application for Operational Works provide a traffic impact assessment detailing the impact that the development will have on the immediate road network. The impact assessment is to provide details of the proposed access intersection treatments to the development from Tooth Street and Old Maryborough Road.
51. Construct an intersection/access on Old Maryborough Road and Tooth Street in accordance with the approved development layout and traffic impact assessment.
52. Property access and driveways are to be constructed to the standards defined in Council's Development Manual.

53. Construct concrete kerb and channel on an alignment approved by Council on the western side of Tooth Street from the existing kerb adjacent to the current golf club entrance to the northern side of the proposed intersection opposite Dover Street. The works are to include underground drainage and infill pavement to a Controlled Distributor standard. The road construction works may be offset against the Regulated Infrastructure Charges.

**Vegetation Management**

54. Submit to Council for approval, prior to the approval of any application related to this approval, a Vegetation Management Plan (VMP) that clearly identifies the vegetation proposed to be removed and retained to facilitate the development. The plan is to include:

(a) the accurate location of all trees that are greater than 50cm at girth or 4 metres in height located and with 20 metres of the proposed development footprint;

(b) Details for each tree (mentioned above) including species identification, height, canopy spread, health and if the tree is to be retained or removed;

(c) The required Tree Protection Zone including Critical Root Zone as determined in accordance with AS4970 – Protection of Trees on Development Sites; and

(d) Details of the proposed location of all infrastructure including water, sewerage, electricity, WSUD features and roads that will be constructed or upgraded that may impact on existing vegetation.

55. Undertake the development in accordance with the approved VMP.

**Landscaping**

56. Submit to and gain approval from Council, prior to the approval of any application related to this approval, detailed Landscape Plans. The plans must be drawn to scale with dimensions and three (3) copies must be provided. Landscape Plans must include but not be limited to the following detail:

(a) The location of any acoustic fencing;

(b) Details of all external and internal fencing types and heights, including any acoustic fences required by the endorsed Acoustic Report. All acoustic fences to road frontages must be setback 3 metres from the road, articulated at 13 metre intervals and screened by a minimum 2 metre wide landscape strip;

|     |  |
|-----|--|
| (c) | The areas set aside for landscaping;   |
| (d) | Low maintenance landscape plantings that incorporate at least 70% local endemic plant species;   |
| (e) | A schedule of all proposed trees, shrubs and ground cover, including the location and size at maturity of all plants, the botanical names of such plants and the location of all areas to be covered by turf or other surface material;  |
| (f) | A mixture of shrubs and substantial trees;   |
| (g) | A fully reticulated watering system;   |
| (h) | Consideration of Crime Prevention through Environmental Design (CPTED) principles;   |
| (i) | Enhancement, buffering and amenity planting;   |
| (j) | Measures to ensure that the planted trees will be retained and managed to allow growth of the trees to mature size;  |
| (k) | Details of all fencing noting that for the full extent of any road frontage of the site fencing is limited to a maximum height of 1.2m if solid and 1.5m if at least 50% transparent;  |
| (l) | Clear delineation of garden areas;   |
| (m) | Paving and surface treatment details for the site;   |
| (n) | The location of proposed services including stormwater pits and pipes, sewerage and water lines and electricity lines for comparison with plant locations;   |
| (o) | Additional screen planting to the fence adjacent the recreational areas to improve the visual privacy to the adjoining properties;   |
| (p) | Additional horticultural specification to successfully establish and ensure a quality landscape product such as imported soil quality, staking and planting techniques of advanced stock, reference to Australian Standards where applicable, fertiliser type and application, turf laying detail, garden bed preparation techniques, minimum soil depths, plant quality details and proposed maintenance regime for establishment (usually 3 months); and |
| (q) | Hardscape details proposed including hard edging specification, raised planter construction details, paving types and details and key spot levels.   |

When approved, such plans will form part of the endorsed plans under this development approval.

57. Complete landscaping in accordance with the approved Landscaping Plans, prior to the sealing of the survey plan. Landscaping is to be maintained to the satisfaction of the Executive Manager Development Assessment.

**Acoustic Fence**

58. Implement all recommendations of the endorsed Acoustic Report, prior to the sealing of the survey plan or where the report requires measures to be implemented into the design of new buildings, prior to the issuance of the certificate of completion. Certification from a suitably qualified person shall be provided stating that any acoustic fences or new buildings have been constructed in accordance with the requirements of the endorsed Acoustic Report.

FCRC - Released Under RTI Act 2009



s.47(3)(b) Sch 4  
Part 3 Item 3

FCRC - Released Under RTI Act 2009

**Kamala Dunn**

---

**From:** Jeff Brannan  
**Sent:** s.47(3)(b) Sch 4 Tuesday, 11 August 2015 12:00 PM  
**To:** Part 3 Item 3 secretary [REDACTED]  
**Subject:** MCU-101239 - Hervey Bay Golf Club - Proposed Residential Subdivision - Request to Extend Currency Period - Payment of Application Fee Required.

Shirley,

I tried calling earlier, however I was made aware that you were away this week. Thankyou for your letter dated 30 July 2015 requesting Council to consider an extension to the currency period for the issued development permit MCU-101239. I am the Assessment Manager for the matter.

I have undertaken a tentative review of the matter, in which it is deemed as a 'Request to Change' an existing development permit in accordance to SPA 2009. Unfortunately, a Request to Change is an application that incurs a fee of \$1,744.00.

Council application fees can be paid via cheque, cash or electronic transfer. The details for electronic transfer are Name: Fraser Coast Regional Council. A/C #: 0000 0066 BSB: 064421. Reference: AS150037.

Please pay the fees in due course in order for the application to be properly made and for assessment to proceed accordingly.

Any queries in relation to this matter please call or email.

Regards

**Jeff Brannan**  
Senior Planner – Special Projects  
Development Assessment  
T (07) 4197 4383 M 0437119482 [REDACTED]

s.47(3)(b) Sch 4  
Part 3 Item 3

FCRC - Released Under RTI Act 2009

s.47(3)(b) Sch 4  
Part 3 Item 2

FCRC - Released Under RTI Act 2009

s.47(3)(b) Sch 4  
Part 3 Item 2

FCRC - Released Under RTI Act 2009

**Kamala Dunn**

**From:** Jeff Brannan  
**Sent:** Tuesday, 18 August 2015 12:42 PM  
**To:** Secretary  
**Subject:** MCU-101239 - Hervey Bay Golf Club - Proposed Residential Subdivision - Request to Extend Currency Period - Payment of Application Fee Required.

Shirley,

Thankyou for the email. Your course of action for the fees is fine.

Please make me aware of the committee meeting outcome in due course.

Regards

**Jeff Brannan**

Senior Planner – Special Projects  
Development Assessment  
T (07) 4197 4383 M 0437119482

s.47(3)(b) Sch 4  
Part 3 Item 3

**From:** Secretary [redacted]  
**Sent:** Monday, 17 August 2015 4:02 PM  
**To:** Jeff Brannan  
**Subject:** RE: MCU-101239 - Hervey Bay Golf Club - Proposed Residential Subdivision - Request to Extend Currency Period - Payment of Application Fee Required.

Good afternoon Jeff

On behalf of the Management Committee I must advise that I was very surprised to find that a additional fee is required for the extension of the currency period.

We will be having our monthly Management Committee meeting next Monday which I will now need the authority for this additional fee. I will advise you of the outcome if that is satisfactory for yourself.

Shirley Tarte  
Secretary – HBGC Inc.

s.47(3)(b) Sch 4  
Part 3 Item 3

**From:** Jeff Brannan [redacted]  
**Sent:** Tuesday, 11 August 2015 12:00 PM  
**To:** Secretary  
**Subject:** MCU-101239 - Hervey Bay Golf Club - Proposed Residential Subdivision - Request to Extend Currency Period - Payment of Application Fee Required.

Shirley,

I tried calling earlier, however I was made aware that you were away this week. Thankyou for your letter dated 30 July 2015 requesting Council to consider an extension to the currency period for the issued development permit MCU-101239. I am the Assessment Manager for the matter.

I have undertaken a tentative review of the matter, in which it is deemed as a 'Request to Change' an existing development permit in accordance to SPA 2009. Unfortunately, a Request to Change is an application that incurs a fee of \$1,744.00.

Council application fees can be paid via cheque, cash or electronic transfer. The details for electronic transfer are Name: Fraser Coast Regional Council. A/C #: 0000 0066 BSB: 064421. Reference: AS150037.

Please pay the fees in due course in order for the application to be properly made and for assessment to proceed accordingly.

Any queries in relation to this matter please call or email.

Regards

s.47(3)(b) Sch 4  
Part 3 Item 3

**Jeff Brannan**

Senior Planner – Special Projects  
Development Assessment

T (07) 4197 4383 | M 0437119482

Disclaimer: If you receive this email by mistake please notify the sender and do not make any use of it. Council does not waive any privilege, confidentiality or copyright associated with this email or any attachments.



PO Box 1943, HERVEY BAY Q 4655

T 1300 79 49 29 | F (07) 4197 4455 | W [www.frasercoast.qld.gov.au](http://www.frasercoast.qld.gov.au)

Keep up to date with Council activities and have your say at [frasercoast.qld.gov.au](http://frasercoast.qld.gov.au)

Click [here](#) to report this email as spam.

FCRC - Released Under RTI Act 2009

**Kamala Dunn**

---

**From:** Jeff Brannan  
**Sent:** Tuesday, 25 August 2015 4:54 PM  
**To:** Secretary  
**Subject:** RE: Hervey Bay Golf Club extension of currency period

Shirley,

Thankyou for the email. The matter is technically on hold until payment is received.

Any queries please call or email.

Regards

**Jeff Brannan**

Senior Planner – Special Projects  
Development Assessment  
T (07) 4197 4383 | M 0437119482



s.47(3)(b) Sch 4  
Part 3 Item 3

---

**From:** Secretary [Redacted]  
**Sent:** Tuesday, 25 August 2015 4:11 PM  
**To:** Jeff Brannan  
**Subject:** Hervey Bay Golf Club extension of currency period

Good afternoon Jeff

The cost of \$1,744 for the extension of the currency period for the Proposed Residential Subdivision MCU-101239 Hervey Bay Golf Club will be forwarded as soon as possible.

Thanking you for your assistance in this matter.

Regards,

Shirley Tarte  
Secretary



Click [here](#) to report this email as spam.

131

**Kamala Dunn**

**From:** Jeff Brannan  
**Sent:** Friday, 28 August 2015 11:07 AM  
**To:** Secretary  
**Subject:** MCU-101239 (AS150037) - Hervey Bay Golf Club Extension of Currency Period - Not Properly Made Application - Extension to Response Period Granted  
**Attachments:** SKMBT\_C454\_15082810510.pdf

Shirley,

Thankyou for your email. I have discussed your request to extend the response period in order to make the application properly made with the Executive Manager Planning and Development / Jamie Cockburn, in which he agrees that this can be granted. With regard to the currency period nearly ending for the original permit, as the request to change application has been lodged with Council to consider an extension this technically provides for the lapsing date to be on hold until determined by Council.

Further, attached is the formal not properly made notice for your records, in which the date of response (pay outstanding fees) has been granted until Friday, 4 December 2015. Remember, if payment is not received by this date the original permit could lapse.

Any queries or assistance with regard to this matter please call or email.

Regards

**Jeff Brannan**

Senior Planner – Special Projects  
Development Assessment

T (07) 4197 4383 | M 0437119482

s.47(3)(b) Sch 4  
Part 3 Item 3

**From:** Secretary [redacted]  
**Sent:** Wednesday, 26 August 2015 4:04 PM  
**To:** Jeff Brannan  
**Subject:** RE: Hervey Bay Golf Club extension of currency period

Jeff,  
It looks like the original DA did not go to our members for approval in the first instance which only has come to our attention today. The original DA needs to receive approval before the extension of the currency period may be considered. The next scheduled General Meeting is the Annual General Meeting which is set down for Sunday 22<sup>nd</sup> November 2015.

I have noted that the extension to the currency period is technically on hold until payment is received. Could this be extended to the HBGC Inc scheduled AGM in November when the original DA will be presented for approval and the extension authorised for progression by the members present.

Awaiting your early reply  
Shirley Tarte - Secretary

**From:** Jeff Brannan [redacted]  
**Sent:** Tuesday, 25 August 2015 4:54 PM  
**To:** Secretary  
**Subject:** RE: Hervey Bay Golf Club extension of currency period

s.47(3)(b) Sch 4  
Part 3 Item 3

Shirley,



Thankyou for the email. The matter is technically on hold until payment is received.

Any queries please call or email.

Regards

**Jeff Brannan**

Senior Planner – Special Projects  
Development Assessment

T (07) 4197 4383 | M 0437119482 | [REDACTED]

s.47(3)(b) Sch 4  
Part 3 Item 3

---

**From:** Secretary [REDACTED]  
**Sent:** Tuesday, 25 August 2015 4:11 PM  
**To:** Jeff Brannan  
**Subject:** Hervey Bay Golf Club extension of currency period

Good afternoon Jeff

The cost of \$1,744 for the extension of the currency period for the Proposed Residential Subdivision MCU-101239 Hervey Bay Golf Club will be forwarded as soon as possible.  
Thanking you for your assistance in this matter.

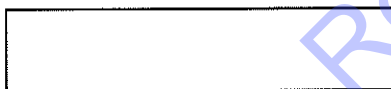
Regards,

Shirley Tarte  
Secretary



Click [here](#) to report this email as spam.

Disclaimer: If you receive this email by mistake please notify the sender and do not make any use of it. Council does not waive any privilege, confidentiality or copyright associated with this email or any attachments.



PO Box 1943, HERVEY BAY Q 4655

T 1300 79 49 29 | F (07) 4197 4455 | W [www.frasercoast.qld.gov.au](http://www.frasercoast.qld.gov.au)

Keep up to date with Council activities and have your say at [frasercoast.qld.gov.au](http://frasercoast.qld.gov.au)



**Fraser Coast**  
REGIONAL COUNCIL

## Fraser Coast Regional Council

77 TAVISTOCK STREET TORQUAY HERVEY BAY Q 4655

431-433 KENT STREET MARYBOROUGH Q 4650

P O Box 1943, Hervey Bay Q 4655

Phone 1300 79 49 29 Fax 4197 4455

### Notice of Not Properly Made Application

*Sustainable Planning Act 2009*

File No: AS150037 / For further information Jeff Brannan Phone: 4197  
MCU-101239 regarding this notice, please 4383  
Your Ref: N/A contact:

Document Ref: #2993124

#### 1. APPLICANT DETAILS

Name HERVEY BAY GOLF AND COUNTRY CLUB INC

Postal Address PO BOX 1865 HERVEY BAY QLD 4655

#### 2. PROPERTY DETAILS

Property Address

TOOTH STREET PIALBA QLD 4655

Property Description

Lot 2 SP 165309

#### 3. OWNER DETAILS

Name: HERVEY BAY GOLF CLUB INC

#### 4. PROPOSAL DETAILS

What type of Approval is being sought? Lodgement Date

Request to Change a Notice of Decision (Extent Concurrency Period) - 30 July 2015  
Material Change of Use - 32 Low Density Residential Lots – Preliminary  
Approval Varying the Effect of a Local Planning Instrument and  
Reconfiguring a Lot - One (1) Lot into Thirty Two (32) Lots

#### 5. NOT PROPERLY MADE

The Assessment Manager is satisfied that the application is not a properly made application.

#### 6. REASON

The reason the Assessment Manager is satisfied the application is not a properly made application is:

- The Request to Change Application Fee of \$1,744.00 has not been paid.

**7. ACTION REQUIRED**

The applicant must take the following action for the application to comply with Section 261 of the *Sustainable Planning Act 2009*.

- Pay the outstanding Request to Change Application Fee of \$1,744.00

Council grants an extension to the response period, as requested by the applicant on Wednesday, 26 August 2015 in order to make the application properly made in accordance to Section 266(3) of the Sustainable Planning Act 2009 until Friday, 4 December 2015. The application will lapse if you do not take the action listed in this notice within the response period as stipulated in Section 266(3) of *Sustainable Planning Act 2009*.

**ASSESSMENT MANAGER**

Name: Jeff Brannan

Signature



Date:

28/8/15

s.47(3)(b) Sch 4  
Part 3 Item 3

FCRC - Released Under RTI Act 2009