

# REPORT TO THE LEGISLATIVE ASSEMBLY -

Ministerial call in under the  
*Sustainable Planning Act 2009* -  
July 2015

Pacific View Estate, Worongary (Gold Coast)

**REPORT TO BE TABLED IN THE LEGISLATIVE ASSEMBLY  
ABOUT MINISTER'S DECISION ON A CALL IN OF A  
DEVELOPMENT APPLICATION UNDER THE  
*SUSTAINABLE PLANNING ACT 2009***

**PACIFIC VIEW ESTATE DEVELOPMENT  
APPLICATION BY URBAN PLANNING  
SERVICES ON BEHALF OF PACIFIC VIEW  
FARM (QUEENSLAND) PTY LTD**

**CALLED IN BY THE FORMER DEPUTY  
PREMIER AND MINISTER FOR  
STATE DEVELOPMENT, INFRASTRUCTURE  
AND PLANNING,  
THE HONOURABLE JEFF SEENEY MP  
ON 17 DECEMBER 2014**

**AND**

**DECIDED BY THE DEPUTY PREMIER,  
MINISTER FOR TRANSPORT, MINISTER FOR  
INFRASTRUCTURE, LOCAL GOVERNMENT  
AND PLANNING AND MINISTER FOR TRADE,  
THE HONOURABLE JACKIE TRAD MP  
ON 19 MARCH 2015**

**THIS REPORT HAS BEEN PREPARED PURSUANT TO SECTION 432 OF THE  
*SUSTAINABLE PLANNING ACT 2009***

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**REPORT ABOUT MINISTER'S DECISION ON THE CALL IN  
OF A DEVELOPMENT APPLICATION  
UNDER THE *SUSTAINABLE PLANNING ACT 2009***

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**DEVELOPMENT APPLICATION BY URBAN PLANNING SERVICES ON  
BEHALF OF PACIFIC VIEW FARM (QUEENSLAND) PTY LTD**

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Annexure A          Copy of the original Development Application

Annexure B          Copy of Notice of Call in (December 2014)

Annexure C          Copy of Referral Agency Responses

Annexure D          Analysis of Submissions

Annexure E          Copy of Decision Notice

Annexure F          Copy of Statement of Reasons

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**REPORT ABOUT MINISTER'S DECISION ON THE CALL IN OF A  
DEVELOPMENT APPLICATION UNDER THE  
SUSTAINABLE PLANNING ACT 2009**

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**1.0 PURPOSE**

In accordance with section 432 of the *Sustainable Planning Act 2009* (SPA), if a development application is called in under section 425(1) of SPA, the Minister must, after making a decision on the development application, prepare a report about the Minister's decision and cause a copy of that report to be tabled in the Legislative Assembly within 14 sitting days after the decision is made.

This is a report about the decision that I, as Deputy Premier and Minister for Transport, Minister for Infrastructure, Local Government and Planning and Minister for Trade, made on 19 March 2015 in respect of the call in of a development application by Urban Planning Services on behalf of Pacific View Farm (Queensland) Pty Ltd.

**2.0 DEVELOPMENT APPLICATION**

<b>Applicant:</b>	Urban Planning Services on behalf of Pacific View Farm (Queensland) Pty Ltd
<b>Subject Site:</b>	Lot 28 on SP189559, Lot 10 on SP229681 and Lot 11 on SP229681
<b>Location:</b>	Hinkler Drive, Worongary
<b>Approvals sought:</b>	Preliminary approval for material change of use under section 242 of the <i>Sustainable Planning Act 2009</i> to vary the effect of the Gold Coast Planning Scheme 2003 in accordance with the Pacific View Estate Development Code
<b>Local Government Area:</b>	Gold Coast City Council
<b>Original Assessment Manager:</b>	Gold Coast City Council
<b>Original Properly Made Date:</b>	24 December 2010
<b>Original Assessment Manager's Decision:</b>	Deemed refusal

A copy of the development application lodged by the applicant and the material that accompanied the development application is **Annexure A** to this report.

### 3.0 NOTICE OF CALL IN

On 17 December 2014, the then Deputy Premier and Minister for State Development, Infrastructure and Planning, called in the development application lodged by the applicant. A copy of the notice of call in that was given by the then Deputy Premier under section 425 of SPA is **Annexure B** to this report.

### 4.0 REFERRAL AGENCY RESPONSES

Pursuant to SPA and the *Sustainable Planning Regulation 2009*, the Department of Environment and Resource Management, the Department of Infrastructure and Planning (DIP) and the Department of Transport and Main Roads were concurrence agencies for the development application. Energex and Powerlink were advice agencies. Under section 427(4) of SPA, once the then Deputy Premier called in the development application, the State Assessment and Referral Agency, on behalf of the Department of Environment and Heritage Protection, the Department of Natural Resources and Mines (both in place of the former Department of Environment and Resource Management), the Department of State Development, Infrastructure and Planning (in place of the former Department of Infrastructure and Planning) and the Department of Transport and Main Roads, was taken to be an advice agency until the decision notice was given.

Copies of the referral responses from the State Assessment and Referral Agency, Energex and Powerlink, which formed part of my re-assessment of the development application, are **Annexure C** to this report.

### 5.0 ANALYSIS OF SUBMISSIONS

In accordance with SPA, the development application required impact assessment and public notification under the Integrated Development Assessment System (IDAS) process. The development application underwent public notification from 30 July 2014 to 12 September 2014 and received 39 submissions.

An analysis of the submissions received is **Annexure D** to this report.

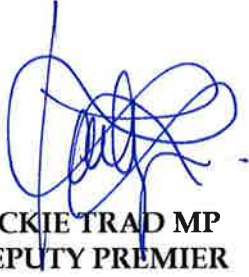
### 6.0 DECISION NOTICE

On 19 March 2015, I determined to approve the development application subject to conditions for preliminary approval for material change of use under section 242 of the *Sustainable Planning Act 2009* to vary the effect of the Gold Coast Planning Scheme 2003 in accordance with the Pacific View Estate Development Code.

A copy of my decision notice dated 19 March 2015 is **Annexure E** to this report.

## 7.0 REASONS FOR THE DECISION

The statement of reasons for my decision is **Annexure F** to this report.



**JACKIE TRAD MP  
DEPUTY PREMIER**

**Minister for Transport, Minister for Infrastructure,  
Local Government and Planning and Minister for Trade**

Dated: 13/07/15