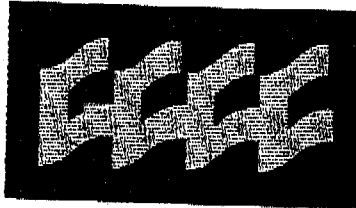


OP GRAND

EXHIBIT No. 308
De Krom CLERK



Gold Coast City Council

MINUTES

of the

COUNCIL MEETING

held

Friday 19 March 2004

at

10.00 am

Gold Coast City Council Chambers
Bundall Road Surfers Paradise

314th COUNCIL MEETING
19 March 2004

1
MINUTES

Minutes of the Three Hundred and Fourteenth Ordinary Meeting of the Council of the City of Gold Coast held at the Gold Coast City Council Chambers, Bundall Road, Surfers Paradise, on Friday 19 March 2004 at 10.00 am.

National Anthem

In welcoming Pastor Eugene Bognar of the Christian Community Church, Burleigh Heads, to open the meeting in prayer, the Mayor, Cr G J Baildon, also welcomed the attendance of Pastor Noel Newton, Churches of Christ Gold Coast; Pastor Judy Bognar, Christian Community Church, Burleigh Heads; Reverend Lou Bourne, Uniting Church, Robina; Reverend Bill Thorburn of the Church of Christ, Reverend Russell Hinds, Baptist Community Church, Mudgeeraba; Southport, Reverend Glen Samuels, Presbyterian Church, Mudgeeraba; Mr David Pohlman, Director of Scripture Union, Gold Coast; Father Kevin Carey, Surfers Paradise Catholic Church.

1 ATTENDANCE

Cr G J Baildon Mayor
 Cr R W Hackwood
 Cr D L Power
 Cr A J Rickard
 Cr D J O'Connell
 Cr P J Young
 Cr D M Crichlow
 Cr N P Christmas
 Cr R La Castra
 Cr E L Shepherd
 Cr E Sarroff
 Cr J E Grew
 Cr P B Drake
 Cr D I McDonald
 Cr S Robbins

Mr D Dickson Chief Executive Officer
 Mr A J McCabe Director City Governance
 Mr W E Day Director Engineering Services
 Mr S L Cox Director Gold Coast Water
 Mr G Finlayson Director Organisational Services
 Mrs C McCool Director Community Services
 Mr W Rowe Director Planning Environment & Transport
 Mr G Young Director Economic Development & Major Projects

1.1 APOLOGIES/LEAVE OF ABSENCE

Nil

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2 **CONDOLENCES**

Cr Robbins

To Dr Angus Farrow

on the death of his father, Mr Cyril Farrow

RESOLUTION G04.0319.001 moved Cr Robbins seconded Cr McDonald

That a Motion of Condolence be passed and that messages of sympathy be forwarded.

CARRIED

Cr Crichlow

To The Wicking Family

on the death of Mr David Wicking.

RESOLUTION G04.0319.002 moved Cr Crichlow seconded Cr Young

That a Motion of Condolence be passed and that messages of sympathy be forwarded.

CARRIED

3 **MAYORAL MINUTE**

Nil

4 **CONFIRMATION OF MINUTES**

RESOLUTION G04.0319.003 moved Cr Rickard seconded Cr Drake

That the Minutes of the Three Hundred and Thirteenth Ordinary Meeting of the Council of the City of Gold Coast held on Friday 12 March 2004 at 9.00 am be confirmed.

CARRIED

MAYOR'S REPORT

5.1 The Mayor noted that this was the final meeting of the existing Council and took the opportunity to review the Council's achievements as follows:

- Economic Development - creation of jobs via the Economical Development & Major Projects Directorate in the following industries: - local industry developments - attracting other industries to the city including marine, film, education, health and medical, surf, tourism - one of the stellar performances is the Marine Precinct.
- Funding by Council to Gold Coast Tourism Bureau to the tune of approximately \$3 million every year and due in the CRC for tourism as well as - support Council Officers who have brought forward the Strategic Plan to guide the marketing of the Gold Coast City by the Gold Coast Tourism Bureau.
- Safety - formation by Council of the Community Safety Executive Forum - community safety action plans in Coolangatta and Surfers Paradise, update of City Council Disaster Plan, Bush Fire Management Plan, Schoolies, and Crime Prevention
- Environment - acquisition by Council of 2,500 ha of land at a cost in excess \$20 million - environmentally sensitive land has been preserved for not only this generation and future generations, and this Council will be remembered and very proud of that achieved - and have more funds to progress that. Also have landowners involved in voluntary conservation agreements, in particular, the Rosser Park Botanical gardens. Catchment Management Groups have been established and are working very efficiently. Beach Protection Strategy is delivering some great outcomes.
- Transport planning - Stage 1 of the Surfers Paradise Traffic Management Scheme and the Gold Coast Bicycle Network Strategy and Implementation.
- Responsible development has occurred; there are continuing issues with the Implementation of new Town Plan and we will continue to make representations to the State Government regarding changes to State Legislation and also will undertake a six monthly review to continue to modify and bring it into shape.
- Flood Mitigation studies have been carried out and a decision has been made on raising of Hinze Dam
- Community Health - Parks and Recreation Plan is in place. Three new libraries have been provided at Southport, Nerang and Robina and refurbishment has taken place at the Runaway Bay and Burleigh Heads libraries. The library management system has also been implemented. The Wheelchair Access Plan has been implemented throughout Gold Coast City and libraries are now providing other facilities for the disabled
- Water Usage and Drought Management - one of the most difficult issues faced in Gold Coast City has been with water and the drought. This Council has taken the decision to build the pipeline Wivenhoe Dam and that will be commencing very soon. While our dam did get to a low of 28% - never had the threat of running out of water and were in a much better position than other areas of Australia.

5 **MAYOR'S REPORT (Continued)**

- Water Futures program - will see a significant reduction in the water drawn from the dam by new residents particularly in the Pimpama Coomera area - and that will be rolled out and extended into other developments in the city.
- Roads - a new roads program in the area of \$234 million over the next 4 years

The Mayor acknowledged the milestones achieved by the Council and recognised the challenges ahead for the new Council. The Mayor expressed pride in the hard work of the committees and the Council and added that overall decisions were made for the benefit of the Gold Coast community. The Mayor further expressed pride in the achievements of the Council and congratulated each and every Councillor for their individual contribution and acknowledged Cr O'Connell's contribution during his short tenure. In closing the Mayor noted that Cr Rickard was retiring from Council.

RESOLUTION G04.0319.004 moved Cr Robbins seconded Cr Grew

That the Mayor's report be noted.

CARRIED

6 **CLARIFICATION - MEMBERS**

Nil

7 **BUSINESS ARISING FROM MINUTES**

Nil

8 PRESENTATIONS

8.1 Certificate of Appreciation from Friends of the Federation Walk Inc.

Cr Christmas was pleased to present a Certificate of Appreciation in recognition of the dedication, involvement and support from officers of Gold Coast City Council for the Federation Walk Project. Cr Christmas acknowledged the project as an initiative of the Main Beach Progress Association and noted that it had been an excellent example of the Community and Council working together to achieve an outcome which was much appreciated and enjoyed by residents and visitors alike.

Cr Christmas presented the Certificate to the Chief Executive Officer who expressed thanks on behalf of the Council officers.

9 RECEPTION & CONSIDERATION OF COMMITTEE REPORTS

9.1 COORDINATION

Cr Rickard, Deputy Mayor, presented the Minutes of the Meeting of the Coordination Committee held on Friday 12 March 2004.

RESOLUTION G04.0319.005 moved Cr Rickard seconded Cr Power

That the Report of the Coordination Committee Meeting held on Friday 12 March 2004, covered by Recommendations C04.0312.001 to C04.0312.020 be received with the following correction being noted to part 4 of Committee Recommendation C04.0312.012 such that it reads as follows:

"4 That Council, in partnership with SEQROC, lobby State and Federal Governments to consider taxation scheme incentives for aspects contained in the Pimpama Coomera Waterfuture Master Plan to ensure and encourage a national approach to urban water conservation strategies."

CARRIED

ITEM 16
REPRESENTATION TO COUNCIL TO SEEK COUNCIL'S SUPPORT FOR AN APPLICATION TO CHANGE CONDITIONS PURSUANT TO SECTION 3.5.33 OF THE INTEGRATED PLANNING ACT IN RELATION TO THE TENURE OF THE EPHRAIM ISLAND BRIDGE - MIRVAC QLD PTY LTD - LOT 112 SP146781 - EPHRAIM ISLAND - PARADISE POINT - DIVISION 3 PN79765/12/DA2(P9)

RESOLUTION G04.0319.006 moved Cr Rickard seconded Cr Young

That Committee Recommendation C04.0312.016 be referred back to the Coordination Committee for further advice to be brought forward from Council's Property Officer as to the need for Council to assume responsibility for the bridge and from Council's Finance Department regarding the financial effects of assuming responsibility.

CARRIED

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CLOSED SESSION
SECTION 463 LOCAL GOVERNMENT ACT 1993

PROCEDURAL MOTION moved Cr Rickard seconded Cr O'Connell

That Council move into Closed Session pursuant to Section 463 of the Local Government Act 1993, for the consideration of the following item for the reason shown:-

Item	Subject	Reason
19	PALM BEACH PROTECTION STRATEGY - PROGRESS REPORT MARCH 2004 WF8/47/02-1	PREJUDICIAL MATTER

CARRIED

PROCEDURAL MOTION moved Cr Power seconded Cr Shepherd

That Council move into Open Session.

CARRIED

Following resumption into Open Session Resolution Number G04.0319.007 was moved and carried as indicated on the following pages.

9 RECEPTION & CONSIDERATION OF COMMITTEE REPORTS

9.1 COORDINATION

ITEM 19 PALM BEACH PROTECTION STRATEGY - PROGRESS REPORT MARCH 2004
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Refer 22 page attachment

1 BASIS FOR CONFIDENTIALITY

I recommend that this report be considered in Closed Session pursuant to section 463(1)(h) of the Local Government Act for the reason that public discussion would likely prejudice the interests of Council.

2 EXECUTIVE SUMMARY

Not Applicable

3 PURPOSE OF REPORT

To provide Council with a status report on the Palm Beach Protection Strategy (PBPS) as at March 2004, and to respond specifically to resolution G04.0305.001.

4 PREVIOUS RESOLUTIONS

Ex Council Minute No W99.1021.006

It is recommended that Council note the status of the Palm Beach Beach Protection Strategy.

Ex Council Minute No G99.1029.022

AMENDED COUNCIL MEETING 29 OCTOBER 1999
Ex Council Minute G99.1029.022

"That Committee Recommendation W99.1021.006 be adopted with the addition of a further recommendation, such that it reads as follows:

- 1 That Council note the status of the Palm Beach Beach Protection Strategy.*
- 2 That the Minister for Emergency Services, Mrs Merri Rose MLA, be provided with a copy of the Palm Beach Beach Protection Strategy Progress Report."*

Ex Council Minute No W00.0727.011

It is recommended that Council notes the status of the Palm Beach Beach Protection Strategy.

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9 RECEPTION & CONSIDERATION OF COMMITTEE REPORTS

9.1 COORDINATION

ITEM 19 PALM BEACH PROTECTION STRATEGY - PROGRESS REPORT MARCH 2004
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Ex Council Minute No W01.1214.008

- 1 That the Palm Beach Beach Protection Strategy Master Plan be adopted.
- 2 That, in accordance with G99.1029.022, a copy of the Master Plan for the Palm Beach Beach Protection Strategy be submitted to Mrs Merri Rose MLA.
- 3 That the Griffith Centre for Coastal Management be engaged to proceed with stage two studies into the Palm Beach Beach Protection Strategy, with all costs charged to Project W110, Function 9930 - Major Coastal Works, where \$100,000 has been allocated in the 2001/02 budget.

Ex Council Minute No W03.0327.002

- 1 That Council note the status of the Palm Beach Protection Strategy as at February 2003.
- 2 That the Chief Executive Officer be authorised to seek all relevant approvals to enable Tweed River sand to be delivered and deposited at Palm Beach up to a value of \$350,000.
- 3 That Council note the delivery of sand will be undertaken as a variation to the TRESBP concession agreement.
- 4 That the maximum cost to Council for the additional delivery from southern beaches to Palm Beach be \$350,000 to be funded from the allocation for the Palm Beach Protection Strategy as follows:

Function 9930 Major Coastal Works
Project W234 PBPS Stage 3 Beach Nourishment.

Ex Council Minute No W03.1212.007

- 1 That it notes that the invitation to tender document for Contract No. LG314/254/03-076 (Palm Beach BPS - Construction of Beach Protection Structures and Dredging), contains a number of separable parts, and that subject to the approval of funding for the 2004/2005 year, it accepts the offer submitted by McQuade Marine No. 2 Pty Ltd for the submitted rates (excluding GST) with rise and fall after 12 months, with only the smallest separable part being for the construction of the Northern reef (Stage 1 of Separable Part A) and associated beach nourishment to a maximum value under contract LG314/254/03-076 of \$1,530,000 being activated at this stage. If further funding becomes available, further reports will be submitted to Council seeking approval to action other parts of the McQuade Marine No. 2 Pty Ltd tender.

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9 RECEPTION & CONSIDERATION OF COMMITTEE REPORTS

9.1 COORDINATION

ITEM 19 PALM BEACH PROTECTION STRATEGY - PROGRESS REPORT MARCH 2004
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- 2 That this be referred to the Finance Committee in respect of future funding for 2004/2005 of \$900,000, which when combined with the \$950,000 available in Function 9930 (Major Coastal Works) within the current year allocation will provide sufficient funds to complete the works as described above. Awarding of this contract will commit Council to provide funding of \$900,000 in 2004/05.
- 3 That it be noted that a future allocation of \$800,000 within Function 9930 (Major Coastal Works) for the Palm Beach Protection Strategy is included for 2005/2006 in the Capital Expenditure Program.
- 4 That application be made under the State Governments Local Bodies' Capital Works Subsidy Scheme for subsidy and that the subsidy received be utilised to complete additional elements of the Palm Beach Protection Strategy Masterplan.
- 5 That the Chief Executive Officer write to the Commonwealth and State governments requesting additional financial assistance with implementation of the Palm Beach Protection Strategy. Additional funding secured through subsidy or grants be utilised to complete additional elements of the Palm Beach Protection Strategy Masterplan.
- 6 That the Chief Executive Officer be delegated the authority to approve minor variations to the contract.
- 7 That it be noted that the Superintendent for this contract will be the Council's Manager Contracts and Administration, Engineering Services. In the event that this position is unable to act as Superintendent, the Director Engineering Services will appoint another Superintendent.
- 8 That it be noted that the Contracts Administrator, Engineering Services will administer this contract.

RESOLUTION G04.0123.034 moved Cr McDonald seconded Cr Robbins

That the Director Engineering Services negotiate with the contractor, McQuade Marine, for an extension of time to allow additional consultation with representatives of the Palm Beach Boardriders' Club and Surfing Queensland, and other stakeholders as appropriate.

RESOLUTION G04.0206.027 moved Cr McDonald seconded Cr Robbins

That Council extend the time for nominations to 27 February 2004 for the Palm Beach Protection Strategy Consultative Committee. This will allow more interested parties to express interest and ensure maximum benefits to the process.

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9 RECEPTION & CONSIDERATION OF COMMITTEE REPORTS

9.1 COORDINATION

ITEM 19 PALM BEACH PROTECTION STRATEGY - PROGRESS REPORT MARCH 2004
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Ex Council Minute No G04.0305.001

That the matter be referred to the next Coordination Committee Meeting for further information to be brought forward.

Ex Minute No. C04.0312.019

That the Chief Executive Officer report to the Council meeting on 19 March 2004 clarifying the Council's present position and canvassing options, and that the community consultative committee still proceed.

5 DISCUSSION

5.1 Palm Beach Protection Strategy (PBPS) Objective

There has been concern regarding the ability of the dunes along Palm Beach to provide an adequate buffer during storm events. The Palm Beach Protection Strategy (PBPS) has been proposed as a response to this concern and to improve the quality of the recreational sandy beaches between Currumbin and Tallebudgera Creeks.

5.2 PBPS Process

The Griffith Centre for Coastal Management (GCCM) developed a Masterplan for the PBPS that was adopted by Council on 14th December 2001 (W01.1214.008). Approvals were secured and design was completed and then a tender was advertised to undertake the works. Council awarded contract LG314/254/03-076 for the PBPS works to McQuade Marine No 2 Pty Ltd on 12 December 2003 (W03.0327.002). Due to concern from some elements of the community, Council resolved to commence a new community consultation process on 23rd January 2004 (G04.0123.034). The new consultation process includes the formation of a PBPS consultative committee. On the 6th February 2004 Council resolved to extend the time for nominations for this committee to 27th February 2004 (G04.0206.027). On the 19th February 2004 Professor Colin Apelt commenced a peer review of the PBPS.

5.3 Completed PBPS Consultation

The PBPS process has satisfied all statutory requirements for consultation and has all relevant approvals from the Environmental Protection Agency, under the Coastal Act (Note that as part of the EPA approval process, public advertising occurred.). Public consultation included:

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9 RECEPTION & CONSIDERATION OF COMMITTEE REPORTS

9.1 COORDINATION

ITEM 19 PALM BEACH PROTECTION STRATEGY - PROGRESS REPORT MARCH 2004
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- Letters to community organisations (29 June 2000)
- Press releases (over 0 from July 1999 to present day)
- Workshops (25 July 2000 and 2 April 2001)
- Letterbox Drop east of GC Highway (1 August 2000)
- Councillor Newsletter sent to all Division 13 (May, November 2001 and Jan 2002)
- Displays SLSC, Library and Pines Shopping Centre (July to October 2000)
- Project Information Sheets (20 July 2000, 11 June 2001 and 15 October 2003)
- State Government's formal advertisement for objections (2 December 2002)

Some of the key questions and answers and a summary of the consultation undertaken is presented as attachment 1.

5.5 Current PBPS Consultation Process

Nominations were called for the PBPS consultative committee and 49 nominations were received by the closing date of 27 February 2004. A workshop was held on 2 March and a proposed committee structure was recommended to the Director of Engineering Services.

The membership of the committee is as shown on attachment 2.

The committee will meet on a fortnightly basis with the first meeting held on Thursday 18 March 2004 from 7 to 9pm in the Boardroom of the Surfers Paradise Administration Centre. The purpose of the committee will be to facilitate community involvement in the decision making process of Council. It is recommended that Council consider the findings of this committee prior to considering the future of the PBPS and Contract LG314/254/03-076.

5.6 PBPS Peer Review

Council has engaged Uniquet Pty Ltd from the University of Queensland to undertake a peer review for the PBPS. Emeritus Professor Colin Apelt is currently reviewing documents associated with the PBPS. The outcome of the Uniquet review will be presented to Council once it has been completed. It is anticipated that this review will be complete by May 2004.

Professor Apelt is a former Rhodes Scholar and undertook doctoral research at Oxford University where he spent a year as a Post Doctoral Research Fellow before taking up an appointment at The University of Queensland as a Senior Lecturer in Civil Engineering. He also has held Professorial appointments at MIT, Boston and Colorado State University in the USA and University of Canterbury in Christchurch.

Professor Apelt is widely acknowledged as one of Australia's most respected civil engineers. Professor Apelt has recently carried out flood model reviews for both Gold Coast and Brisbane City Councils.

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9 RECEPTION & CONSIDERATION OF COMMITTEE REPORTS

9.1 COORDINATION

**ITEM 19 PALM BEACH PROTECTION STRATEGY - PROGRESS REPORT MARCH 2004
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Professor Apelt will examine the design process completed by Griffith University and the concerns expressed by elements of the community to inform his review process. Key questions for the peer review include:

- Will the reef result in worse conditions for surfing?
- Will the reef protect the beach?
- Is there any evidence that the design process was flawed?

Professor Apelt is currently reviewing relevant documents and interviewing relevant technical specialists that have been involved in the project.

5.7 Current PBPS Contract (LG314/254/03-076)

The contract is a schedule of rates contract for:

- Separable Part A - Construction of Beach Protection Structures, ie reefs
 - stage 1: Northern Reef
 - stage 2: Central and Southern Reef
- Separable Part B - Palm Beach Nourishment
 - stage 2: nourishment

Tenders were advertised on 9 August 2003 and eight (8) organisations submitted a range of proposals by the closing date of 24 September 2003. On 12 December 2003, Council resolved (W03.1212.007) to award the contract to McQuade Marine No 2 Pty Ltd for the submitted rates to a maximum value of \$1,530,000 (which equates to funds available in 2003/04 and 2004/05) for stage 1 of Separable Part A - ie the Northern Reef, with further stages to be undertaken as, and if, funding becomes available (subject to further reports to Council).

Some members of the community have expressed concern with proceeding with the contract works. As a response to this concern Council resolved (G04.0123.034) to commence a new consultation process while delaying construction of the reef. A without prejudice meeting was held with the contractor on 12 February 2004 to discuss the implications of the delay in the works program. Following this meeting a notice was issued to the contractor to cease progress on the manufacture of containers for the Palm Beach reef, refer attachment 3.

At the February meeting the contractor indicated that he was prepared to negotiate on not proceeding with the reef (subject to costs to date being paid) and bringing forward the dredging/nourishment component of the contract (Separable Part B). This was subsequently confirmed in discussions with Council officers held on 15 March 2004.

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9 RECEPTION & CONSIDERATION OF COMMITTEE REPORTS

9.1 COORDINATION

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5.7.1 Future of PBPS Contract (LG314/254/03-076)

There are three options for the future of Contract LG314/254/03-076

Option 1: Recommence the original portion of the PBPS works program - North Reef.

Option 2: Terminate the contract.

Option 3: Substitute beach nourishment for reef construction.

Option 1: Recommence the original portion of the PBPS works program - North Reef.

Council has already resolved to delay the original works program (G04.0123.034). A variation to the contract has been approved for the contractor to place 15 sand filled geotextile containers at the Narrownneck reef. It is anticipated that this will be completed by May (12 weeks to complete, subject to weather conditions). Should Council resolve to recommence the original PBPS works program now then there will be minimal delay costs involved. It is also likely that there will be minimal costs associated with a delay until May 2004 which would allow time for Council to consider the outcome of the Uniquest peer review and the initial meetings of the PBPSCC.

Option 2: Terminate the contract.

- If Council terminated the PBPS Contract (LG314/254/03-076) then Council would be in breach of contract and it is likely that some cost penalty would apply. The cost of termination of the contract is difficult to determine.

Council has let a contract for \$1,530,000 on 15 December 2003 (W03.1212.007). By the 14 January 2004 Council had ordered a total of \$697,103 worth of construction on the Palm Beach reef and the contractor had commenced manufacturing and assembly of these containers. On 12 February 2004 the contractor was instructed to cease manufacture of these containers. On 27 February 2004 the contractor was instructed to proceed with \$137,175 worth of reef construction at Narrownneck reef as mitigation for the delay occurring on Palm Beach reef. The contractor was instructed where possible to reuse material already ordered for Palm Beach. Payments made under the contract prior to 10th March 2004 are \$186,268.50 (refer attachment 4).

The contractor has written to Council on 8 March 2004 stating that they are very concerned with press reports about cancelling their contract (see attached McQuade letter dated 8 March 2004 attachment 5). The Contractor has indicated in this letter that termination of the contract will result in a substantial claim against Council.

It is likely that the total cost for termination would be significant but within the existing allocation for the PBPS within Function 9930 (Major Coastal Works).

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9 RECEPTION & CONSIDERATION OF COMMITTEE REPORTS

9.1 COORDINATION

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Option 3: Substitute beach nourishment for reef construction

Under this option, it is proposed to proceed with the new consultation program, proceed with the Uniquist peer review and bring forward beach replenishment to mitigate impact of ceasing works on the Palm Beach reef.

The focus of concern for some members of the community is the reef construction part of the works under the contract. There are other works that could proceed under the contract. If these works proceeded then they would assist to mitigate the impact of ceasing works on the Palm Beach reef. These works involve bringing forward the PBPS beach nourishment works.

Bringing forward the beach nourishment works as an alternative to the Northern Reef construction will assist to minimise the costs to Council for ceasing works on the Palm Beach reef. Beach nourishment will assist to improve the health of Palm Beach and was always part of the PBPS. While the PBPS clearly recommends that the beach nourishment be stabilised by a reef structure, there would still be significant benefits for Palm Beach if the beach nourishment proceeded alone.

The contract includes two rates for nourishment from a conforming and a conforming alternate dredge area, these being from the sea floor off Currumbin Beach and the Tweed River. The original program envisaged that this nourishment would be completed as part of the future Stage 2 of the contract following June 2006 utilising the state subsidy for the PBPS (\$916,667) and Council's allocation of \$800,000 for 2005/2006 (yet to be confirmed). Each of the sand nourishment options is a schedule of rates item within the tender documents, which allows some flexibility in the actual volumes of sand that could be awarded for Palm Beach.

It should be noted that for the sand sourced from the seafloor off Currumbin Beach, a subsidy of 25% from the State government is applicable, whereas the sand from the Tweed River is not subsidisable, hence the cost of sand from both sources is comparable.

Recent survey indicates that minimal quantities of sand are available in the mouth of the Tweed River, but this source is highly variable. Depending on weather conditions and the operations of the Tweed River Entrance Sand Bypassing Scheme infrastructure, sand may be available in the future.

The beach nourishment works were included in the completed tender process but have not yet been awarded to the contractor. Note that there is still some uncertainty about whether the less expensive alternate Tweed source of sand is a viable option. This alternate option would need to be accepted by the Tweed project managers prior to Council awarding this work. Also there are some constraints associated with the operation of the Tweed River entrance sand bypassing systems that may limit the ability to proceed with this alternate option.

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The following approximate costs have been committed to the reef construction that would not be recoverable:

• Establishment	\$150,000
• Supply of 31 geotextile containers	\$149,000*
	\$299,000

* The 31 geotextile containers would be suitable however for future use at the Narrowneck Reef

It is recommended that the option of bringing forward the sand nourishment works be undertaken as a way of mitigating the impact of ceasing works on the Palm Beach reef.

Option 3 includes

- No further construction on Palm Beach reef
- Continue with the new consultation process and PBPSCC meetings
- Continue with Uniquest Ltd peer review
- Continue with placement of sand filled geotextile containers at Narrowneck
- Bring forward beach nourishment works as a way of mitigating the impact of ceasing works on the Palm Beach reef
- Council considering the proceedings of the PBPSCC and the Uniquest Ltd peer review prior to considering the future of the PBPS and contract LG314/254/03-076.

It is recommended that Council proceed with Option 3.

6 STATUTORY MATTERS

- All approvals are in place to proceed with PBPS

7 CORPORATE/OPERATIONAL PLAN

3.1.1 Environmental Sustainability, Quality Natural Environment, Sustainable Environmental Management

The primary goal of the PBPS is to undertake works that help the beach achieve sustainability.

2.2.2 Healthy Economy, Prosperity, Economic Infrastructure

There is concern regarding the ability of the dunes at Palm Beach to provide an adequate storm buffer. Improvements to Palm Beach will support the growth of economic activity along the beach strip and reduce the magnitude of recession following future storm events.

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9 RECEPTION & CONSIDERATION OF COMMITTEE REPORTS

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1.3.2 Quality of Life, Community Development, Sport and Recreation

The beach at Palm Beach is an important recreational asset for local people and visitors. The PBPS will ensure that the beach can continue to provide recreational opportunities to the Palm Beach community and visitors.

8 COUNCIL POLICIES

Not Applicable

9 DELEGATIONS

Not Applicable

10 BUDGET/FUNDING

Funding for implementation of the PBPS is summarised in the following table.

Function 9300 2001/02 and 2002/03	\$100,000	Works already completed on planning and approval stages of the Palm Beach Protection Strategy
Function 9300 2003/2004	\$950,000	Includes \$350,000 reprovided from the 2002/03 program.
Function 9300 2004/2005	\$900,000	Included in current program for 2004/2005
Function 9300 2005/2006	\$800,000	Included in current program for 2005/2006
SUB TOTAL	\$2,650,000	
Expected State Subsidy (@ 25%)	\$916,667	Includes subsidy for planning and approval stages already completed. It is also recommended that Council request that the subsidy rate of 25% be increased and that additional funds be provided by the State and Commonwealth Governments
TOTAL	\$3,666,667	Total available by 2006 should no further funds become available
Full Short Term Strategy	\$6,000,000	Estimate to complete all elements of the Short Term Strategy as recommended by the Griffith Centre for Coastal Management
Funding Gap for Full Short Term Strategy	\$2,333,333	Additional funding required to complete all elements of the Short Term Strategy. Note that if more than \$2,333,333 becomes available then elements of the Long Term Strategy could commence.

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9 RECEPTION & CONSIDERATION OF COMMITTEE REPORTS

9.1 COORDINATION

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It is likely that the total cost for termination of contract LG314/254/03-076 will be significant but within the existing allocation for the PBPS within Function 9930 (Major Coastal Works).

11 COORDINATION & CONSULTATION

The following officers have reviewed this report

- Director of Engineering Services
- City Solicitor
- Chief Executive Officer
- Manager Contracts and Administration

12 TIMING

The PBPS Consultative Committee will meet for the first time on Thursday 18 March 2004. The Uniquet peer review commenced on 19 February 2004. It is anticipated that the peer review and consultative group processes may have reached a stage where they can provide useful guidance for Council to again consider the future of the PBPS during May 2004.

13 STAKEHOLDER IMPACTS

Beach and Open Space Recreationalists: Increased opportunity for recreation.

Palm Beach and other City Businesses: Reduces impact of future storm on revenue

Beachfront Property Owners: Supports increasing property values

Tourism Industry: Increases confidence for new investment

Palm Beach Surfers: The current campaign by part of the community suggesting PBPS threatens surf quality at Palm Beach has caused considerable community comment.

14 CONCLUSION

Council has adopted a Palm Beach Protection Strategy masterplan that includes beach nourishment works with stabilisation provided by a seabed structure located off 19th Avenue. A contract for \$1,530,000 has been let to McQuade Marine No 2 Pty Ltd to implement the strategy and works have commenced.

Some parts of the community have expressed concern regarding the construction of the Palm Beach reef. Council resolved to negotiate with the contractor for an extension of time to allow additional consultation (G04.0123.034). The contractor has been instructed to cease construction of the Palm Beach reef.

Forty Nine (49) nominations were received for the PBPS consultative committee. The committee has been formed with eleven (11) members and nine (9) observers.

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9 RECEPTION & CONSIDERATION OF COMMITTEE REPORTS

9.1 COORDINATION

ITEM 19 PALM BEACH PROTECTION STRATEGY - PROGRESS REPORT MARCH 2004
(Continued)
WF8/47/02-1

Emeritus Professor Colin Apelt from University of Queensland has been engaged through Uniquet Ltd to undertake a peer review of the PBPS.

There are three options for the future of the PBPS Contract LG314/254/03-076.

Option 1: Recommence the original portion of the PBPS works program - (Northern Reef Construction)

Option 2: Terminate the contract.

Option 3: Substitute beach nourishment for reef construction.

It is recommended that Council proceed with option 3 which includes:

- No further construction on Palm Beach reef
- Continue with a new public consultation process and PBPSCC meetings
- Continue with the Uniquet Ltd peer review
- Continue with placement of sand filled geotextile containers at Narrowneck.
- Bring forward beach nourishment works as a way of mitigating the impact of ceasing works on the Palm Beach reef.
- Council considering the proceedings of the PBPSCC and the Uniquet Ltd peer review prior to considering the future of the PBPS and contract LG314/254/03-076.

15 RECOMMENDATION

It is recommended that Council resolves as follows:

- 1 That the report/attachment be deemed a confidential document pursuant to sections 250(2) and 1143(4) of the Local Government Act and remain so unless Council decides otherwise by resolution.
- 2 Council notes that:
 - (a) Emeritus Professor Colin Apelt of Uniquet Ltd - Queensland University has been engaged to undertake a peer review of the process and design of the Palm Beach Reefs and associated beach nourishment.
 - (b) The Palm Beach Protection Strategy Consultative Committee (PBPSCC) has been established to enable further community consultation to be undertaken on the Strategy, using an independent facilitator.
- 3 That Council considers the proceedings of the Uniquet Ltd - Queensland University peer review and the PBPSCC prior to considering the future of the Palm Beach reef portion of contract LG314/254/03-076 Palm Beach Protection Strategy - Construction of Beach Protection Structures and Associated Dredging.

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ITEM 19 PALM BEACH PROTECTION STRATEGY - PROGRESS REPORT MARCH 2004
(Continued)
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- 4 That subject to an agreement being negotiated between the contractor, McQuade Marine No 2 Pty Ltd and the Chief Executive Officer, Council reallocate the uncommitted portion of the \$1.53M allocated to the Northern Reef Construction (Stage 1 of Separable Part A of contract LG314/254/03-076) to Beach Nourishment (Stage 2 of Separable Part B of contract LG314/254/03-076) with sand to be pumped from the conforming or conforming alternate dredge areas depending on sand availability and best value.
- 5 Council notes that:
- (a) The contractor, McQuade Marine No 2 Pty Ltd, has been instructed to cease all work on the Palm Beach Reef.
 - (b) A variation to contract LG314/254/03-076 has been approved for sand filled geotextile containers to be placed on the Narrowneck Reef (required as scheduled maintenance), using containers previously committed for the Palm Beach Reef.

Authors:

Bob Cunningham/John McGrath
Manager Beaches and Watercycle
Infrastructure/Engineer Coastal
Management
12 March 2004

Authorised by:

W Day
Director Engineering Services

MOTION moved Cr McDonald seconded Cr Robbins

That Committee Recommendation C04.0312.019 be adopted with the addition of a part 6 such that it reads as follows:

- "1 That the report/attachment be deemed a confidential document pursuant to sections 250(2) and 1143(4) of the Local Government Act and remain so unless Council decides otherwise by resolution.
- 2 Council notes that:
- (a) Emeritus Professor Colin Apelt of Uniquet Ltd - Queensland University has been engaged to undertake a peer review of the process and design of the Palm Beach Reefs and associated beach nourishment.

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ITEM 19 PALM BEACH PROTECTION STRATEGY - PROGRESS REPORT MARCH 2004
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(b) The Palm Beach Protection Strategy Consultative Committee (PBPSCC) has been established to enable further community consultation to be undertaken on the Strategy, using an independent facilitator.

3 That Council considers the proceedings of the Uniquest Ltd - Queensland University peer review and the PBPSCC prior to considering the future of the Palm Beach reef portion of contract LG314/254/03-076 Palm Beach Protection Strategy - Construction of Beach Protection Structures and Associated Dredging.

4 That subject to an agreement being negotiated between the contractor, McQuade Marine No 2 Pty Ltd and the Chief Executive Officer, Council reallocate the uncommitted portion of the \$1.53M allocated to the Northern Reef Construction (Stage 1 of Separable Part A of contract LG314/254/03-076) to Beach Nourishment (Stage 2 of Separable Part B of contract LG314/254/03-076) with sand to be pumped from the conforming or conforming alternate dredge areas depending on sand availability and best value.

5 Council notes that:

(a) The contractor, McQuade Marine No 2 Pty Ltd, has been instructed to cease all work on the Palm Beach Reef.

(b) A variation to contract LG314/254/03-076 has been approved for sand filled geotextile containers to be placed on the Narrowneck Reef (required as scheduled maintenance), using containers previously committed for the Palm Beach Reef.

6 That Council notes the recommendation from the Palm Beach Consultative Committee that no further progress be made on any Palm Beach Protection Strategy reef works until the committee has time to fully assess the technical modelling and potential impacts on all stakeholders."

AMENDMENT moved Cr Crichlow seconded Cr Young

That the motion be adopted and further that Council resolve that the executive report excluding the contract details be placed on open pages.

Cr Young called for a Division

Voting

For 11 Cr Hackwood, Cr O'Connell, Cr Young, Cr Crichlow, Cr Christmas, Cr Sarroff, Cr Grew, Cr Drake, Cr McDonald, Cr Robbins, Cr Baildon

Against 4 Cr Power, Cr Rickard, Cr La Castra, Cr Shepherd

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9 RECEPTION & CONSIDERATION OF COMMITTEE REPORTS

9.1 COORDINATION

ITEM 19 PALM BEACH PROTECTION STRATEGY - PROGRESS REPORT MARCH 2004
(Continued)
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The AMENDMENT was CARRIED.

The AMENDMENT became the MOTION and was put to the meeting.

Cr McDonald called for a Division

Voting

For 14 Cr Hackwood, Cr Power, Cr Rickard, Cr O'Connell, Cr Young,
Cr Christmas, Cr La Castra, Cr Shepherd, Cr Sarroff, Cr Grew,
Cr Drake, Cr McDonald, Cr Robbins, Cr Baildon

Against 1 Cr Crichlow

The MOTION was CARRIED:-

RESOLUTION G04.0319.007

- 1 That the report/attachment be deemed a confidential document pursuant to sections 250(2) and 1143(4) of the Local Government Act and remain so unless Council decides otherwise by resolution.
- 2 Council notes that:
 - (a) Emeritus Professor Colin Apelt of Uniquist Ltd - Queensland University has been engaged to undertake a peer review of the process and design of the Palm Beach Reefs and associated beach nourishment.
 - (b) The Palm Beach Protection Strategy Consultative Committee (PBPSCC) has been established to enable further community consultation to be undertaken on the Strategy, using an independent facilitator.
- 3 That Council considers the proceedings of the Uniquist Ltd - Queensland University peer review and the PBPSCC prior to considering the future of the Palm Beach reef portion of contract LG314/254/03-076 Palm Beach Protection Strategy - Construction of Beach Protection Structures and Associated Dredging.
- 4 That subject to an agreement being negotiated between the contractor, McQuade Marine No 2 Pty Ltd and the Chief Executive Officer, Council reallocate the uncommitted portion of the \$1.53M allocated to the Northern Reef Construction (Stage 1 of Separable Part A of contract LG314/254/03-076) to Beach Nourishment (Stage 2 of Separable Part B of contract LG314/254/03-076) with sand to be pumped from the conforming or conforming alternate dredge areas depending on sand availability and best value.

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9 RECEPTION & CONSIDERATION OF COMMITTEE REPORTS

9.1 COORDINATION

ITEM 19 PALM BEACH PROTECTION STRATEGY - PROGRESS REPORT MARCH 2004
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5 Council notes that:

(a) The contractor, McQuade Marine No 2 Pty Ltd, has been instructed to cease all work on the Palm Beach Reef.

(b) A variation to contract LG314/254/03-076 has been approved for sand filled geotextile containers to be placed on the Narrowneck Reef (required as scheduled maintenance), using containers previously committed for the Palm Beach Reef.

6 That Council notes the recommendation from the Palm Beach Consultative Committee that no further progress be made on any Palm Beach Protection Strategy reef works until the committee has time to fully assess the technical modelling and potential impacts on all stakeholders.

7 That the executive report excluding the contract details be placed on open pages.

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9 RECEPTION & CONSIDERATION OF COMMITTEE REPORTS

9.1 COORDINATION

ITEM 20
 INVESTIGATION OF SCENARIOS FOR SETTING OF BASE GENERAL RATE FOR 2004/2005
 RV36/-/- (P22)

RESOLUTION G04.0319.008 moved Cr Sarroff seconded Cr Crichlow

That subject to the adoption of Committee Recommendation C04.0312.020 the results of the scenarios from Items 1 and 2 be forwarded to all members of the General Rate Community Consultation Working Group for comments and all comments received be referred to and considered at the appropriate budget session.

CARRIED

ADOPTION OF COORDINATION COMMITTEE REPORT

RESOLUTION G04.0319.009 moved Cr Rickard seconded Cr Young

That the Report of the Coordination Committee's Recommendations of Friday 12 March 2004, numbered C04.0312.001 to C04.0312.020, be adopted with the exception of:-

- Recommendation Numbers C04.0312.012
- C04.0312.016
- C04.0312.019
- C04.0312.020 which were specifically resolved.

CARRIED

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9 RECEPTION & CONSIDERATION OF COMMITTEE REPORTS

9.2 PLANNING & DEVELOPMENT (NORTH)

Cr Power, Chairperson of the Planning & Development (North) Committee, presented the Minutes of the Meeting of the Planning & Development (North) Committee held on Tuesday 16 March 2004.

RESOLUTION G04.0319.010 moved Cr Power seconded Cr Hackwood

That the Report of the Planning & Development (North) Committee Meeting held on Tuesday 16 March 2004, covered by Recommendations N04.0316.001 to N04.0316.006 be received.

CARRIED

ITEM 3

RECONFIGURING A LOT (ACCESS EASEMENT) - STOCKLAND DEVELOPMENT PTY LTD - LOT 2 ON SP154428 HOTHAM DRIVE, PACIFIC PINES - DIVISION 5 - FILE PN253736/02/DA2

The Mayor declared a material personal interest in Item 3 and left the Chambers during discussion and voting on this Item. - In the absence of the Mayor, Cr Rickard, Deputy Mayor, took the chair.

RESOLUTION G04.0319.011 moved Cr Young seconded Cr Power

That Committee Recommendation N04.0316.003 be adopted as printed.

CARRIED

The Mayor resumed the Chair.

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9 RECEPTION & CONSIDERATION OF COMMITTEE REPORTS

9.2 PLANNING & DEVELOPMENT (NORTH)

ITEM 1

MATERIAL CHANGE OF USE (IMPACT ASSESSMENT) FOR A MEDICAL CENTRE (WITH ANCILLARY SHOP (CHEMIST)), CHILD CARE CENTRE, SHOPS, COMMERCIAL PREMISES, OFFICES AND PROFESSIONAL OFFICES - ROBERT FRASER-SCOTT - LOT 27 ON SP151391 - 161 RESERVE ROAD UPPER COOMERA - DIVISION 2 - FILE PN250260/01/DA3(P3)

MOTION moved Cr Power seconded Cr Rickard

That Committee Recommendation N04.0316.001 be adopted with the following amendments:

Condition 1(d)

Condition 1(d) that currently reads:

- d) the Medical Centre building is to be setback a minimum of two (2) metres from the future Brygon Creek Drive property boundary. The intended shade sails or any other form of pedestrian cover may extend beyond the site's property boundary subject to written consent by the Department of Natural Resources and Mines;*

be deleted.

Condition 1(e)

Condition 1(e) that currently reads:

- e) inclusion of landscaped pockets between the setback Medical Centre and future Brygon Creek Drive property boundary so as to assist in softening the Medical Centre built form. Gaps must be provided to allow pedestrian access from the Brygon Creek Drive road reserve to the Medical Centre;*

be amended to read as follows:

- e) pockets of landscaping are to be provided adjacent to the western façade of the Medical Centre to assist in softening the appearance of the Medical Centre building to Brygon Creek Drive;*

Condition 1(h)

Condition 1 (h) that currently reads:

- h) removal of the three (3) angled car parking spaces located on Brygon Creek Drive between the site's two northern-most driveways;*

be amended to read as follows:

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9 RECEPTION & CONSIDERATION OF COMMITTEE REPORTS

9.2 PLANNING & DEVELOPMENT (NORTH)

ITEM 1 (Continued)

MATERIAL CHANGE OF USE (IMPACT ASSESSMENT) FOR A MEDICAL CENTRE (WITH ANCILLARY SHOP (CHEMIST)), CHILD CARE CENTRE, SHOPS, COMMERCIAL PREMISES, OFFICES AND PROFESSIONAL OFFICES - ROBERT FRASER-SCOTT - LOT 27 ON SP151391 - 161 RESERVE ROAD UPPER COOMERA - DIVISION 2 - FILE PN250260/01/DA3(P3)

- h) removal of the three (3) angled car parking spaces located on Brygon Creek Drive between the site's two northern-most driveways and removal of the four (4) angled car parking spaces located on Brygon Creek Drive adjacent to the proposed Medical Centre.

Condition 1

That part of Condition 1 that currently reads:

The plans titled Medical Centre Sketch Elevations and Medical Centre Total Use Area Ground & First Floors, Drawing No's. SK-11D, SK-12A and SK-30, dated 20-11-03 and 20-11-04, shall be amended as follows:

- a) *reduced area and new floor layout having regard to the required two (2) metre building setback from the site's new Brygon Creek Drive property boundary as required elsewhere within this decision notice. Consequent amended Total Use Area calculations shall also be provided; and*
- b) *revised building elevations having regard to new building dimensions as a result of the required two (2) metre building setback from the site's new Brygon Creek Drive property boundary. Proposed pedestrian cover, that is acceptable to the Department of Natural Resources and Mines is to be shown, with such complimenting the built form of the Medical Centre building and compatible with other development within the Neighbourhood Centre.*

be deleted.

That part of Condition 1 that currently reads:

The plan titled Child Care Centre Elevations Stage 3 Works, Drawing No. SK-05, dated 20-11-03, shall be amended as follows:

- a) *the western elevation is to be amended so that such will front the Neighbourhood Centre and does not present it self as the rear of the Child Care Centre building including a main entrance, similar to that provided for existing Stage 1, shall be provided.*

be amended to read as follows:

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9 RECEPTION & CONSIDERATION OF COMMITTEE REPORTS

9.2 PLANNING & DEVELOPMENT (NORTH)

ITEM 1 (Continued)

MATERIAL CHANGE OF USE (IMPACT ASSESSMENT) FOR A MEDICAL CENTRE (WITH ANCILLARY SHOP (CHEMIST)), CHILD CARE CENTRE, SHOPS, COMMERCIAL PREMISES, OFFICES AND PROFESSIONAL OFFICES - ROBERT FRASER-SCOTT - LOT 27 ON SP151391 - 161 RESERVE ROAD UPPER COOMERA - DIVISION 2 - FILE PN250260/01/DA3(P3)

The plan titled Child Care Centre Elevations Stage 3 Works, Drawing No. SK-05, dated 20-11-03, shall be amended as follows:

- l) the western elevation is to be amended so that such will front the Neighbourhood Centre and does not present it self as the rear of the Child Care Centre building.

Condition 2

Condition 2 that currently reads:

- 2 *An internal floor layout plan of Stage 3 of the Child Care Centre shall be submitted to Council, showing a main entrance and reception area on the western side of the building that is accessible directly from the adjoining on-site car park.*

Such plan shall be submitted and approved by the Chief Executive Officer prior to the issue of a development permit for the carrying out of building work.

Such plan and details, when approved by the Chief Executive Officer, shall become an endorsed plan forming part of this approval and a stamped copy will be returned to the applicant.

be amended to read as follows:

- 2 An internal floor layout plan of Stage 3 of the Child Care Centre shall be submitted to Council, reflecting any internal changes that may result as a consequence of amending the building's western elevation.

Such plan shall be submitted and approved by the Chief Executive Officer prior to the issue of a development permit for the carrying out of building work.

Such plan and details, when approved by the Chief Executive Officer, shall become an endorsed plan forming part of this approval and a stamped copy will be returned to the applicant.

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9 RECEPTION & CONSIDERATION OF COMMITTEE REPORTS

9.2 PLANNING & DEVELOPMENT (NORTH)

ITEM 1 (Continued)

MATERIAL CHANGE OF USE (IMPACT ASSESSMENT) FOR A MEDICAL CENTRE (WITH ANCILLARY SHOP (CHEMIST)), CHILD CARE CENTRE, SHOPS, COMMERCIAL PREMISES, OFFICES AND PROFESSIONAL OFFICES - ROBERT FRASER-SCOTT - LOT 27 ON SP151391 - 161 RESERVE ROAD UPPER COOMERA - DIVISION 2 - FILE PN250260/01/DA3(P3)

Condition 4

Condition 4 that currently reads:

- 4 *The main entrance to Stage 3 of the Child Care Centre is to remain free from landscaping and fencing at all times (excluding an entry gate). The entrance is to be made clear through signage above or near the entrance that is visible from the on-site car park, alerting the general public of the said entrance. Any landscaping associated with Stage 3 must only comprise of species that will not exceed one (1) metre in height.*

be amended to read as follows:

- 4 The fencing and landscaping that has been erected directly across the northern façade of the reception area shall be removed prior to Stages 2 and 3 commencing.

No fencing shall be erected in association with Stages 2 and 3 between the building(s) and associated car park (accept for the area east of Stage 3 between the car park and north-east play area). Landscaping associated with stages 2 and 3 that face the on-site car park (excluding screen landscaping associated with stage 2, as required elsewhere under this decision notice), shall not exceed one (1) metre in height.

Stages 2 and 3 of the Child Care Centre shall not operate independently of Stage 1.

Condition 20(f)

Condition 20(f) that currently reads:

- f) *inclusion of landscaped pockets between the Medical Centre and future Brygon Creek Drive property boundary to assist in softening the Medical Centre's built form. Such landscaping must be at a pedestrian scale with gaps provided to allow pedestrian access from Brygon Creek Drive to the Medical Centre (and associated Shop (chemist)).*

be amended to read as follows:

- f) inclusion of landscaped pockets adjacent to the western façade of the Medical Centre building to assist in softening the Medical Centre's built form. Such landscaping must be of a pedestrian scale.

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9 RECEPTION & CONSIDERATION OF COMMITTEE REPORTS

9.2 PLANNING & DEVELOPMENT (NORTH)

ITEM 1 (Continued)

MATERIAL CHANGE OF USE (IMPACT ASSESSMENT) FOR A MEDICAL CENTRE (WITH ANCILLARY SHOP (CHEMIST)), CHILD CARE CENTRE, SHOPS, COMMERCIAL PREMISES, OFFICES AND PROFESSIONAL OFFICES - ROBERT FRASER-SCOTT - LOT 27 ON SP151391 - 161 RESERVE ROAD UPPER COOMERA - DIVISION 2 - FILE PN250260/01/DA3(P3)

Condition 20(h)

Condition 20(h) that currently reads:

- h) Landscaping or fencing that exceeds one (1) metre in height is not permitted between the on-site car park and western façade of the Stage 3 Child Care Centre building so as to enhance perception that the Child Care Centre is directly related to the remaining Neighbourhood Centre. If fencing is to be erected, such is to include an entry gate directly in front of the building entrance and landscaping provided in this area, should assist in emphasising the building entrance.*

be amended to read as follows:

- h) Landscaping that exceeds one (1) metre in height is not permitted between the on-site car park and western façade of the Stage 3 Child Care Centre building to enhance perception that the Child Care Centre is directly related to the remaining Neighbourhood Centre.*

Condition 22

Condition 22 that currently reads:

- 22 The total number of car parking upon the site and along Brygon Creek Drive along the site's frontage, shall not be less than two hundred and seventy three (273) spaces.*

be amended to read as follows:

- 22 The total number of car parks upon the site and along the Brygon Creek Drive frontage shall not be less than two hundred and sixty nine (269) spaces.*

Additional Conditions be included to read as follows:

- 45 The developer shall provide a pedestrian crossing on Brygon Creek Drive, in a location to be approved by the Chief Executive Officer, at no cost to Council. Same shall occur prior to the sealing of building plans.*

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ITEM 1 (Continued)

MATERIAL CHANGE OF USE (IMPACT ASSESSMENT) FOR A MEDICAL CENTRE (WITH ANCILLARY SHOP (CHEMIST)), CHILD CARE CENTRE, SHOPS, COMMERCIAL PREMISES, OFFICES AND PROFESSIONAL OFFICES - ROBERT FRASER-SCOTT - LOT 27 ON SP151391 - 161 RESERVE ROAD UPPER COOMERA - DIVISION 2 - FILE PN250260/01/DA3(P3)

DEVELOPMENT IN ACCORDANCE WITH PLANS

- 1 Amended plans shall be submitted generally in accordance with the following plans showing the following modifications:

Title	Drawn By	Drawing No.	Date
Site Plan	Eldon Bottcher Architects	SK-101M	20-11-03
Medical Centre Sketch Elevations	Eldon Bottcher Architects	SK-11D	20-11-03
Medical Centre Sketch Elevations	Eldon Bottcher Architects	SK-12A	20-11-03
Medical Centre Total Use Area Ground & First Floors	Eldon Bottcher Architects	SK-30	20-01-04
Child Care Centre Elevations Stage 2 Works	Eldon Bottcher Architects	WD-11e	20-11-03
Child Care Centre Elevations Stage 3 Works	Eldon Bottcher Architects	SK-05	20-11-03
Child Care Centre Ground Floor Plan Stage 2	Eldon Bottcher Architects	WD-06	28-10-03
Retail/Commercial Elevations	Eldon Bottcher Architects	SK-03H	19-11-03
Site Plan Stage 2	Eldon Bottcher Architects	WD-02A	20-11-03

The plan titled Site Plan, Drawing No. SK-101M, dated 20-11-03, shall be amended as follows:

- a) removal of street furniture from the future Brygon Creek Drive road reserve that prevents pedestrian flow along the future pedestrian verge. Note, such may be located within the site, subject to approval of the Chief Executive Officer;
- b) removal of landscaping from the future Brygon Creek Drive road reserve that prevents pedestrian flow along the future pedestrian verge;
- c) relocation of the Ambulance Bay from the southern vicinity of the Medical Centre to the northern vicinity of the Medical Centre. Note, the Ambulance Bay in the southern vicinity of the Medical Centre may be replaced with a staff car park space;

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MATERIAL CHANGE OF USE (IMPACT ASSESSMENT) FOR A MEDICAL CENTRE (WITH ANCILLARY SHOP (CHEMIST)), CHILD CARE CENTRE, SHOPS, COMMERCIAL PREMISES, OFFICES AND PROFESSIONAL OFFICES - ROBERT FRASER-SCOTT - LOT 27 ON SP151391 - 161 RESERVE ROAD UPPER COOMERA - DIVISION 2 - FILE PN250260/01/DA3(P3)

- d) pockets of landscaping are to be provided adjacent to the western façade of the Medical Centre to assist in softening the appearance of the Medical Centre building to Brygon Creek Drive;**
- e) without compromising car parking upon the site and associated conditions, include a minimum one (1) metre wide footpath in addition to a one (1) metre wide landscape strip between the car park and the Stage 3 Child Care Centre building. Note, the landscaping strip should be located immediately adjacent to the northern façade of the said building. It is likely that this will require the northern building line associated with Stage 3 of the Child Care Centre to be setback towards the south;**
- f) inclusion of five (5) clearly marked disabled car parking spaces (or as otherwise required under AS2890.1 - Provision of Parking Spaces for People with Disabilities) to the satisfaction of the Chief Executive Officer. Note, the inclusion of such must not reduce the provision of landscaping upon the site;**
- g) removal of the three (3) angled car parking spaces located on Brygon Creek Drive between the site's two northern-most driveways and removal of the four (4) angled car parking spaces located on Brygon Creek Drive adjacent to the proposed Medical Centre;**
- h) inclusion of a raised island kerbed median along the Brygon Creek Drive frontage between the southern-most and central driveway locations;**
- i) correct numbering of car parking spaces within the site, particularly within the vicinity of the Child Care Centre;**
- j) removal of the tabulated car parking schedule; and**
- k) unless alternative stormwater management is approved by Council's Chief Executive Officer, show the wetland and associated vegetated banks in the north-west corner in accordance with dimensions stated within an approved stormwater management plan, without compromising car parking or associated conditions under this decision notice.**

The plan titled Child Care Centre Elevations Stage 3 Works, Drawing No. SK-05, dated 20-11-03, shall be amended as follows:

- l) the western elevation is to be amended so that such will front the Neighbourhood Centre and does not present itself as the rear of the Child Care Centre building.**

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MATERIAL CHANGE OF USE (IMPACT ASSESSMENT) FOR A MEDICAL CENTRE (WITH ANCILLARY SHOP (CHEMIST)), CHILD CARE CENTRE, SHOPS, COMMERCIAL PREMISES, OFFICES AND PROFESSIONAL OFFICES - ROBERT FRASER-SCOTT - LOT 27 ON SP151391 - 161 RESERVE ROAD UPPER COOMERA - DIVISION 2 - FILE PN250260/01/DA3(P3)

If, as a result of complying with requirements under this decision notice to include a one (1) metre wide pedestrian path and one (1) metre wide landscape strip adjacent to the northern façade of the Stage 3 Child Care Centre, the northern façade of the said building needs to be setback towards the south, the plan titled Child Care Centre Elevations Stage 3 Works, Drawing No. SK-05, dated 20-11.03, shall be amended as follows:

- m) revised eastern and western building elevations showing reduced building length and any other associated changes to the building's façade.

All of the above plans shall be submitted and approved by the Chief Executive Officer prior to the issue of a development permit for the carrying out of building work.

Such plan/s and details, when approved by the Chief Executive Officer, shall become an endorsed plan forming part of this approval and a stamped copy will be returned to the applicant.

- 2 An internal floor layout plan of Stage 3 of the Child Care Centre shall be submitted to Council, reflecting any internal changes that may result as a consequence of amending the building's western elevation.

Such plan shall be submitted and approved by the Chief Executive Officer prior to the issue of a development permit for the carrying out of building work.

Such plan and details, when approved by the Chief Executive Officer, shall become an endorsed plan forming part of this approval and a stamped copy will be returned to the applicant.

- 3 An internal floor layout plan of the retail/commercial building demonstrating active shop/commercial fronts and internal layout shall be submitted to Council.

Such plan shall be submitted and approved by the Chief Executive Officer prior to the issue of a development permit for the carrying out of building work.

Such plan and details, when approved by the Chief Executive Officer, shall become an endorsed plan forming part of this approval and a stamped copy will be returned to the applicant.

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9 RECEPTION & CONSIDERATION OF COMMITTEE REPORTS

9.2 PLANNING & DEVELOPMENT (NORTH)

ITEM 1 (Continued)

MATERIAL CHANGE OF USE (IMPACT ASSESSMENT) FOR A MEDICAL CENTRE (WITH ANCILLARY SHOP (CHEMIST)), CHILD CARE CENTRE, SHOPS, COMMERCIAL PREMISES, OFFICES AND PROFESSIONAL OFFICES - ROBERT FRASER-SCOTT - LOT 27 ON SP151391 - 161 RESERVE ROAD UPPER COOMERA - DIVISION 2 - FILE PN250260/01/DA3(P3)

CHILD CARE CENTRE

- 4 The fencing and landscaping that has been erected directly across the northern façade of the reception area shall be removed prior to Stages 2 and 3 commencing.

No fencing shall be erected in association with Stages 2 and 3 between the building(s) and associated car park (accept for the area east of Stage 3 between the car park and north-east play area). Landscaping associated with stages 2 and 3 that face the on-site car park (excluding screen landscaping associated with stage 2, as required elsewhere under this decision notice), shall not exceed one (1) metre in height.

Stages 2 and 3 of the Child Care Centre shall not operate independently of Stage 1.

- 5 In the event that Stages 2 and 3 of the Child Care Centre are not constructed concurrently, a new Landscape Plan showing what will occur within that part of the site that will eventually accommodate Stage 3 of the Child Care Centre is to be submitted for approval by the Chief Executive Officer. The character of this landscaped area is to resemble a temporary public square within the neighbourhood centre and include seating for use by the general public.

Such plan(s) and details, when approved by the Chief Executive Officer, shall become an endorsed plan forming part of this approval and a stamped copy will be returned to the applicant.

All details approved by the Chief Executive Officer are to be installed in accordance with approved plans and any associated conditions, within two months of Stage 2 of the Child Care Centre commencing its use. This area shall be maintained at all times until such time that it is removed to accommodate Stage 3 of the Child Care Centre or any other development established in accordance with the Planning Scheme.

- 6 Unless Stages 2 and 3 are constructed concurrently, a minimum one (1) metre wide landscape strip is to be provided adjacent to only that part of the northern façade of Stage 2 of the Child Care Centre that includes small windows associated with internal amenities. No further landscaping that has the affect of separating Stage 2 of the Child Care Centre from the remaining neighbourhood centre is permitted. Landscaping described in this must be approved by Council's Chief Executive Officer prior to being installed and such landscaping must be installed prior to Stage 2 of the Child Care Centre commencing its use.

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9 RECEPTION & CONSIDERATION OF COMMITTEE REPORTS

9.2 PLANNING & DEVELOPMENT (NORTH)

ITEM 1 (Continued)

MATERIAL CHANGE OF USE (IMPACT ASSESSMENT) FOR A MEDICAL CENTRE (WITH ANCILLARY SHOP (CHEMIST)), CHILD CARE CENTRE, SHOPS, COMMERCIAL PREMISES, OFFICES AND PROFESSIONAL OFFICES - ROBERT FRASER-SCOTT - LOT 27 ON SP151391 - 161 RESERVE ROAD UPPER COOMERA - DIVISION 2 - FILE PN250260/01/DA3(P3)

- 7 A one (1) metre wide footpath between the Child Care Centre building and adjoining car park in addition to a one (1) metre wide landscape strip is to be installed adjacent to the northern façade of the Stage 3 Child Care Centre building (without compromising approved car parking numbers) prior to Stage 3 of the Child Care Centre commencing its use. Note, the landscaping is not permitted to occur between the footpath and car park area.**
- 8 The total number of staff associated with Stages 2 and 3 of the Child Care Centre (collectively), must not exceed a total of twenty (20) at any one time.**
- 9 Hours of operation for the Child Care Centre shall be restricted to 6am to 7pm Monday to Friday unless otherwise approved by Council's Chief Executive Officer.**

MEDICAL CENTRE

- 10 No signage or advertising devices are to be painted or fixed to any of the Medical Centre windows.**
- 11 Pedestrian cover, in accordance with requirements of this decision notice, is to be provided on the building's northern and western facades.**
- 12 Hours of operation for the Medical Centre and its associated Shop(chemist) are restricted to 7am to 10pm only unless it can be demonstrated, by a qualified person, to the satisfaction of the Chief Executive Officer, that noise resulting from activities associated with the Medical Centre and associated Shop (chemist), will not result in background noise levels being exceeded by 3dB(A) at the nearest existing and future noise sensitive locations (without the need for an acoustic fence on the site) in which case, the Medical Centre and associated Shop may operate until 12am.**

SHOPS, COMMERCIAL PREMISES, OFFICES & PROFESSIONAL OFFICES

- 13 Hours of operation for the Shops, Commercial Premises, Offices and Professional Offices are restricted to 7am to 10pm only.**

AMENITY

- 14 Screening is required to be erected around approved waste storage areas prior to any of the approved uses commencing.**

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9 RECEPTION & CONSIDERATION OF COMMITTEE REPORTS

9.2 PLANNING & DEVELOPMENT (NORTH)

ITEM 1 (Continued)

MATERIAL CHANGE OF USE (IMPACT ASSESSMENT) FOR A MEDICAL CENTRE (WITH ANCILLARY SHOP (CHEMIST)), CHILD CARE CENTRE, SHOPS, COMMERCIAL PREMISES, OFFICES AND PROFESSIONAL OFFICES - ROBERT FRASER-SCOTT - LOT 27 ON SP151391 - 161 RESERVE ROAD UPPER COOMERA - DIVISION 2 - FILE PN250260/01/DA3(P3)

Elevation plans showing the type of screening that will be provided shall be submitted to Council's Statutory Planning Section for approval thereof by Council's Chief Executive Officer. The elevation plans must be drawn to scale and detail heights of the screening structure(s), building materials and colour. An attempt must be made to ensure the screens are not a dominant feature within the development or highly prone to graffiti and desirably, should be partially concealed by landscaping to the satisfaction of the Chief Executive Officer.

- 15 All surfaces / facades of the development shall be well maintained at all times to the satisfaction of Council's Chief Executive Officer. In the event of vandalism (including graffiti), such is to be removed and/or repaired to a standard acceptable to Council's Chief Executive Officer within two (2) weeks of the vandalism occurring.**
- 16 All service equipment, mechanical ventilation and refrigeration units associated with the development shall be installed and located to the satisfaction of the Chief Executive Officer so as not to cause nuisance or disturbance to persons outside the curtilage of the subject site.**
- 17 The storage of material or any goods is not permitted at any time within any area that is within sight to any person on adjoining land or road reserve or any patrons who frequent the site.**
- 18 Lighting devices must be installed upon the site, prior to commencement of the approved uses. The installed lighting devices shall be positioned on the site and shielded to the satisfaction of the Chief Executive Officer so as to enhance amenity within the site whilst ensuring safety, without causing glare or other nuisance to nearby residents and motorists.**
- 19 Signage shall be applied generally in accordance with that depicted on approved plans however, no signage device shall be erected on the subject land unless a detailed plan is submitted detailing the location, size, type and content for approval thereof by the Chief Executive Officer. All signage is required to comply with Council's Advertising Devices Specific Development Code under Council's Planning Scheme to the satisfaction of the Chief Executive Officer.**

LANDSCAPING

- 20 A detailed landscaping plan (prepared by a qualified landscape architect or similar design professional) shall be submitted and approved by the Chief Executive Officer prior to the issue of a development permit for carrying out building work for any of the approved uses.**

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MATERIAL CHANGE OF USE (IMPACT ASSESSMENT) FOR A MEDICAL CENTRE (WITH ANCILLARY SHOP (CHEMIST)), CHILD CARE CENTRE, SHOPS, COMMERCIAL PREMISES, OFFICES AND PROFESSIONAL OFFICES - ROBERT FRASER-SCOTT - LOT 27 ON SP151391 - 161 RESERVE ROAD UPPER COOMERA - DIVISION 2 - FILE PN250260/01/DA3(P3)

The Detailed Landscape Plan(s) (prepared by a qualified landscape architect or similar design professional) shall generally accord with the submitted Statement of Landscape Intent, prepared by Deep Rainforest Company Australia Pty Ltd, Drawing Number 05/03B and dated 28-10-03 showing the following modifications/details:

- a) landscaping is required to be provided around approved waste storage areas. The landscaping should assist in screening the waste storage areas and prevent direct access to the majority of the respective waste storage area;
- b) landscaping (at least one (1) metre wide) must be provided along the western wall of the approved Liquor Barn between the car park and security gate/barrier required to be constructed under this decision notice.
- c) selected species within and around the on-site wetland must not compromise the objectives of the approved Stormwater Management Plan but must be of a nature that enhances visual amenity upon the site by way of providing a vegetated buffer between the Reserve Road / Brygon Creek Drive frontages and on-site car parking without compromising visibility of the wetland should no fencing be erected. The species must predominantly comprise those that are typical within an indigenous Melaleuca wetland community and include some advanced trees.
- d) tree plantings within the Brygon Creek Drive road reserve shall comprise 100 Litre indigenous canopy trees and be a single trunked canopy shade species able to attain a clear trunk height of 1800mm on maturity. Unless otherwise approved by the Chief Executive Officer, all tree planting within the Brygon Creek Road Reserve shall comply with all acceptable solutions included under Section C 8.2 of Council's Planning Scheme Policy13 - Part 2 - Landscaping Documentation Manual. Any plantings below the subject trees shall be low maintenance species, not exceeding 600mm mature height.
- e) any proposed hardscape treatment within adjoining road reserve must be complimentary to any surface treatment installed by Council's Engineering Services Section and approved of by Council's Chief Executive Officer.

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9 RECEPTION & CONSIDERATION OF COMMITTEE REPORTS

9.2 PLANNING & DEVELOPMENT (NORTH)

ITEM 1 (Continued)

MATERIAL CHANGE OF USE (IMPACT ASSESSMENT) FOR A MEDICAL CENTRE (WITH ANCILLARY SHOP (CHEMIST)), CHILD CARE CENTRE, SHOPS, COMMERCIAL PREMISES, OFFICES AND PROFESSIONAL OFFICES - ROBERT FRASER-SCOTT - LOT 27 ON SP151391 - 161 RESERVE ROAD UPPER COOMERA - DIVISION 2 - FILE PN250260/01/DA3(P3)

- f) inclusion of landscaped pockets adjacent to the western façade of the Medical Centre building to assist in softening the Medical Centre's built form. Such landscaping must be of a pedestrian scale.**
 - g) a minimum one (1) metre wide landscape strip is to be provided adjacent to only that part of the northern façade of Stage 2 of the Child Care Centre that comprises small windows associated with internal amenities so as to assist in softening the appearance of Stage 2's built form until such time Stage 3 is constructed. Additional landscaping, exceeding 1 metre in height is not permitted in this area.**
 - h) Landscaping that exceeds one (1) metre in height is not permitted between the on-site car park and western façade of the Stage 3 Child Care Centre building to enhance perception that the Child Care Centre is directly related to the remaining Neighbourhood Centre.**
 - i) Landscaping near the Child Care Centre should be compatible with the understorey plantings and formal hedges that intend to be provided in the remaining neighbourhood centre - see submitted statement of landscape intent prepared by Deep Rainforest Company Australia Pty Ltd dated 24 October 2003;**
 - j) Trees shall not be aligned where underground services are located.**
 - k) Irrigation systems must not be located within public road reserve areas.**
 - l) The space between the approved retail/commercial building and liquor barn shall be illuminated at night and landscaping provided in this area shall have regard to CPTED principles.**
- 21 All landscape materials, plants, vegetation and watering systems shown on the approved landscaping plan shall be established upon the site prior to any of the approved uses commencing (or as otherwise approved by Council's Chief Executive Officer) and properly maintained to the satisfaction of the Chief Executive Officer.**

CAR PARKING

- 22 The total number of car parking upon the site and along Brygon Creek Drive along the site's frontage, shall not be less than two hundred and sixty nine (269) spaces.**

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MATERIAL CHANGE OF USE (IMPACT ASSESSMENT) FOR A MEDICAL CENTRE (WITH ANCILLARY SHOP (CHEMIST)), CHILD CARE CENTRE, SHOPS, COMMERCIAL PREMISES, OFFICES AND PROFESSIONAL OFFICES - ROBERT FRASER-SCOTT - LOT 27 ON SP151391 - 161 RESERVE ROAD UPPER COOMERA - DIVISION 2 - FILE PN250260/01/DA3(P3)

- 23** On site car parking spaces shall be provided in accordance with approved plans and such area shall be constructed to AS2890, drained, sealed, marked and maintained to the satisfaction of the Chief Executive Officer.
- 24** All car parking spaces shall be provided so as to be freely accessible to accommodate the vehicles of persons employed on the site for the time the development is open for business and those of bona fide visitors for the duration of any visit to the site.
- 25** All loading and unloading operations shall be conducted within the site and vehicles waiting to be loaded and unloaded shall stand entirely within the site.
- 26** All car parking shown on the approved plan shall be maintained under Common Ownership and shall not be subdivided in any way and shall not be allocated to any specific approved use.

WASTE

- 27** All commercial waste shall be stored in accordance with the Environmental Protection (Interim Waste) Regulation 1996. Refuse container storage areas shall be provided for the development (as per the "Eldon Bottcher Architect Pty Ltd report drawings 2050 SK 101M & 2050 SK 40) and installed prior to the approved uses commencing. The waste areas shall be screened to the satisfaction of Council's Statutory Planning Section and imperviously paved and suitably drained to the satisfaction of Council's Health and Regulatory Services Section. A suitable hose cock and hose is to be provided in the vicinity of such stands or such paved areas and a suitable form of roofed enclosure to the waste container area is to be erected.
- 28** All clinical or related waste as described in the Environmental Protection (Waste Management) Regulation 2000 shall be stored in an area that is not accessible to animals or persons, other than persons who are authorised by the person operating the premises to enter the area.

NOISE

- 29** Noise levels emitted from all mechanical plant & equipment, including air conditioning units, refrigeration plant and exhaust fans on the site should not exceed the following noise levels measured over a fifteen (15) minute period:

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9 RECEPTION & CONSIDERATION OF COMMITTEE REPORTS

9.2 PLANNING & DEVELOPMENT (NORTH)

ITEM 1 (Continued)

MATERIAL CHANGE OF USE (IMPACT ASSESSMENT) FOR A MEDICAL CENTRE (WITH ANCILLARY SHOP (CHEMIST)), CHILD CARE CENTRE, SHOPS, COMMERCIAL PREMISES, OFFICES AND PROFESSIONAL OFFICES - ROBERT FRASER-SCOTT - LOT 27 ON SP151391 - 161 RESERVE ROAD UPPER COOMERA - DIVISION 2 - FILE PN250260/01/DA3(P3)

NOISE LIMITS AT A NOISE SENSITIVE PLACE	
PERIOD	Noise level at noise sensitive place measured as the adjusted maximum sound pressure level (L _{max,adj,T})
7am - 6pm	Background noise level (L _{bg,T}) plus 5 dB(A)
6pm - 10pm	Background noise level plus 5 dB(A)
10pm - 7am	Background noise level plus 3 dB(A)
NOISE LIMITS AT A COMMERCIAL PLACE	
PERIOD	Noise level at a commercial place measured as the adjusted maximum sound pressure level (L _{max,adj,T})
7am - 6pm	Background noise level (L _{bg,T}) plus 10 dB(A)
6pm - 10pm	Background noise level plus 10 dB(A)
10pm - 7am	Background noise level plus 8 dB(A)

ROAD WORKS

- 30 Prior to commencement of any of the approved uses, kerb & channel and half width pavement to a 'two lane urban road' standard shall be constructed over the full frontage of the site along Reserve Road, at no cost to Council, in accordance with Council's Land Development Guidelines, to the satisfaction of the Chief Executive Officer.
- 31 Prior to commencement of any of the approved uses, all roadworks detailed in Burchill Partners Drawing C2864:01:SK1(A), as amended, shall be constructed along the Brygon Creek Drive frontage, at no cost to Council, in accordance with Council's Land Development Guidelines, to the satisfaction of the Chief Executive Officer.
- 32 Prior to commencement of any of the approved uses, a concrete footpath along the entire Reserve Road and Brygon Creek Drive frontages shall be constructed in accordance with GCCC Standard Drawing 59208, at no cost to Council, to the satisfaction of the Chief Executive Officer.
- 33 The angled car parking on the Brygon Creek Drive frontage and an additional 4.5 metre wide footpath verge, is to be dedicated to Council as road reserve.
- Such dedication shall be undertaken at no cost to Council and at the time of sealing registrable plans of subdivision or if an application for reconfiguration of lot is not required prior to the commencement of any of the approved uses.
- 34 Contributions shall be made to Council towards external road works associated with construction of traffic signals at the intersection of Brygon Creek Drive and Reserve Road.

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9 RECEPTION & CONSIDERATION OF COMMITTEE REPORTS

9.2 PLANNING & DEVELOPMENT (NORTH)

ITEM 1 (Continued)

MATERIAL CHANGE OF USE (IMPACT ASSESSMENT) FOR A MEDICAL CENTRE (WITH ANCILLARY SHOP (CHEMIST)), CHILD CARE CENTRE, SHOPS, COMMERCIAL PREMISES, OFFICES AND PROFESSIONAL OFFICES - ROBERT FRASER-SCOTT - LOT 27 ON SP151391 - 161 RESERVE ROAD UPPER COOMERA - DIVISION 2 - FILE PN250260/01/DA3(P3)

The contributions are due for payment prior to the issue of a Certificate of Classification or Building Final for any Building Works or the date of sealing of registrable plans of subdivision, which ever occurs first. The amount payable is currently \$50,890 however such contribution shall be calculated in accordance with the rates in force at the due date for payment and is subject to adjustment in line with variation in the CPI.

- 35 Contributions shall be made to Council towards the provision of a bus stop near the Neighbourhood Centre.

The contributions are due for payment prior to the issue of a Certificate of Classification or Building Final for any Building Works or the date of sealing of registrable plans of subdivision, which ever occurs first. The amount payable is currently \$6000 however such contribution shall be calculated in accordance with the rates in force at the due date for payment and is subject to adjustment in line with variation in the CPI.

STORMWATER

- 36 It shall be demonstrated, to the satisfaction of the Chief Executive Officer, the on-site wetland as described in the Stormwater Management Plan titled Stormwater Management Plan Proposed Commercial Development Lot 27 Reserve Road, Upper Coomera Issue No.2 by Belleng Pty Ltd and dated 24 October 2003, can be adequately located in the proposed location without compromising car parking upon the site. If such cannot be accommodated as per the dimensions detailed in the current report (having regard also to battering requirements), the said Stormwater Management Plan is be amended to:

- a) either adjust dimensions so that the wetland can be accommodated in the proposed location without compromising stormwater management objectives/requirements;
- b) submit a new Stormwater Management Plan proposing alternative means of management.

Should option (a) be selected, the amended Stormwater Management Plan titled Stormwater Management Plan Proposed Commercial Development Lot 27 Reserve Road, Upper Coomera Issue No.2 by Belleng Pty Ltd and dated 24 October 2003 shall be further amended as follows:

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9 RECEPTION & CONSIDERATION OF COMMITTEE REPORTS

9.2 PLANNING & DEVELOPMENT (NORTH)

ITEM 1 (Continued)

MATERIAL CHANGE OF USE (IMPACT ASSESSMENT) FOR A MEDICAL CENTRE (WITH ANCILLARY SHOP (CHEMIST)), CHILD CARE CENTRE, SHOPS, COMMERCIAL PREMISES, OFFICES AND PROFESSIONAL OFFICES - ROBERT FRASER-SCOTT - LOT 27 ON SP151391 - 161 RESERVE ROAD UPPER COOMERA - DIVISION 2 - FILE PN250260/01/DA3(P3)

- c) the specified gross pollutant trap (GPT) shall be capable of removing hydrocarbons from stormwater runoff, released as a result of spills and general operation of the proposed service station, to a level of treatment that accords with GCCC release criteria; and
 - d) an operational phase maintenance program shall be included requiring the applicant/operator to enter into an agreement with a licensed waste removal company for the continued maintenance and removal of hydrocarbons and other waste captured by the GPT.
- 37 All works, maintenance and monitoring shall be constructed and conducted in accordance with the Stormwater Management Plan Proposed Commercial Development Lot 27 Reserve Road, Upper Coomera Issue No.2 by Belleng Pty Ltd and dated 24 October 2003, as amended in accordance with this decision notice, at no cost to Council and to the satisfaction of the Chief Executive Officer.

SERVICES AND UTILITIES

- 38 The existing water supply system shall be upgraded to cater for additional demand placed on the system as a result of development approved herein. Such works shall include:
- a) the construction of a 150mm diameter recycled water main from the existing main in Reserve Road, along the full length of the site's Brygon Creek Drive frontage; and
 - b) construction of a 225mm diameter water main from the existing main in Reserve Road, along the full length of the site's Brygon Creek Drive frontage.

The above works are to be undertaken to the satisfaction of the Chief Executive Officer, prior to any of the approved uses commencing and at no cost to Council.

- 39 The development shall be connected to Council's water supply system prior to any approved uses commencing and at not cost to Council, from the 225mm diameter main required to be constructed under this decision notice along Brygon Creek Drive.
- 40 The development shall be connected to Council's reticulated sewerage system prior to the commencement of the use, at a point nominated by the Chief Executive Officer, and at no cost to Council.

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9 RECEPTION & CONSIDERATION OF COMMITTEE REPORTS

9.2 PLANNING & DEVELOPMENT (NORTH)

ITEM 1 (Continued)

MATERIAL CHANGE OF USE (IMPACT ASSESSMENT) FOR A MEDICAL CENTRE (WITH ANCILLARY SHOP (CHEMIST)), CHILD CARE CENTRE, SHOPS, COMMERCIAL PREMISES, OFFICES AND PROFESSIONAL OFFICES - ROBERT FRASER-SCOTT - LOT 27 ON SP151391 - 161 RESERVE ROAD UPPER COOMERA - DIVISION 2 - FILE PN250260/01/DA3(P3)

- 41 Any alteration to public utility mains, Council infrastructure, services or installations necessitated by the development shall be undertaken at no cost to Council and to the satisfaction of the Chief Executive Officer or the relevant utility agency, as the case may be. Such shall occur prior to the commencement of the use the subject of this approval.

INFRASTRUCTURE CHARGES

- 42 Payment of contributions shall be made towards water supply headworks and sewerage headworks, on the basis of approved building plans. The contributions are due for payment prior to the issue of a Certificate of Classification, Building Final for any building works, the date of sealing of registrable plans of subdivision, or occupation of the buildings, whichever occurs first. The contributions shall be calculated in accordance with the rates in force at the time of payment and assessed in accordance with the superseded Local Planning Policy 'Developer Contributions for Water Supply and Sewerage'.

CONSTRUCTION

- 43 During the transportation of soil and other fill material:
- a) all trucks hauling soil, or fill material shall have their loads secure and covered; and
 - b) any spillage that falls from the trucks or their wheels shall be collected and removed from the site and streets along which the trucks travel, on a daily basis; and
 - c) prior to vehicles exiting the site measures shall be taken to remove soil from the wheels of such vehicles to prevent soil and mud being deposited on public roads and streets.

GENERAL

- 44 A copy of the decision notice and accompanying stamped approved plans for this material change of use shall be submitted with any application for the carrying out of building work.
- 45 The developer shall provide a pedestrian crossing on Brygon Creek Drive, in a location to be approved by the Chief Executive Officer, at no cost to Council. Same shall occur prior to the sealing of building plans.

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9 RECEPTION & CONSIDERATION OF COMMITTEE REPORTS

9.2 PLANNING & DEVELOPMENT (NORTH)

ITEM 1 (Continued)

MATERIAL CHANGE OF USE (IMPACT ASSESSMENT) FOR A MEDICAL CENTRE (WITH ANCILLARY SHOP (CHEMIST)), CHILD CARE CENTRE, SHOPS, COMMERCIAL PREMISES, OFFICES AND PROFESSIONAL OFFICES - ROBERT FRASER-SCOTT - LOT 27 ON SP151391 - 161 RESERVE ROAD UPPER COOMERA - DIVISION 2 - FILE PN250260/01/DA3(P3)

- 46 The developer shall provide a cash contribution to the amount of \$10 000 toward the future provision of a bus set down area on the western side of Brygon Creek Drive, in the vicinity of the site. The contribution shall be paid to Council prior to issuing a Certificate of Classification, a final building clearance or occupation of any building, whichever occurs first (Account 74648, item CPASCOTH).

GENERAL ADVICE - Please note that this is not a condition

That the applicant be advised that nothing in this decision notice alleviates the need to observe all relevant legislation, Council's Planning Schemes and Local Laws.

This application required a car parking relaxation against the Planning Scheme. Accordingly, this decision notice is specific to the land uses applied for and approved herein. Further changes or alterations to land uses shall be assessed against the Planning Scheme, with the level of assessment for such, to be in accordance with the relevant Table of Development.

The applicant be advised that they will be required to design and construct individual water reticulation, with separate Council owned water meters to each future separate legal entity, i.e. Bodies Corporate or Management Lot. This is to include any external works necessary to connect to Council's reticulation system at a point nominated by Council. Such matter will be conditioned at the time of making a future Reconfiguration of a Lot application for volumetric subdivision.

A Trade Waste Permit is required for the discharge of trade waste to the sewer. The applicant shall ensure that all discharges are in accordance with Council's sewer admission limits. Further information may be obtained from Council's Trade Waste Section on 5581 6216.

That Council acknowledges the dedication of land for widening of the road reserve is solely for the purpose of providing public on street carparking and not for increased traffic capacity.

CARRIED

Cr Young requested that his vote be recorded in the negative.

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9 RECEPTION & CONSIDERATION OF COMMITTEE REPORTS

9.2 PLANNING & DEVELOPMENT (NORTH)

ADOPTION OF PLANNING & DEVELOPMENT (NORTH) COMMITTEE REPORT

RESOLUTION G04.0319.013 moved Cr Power seconded Cr Hackwood

That the Report of the Planning & Development (North) Committee's Recommendations of Tuesday 16 March 2004, numbered N04.0316.001 to N04.0316.006, be adopted with the exception of:-

**Recommendation Numbers N04.0316.001 and
N04.0316.003 which were specifically resolved.**

CARRIED

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9 RECEPTION & CONSIDERATION OF COMMITTEE REPORTS

9.2 PLANNING & DEVELOPMENT (NORTH)

ADOPTION OF PLANNING & DEVELOPMENT (NORTH) COMMITTEE REPORT

RESOLUTION G04.0319.013 moved Cr Power seconded Cr Hackwood

That the Report of the Planning & Development (North) Committee's Recommendations of Tuesday 16 March 2004, numbered N04.0316.001 to N04.0316.006, be adopted with the exception of:-

**Recommendation Numbers N04.0316.001 and
N04.0316.003 which were specifically resolved.**

CARRIED

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9 RECEPTION & CONSIDERATION OF COMMITTEE REPORTS

9.3 PLANNING & DEVELOPMENT (SOUTH)

Cr Robbins, Chairperson of the Planning & Development (South) Committee, presented the Minutes of the Meeting of the Planning & Development (South) Committee held on Tuesday 16 March 2004.

RESOLUTION G04.0319.014 moved Cr Robbins seconded Cr McDonald

That the Report of the Planning & Development (South) Committee Meeting held on Tuesday 16 March 2004, covered by Recommendations S04.0316.001 to S04.0316.006 be received.

CARRIED

ITEM 3

MATERIAL CHANGE OF USE AND RECONFIGURATION OF A LOT (5 LOTS AND PARK) - HUMPHREYS REYNOLDS PERKINS - LOT 11 ON RP 906010 - 20 ANGELIA LANE MERRIMAC - DIVISION 11 - FILE PN206768/12/DA1

RESOLUTION G04.0319.015 moved Cr Grew seconded Cr Robbins

That subject to an on-site inspection having been carried out in accordance with Committee Recommendation S04.0316.001 003 Council resolves as follows:

"That the matter be deferred to permit the applicant to supply additional information in support of their application. The additional information sought should include detailed site survey and engineering design drawings indicating pre and post development surface levels demonstrating that balanced earthworks can be achieved on site to provide allotments clear of flood without loss of flood storage. The finished surface profile shall be free draining and not create any increase in adverse impact on any external property."

CARRIED

ADOPTION OF PLANNING & DEVELOPMENT (SOUTH) COMMITTEE REPORT

RESOLUTION G04.0319.016 moved Cr Robbins seconded Cr McDonald

That the Report of the Planning & Development (South) Committee's Recommendations of Tuesday 16 March 2004, numbered S04.0316.001 to S04.0316.006, be adopted with the exception of:-

Recommendation Number S04.0316.003 which was specifically resolved.

CARRIED

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9 RECEPTION & CONSIDERATION OF COMMITTEE REPORTS

9.4 WATER WASTEWATER BEACHES & FORESHORES

Cr McDonald, Chairperson of the Water Wastewater Beaches & Foreshores Committee, presented the Minutes of the Meeting of the Water Wastewater Beaches & Foreshores Committee held on Thursday 11 March 2004.

RESOLUTION G04.0319.017 moved Cr McDonald seconded Cr Drake

That the Report of the Water Wastewater Beaches & Foreshores Committee Meeting held on Thursday 11 March 2004, covered by Recommendations W04.0311.001 to W04.0311.009 be received.

CARRIED

ADOPTION OF WATER WASTEWATER BEACHES & FORESHORES COMMITTEE REPORT

RESOLUTION G04.0319.018 moved Cr McDonald seconded Cr Drake

That the Report of the Water Wastewater Beaches & Foreshores Committee's Recommendations of Thursday 11 March 2004, numbered W04.0311.001 to W04.0311.009, be adopted.

CARRIED

Cr McDonald thanked the Director Gold Coast Water and the officers of Gold Coast Water for their efforts in Council's drought management program. She noted the community response to the waterwise campaign and asked that thanks be conveyed through the Director Gold Coast Water to the relevant officers.

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9 RECEPTION & CONSIDERATION OF COMMITTEE REPORTS

9.5 ENGINEERING SERVICES

Cr Hackwood, Chairperson of the Engineering Services Committee, presented the Minutes of the Meeting of the Engineering Services Committee held on Thursday 11 March 2004.

RESOLUTION G04.0319.019 moved Cr Hackwood seconded Cr Shepherd

That the Report of the Engineering Services Committee Meeting held on Thursday 11 March 2004, covered by Recommendations E04.0311.001 to E04.0311.016 be received.

CARRIED

ADOPTION OF THE ENGINEERING SERVICES COMMITTEE REPORT

RESOLUTION G04.0319.020 moved Cr Hackwood seconded Cr Young

That the Report of the Engineering Services Committee's Recommendations of Thursday 11 March 2004, numbered E04.0311.001 to E04.0311.016, be adopted.

CARRIED

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9 RECEPTION & CONSIDERATION OF COMMITTEE REPORTS

9.6 HEALTH CULTURAL AND COMMUNITY SAFETY

Cr Grew, Chairperson of the Health Cultural and Community Safety Committee, presented the Minutes of the Meeting of the Health Cultural and Community Safety Committee held on Thursday 11 March 2004.

RESOLUTION G04.0319.021 moved Cr Grew seconded Cr Robbins

That the Report of the Health Cultural and Community Safety Committee Meeting held on Thursday 11 March 2004 covered by Recommendations H04.0311.001 to H04.0311.011 be received.

CARRIED

ITEM 6
CIGARETTE BUTT LITTER CAMPAIGN
WFB600/360/-(P1)

RESOLUTION G04.0319.022 moved Cr O'Connell seconded Cr Young

- 1** That Committee Recommendation H04.0311.006 be adopted as printed.
- 2** That the Chief Executive Officer (Director of Community Services) investigate the powers that are available under the Environmental Protection Act and its regulations with respect to illegal litter enforcement and report back to Council.

CARRIED

ADOPTION OF HEALTH CULTURAL AND COMMUNITY SAFETY COMMITTEE REPORT

RESOLUTION G04.0319.023 moved Cr Grew seconded Cr Robbins

That the Report of the Health Cultural and Community Safety Committee's Recommendations of Thursday 11 March 2004, numbered H04.0311.001 to H04.0311.011, be adopted with the exception of:-

Recommendation Number H04.0311.006 which was specifically resolved.

CARRIED

314th COUNCIL MEETING 19 March 2004	51 MINUTES
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9 RECEPTION & CONSIDERATION OF COMMITTEE REPORTS

9.7 COMMUNITY SERVICES

Cr La Castra, Chairperson of the Community Services Committee, presented the Minutes of the Meeting of the Community Services Committee held on Thursday 11 March 2004.

RESOLUTION G04.0319.024 moved Cr La Castra seconded Cr Young

That the Report of the Community Services Committee Meeting held on Thursday 11 March 2004, covered by Recommendations R04.0311.001 to R04.0311.014 be received.

CARRIED

ITEM 11

COMMUNITY CENTRE TENDERS: MANAGEMENT SERVICES FOR ROBINA COMMUNITY CENTRE; AND NERANG BICENTENNIAL COMMUNITY CENTRE/GOLD COAST CYCLE CENTRE; AND CARETAKING/CLEANING SERVICES FOR SOUTHPORT COMMUNITY CENTRE AND ALBERT WATERWAYS COMMUNITY CENTRE.

LG314/411/049T(P1); LG314/411/04/050T(P1); LG314/411/04/051T(P1);
LG314/411/04/052T(P1)

MOTION moved Cr Crichlow seconded Cr Drake

That Committee Recommendation R04.0311 be adopted with an amendment such that it reads in entirety as follows:

- 1 That the report/attachment be deemed a confidential document pursuant to sections 463(1)(a) to (h) of the Local Government Act and remain so unless Council decides otherwise by resolution.
- 2 That Council accept the tender of Tenderer C for the sum of \$130,000.00 per annum for Management Services for Nerang Bicentennial Community Centre/Nerang Cycle Centre and Robina Community Centre; and Tenderer D for the sum of \$50,000.00 per annum for Caretaking/Cleaning Services at Albert Waterways Community Centre, for a period of 3 years with an option to extend the contracts for a further period of 1 year if mutually agreed, commencing on 1 April 2004.
- 3 That the Director of Community Services be delegated authority to:
 - (a) Enter into, execute and vary the contract agreements with the successful tenderers, and
 - (b) Exercise the option to extend the contract for a period up to one (1) year on the basis of satisfactory contract performance by the successful tenderer and by mutual agreement.
 - (c) The Director Community Services to sign and affix the seal of Council to the approved contracts.
- 4 No tender be accepted for Southport Community Centre and a report be brought forward on the employment of a centre manager.

314th COUNCIL MEETING
19 March 2004

52
MINUTES

9 RECEPTION & CONSIDERATION OF COMMITTEE REPORTS

9.7 COMMUNITY SERVICES

ITEM 11 (continued)

COMMUNITY CENTRE TENDERS: MANAGEMENT SERVICES FOR ROBINA COMMUNITY CENTRE; AND NERANG BICENTENNIAL COMMUNITY CENTRE/GOLD COAST CYCLE CENTRE; AND CARETAKING/CLEANING SERVICES FOR SOUTHPORT COMMUNITY CENTRE AND ALBERT WATERWAYS COMMUNITY CENTRE.

LG314/411/049T(P1); LG314/411/04/050T(P1); LG314/411/04/051T(P1);
LG314/411/04/052T(P1)

AMENDMENT moved Cr Shepherd seconded Cr Grew

That Committee Recommendation R04.0311.011 be adopted as printed.

The AMENDMENT was CARRIED.

The AMENDMENT became the MOTION and was CARRIED:-
RESOLUTION G04.0319.025

- 1 That the report/attachment be deemed a confidential document pursuant to sections 463(1)(a) to (h) of the Local Government Act and remain so unless Council decides otherwise by resolution.
- 2 That Council accept the tender of Tenderer C for the sum of \$130,000.00 per annum for Management Services for Nerang Bicentennial Community Centre/Nerang Cycle Centre and Robina Community Centre; and Tenderer D for the sum of \$50,000.00 per annum for Caretaking/Cleaning Services at Albert Waterways Community Centre, and \$27,500.00 per annum for Caretaking/Cleaning Services for Southport Community Centre for a period of 3 years with an option to extend the contracts for a further period of 1 year if mutually agreed, commencing on 1 April 2004.
- 3 That the Director of Community Services be delegated authority to:
 - a Enter into, execute and vary the contract agreements with the successful tenderers, and
 - b Exercise the option to extend the contract for a period up to one (1) year on the basis of satisfactory contract performance by the successful tenderer and by mutual agreement.
 - c The Director Community Services to sign and affix the seal of Council to the approved contracts.

314th COUNCIL MEETING 19 March 2004	53 MINUTES
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9 RECEPTION & CONSIDERATION OF COMMITTEE REPORTS

9.7 COMMUNITY SERVICES

ITEM 6
MAJOR TREE PLANTING
FN251/48/117/01

MOTION moved Cr Robbins seconded Cr Grew

That Committee Recommendation R04.0311.006 be adopted with the addition of a part 3 such to read as follows:

"3 That a separate report be brought forward to Council detailing issues in relation to planting vegetations in centre medians on State declared roads."

AMENDMENT moved Cr La Castra seconded Cr Shepherd

That the motion be adopted with the addition of a dot point in part 1 of the committee recommendation which reads: "Sections of Alexander Drive, Nerang".

The **AMENDMENT** was **CARRIED**.

The **AMENDMENT** became the **MOTION** and was **CARRIED**:-

RESOLUTION G04.0319.026

- 1 That Council endorses those major roads (sections) listed below to undergo tree planting under Council's Major Tree Planting Program for 2003/04:
 - Somerset Drive, Mudgeeraba - complete median landscaping
 - Wardoo Street (Benowa Rd to Johnston St), Southport
 - Ashmore Road (Chale Ct to Upton St) Bundall
 - Napper Road (Allied Dr. to Arundel Dr), Parkwood
 - Sections of Binstead Way, Pacific Pines
 - Sections of Alexander Drive, Nerang
- 2 That Divisional Councillors be invited to nominate other sites for consideration, that are consistent with the identified draft criteria.
- 3 That a separate report be brought forward to Council detailing issues in relation to planting vegetations in centre medians on State declared roads.

314th COUNCIL MEETING 19 March 2004	54 MINUTES
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9 RECEPTION & CONSIDERATION OF COMMITTEE REPORTS

9.7 COMMUNITY SERVICES

ADOPTION OF COMMUNITY SERVICES COMMITTEE REPORT

RESOLUTION G04.0319.026 moved Cr La Castra seconded Cr Christmas

That the Report of the Community Services Committee's Recommendations of Thursday 11 March 2004, numbered R04.0311.001 to R04.0311.014, be adopted with the exception of:-

Recommendation Numbers R04.0311.006 and R04.0311.011 which were specifically resolved.

CARRIED

314th COUNCIL MEETING
19 March 2004

55
MINUTES

9 RECEPTION & CONSIDERATION OF COMMITTEE REPORTS

9.8 FINANCE

Cr Sarroff, Chairperson of the Finance Committee, presented the Minutes of the Meeting of the Finance Committee held on Tuesday 16 March 2004.

RESOLUTION G04.0319.027 moved Cr Sarroff seconded Cr Young

That the Report of the Finance Committee Meeting held on Tuesday 16 March 2004, covered by Recommendations F04.0316.001 to F04.0316.017 be received.

CARRIED

ITEM 6
INTEREST FREE LOAN APPLICATIONS FOR THE 2003/04 FINANCIAL YEAR
FN296/260/- (P12)

RESOLUTION G04.0319.028 moved Cr Drake seconded Cr Sarroff

That Committee Recommendation F04.0316.006 be adopted with an amendment to part 1d such that it reads as follows:

"d Gold Coast Drug Council be further considered for their application for a \$30,000.00 interest free loan."

CARRIED

ADOPTION OF FINANCE COMMITTEE REPORT

RESOLUTION G04.0319.029 moved Cr Sarroff seconded Cr Christmas

That the Report of the Finance Committee's Recommendations of Tuesday 16 March 2004, numbered F04.0316.001 to F04.0316.017, be adopted with the exception of:-

Recommendation Number F04.0316.006 which was specifically resolved.

CARRIED

314th COUNCIL MEETING 19 March 2004	56 MINUTES
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10 CONSIDERATION OF NOTICES OF MOTION

Nil

11 ANSWERS TO QUESTIONS ON NOTICE

Nil

12 PRESENTATION OF PETITIONS

12.1 PETITION REGARDING ERECTION OF A SHELTER IN ERNIE TEBB PARK, MOUNTAIN VIEW AVENUE, MIAMI.
PN59198/16/-(P1)

RESOLUTION G04.0319.030 moved Cr Grew seconded Cr Shepherd

That the above Petition be received and referred to Community Services for consideration and report to Council.

CARRIED

12.2 PETITION REGARDING OPPOSITION TO EXTENSION OF BUILDING GOODWIN PARK COOLANGATTA
PN5560/16/-(P5)

RESOLUTION G04.0319.031 moved Cr Robbins seconded Cr Rickard

That the above Petition be received and referred to the appropriate Committee for consideration and report to Council.

CARRIED

12.3 PETITION REGARDING COMPLAINTS OF ILLEGAL PARKING IN WYNDHAM STREET, SOUTHPORT
RD23085/16(P1)

RESOLUTION G04.0319.032 moved Cr Crichlow seconded Cr Young

That the above Petition be received and noted

CARRIED

314th COUNCIL MEETING
19 March 2004

57
MINUTES

12 PRESENTATION OF PETITIONS

12.4 PETITION REGARDING PROPOSED SERVICED APARTMENTS, ROYAL WOODS
RESORT, 16 MULYAN PLACE ASHMORE
PN202777/01/DA1(P1)

RESOLUTION G04.0319.033 moved Cr La Castra seconded Cr Young

That the above Petition be received and referred to the appropriate Committee for consideration and report to Council.

CARRIED

12.5 PETITION REGARDING OBJECTION TO PROPOSED SUBDIVISION AT 6 RIVERBANK
COURT, ASHMORE
PN95796/64/DA1(P1)

RESOLUTION G04.0319.034 moved Cr La Castra seconded Cr Young

That the above Petition be received and referred to the appropriate Committee for consideration and report to Council.

CARRIED

12.6 PETITION REGARDING DRIVEWAY CROSSOVER, 28 BIRT AVENUE, BUDDS BEACH
PN262285/16(P1)

RESOLUTION G04.0319.035 moved Cr Christmas seconded Cr Young

That the above Petition be received and referred to the appropriate Committee for consideration and report to Council.

CARRIED

12.7 PETITION REGARDING POSSIBLE REDEVELOPMENT OF THE SURFERS PARADISE
GOLF COURSE
PN121012/16(P1)

RESOLUTION G04.0319.036 moved Cr Sarroff seconded Cr Drake

That the above Petition be received and referred to the appropriate Committee for consideration and report to Council.

CARRIED

314th COUNCIL MEETING	58
19 March 2004	MINUTES

13 GENERAL BUSINESS

**13.1 FUNDING FOR PROJECTS - DIVISION 5 DIVISIONAL FUNDS
FN334/375/02(P9)**

RESOLUTION G04.0319.037 moved Cr Young seconded Cr Drake

That Council approve the allocation of funding for the following projects from Division 5 divisional funds.

- Palings Court Nerang - footpath #9-11 and #3 \$7,500
- Parkes Dr Helensvale - footpath (Wandilla to Discovery) (CR90256) \$50,000
- Play area adjacent Villa Petros Universal Street Studio Village \$13,000
- GCCA Healthy Waterways Program - Nerang River \$5,000

CARRIED

13.2 FUNDING FROM DIVISION 12

MOTION moved Cr Drake seconded Cr La Castra

That Council approve the allocation of funding in the amount of \$45,000 only for the final design, planning and costing of relocating the power lines from Marymount College to Reedy Creek Road to be funded from Division 12 divisional funding given the Council's concerns as to possible detrimental electromagnetic field impacts on students and staff.

AMENDMENT moved Cr Robbins seconded Cr Young

That a report be brought forward canvassing a possible partnership with Marymount College to address the potential concerns with regard to adjacent power lines. Such report to also outline the parameters within which issues of public benefit can be explored by the Council.

The **AMENDMENT** was **LOST**.

AMENDMENT moved Cr La Castra seconded Cr Drake

That given the public perception of the detrimental effect of power lines passing through school property that Council approve the funding of \$45,000 only for the final design, planning and costing of relocating the power lines from Marymount College to Reedy Creek Road to be funded from Division 12 divisional funding, given the general public view that such action would deliver a public benefit.

The **AMENDMENT** was **LOST**.

The **MOTION** was put to the meeting and was **LOST**.

314th COUNCIL MEETING 19 March 2004	59 MINUTES
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13 GENERAL BUSINESS

13.3 INFRASTRUCTURE CHARGES POLICY
PD113/106/02(P2)

PROCEDURAL MOTION moved Cr Power seconded Cr Robbins

That Council suspend standing orders such that a general discussion in relation to this matter can be convened.

CARRIED

PROCEDURAL MOTION moved Cr Power seconded Cr Rickard

That Council resume standing orders

CARRIED

13.4 ACKNOWLEDGEMENT OF COUNCILLOR RICKARD'S TENURE WITH COUNCIL
LG211/-/(P1)

The Mayor acknowledged Cr Rickard's service to the Gold Coast City Council since 1988 and gave recognition to the fact that Cr Rickard had chaired the finance Committee through to amalgamation in 1995, and continuing until 2001. The Mayor further expressed the view that, during that period, Cr Rickard conducted the affairs of this city in a very efficient manner. He also expressed appreciation for the fact that Cr Rickard advocated responsible budgeting, and was very much a strong advocate for the introduction of the tourism levy and, more recently the centre improvement program. The Mayor further noted Cr Rickard's distinguished service on the Regional Economic Development Advisory Committee where a lot of the policies of economic development have been developed for this Council and, in fact, have been seen as a model for other Councils. In acknowledging the long standing and valuable service of Cr Rickard to the Gold Coast city Council, the Mayor extended Council's best wishes to Cr Rickard in his retirement.

RESOLUTION G04.0319.038 moved Cr Baildon seconded Cr Robbins

That Council acknowledge the long standing and valuable service of Cr Rickard to the Gold Coast City Council.

CARRIED

THERE BEING NO FURTHER BUSINESS THE MEETING WAS DECLARED CLOSED AT 12.55 PM.

[Redacted area] 60

**I HEREBY CERTIFY THAT THESE PAGES
NUMBERED 1 to 47 CONSTITUTE
THE MINUTES OF THE MEETING
OF THE COUNCIL OF THE CITY OF GOLD COAST
HELD FRIDAY 19 MARCH 2004.**

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MAYOR

FAX JOURNAL REPORT

TIME : 29/11/2005 07:53
 NAME : MANOR APARTMENTAM
 FAX : 0733194777
 TEL : 0733194700
 SER.# : 000H5J520993

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 POL : POLLING
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