



City of
Ipswich

**IPSWICH
CITY
COUNCIL**

AGENDA

of the

GROWTH AND INFRASTRUCTURE COMMITTEE

**Held in the Council Chambers
2nd floor – Council Administration Building
45 Roderick Street
IPSWICH QLD 4305**

On Tuesday, 18 February 2020
At 9.30 am or within any period of time up to a maximum of 10 minutes after the
conclusion of the Economic Development Committee.

<u>MEMBERS OF THE GROWTH AND INFRASTRUCTURE COMMITTEE</u>	
Interim Administrator Steve Greenwood (Chairperson)	

GROWTH AND INFRASTRUCTURE COMMITTEE AGENDA

*9.30 am or within any period of time up to a maximum of 10 minutes
after the conclusion of the Economic Development Committee on*

Tuesday, 18 February 2020

Council Chambers

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** Item includes confidential papers

GROWTH AND INFRASTRUCTURE COMMITTEE NO. 1

18 FEBRUARY 2020

AGENDA

1. **EXERCISE OF DELEGATION**

This is a report concerning applications that have been determined by delegated authority for the period 10 January 2020 to 10 February 2020.

RECOMMENDATION

That the Interim Administrator of Ipswich City Council resolve:

That the report be received and the contents noted.

2. **COURT ACTION STATUS REPORT**

This is a report concerning a status update with respect to current court actions associated with development planning related matters including one other significant matter of dispute that the Planning and Regulatory Services Department is currently involved with.

RECOMMENDATION

That the Interim Administrator of Ipswich City Council resolve:

That the report be received and the contents noted.

**** Item includes confidential papers**

and any other items as considered necessary.

Doc ID No: A6054846

ITEM: 1
SUBJECT: EXERCISE OF DELEGATION
AUTHOR: DEVELOPMENT PLANNING MANAGER
DATE: 10 FEBRUARY 2020

EXECUTIVE SUMMARY

This is a report concerning applications that have been determined by delegated authority for the period 10 January 2020 to 10 February 2020.

RECOMMENDATION/S

That the Interim Administrator of Ipswich City Council resolve:

That the report be received and the contents noted.

RELATED PARTIES

There are no related parties associated with the recommendation as the development applications have already been determined.

ADVANCE IPSWICH THEME

- Strengthening our local economy and building prosperity
- Managing growth and delivering key infrastructure
- Caring for our community
- Caring for the environment
- Listening, leading and financial management

PURPOSE OF REPORT/BACKGROUND

The following delegations (and associated sub-delegations) contain a requirement for the noting of applications determined by delegated authority:

- Approval of Plans for Springfield
- Determination of Development Applications, Precinct Plans, Area Development Plans and Related Matters
- Exercise the Powers of Council under the *Economic Development Act 2012*
- Implementation of the Planning and Development Program
- Exercise the Powers of Council under the *Planning Act 2016*

LEGAL/POLICY BASIS

This report and its recommendations are consistent with the following legislative provisions:

Local Government Act 2009

Planning Act 2016

Economic Development Act 2012

RISK MANAGEMENT IMPLICATIONS

There are no risk management implications associated with this report.

FINANCIAL/RESOURCE IMPLICATIONS

There are no resourcing or budget implications associated with this report.



COMMUNITY AND OTHER CONSULTATION

The contents of this report did not require any community consultation. In the event that the development applications listed in this report triggered 'impact assessment' pursuant to the Ipswich Planning Scheme, public notification was undertaken as part of the development application process in accordance with any legislative requirements and matters raised in any submissions and were addressed in the respective development assessment reports.

CONCLUSION

The Planning and Regulatory Services Department is responsible for the assessment and determination of development applications. Attachment 1 to this report provides a list of development applications that were determined by delegated authority for the period 10 January 2020 to 10 February 2020

ATTACHMENTS AND CONFIDENTIAL BACKGROUND PAPERS

1.	Exercise Of Delegation Report  
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Brett Davey

DEVELOPMENT PLANNING MANAGER

I concur with the recommendations contained in this report.

Peter Tabulo

GENERAL MANAGER (PLANNING AND REGULATORY SERVICES)

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**Development Applications Determined by Delegated Authority
10 January 2020 to 10 February 2020**

Application No	Type	Application Details	Primary Property Location
ADP Area Development Plan			
10659/2019/ADP	ADP	Area Development Plan - Reconfiguring a Lot - Four Lots (4) into Six Lots (6) plus Access Easement	7001 Health Care Drive, Springfield Central
Decision Date - 23/01/2020		Decision - Approved	Authority - Team Co-ordinator East
CA Combined Approval			
4122/2018/CA	CA	Combined Approval Variation Application - Preliminary Approval to override the planning scheme, Reconfiguring a Lot - One (1) lot into two hundred and sixty-three (263) lots and Carrying out building work not associated with a Material Change of Use	639 Redbank Plains Road, Redbank Plains
Decision Date - 28/01/2020		Decision - Approved - Negotiated Decision Approved	Authority - Team Co-ordinator West
5178/2019/CA	CA	Material Change of Use - Business Use (Service Station) Advertising Device - One (1) Pylon Sign	15 Queen Street, Walloon
Decision Date - 21/01/2020		Decision - Approved	Authority - Team Co-ordinator West
8927/2019/CA	CA	Material Change of Use - Extension to an Existing Use on the Site of a Local Heritage Place being: o Tourist Facility (Wildlife Centre, Accommodation and Day Guest Activities) o Recreation / Entertainment - Entertainment Use (Public Function Space) o Recreation / Entertainment - Recreation Use (Outdoor Recreation / Trail Head and Parking) o Commercial / Industry - Business Use (Café / Restaurant / Day Spa / Bike Shop). Permanent Retention of two (2) 'temporary buildings' which were constructed following the destruction of the original homestead building ('Main Building') with the Spicers Resort, which was destroyed by fire.	617 Grandchester Mt Mort Road, Grandchester
Decision Date - 5/02/2020		Decision - Approved	Authority - Team Co-ordinator West
MCU Material Change of Use			
10399/2019/MCU	MCU	Material Change of Use - Home Based Activity (Home Industry)	227 Poplar Street, Walloon
Decision Date - 20/01/2020		Decision - Approved	Authority - Senior Planner (Development)
10531/2019/MCU	MCU	Material Change of Use - Single Residential in a Character Zone and Development Constraints Overlay (Mining)	79 Woodend Road, Woodend
Decision Date - 29/01/2020		Decision - Approved	Authority - Senior Planner (Development)

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Application No	Type	Application Details	Primary Property Location
2491/2018/MCU	MCU	Material Change of Use - Special Industry (Waste recycling and reprocessing – waste transfer station, crushing, milling or grinding), Minor Utility, Caretakers Residence and Environmentally Relevant Activities (ERA33, ERA54(1), ERA61(c) and ERA62(1)(a))	Lot 73 Rhondda Road, New Chum
	Decision Date - 4/02/2020	Decision - Approved - Negotiated Decision Approved	Authority - Team Co-ordinator West
4416/2019/MCU	MCU	Material Change of use Multiple Residential (Retirement Community – 200 units and Nursing Home – 100 beds)	245-263 School Road, Redbank Plains
	Decision Date - 15/01/2020	Decision - Approved - Negotiated Decision Approved	Authority - Team Co-ordinator Central
6373/2019/MCU	MCU	Material Change of Use - Service/Trades Use (Contractors Depot) and Caretaker Residential	7 Woogaroo Street, Goodna
	Decision Date - 10/01/2020	Decision - Approved	Authority - Team Co-ordinator East
652/2020/MCU	MCU	Material Change of Use - Single Residential affected by a Development Constraints Overlay (Flooding)	3 Enfield Street, Redbank
	Decision Date - 5/02/2020	Decision - Approved	Authority - Team Co-ordinator East
7018/2019/MCU	MCU	Material Change of Use - Business Use (Farm Supply Outlet) and General Industry (Extension to Existing)	164-168 Cobalt Street, Carole Park
	Decision Date - 22/01/2020	Decision - Approved	Authority - Team Co-ordinator East
7177/2019/MCU	MCU	Material Change of Use - Community Use - (Place of Worship)	72 Redbank Plains Road, Goodna
	Decision Date - 23/01/2020	Decision - Approved	Authority - Team Co-ordinator East
7904/2019/MCU	MCU	Material Change of Use - Extension to a Community Use (School)	110 Stuart Street, Goodna
	Decision Date - 31/01/2020	Decision - Approved	Authority - Team Co-ordinator East
9306/2019/MCU	MCU	Material Change of Use - Business Use (Medical Centre)	18 South Street, Ipswich
	Decision Date - 17/01/2020	Decision - Approved	Authority - Team Co-ordinator Central
9740/2019/MCU	MCU	Material Change of Use - Single Residential not Compliant with the Self Assessable Criteria	18-20 Harris Street, Bellbird Park
	Decision Date - 31/01/2020	Decision - Approved	Authority - Senior Planner (Development)
9748/2019/MCU	MCU	Material Change of Use- Single Residential affected by a Development Constraints Overlay	31-35 Boyles Road, Pine Mountain
	Decision Date - 16/01/2020	Decision - Approved	Authority - Senior Planner (Development)
9789/2019/MCU	MCU	Material Change of Use - Dual Occupancy	62 Tiger Street, West Ipswich
	Decision Date - 16/01/2020	Decision - Approved	Authority - Senior Planner (Development)
MAMC Modification-Change Application Minor			
1142/2019/MAMC/A	MAMC	Minor Change - Material Change of Use - Business Use (Fast Food Premises and Medical Centre) and Shopping Centre	7005 Mount Juillerat Drive, Redbank Plains
	Decision Date - 28/01/2020	Decision - Approved	Authority - Team Co-ordinator Central
1518/2016/MAMC/B	MAMC	Minor Change - Community Use (School)	27 Smiths Road, Goodna
	Decision Date - 20/01/2020	Decision - Approved	Authority - Principal Planner
1960/2007/MAMC/A	MAMC	Minor Change - Two (2) Lots into 125 Lots - Six (6) Stages	6-56 Hospital Road, Rosewood
	Decision Date - 29/01/2020	Decision - Approved	Authority - Senior Planner (Development)
2082/2018/MAMC/A	MAMC	Minor Change - Road Work	40 Masterpanel Lane, Bundamba

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Application No	Type	Application Details	Primary Property Location
2930/2016/MAMC/C	MAMC	Decision Date - 22/01/2020 Decision - Approved Minor Change - Preliminary Approval under section 242 to vary the Ipswich Planning Scheme, Reconfiguring a Lot - Two (2) lots into two hundred and ninety seven (297) lots and Material Change of Use - Single Residential and Dual Occupancy	Authority - Team Co-ordinator Engineering 7002 Rawlings Road, Deebling Heights
5760/2015/MAMC/G	MAMC	Decision Date - 20/01/2020 Decision - Approved Minor Change - RAL - One (1) Lot into One Hundred and twenty three (123) Lots RAL - One (1) Lot into Three (3) Lots Preliminary approval to override the planning scheme for development in accordance with the Residential Low Density Zone (RL2), Local Retail and Commercial Zone (LC2) and Regional Business and Industry Buffer Zone	Authority - Team Co-ordinator West 40 Masterpanel Lane, Bundamba
6390/2018/MAMC/A	MAMC	Decision Date - 29/01/2020 Decision - Approved Minor Change - Material Change of Use - Shopping Centre (Extension) and Recreation Use (Indoor Recreation)	Authority - Team Co-ordinator Central 39 Junction Road, Chuwar
716/2019/MAMC/A	MAMC	Decision Date - 5/02/2020 Decision - Approved Minor Change - Reconfiguring a Lot - one (1) lot into five (5) lots, two (2) access easements and new road	Authority - Team Co-ordinator Central 7005 Mount Juillerat Drive, Redbank Plains
9296/2018/MAMC/A	MAMC	Decision Date - 28/01/2020 Decision - Approved Minor Change - Road Work , Drainage Work, Stormwater, Earthworks and Clearing Vegetation	Authority - Team Co-ordinator Central 5 Spring Avenue, Springfield Lakes
		Decision Date - 20/01/2020 Decision - Approved	Authority - Team Co-ordinator Engineering
MAEXT Modification-Extension Application			
2187/2012/MAEXT/B	MAEXT	Extension to Currency Period Application - Business Use - Produce/ Craft Market, Shopping Centre and Multiple Residential (128 Units) - Smart eDA	13 Ellenborough Street, Ipswich
		Decision Date - 17/01/2020 Decision - Approved	Authority - Team Co-ordinator Central
3169/2015/MAEXT/A	MAEXT	Extension to Currency Period Application - One (1) lot into five (5) lots	94 Equestrian Drive, Yamanto
		Decision Date - 3/02/2020 Decision - Approved	Authority - Senior Planner (Development)
5088/2015/MAEXT/A	MAEXT	Extension to Currency Period Application - Services/Trades Use (Warehouse)	10 Morshead Court, Redbank
		Decision Date - 31/01/2020 Decision - Approved	Authority - Senior Planner (Development)
6057/2013/MAEXT/B	MAEXT	Extension to Currency Period Application - Service/Trade Use - Truck Wash and Warehouse	52 Mica Street, Carole Park
		Decision Date - 31/01/2020 Decision - Approved	Authority - Team Co-ordinator East
8085/2008/MAEXT/C	MAEXT	Extension to Currency Period Application - Roadworks and Stormwater (23 lots) Water Infrastructure, Drainage Works, Earthworks, Sewerage Infrastructure, Landscaping (49 lots) - Links Estate Stages 1 to 3	6-56 Hospital Road, Rosewood
		Decision Date - 15/01/2020 Decision - Approved	Authority - Team Co-ordinator Engineering
OW Operational Works			

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Application No	Type	Application Details	Primary Property Location
10221/2019/OW	OW	Landscaping - Kalina Village Stages 5-8 Linear Park	7004 Panorama Drive, Springfield
	Decision Date - 14/01/2020	Decision - Approved	Authority - Team Co-ordinator Engineering
10361/2019/OW	OW	Stormwater & Earthworks	106 Mica Street, Carole Park
	Decision Date - 17/01/2020	Decision - Approved	Authority - Team Co-ordinator Engineering
10626/2019/OW	OW	Road work, Stormwater and Driveway Works	119 Johnston Street, Bellbird Park
	Decision Date - 5/02/2020	Decision - Approved	Authority - Team Co-ordinator Engineering
5822/2019/OW	OW	Traffic Signals to intersection of Main Street and Pisasale Drive, Yamanto	488 Warwick Road, Yamanto
	Decision Date - 20/01/2020	Decision - Approved	Authority - Team Co-ordinator Engineering
7929/2019/OW	OW	Road work, Stormwater, Earthworks and Driveway Works	123 Johnston Street, Bellbird Park
	Decision Date - 13/01/2020	Decision - Approved	Authority - Team Co-ordinator Engineering
8903/2019/OW	OW	Stormwater, Drainage Works & Earthworks - Hume Drive Stage 3A	40 Masterpanel Lane, Bundamba
	Decision Date - 17/01/2020	Decision - Approved	Authority - Team Co-ordinator Engineering
8943/2019/OW	OW	Landscaping - Sovereign Pocket Stage 16A	7001 Rawlings Road, Deebling Heights
	Decision Date - 17/01/2020	Decision - Approved	Authority - Team Co-ordinator Engineering
8945/2019/OW	OW	Landscaping - Sovereign Pocket Stage 16B	7001 Rawlings Road, Deebling Heights
	Decision Date - 17/01/2020	Decision - Approved	Authority - Team Co-ordinator Engineering
9065/2019/OW	OW	Road Works, Drainage Work, Stormwater, Earthworks and Internal civil works associated with the MCU approval	143 Toongarra Road, Wulkuraka
	Decision Date - 20/01/2020	Decision - Approved	Authority - Team Co-ordinator Engineering
9078/2019/OW	OW	Rate 3 Streetlighting - Woodlinks Village Stage 16	7001 Collingwood Drive, Collingwood Park
	Decision Date - 13/01/2020	Decision - Approved	Authority - Team Co-ordinator Engineering
9252/2019/OW	OW	Electrical Supply and Rate 3 Streetlighting - Ecco Ripley Stage 13	622 Ripley Road, Ripley
	Decision Date - 21/01/2020	Decision - Approved	Authority - Team Co-ordinator Engineering
9386/2019/OW	OW	Rate 3 Streetlighting - Redbank Motorway Estate	14 Monash Road, Redbank
	Decision Date - 16/01/2020	Decision - Approved	Authority - Team Co-ordinator Engineering
9622/2019/OW	OW	Streetscape and Internal Landscaping	143 Toongarra Road, Wulkuraka
	Decision Date - 20/01/2020	Decision - Approved	Authority - Team Co-ordinator Engineering
9790/2019/OW	OW	Rate 3 Streetlighting	14-16 Samantha Street, Redbank Plains
	Decision Date - 31/01/2020	Decision - Approved	Authority - Team Co-ordinator Engineering
9930/2019/OW	OW	Rate 3 Streetlighting	9-11 Siedofsky Street, Redbank Plains
	Decision Date - 4/02/2020	Decision - Approved	Authority - Team Co-ordinator Engineering
OD Other Development			
10282/2019/OD	OD	Carrying out building work not associated with a material change of use – Extension to Existing Rural Fire Service Building	102 Champions Way, Willowbank
	Decision Date - 20/01/2020	Decision - Approved	Authority - Senior Planner (Development)
10669/2019/OD	OD	Carrying out Building Work not Associated with a Material Change of Use - Extension to an Existing Dwelling in a Character Zone	86 Glebe Road, Newtown
	Decision Date - 30/01/2020	Decision - Approved	Authority - Principal Planner
MAPDA PDA Amendment Application			

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Application No	Type	Application Details	Primary Property Location
4616/2017/MAPDA/AMAPDA		Amendment Application - Reconfiguring a Lot - One (1) Lot into Sixty-Three (63) lots with a Plan of Development plus Drainage Reserve and New Roads	1 Lakeview Drive, Deebling Heights
Decision Date - 31/01/2020		Decision - Approved	Authority - Team Co-ordinator West
PDA Priority Development Area			
7674/2019/PDA	PDA	Operational Works - 787-815 Ripley Road – Bulk Earthworks	787-815 Ripley Road, Ripley
Decision Date - 5/02/2020		Decision - Approved	Authority - Team Co-ordinator Engineering
8658/2017/PDA	PDA	Reconfiguring a lot (Including Plan of Development) for 272 residential allotment 1 balance allotment, drainage and road over multiple stages.	107-137 Abrahams Road, South Ripley
Decision Date - 10/01/2020		Decision - Approved	Authority - Team Co-ordinator West
9521/2018/PDA	PDA	Material Change of Use - Urban Development and Endorsement of a Context PI	1 Coleman Road, South Ripley
Decision Date - 6/02/2020		Decision - Approved	Authority - Team Co-ordinator West
RAL Reconfiguring a Lot			
10277/2019/RAL	RAL	Reconfiguring a Lot - two (2) into three (3) lots	24 Waterworks Road, Brassall
Decision Date - 22/01/2020		Decision - Approved	Authority - Senior Planner (Development)
10363/2019/RAL	RAL	Reconfiguring a Lot - One (1) Lot into Two (2) Lots	33 Doyle Street, Silkstone
Decision Date - 29/01/2020		Decision - Approved	Authority - Senior Planner (Development)
10394/2019/RAL	RAL	Reconfiguring a Lot - Boundary Realignment	130 Bognuda Street, Bundamba
Decision Date - 4/02/2020		Decision - Approved	Authority - Senior Planner (Development)
5990/2019/RAL	RAL	Reconfiguring a Lot - One (1) lot into Two (2) Lots	102 Smiths Road, Goodna
Decision Date - 30/01/2020		Decision - Approved - Negotiated Decision Refused	Authority - Senior Planner (Development)
8660/2019/RAL	RAL	Reconfiguring One (1) lot into Two (2) lots	9-11 Hayes Avenue, Camira
Decision Date - 10/01/2020		Decision - Approved	Authority - Team Co-ordinator East
NAME Road/Place/Park/Bridge Naming			
10633/2019/NAME	NAME	Extension to Existing Road Name	Binnies Road
Decision Date - 15/01/2020		Decision - Approved	Authority - Senior Development Planning Compliance Officer
40/2015/NAME/S	NAME	Road Naming and Extension to Road Names	7004 Bayliss Road, South Ripley
Decision Date - 20/01/2020		Decision - Approved	Authority - Senior Development Planning Compliance Officer
4616/2017/NAME/A	NAME	Road Naming - Aurora Grove	1 Lakeview Drive, Deebling Heights
Decision Date - 31/01/2020		Decision - Approved	Authority - Senior Development Planning Compliance Officer
7603/2015/NAME/A	NAME	Road Naming - 7002 Unnamed Road, Swanbank	7002 Unnamed Road, Swanbank
Decision Date - 16/01/2020		Decision - Approved	Authority - Senior Development Planning Compliance Officer
8400/2018/NAME/A	NAME	Road Naming - Springfield Rise Estate Village 14	7003 Dublin Avenue, Spring Mountain
Decision Date - 15/01/2020		Decision - Approved	Authority - Senior Development Planning Compliance Officer
8730/2016/NAME/A	NAME	Park Naming	7002 Russell Luhrs Way, Spring Mountain
Decision Date - 15/01/2020		Decision - Approved	Authority - Senior Development Planning Compliance Officer
SSP Signing of Subdivision Plan			
10428/2019/SSP	SSP	Lot 404 on SP313797	7004 Unnamed Road, Swanbank

Item 1 / Attachment 1.

Application No	Type	Application Details	Primary Property Location
Decision Date - 16/01/2020		Decision - Approved	Authority - Senior Development Planning Compliance Office
1489/2017/SSP/E	SSP	Lots 670-685, 740-763, 1111 & 9001 on SP302894	7003 Mount Juillerat Drive, Redbank Plains
Decision Date - 3/02/2020		Decision - Approved	Authority - Senior Development Planning Compliance Office
1489/2017/SSP/F	SSP	Lots 695-718 & 9001 on SP302892	7003 Mount Juillerat Drive, Redbank Plains
Decision Date - 3/02/2020		Decision - Approved	Authority - Senior Development Planning Compliance Office
2095/2018/SSP/A	SSP	Lots 1 and 2 on SP303357	32 Bayley Road, Pine Mountain
Decision Date - 20/01/2020		Decision - Approved	Authority - Senior Planner (Development)
2679/2019/SSP/A	SSP	Lots 1 - 7 & 9997 on SP277249	7004 Panorama Drive, Springfield
Decision Date - 14/01/2020		Decision - Approved	Authority - Senior Development Planning Compliance Office
3570/2019/SSP/B	SSP	Lots 100-115, 175-189, & 901 on SP304727	7006 Brookwater Drive, Brookwater
Decision Date - 23/01/2020		Decision - Approved	Authority - Senior Development Planning Compliance Office
5801/2017/SSP/A	SSP	Lots 3 and 4 on SP297492	7001 Vedanta Drive, Springfield Lakes
Decision Date - 7/02/2020		Decision - Approved	Authority - Senior Development Planning Compliance Office
7128/2019/SSP/A	SSP	Lots 3, 10, 64 on SP287481	3 Pilny Street, Camira
Decision Date - 10/01/2020		Decision - Approved	Authority - Senior Development Planning Compliance Office
7371/2018/SSP/A	SSP	Lots 50 and 51 on SP313951	19 Chubb Street, One Mile
Decision Date - 22/01/2020		Decision - Approved	Authority - Senior Development Planning Compliance Office
9494/2019/SSP/A	SSP	Easement Q, R, S & T on SP314921	19 Queen Street, Goodna
Decision Date - 17/01/2020		Decision - Approved	Authority - Senior Development Planning Compliance Office
9665/2017/SSP/A	SSP	Lots 1-12 on SP307753	1 Cowie Street, Deebing Heights
Decision Date - 30/01/2020		Decision - Approved	Authority - Senior Development Planning Compliance Office
972/2018/SSP/A	SSP	Lots 11 and 12 on SP310482	61 Dale Road, Camira
Decision Date - 7/02/2020		Decision - Approved	Authority - Senior Development Planning Compliance Office
SSPRV Signing of Subdivision Plan (Ripley)			
6742/2019/SSPRV/A	SSPRV	Lots 20 & 21 on SP311865	728 Ripley Road, Ripley
Decision Date - 20/01/2020		Decision - Approved	Authority - Senior Development Planning Compliance Office
8736/2017/SSPRV/B	SSPRV	Lots 201-245, 901 and 9004 on SP305894	352-396 Ripley Road, Ripley
Decision Date - 22/01/2020		Decision - Approved	Authority - Senior Development Planning Compliance Office
9140/2016/SSPRV/I	SSPRV	Lots 1009 & 2003 on SP311845	7002 Ripley Road, Ripley
Decision Date - 10/01/2020		Decision - Approved	Authority - Team Co-ordinator Development Compliance

Doc ID No: A6050625

ITEM: 2
SUBJECT: COURT ACTION STATUS REPORT
AUTHOR: DEVELOPMENT PLANNING MANAGER
DATE: 6 FEBRUARY 2020

EXECUTIVE SUMMARY

This is a report concerning a status update with respect to current court actions associated with development planning related matters including one other significant matter of dispute that the Planning and Regulatory Services Department is currently involved with.

RECOMMENDATION/S

That the Interim Administrator of Ipswich City Council resolve:

That the report be received and the contents noted.

RELATED PARTIES

The related parties, being the appellants associated with any court actions, are detailed in the attachment to this report.

ADVANCE IPSWICH THEME

- Strengthening our local economy and building prosperity
- Managing growth and delivering key infrastructure
- Caring for our community
- Caring for the environment
- Listening, leading and financial management

PURPOSE OF REPORT/BACKGROUND

In addition to the current court actions, there is one (1) other significant matter of dispute. At Council's meeting on 13 November 2018, it was resolved to amend the Ipswich Planning Scheme (Planning Scheme Major Amendment Package 02/2018) by making amendments to Part 14 – Springfield Structure Plan. Springfield City Group has made representations to the State Government that the amendments, as adopted by Council, should not be approved and has suggested alternative wording regarding the rights and responsibilities of developers and land owners within the Springfield Structure Plan area. As a consequence of this dispute, the State Government facilitated a without prejudice discussion on 28 February 2019 between Springfield City Group and Council officers. The matter was not resolved at this

meeting and it was determined that further discussions would be required prior to the State Government determining the outcome. The formal process surrounding this is presently on hold whilst ongoing discussions occur.

LEGAL/POLICY BASIS

This report and its recommendations are consistent with the following legislative provisions:
Local Government Act 2009
Planning Act 2016
Planning and Environment Court Act 2016

RISK MANAGEMENT IMPLICATIONS

There are no risk management implications associated with this report.

FINANCIAL/RESOURCE IMPLICATIONS

There are no resourcing or budget implications associated with this report.



COMMUNITY AND OTHER CONSULTATION

The contents of this report did not require any community consultation.

CONCLUSION

The Planning and Regulatory Services Department are currently involved with a number of current court related matters. Attachment 1 to this report provides a current status with respect to these matters.

ATTACHMENTS AND CONFIDENTIAL BACKGROUND PAPERS

1.	Court Action Status Report  
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Brett Davey
DEVELOPMENT PLANNING MANAGER

I concur with the recommendations contained in this report.

Peter Tabulo
GENERAL MANAGER (PLANNING AND REGULATORY SERVICES)

“Together, we proudly enhance the quality of life for our community”



**Planning and Development Department
Court Action Status Report
7 February 2020
Total Number of Appeals - 9**

Note: Data is current as at close of business on the previous working day.

Planning & Environment Court - 9 Appeal/s

Appeal No: 473 of 2018 **Appeal Date:** 9/2/2018 **Case Name:** HPC Urban Design & Planning Pty Ltd and Bio-Recycle Australia Pty Ltd v/s Ipswich City Council

Solicitor: N/A at this time **Appeal Type:** Applicant Appeal

P&D Register No: 139 **Application No:** 4475/2017/MCU **Applicant:** HPC Urban Design & Planning Pty Ltd

Division: 3 **Property:** 30 Memorial Drive, Swanbank

Appeal Summary: This is an applicant appeal against Council's decision to refuse an application. The MCU application for Special Industry (Extension to an existing Landfill for Non-Putrescible Waste) was refused on the basis of amenity impacts on to adjoining residential areas specifically Ripley Valley.

Status: Matter heard in court (25 March - 4 April 2019). Judgment handed down 13 November 2019. Appeal was dismissed and Council's decisions to refuse the development application was upheld.

Appeal No: 945 of 2018 **Appeal Date:** 14/3/2018 **Case Name:** Black Ink Architecture Pty Ltd v Ipswich City Council

Solicitor: N/A **Appeal Type:** Applicant Appeal

P&D Register No: 140 **Application No:** 3859/2017/MCU **Applicant:** Black Ink Architecture Pty Ltd

Division: 4 **Property:** 41 Barclay Street, Bundamba
43 Barclay Street, Bundamba
39 Barclay Street, Bundamba

Appeal Summary: This is an applicant appeal against Council's decision to refuse an application. The refusal related to a material change of use - child care centre which was recommended for refusal based on flooding, traffic, and amenity.

Status: Statements of evidence to be exchanged by 14 February 2020. Appeal listed for pre-callover review on 19 February 2020.

Appeal No: 1727 of 2018 **Appeal Date:** 11/5/2018 **Case Name:** C.B. Developments Australia Pty Ltd v ICC

Solicitor: N/A **Appeal Type:** Applicant Appeal

P&D Register No: 141 **Application No:** 4432/2017/RAL **Applicant:** CB Developments Pty Ltd

Division: 2 **Property:** 12-26 Eugene Street, Bellbird Park
Lot 902 Eugene Street, Bellbird Park

Appeal Summary: This is an applicant appeal against Council's decision to refuse an application to reconfigure land into 333 lots plus parkland.

Status: As a consequence of the expert's reports, the appellant has indicated that they intend to change the development proposal. The Court order requires the appellant to notify of any amendment by 31 January 2020 and Council is required to provide a response to the proposed change by 21 February 2020. A further review is scheduled for 28 February 2020.

Planning & Environment Court - 9 Appeal/s

Appeal No: 4457 of 2018 **Appeal Date:** 12/12/2018 **Case Name:** Weyba3 Pty Ltd v Ipswich City Council
Solicitor: N/A at this time **Appeal Type:** Applicant Appeal
P&D Register No: 147 **Application No:** 7117/2017/CA **Applicant:** WEBYA3
Division: 2 **Property:** 45A Ascot Street, Goodna
45 Ascot Street, Goodna
16 Redbank Plains Road, Goodna

Appeal Summary: This is an applicant appeal against Council's decision to refuse an application. The refusal related to reconfiguring the subject land into 78 residential lots and a material change of use for 78 Single Residential dwellings that are non-compliant with the planning scheme provisions.

Status: Matter has been set down for hearing across 6 days starting on Friday 14 February and continuing Monday 17 to Friday 21 February. Site inspection expected to occur on the 14th and the trial to occur through the week of the 17th.

Appeal No: 939 of 2019 **Appeal Date:** 19/3/2019 **Case Name:** HPC Urban Design & Planning Pty Ltd and Bio-Recycle Australia Pty Ltd v Ipswich City Council
Solicitor: Allison Ferres-MacDonald **Appeal Type:** Applicant Appeal
P&D Register No: 152 **Application No:** 5601/2004/MAM C/A **Applicant:** Bio-Recycle Australia Pty Ltd
Division: 3 **Property:** 30 Memorial Drive, Swanbank

Appeal Summary: This is an applicant appeal against Council's decision to refuse a 'Minor Change' application for a combined approval for MCU for an Environmental Recycling Park (Soil Conditioner Manufacturing and Waste Disposal Facility).

The application was refused on the basis that:

- It failed to demonstrate that the proposed development is not in conflict with the Temporary Local Planning Instrument No.1 of 2018 (Waste Activity Regulation).
- It failed to demonstrate that there is a need to extend the life of the existing facility by increasing the landfill height from the approved RL75 to RL80. the proposed changes would result in a substantially different development to that which is currently permitted as they change the ability of the proposed development to operate as intended and introduce new impacts or increase the severity of known impacts including but not limited to visual and environmental nuisances.

Status: Appeal listed for directions hearing on 14 February 2020.

Planning & Environment Court - 9 Appeal/s

Appeal No: 2473 of 2019	Appeal Date: 25/9/2019	Case Name: Lantrak Property Holdings (Qld) Pty Ltd v Ipswich City Council
Solicitor: N/A		Appeal Type: Applicant Appeal
P&D Register No: 153	Application No: 3343/2018/MCU	Applicant: Lantrak Property Holdings (QLD) Pty Ltd
Division: 10		Property: 272-292 Ipswich-Rosewood Road, Amberley Lot 15 Ipswich Rosewood Road, Jeebropilly 226-246 Ipswich Rosewood Road, Amberley 316-356 Ipswich-Rosewood Road, Amberley 91-109 Mt Elliot Mine Road, Amberley 434-458 Ipswich Rosewood Road, Jeebropilly Lot 198 Unnamed Road, Jeebropilly 410-432 Ipswich Rosewood Road, Jeebropilly Lot 197 Unnamed Road, Jeebropilly 358 Ipswich Rosewood Road, Jeebropilly 248 Ipswich-Rosewood Road, Amberley 111-129 Mt Elliot Mine Road, Amberley 131-155 Mt Elliot Mine Road, Amberley 372-406 Ipswich Rosewood Road, Jeebropilly Lot 199 Unnamed Road, Jeebropilly Lot 196 Unnamed Road, Jeebropilly Lot 187 Unnamed Road, Amberley Lot 10 Ipswich Rosewood Road, Jeebropilly Lot 14 Ipswich Rosewood Road, Jeebropilly Lot 12 Ipswich Rosewood Road, Jeebropilly 29-35 Mt Elliot Mine Road, Amberley 312 Ipswich Rosewood Road, Amberley 460-482 Ipswich Rosewood Road, Jeebropilly Lot 16 Ipswich Rosewood Road, Jeebropilly Lot 17 Ipswich Rosewood Road, Jeebropilly Lot 11 Ipswich Rosewood Road, Jeebropilly Lot 13 Ipswich Rosewood Road, Jeebropilly 37-89 Mt Elliot Mine Road, Amberley
Appeal Summary: This is an applicant initiated deemed refusal appeal. The proposal is for a Material Change of Use for Special Industry (Landfill for on-putrescible Waste and Waste Transfer Station); Environmentally Relevant Activity (ERA) 60 - Waste Disposal; and Environmentally Relevant Activity (ERA) 33 - Crushing, Milling, Grinding or Screening. The due date for Council to make a decision was 13 September 2019 and the due date to issue the decision notice to the applicant was 20 September 2019. On 13 September 2019 the applicant refused Council's request for an extension of time for the decision period and subsequently lodged the deemed refusal appeal before Council was in a position to issue a decision.		
Status: Council provided its reasons for refusal on 4 December 2019. Appellant responded to the Council reasons for refusal on 3 February 2020. All parties must now nominate experts and attend a case management conference to be conducted by the Planning and Environment Court Alternative Dispute Resolution Register on 17 February 2020. Appeal listed for review on 21 February 2020.		

Planning & Environment Court - 9 Appeal/s

Appeal No: 4101 of 2019	Appeal Date: 14/11/2019	Case Name: Cleanaway Solid Waste Pty Ltd v Ipswich City Council
Solicitor: N/A		Appeal Type: Applicant Appeal
P&D Register No: 156	Application No: 4502/2018/MCU	Applicant: Cleanaway Solid Waste Pty Ltd
Division: 3		Property: 20 Rhondda Road, New Chum 100 Chum Street, New Chum
Appeal Summary: This is an applicant appeal against Council's decision to refuse a development application to extend upon an existing approved landfill. The application was refused on the basis that it failed to advance the purpose of the Planning Act 2016 and failed to demonstrate compliance with the South East Queensland Regional Plan, the State Planning Policy, the Ipswich Planning Scheme 2006 and the Temporary Local Planning Instrument No. 1 of 2018: Swanbank / New Chum Waste Activity Code (TLPI). Matter listed for Court review on 12 December 2019.		
Status: Council to provide its reasons for refusal and context for the determination on or before 7 February 2020. Appeal listed for review on 12 February 2020.		
Appeal No: 4301/19	Appeal Date: 28/11/2019	Case Name: Fabcot Pty Ltd –v- Ipswich City Council
Solicitor: N/A at this time		Appeal Type: Applicant Appeal
P&D Register No: 157	Application No: 2269/2019/MCU	Applicant: Fabcot Pty Ltd
Division: 7		Property: 93 Raceview Street, Raceview 91 Raceview Street, Raceview
Appeal Summary: This is an applicant appeal against Council's decision to refuse an application for a Material Change of Use – Shopping Centre.		
Status: I confirm the matter is not listed for directions at this stage. We have engaged Corrs Chambers Westgarth as our external solicitor for this matter.		
Appeal No: 4514/2019	Appeal Date: 17/12/2019	Case Name: Haines V Ipswich City Council
Solicitor: N/A		Appeal Type: Planning and Environment Appeal
P&D Register No: 158	Application No: 6300/2018/RAL	Applicant: The Planning Place
Division: 9		Property: 6 Rice Road, Redbank Plains 8A Rice Road, Redbank Plains 10 Rice Road, Redbank Plains
Appeal Summary: This is an applicant appeal against Council's decision to refuse a development application for reconfiguring a lot (3 into 12 lots). The application was refused on the basis that it failed to demonstrate sufficient stormwater management practices, and it failed to demonstrate sufficient connectivity to surrounding land.		
Status: The matter is listed for directions on 5 February 2020 and a ADR conference is scheduled for 19 February 2020.		