



**SCENIC RIM REGIONAL COUNCIL**

**Planning & Development Committee**

# Report

Meeting held in the Council Chambers

82 Brisbane Street

Beaudesert

Tuesday, 17 November 2015

Commenced at 10.20 am

All correspondence to  
Be addressed to the  
Chief Executive Officer

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**SCENIC RIM REGIONAL COUNCIL**  
**PLANNING & DEVELOPMENT COMMITTEE**  
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# PLANNING & DEVELOPMENT COMMITTEE

## REPORT

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### CHIEF EXECUTIVE OFFICER

I advise that the Committee met on **Tuesday, 17 November 2015**. Councillors present:

Cr J J Sanders, Chairperson  
Cr J C Brent, Mayor  
Cr N J Waistell  
Cr N O'Carroll  
Cr V A West, Deputy Mayor  
Cr R J Stanfield

### ATTENDANCE

#### Executive Officers

C R Barke, Chief Executive Officer  
P A Murphy, Director Infrastructure Services  
A M Magner, Director Regional Services  
K Stidworthy, Chief Finance Officer

### APOLOGIES

Cr D A McInnes

### DECLARATIONS OF INTEREST BY MEMBERS

Nil

**The following Officers attended the meeting and joined discussions on the items listed.**

S Turner, Manager Planning (Items 3.1 - 3.6)

### Reception of Deputations by Appointment / Visitors

Nil

# PLANNING & DEVELOPMENT COMMITTEE

## REPORT

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**Please note:** The Committee resolved to go into closed session in accordance with the provisions of s.275 of the Local Government Regulation 2012 to discuss the items of business indicated as closed in the Committee Report.

At the conclusion of these items, the Committee resolved to resume in open session. The Committee's recommendation on each item, discussed in closed session, is as detailed at the end of each item in the Report.

**1. EXECUTIVE**

Nil.

**2. CHIEF FINANCE OFFICER**

Nil.

**3. REGIONAL SERVICES****3.1 Adoption of Temporary Local Planning Instrument 01/2015 (Flood Hazard)**

**Executive Officer: Director Regional Services**

**File Reference: 19/03/004**

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**Director's Recommendation**

That Council resolve to adopt the draft *Temporary Local Planning Instrument 01/2015 (Flood Hazard)* in accordance with Section 105 and 117(3) of the *Sustainable Planning Act 2009* and set a commencement date of 11 December 2015.

**Committee Recommendation**

That the Director Regional Services' recommendation be adopted.

Moved: Cr O'Carroll

Seconded: Cr West

Carried

**Attachments**

1. Draft Temporary Local Planning Instrument 01/2015 (Flood Hazard) (attached separately).

**3.2 MCBn15/002 Development Permit for a Material Change of Use Community Facilities (Community Services Use) (Integrated Retirement Community) SEADEV Pty Ltd Lot 1 RP20983 Lot 2 RP20983 Lot 5 RP20983**

**Executive Officer:** Director Regional Services

**File Reference:** MCBn15/002

<b>Applicable Planning Scheme</b>	<i>Boonah Shire Planning Scheme 2006</i>
<b>Applicant</b>	SEADEV Pty Ltd
<b>Owner(s)</b>	Mr D S Hassum, Mr S G Hassum
<b>Site Address</b>	163 Teviotville Road KALBAR
<b>Real Property Description</b>	Lot 1, 2 and 5 on RP20983
<b>Site Area</b>	40.28Ha
<b>Relevant Zone and Precinct</b>	Rural Zone - Horticultural/Dairying Lands Precinct
<b>Proposal</b>	Preliminary Approval under Section 242 of the <i>Sustainable Planning Act 2009</i> for a Material Change of Use (Integrated Retirement Community to be developed in accordance with the Master Plan Development Code); and Development Permit for Material Change of Use (Stage One (1) for Multiple Dwelling (Residential Aged Care Facility & Supported Living Apartments), Caretaker's Residence and Undefined Landuse (Sales Office))
<b>Assessment Level</b>	Impact Assessable (Inconsistent being Undefined Landuse for Sales Office)
<b>Approval Type</b>	Combined Preliminary Approval under Section 242 of <i>Sustainable Planning Act 2009</i> and Development Permit
<b>Public Notification:</b>	Notice of compliance received 2 October 2015
<b>Submissions Received</b>	17 Properly Made Submissions were received
<b>Is a Notation to the Planning Scheme required?</b>	No
<b>Date Application Received:</b>	9 March 2015

**Director's Recommendation**

1. That Council resolve to approve the development in respect to the following property:

<b>Real Property Description:</b>	Lots 1, 2 and 5 on RP20983
<b>Address of property:</b>	163 Teviotville Road KALBAR
<b>Site area:</b>	40.28Ha
<b>Proposal:</b>	Preliminary Approval under Section 242 of the Sustainable Planning Act 2009 for a Material Change of Use (Integrated Retirement Community to be developed in accordance with the Master Plan Development Code); and Development Permit for Material Change of Use (Stage One (1) for Multiple Dwelling (Residential Aged Care Facility & Supported Living Apartments), Caretaker's Residence and Undefined Landuse (Sales Office))

**Further development permits required:**

- a. A Building Works approval is required for all building works associated with the proposed development, prior to undertaking any building work on the subject site.
- b. A Plumbing and Drainage approval is required for all / any plumbing and drainage works associated with the proposed development, prior to undertaking any plumbing and drainage works on the subject site.
- c. Operational Works (Landscaping on private land) approval is required for any landscaping work conditioned as part of this Decision Notice prior to commencement of use.
- d. Operational Works (Stormwater) approval is required for any stormwater management work conditioned as part of this Decision Notice prior to commencement of use.

2. **Conditions of Approval:**

**PART A - Preliminary Approval under Section 242 of SPA to establish an Integrated Retirement Community**

- 1) **USE IN ACCORDANCE WITH THE APPLICATION – PRELIMINARY APPROVAL (MATERIAL CHANGE OF USE)** - For the purpose of this Preliminary Approval pursuant to Section 242 of the *Sustainable Planning Act 2009*, the approved development must be undertaken generally in accordance with the '*Kalbar Homestead Integrated Retirement Community - Master Plan Development Code* dated 4 November 2015 as amended in RED, except insofar as it is modified by the conditions of this approval.
- 2) **PURSUANT TO SECTION 242 OF THE SUSTAINABLE PLANNING ACT 2009, THIS PRELIMINARY APPROVAL APPROVES THE FOLLOWING VARIATIONS TO THE EFFECT OF THE PLANNING SCHEME:** - The approved *Kalbar Homestead Integrated Retirement Community - Master Plan Development Code* varies the effect of the *Boonah Shire Planning Scheme 2006*, by altering or overriding the following sections:
  - Division 2: Assessment within the Rural Zone Code
  - Section 4.6 Assessment Tables for the Rural Zone



- Division 4: Community Facilities
  - Division 13: Residential Development
  - Division 3: Assessment Criteria for the Economic Resources Overlay
  - Schedule 1 - Dictionary
- A. The following Assessment Table varies the effect of the *Boonah Shire Planning Scheme 2006*, Section 4.6 Table 1: Assessment Categories and Relevant Assessment Criteria for the Rural Zone - Making a Material change of Use:

Defined Use or Type of Development	Level of Assessment	Assessment Criteria
Precinct A – Hillside Living Precinct		
Detached Hillside Home	Where in Precinct A and compliant with assessment criteria: <b>Self-assessable</b> Otherwise Code assessable	Kalbar Homestead Master Plan Development Code
Attached Duplex Townhouse	Where in Precinct A and compliant with assessment criteria: <b>Code assessable</b> Otherwise Impact assessable	Kalbar Homestead Master Plan Development Code
Precinct B – Central Living Precinct		
Detached Hillside Home	Where in Precinct B and compliant with assessment criteria: <b>Self-assessable</b> Otherwise Code assessable	Kalbar Homestead Master Plan Development Code
Attached Duplex Townhouse	Where in Precinct B and compliant with assessment criteria: <b>Self-assessable</b> Otherwise Code assessable	Kalbar Homestead Master Plan Development Code
Precinct C – Community Hub Precinct		
Residential Aged Care	Where in Precinct C and are compliant with assessment criteria: <b>Code assessable</b> Otherwise Impact assessable	Kalbar Homestead Master Plan Development Code
Supported Living Apartments	Where in Precinct C and are compliant with assessment criteria: <b>Code assessable</b> Otherwise Impact assessable	Kalbar Homestead Master Plan Development Code
Central Facilities	Where in Precinct C and are compliant with assessment criteria: <b>Code assessable</b> Otherwise Impact assessable	Kalbar Homestead Master Plan Development Code

Defined Use or Type of Development	Level of Assessment	Assessment Criteria
Precinct E – Arrival Precinct		
Display Dwelling	Where in Precinct E and are compliant with assessment criteria: <b>Code assessable</b> Otherwise impact assessable	Kalbar Homestead Master Plan Development Code
Short Term Accommodation	Where in Precinct E and are compliant with assessment criteria: <b>Code assessable</b> Otherwise impact assessable	Kalbar Homestead Master Plan Development Code
Caretaker's Accommodation	Where in Precinct E, compliant with assessment criteria and located in an existing premises: <b>Self-assessable</b> Otherwise code assessable	Kalbar Homestead Master Plan Development Code

**Note:** In the event of a Defined Use or Type of Development being similar to that of the Planning Scheme, the level of assessment identified in Table 1 above overrides those identified in the Planning Scheme

- 3) **RAINWATER TANKS** - The developer must ensure that all rainwater tanks that are installed are appropriately screened from neighbouring properties or public road.
- 4) **USE IN ACCORDANCE WITH THE APPLICATION – APPROVED PLANS** - Development being undertaken generally in accordance with plans and referenced in the Table 1 below, except insofar as it is modified by the conditions of this approval. Cafeteria

**Table 1: Approved Precinct Plan**

Plan Number	Title	Date	Prepared by
0713-0506-00	Precinct and Indicative Staging Plan	24.06.2015	Tract
0713-0506-00	Access and Circulation Plan	09.07.2015	Tract
0713-0506-00	Vegetation Management Plan	05.03.2015	Tract
0713-0506-00	Indicative Landscape Concept Master Plan	24.06.2015	Tract
0713-0506-00	Density / Land Budget Plan	24.06.2015	Tract
5431.3S.00.01 B	Architectural Statement - Kalbar & Brief Summary	02.11.15	TVS Architects
5431.3S.01.02 B	Proposed Site Plan	03.03.15	TVS Architects
	Tree Protection Management Plan	February 2015	Treescience
	Kalbar Homestead Proposed Development - Site Based Stormwater Management Plan	05.03.2015 and further submission dated 10.07.2015	Bligh Tanner

Plan Number	Title	Date	Prepared by
	Bushfire Hazard Assessment and Mitigation Plan for The Kalbar Homestead Development	06.03.2015	BPS

- 5) **RELEVANT SPECIFIC DEVELOPMENT CODES AND CONSTRAINT CODES** - Where not clearly stated in the Master Plan Code, the development is subject to the requirements of the relevant Codes and Policies as identified in the *Boonah Shire Planning Scheme 2006* as amended from time to time.

**PART B - Development Permit for Material Change of Use (Stage One (1) for Multiple Dwelling (Residential Aged Care Facility & Supported Living Apartments), Caretaker's Residence and Undefined Landuse (Sales Office))**

**Approved Plans**

- 1) **USE IN ACCORDANCE WITH THE APPLICATION - MATERIAL CHANGE OF USE** - Development being undertaken generally in accordance with the following plans as amended in RED and the submitted material received by Council, except insofar as it is modified by the conditions of this approval.

Plan Number	Title	Date	Prepared by
5431.3S.00.01 B	Architectural Statement - Kalbar & Brief Summary	02.11.15	TVS Architects
5431.3S.00.02 A	Materials and Finishes	03.03.15	TVS Architects
5431.3S.01.02 B	Proposed Site Plan	03.03.15	TVS Architects
5431.3S.01.03 B	Staging plan		TVS Architects
5431.3S.01.04 C	Stage 1 - Site Plan	02.07.15	TVS Architects
5431.3S.01.05 C	Stage 1 - Site Plan		TVS Architects
5431.3S.02.00 A	Residential Aged Care	03.03.15	TVS Architects
5431.3S.02.01 B	Floor Plan - RAC Central Facilities	03.03.15	TVS Architects
5431.3S.02.02 A	Roof Plan - RAC Central Facilities	03.03.15	TVS Architects
5431.3S.02.03 A	Elevations - RAC Central Facilities	03.03.15	TVS Architects
5431.3S.02.04 A	Sections - RAC Central Facilities	03.03.15	TVS Architects
5431.3S.02.05 A	Perspectives - RAC Central Facilities	03.03.15	TVS Architects
5431.3S.02.06 B	Floor Plan - RAC West Block	03.03.15	TVS Architects
5431.3S.02.07 A	Roof Plan - RAC West Block	03.03.15	TVS Architects
5431.3S.02.08 A	Elevations - RAC West Block	03.03.15	TVS Architects
5431.3S.02.09 A	Elevation & Sections - RAC West Block	03.03.15	TVS Architects
5431.3S.02.10 A	Perspectives - RAC West Block	03.03.15	TVS Architects
5431.3S.02.11 B	Floor Plan - RAC East Block	03.03.15	TVS Architects
5431.3S.02.12 A	Roof Plan - RAC East Block	03.03.15	TVS Architects

Plan Number	Title	Date	Prepared by
5431.3S.02.13 A	Elevations - RAC East Block	03.03.15	TVS Architects
5431.3S.02.14 A	Elevation & Sections - RAC East Block	03.03.15	TVS Architects
5431.3S.02.15 A	Perspectives - RAC East Block	03.03.15	TVS Architects
5431.3S.02.16 B	Floor Plan - Dementia Block	03.03.15	TVS Architects
5431.3S.02.17 A	Roof Plan - Dementia Block	03.03.15	TVS Architects
5431.3S.02.18 A	Elevations - Dementia Block	03.03.15	TVS Architects
5431.3S.02.19 A	Sections - Dementia Block	03.03.15	TVS Architects
5431.3S.02.20 A	Perspectives - RAC Dementia Block	03.03.15	TVS Architects
5431.3S.03.00 A	Supported Living Units	03.03.15	TVS Architects
5431.3S.03.01 C	SLU Floor Plan	03.03.15	TVS Architects
5431.3S.03.02 C	Ground Floor Plan - West Wing	03.03.15	TVS Architects
5431.3S.03.03 A	Roof Plan - West Wing	03.03.15	TVS Architects
5431.3S.03.04 A	Elevations - West Wing	03.03.15	TVS Architects
5431.3S.03.05 A	Sections - West Wing	03.03.15	TVS Architects
5431.3S.03.06 A	Perspectives - West Wing	03.03.15	TVS Architects
5431.3S.03.07 C	Ground Floor Plan - Centre Block	03.03.15	TVS Architects
5431.3S.03.08 C	First Floor Plan - Centre Block	03.03.15	TVS Architects
5431.3S.03.09 A	Roof Plan - Centre Block	03.03.15	TVS Architects
5431.3S.03.10 A	Elevations & Sections - Centre Block	03.03.15	TVS Architects
5431.3S.03.11 A	Elevations & Sections - Centre Block	03.03.15	TVS Architects
5431.3S.03.12 A	Perspectives - Centre Block	03.03.15	TVS Architects
5431.3S.03.13 C	Ground Floor Plan - East Wing	03.03.15	TVS Architects
5431.3S.03.14 A	Roof Plan - East Wing	03.03.15	TVS Architects
5431.3S.03.15 A	Elevations - East Wing	03.03.15	TVS Architects
5431.3S.03.16 A	Sections - East Wing	03.03.15	TVS Architects
5431.3S.03.17 A	Perspectives - East Wing	03.03.15	TVS Architects

## General

- 2) **DEFINITION COMPLIANCE AND EXCLUSIONS** - The approved use and associated ancillary activities shall at all times comply with the definitions of Multiple Dwelling, Caretakers Residence and Sales Office in accordance with the *Beaudesert Shire Planning Scheme 2007* where not elsewhere stated in the approved *Kalbar Homestead Integrated Retirement Community - Master Plan Development Code*.

- 3) **COMMENCEMENT OF USE** - Prior to the use commencing, the Applicant shall advise Council's Planning Department in writing, of the proposed commencement date.
- 4) **WORKS - APPLICANT'S EXPENSE** - All works, services, facilities and/or public utility alterations required by this approval or stated condition/s, whether carried out by the Council or otherwise, shall be at the Applicant's expense unless otherwise specified.

**Landscaping**

- 5) **LANDSCAPING ON PRIVATE LAND** - The developer must submit to Council for approval an application for Operational Works (landscaping on private land) to be generally in accordance with the submitted drawing No. 0713-0506-00 Rev.01, titled *Stage 1 Landscape Concept Plan* dated 05.03.2015 and prepared by Tract. The Operational Works application for landscaping on private land must be approved prior to commencement of use.

**Environmental Health**

- 6) **AIR CONTAMINANTS** - A noxious or offensive odour must not be emitted beyond the boundaries of the premises. No particulate matter or visible contaminant, including dust, smoke, fumes and aerosols likely to cause environmental harm is to emanate beyond the boundaries of the premises.
- 7) **LIGHT EMISSIONS** -- Light sources at the premises must be positioned and shielded to prevent light spillage outside the boundaries of the premises.
- 8) **NOISE DISTURBANCE** - The activity must be carried out by such practicable means necessary to prevent or minimise the emission of noise likely to cause environmental nuisance at any noise sensitive or commercial place.
- 9) **NOISE EMISSION LIMITS**- If a complaint (other than a frivolous or vexatious complaint) is made to the administering authority, the emission of noise from the premises must not exceed the levels prescribed by Table 1 (below).

**Table 1**

Time Period	At dwelling or other Noise sensitive place	At commercial premises
Daytime (7:00am-10:00pm) Night time (10:00pm-7:00am)	Background +5dB(A) Background +3dB(A) Background=LA <sub>90</sub>	Background +10dB(A) Background +8dB(A) Background=LA <sub>90</sub>

The compliance levels are measured as the average of the maximum A-weighted sound levels adjusted for noise character measured over a 15-minute time interval. These provisions apply except where specific emission limits are provided in the *Environmental Protection Act 1994*.

- 10) **EROSION & SEDIMENT CONTROL** - Appropriate erosion and sediment control measures must be installed and maintained as required to prevent or minimise the release of sand, silt or mud from the premises to any stormwater drainage system or any natural waterway.

- 11) **RELEASES TO WATER** - Releases to water must not cause any visible oil slick or other visible evidence of oil or grease, nor contain visible, grease, scum, litter or floating oil.
- 12) **WASTE** - Waste is not to be stockpiled so as to cause environmental nuisance or attract flies.
- 13) **WASTE STORAGE** - All waste produced at the site must be stored in appropriate containers/receptacles of a sufficient number to receive all waste generated at the site. Waste containers/receptacles must be maintained in full working order and lids are to remain closed at all times except when receiving or disposing of waste.
- 14) **WASTE REMOVAL** - All wastes must be removed to an approved disposal facility by a transporter holding all necessary government approvals. Waste must be removed at a frequency and in a manner that prevents nuisance from the waste at neighbouring premises.
- 15) **PESTS & VERMIN** -Organic substances likely to provide a food source for vermin must be stored in a sealed and airtight storage container to exclude access by pests or vermin.
- 16) **POTABLE WATER** - All water provided for personal hygiene, human consumption and to food preparation facilities is of a potable standard and meets the requirements of the National Health and Medical Research Council (NHMRC) Australian Drinking Water Quality Guidelines.
- 17) **MOSQUITO CONTROL** - All drainage lines (including roadside drains, stormwater drains and parkland areas), ponds, dams and artificial water bodies are to be designed, graded and maintained so as not to provide a breeding ground for mosquitos.

### **Car parking and Access**

- 18) **ACCESSES TO COUNCIL ROAD** - The developer shall construct the accesses to incorporate a Rural Basic Right (BAR) and Rural Basic Left (BAL) turn treatment, as defined in the *"Guide to Road Design – Part 4a: Unsignalised and Signalised Intersections (Austroads)"*, to cater for the largest vehicle that is anticipated to use the access during its design life.

The Developer shall design and construct the access to be generally in accordance with Scenic Rim Regional Council Standard Drawing R-07.

The works required by this condition are to be completed prior to the commencement of the use. Detailed design will be submitted as part of an application for Operational Works with Council. The access provisions shall be maintained in good condition for the lifetime of the proposed use.

A Property Access Permit and Road Corridor Use Permit Applications are to be lodged with Council. A Road Corridor Use approval is required for any access construction work. The works required by this condition are to be completed prior to the commencement of the use.

- 19) **WORKS WITHIN EXISTING ROAD RESERVES** - A Property Access Permit and Road Corridor Use Permit Applications are to be lodged with Council. The works required by this condition are to be completed prior to the commencement of the use.
- 20) **CAR PARKING & DRIVEWAYS – CONCRETE / FLEXIBLE PAVEMENT WITH AC SEAL** - All parking areas, driveways, circulation aisles and manoeuvring areas are to be designed and constructed in accordance with AS 2890.1 - 2004 and AS 2890.2 – 2002 and Council's Design & Construction Manual. All pavements will be designed to suit the proposed vehicle loadings with the individual pavements constructed as either a rigid pavement (reinforced concrete pavement) or alternatively as a flexible pavement (asphalt concrete (AC) seal), from the property boundary to the satisfaction of Council's Director – Infrastructure Services.

The car parking layout will be generally constructed as shown in the approved plans. Passing bays will be provided in accordance with the Access and Circulation Plan and the response from Bitzios Pty Ltd provided with the information response.

The completed works are to be certified by a Registered Professional Engineer of Queensland (RPEQ) as having been constructed in accordance with good engineering practice to a standard reasonable for a commercial driveway. The works required by this condition are to be completed prior to the commencement of the use.

The car parking provisions must be available prior to the commencement of the use and must be maintained in good condition for the lifetime of the proposed use

- 21) **CAR PARKING NUMBERS** - The developer is to provide for every Stage of the development the required car parking at a rate no less than specified on Table 3 of the *Kalbar Homestead Integrated Retirement and Community Master Plan Development Code*. Parking for standard vehicles, people with disabilities and servicing vehicles are to comply with Australian Standards. Due regard must also be held with the requirements of the Building Code of Australia for parking for people with disabilities.
- 22) **CAR PARKING ON-SITE** - All vehicles under the control of the party(ies) charged with the overall responsibility for the operation of the facility and any ancillary staff will be parked wholly within the curtilage of the site. All vehicle movements to and from the site, inclusive of service vehicles, are to be conducted in forward gear. The requirements of this condition are to be adhered to for the lifetime of the approved use.
- 23) **VEHICLE LOADING / UNLOADING** - All loading and unloading of vehicles associated with the approved uses, including the pick-up and/or delivery of goods and materials, will be conducted at all times from within the curtilage of the site. The requirements of this condition are to be adhered to for the lifetime of the approved use.

- 24) **FOOTPATH** - The Developer is to provide a 2.5m wide shared pedestrian and cycling pathway along the entire Teviotville Road frontage. The 2.5m wide shared pedestrian and cycling pathway is to extend from the development site westwards along Teviotville Road / Edward Street and connect to the existing Council footpath at Lot 1 SP210694. The design and construction of the works required by this condition are to meet the specifications of Council's Design and Construction Manual. The works required by this condition are to be completed prior to the commencement of the use. Detailed design will be submitted as part of an "Application for Constructing of Interfering with a Road or its Operation".

### Stormwater Drainage

- 25) **ADVERSE DRAINAGE IMPACT - GENERAL** - Drainage from the development works / building works shall not adversely impact upon adjacent properties. No ponding, concentration or redirection of stormwater shall occur onto adjoining land.
- 26) **STORMWATER DISCHARGE AND DISPOSAL** - The developer is to make provision for the collection and disposal of stormwater drainage flows to a legal point of discharge, the form of said collection and discharge will be in accordance with the provisions of Queensland Urban Drainage Manual (QUDM) and Council's Design and Construction Manual. Stormwater management will generally follow the strategy adopted in the Site Based Stormwater Management Plan prepared by Bligh Tanner Pty Ltd dated 5 March 2015.

The completed works are to be certified by a Registered Professional Engineer of Queensland (RPEQ) as having been constructed in accordance with good engineering practice. The works required by this condition will be the subject of an Operational Works application with Council and must be completed prior to the commencement of the use.

- 27) **SEDIMENT AND EROSION CONTROL MANAGEMENT PLAN (SECMP)** - The Applicant is to submit to Council for approval, a properly prepared comprehensive Erosion and Sediment Control Program as part of the Operational Works Application. The report is to comply with "*Soil Erosion and Sediment Control: Engineering Guidelines for Queensland Construction Sites, Institute of Engineers, Australia 1996*".

### Earthworks Design and Management

- 28) **EARTHWORKS OPERATIONS (CAR PARKING AREAS, ACCESS DRIVEWAY AND ALLOTMENT FILLING)** – All earthworks associated with the car-parking areas, access driveway(s) and the building works will be undertaken in accordance with of Council's Design and Construction Manual.

### Electrical Works

- 29) **ELECTRICITY** - The Applicant is to make provision of a suitable electricity supply from the State electricity grid through the State authorised supplier (Energex) or production of evidence of satisfactory arrangements for such supply having been made, such supply to be on normal supply tariffs. The works required by this condition are to be completed prior to the commencement of the approved use.



- 30) **CAR-PARK LIGHTING & SECURITY GENERAL** - The developer shall be responsible for the provision and ongoing maintenance of adequate lighting to the open area car-parking facilities and all pedestrian links to the requirements of the relevant Australian Standards within AS1158 – Lighting for Roads and Public Spaces and AS4282 – Control of the Obtrusive Effects of Outdoor Lighting. The lighting to the aforementioned areas will be maintained in good condition for the lifetime of the proposed use. Car parking lighting shall be certified by a Registered Professional Engineer of Queensland (RPEQ).

The works required by this condition are to be completed prior to the commencement of the approved use. The lighting to the aforementioned areas will be maintained in good condition for the lifetime of the proposed use.

### Flooding

- 31) **BUILDING FLOOR LEVEL TO BE ABOVE 1% AEP FLOOD LEVEL-** The applicant shall ensure that the floor levels of all proposed buildings are at or above the 1% AEP flood level and the habitable floors to be at a minimum of 500mm above the 1% AEP flood level.
- 32) **RESIDENTIAL AGED CARE FACILITIES TO BE ABOVE 0.5% AEP FLOOD LEVEL -** The floor levels of the Residential Aged Care Facilities are to be set at a minimum of 300mm above the 0.5% AEP flood level. The Applicant shall submit a Surveyor's Certificate to Australian Height Datum (AHD) level confirming the floor levels of the structure prior to the commencement of the said use.
- 33) **MAINTAIN THE FLOOD STORAGE CAPACITY** - The applicant to ensure that no filling encroach below the 1% AEP flood level within the floodplain unless undertaken on compensatory earthworks basis (i.e. cut to fill balance within the floodplain) to maintain the flood storage capacity of the floodplain.

### Environmental

- 34) **BIOSECURITY PLAN** -The applicant must submit to Council a biosecurity plan prepared by a suitably qualified professional to the satisfaction and approval of Council. Specifically the plan must address:
- I. Invasive species management.
  - II. Procedures/management arrangements to address these issues during construction and operation phase.
- The biosecurity plan must be submitted to Council and approved prior to commencement of operational works or the proposed land use.
- 35) **BIOSECURITY PLAN** - The applicant must comply with the Biosecurity Plan at all times.

### 3. That the Applicant be further advised of the following:

- a) **FOOD LICENSING** - If food is prepared and served at a premises, the food preparation facilities may require to be licensed and approved by Council in accordance with the *Food Act 2006*. Further information and the relevant application forms can be obtained by calling Council's Health & Environment area on 07 5540 5111.

- b) **ADVERTISING SIGNS** – Advertising signs may require an approval in accordance with Council’s Local Laws. Further information and the relevant application forms can be obtained by contacting Council’s Health & Environment area on 07 5540 5444.
- c) **DEVELOPMENT APPROVAL CONDITIONS ATTACH TO LAND** - Development Approvals which include conditions and any modifications attach to the land and are binding on the owner, the owner’s successors in title and any occupier of the land pursuant to Section 245 of the *Sustainable Planning Act 2009*.
- d) **VEGETATION MANAGEMENT ACT 1999 AND THE CULTURAL HERITAGE ACT 2003** - This approval in no way restricts or inhibits the provisions of neither the *Vegetation Management Act 1999* nor the *Aboriginal Cultural Heritage Act 2003*. The Applicant(s) will need to satisfy himself/herself/themselves that in undertaking the proposed development works that his/her/their actions will not contravene the provisions of the aforementioned Acts.
- e) **WHEN DEVELOPMENT APPROVAL TAKES EFFECT** - Pursuant to *Sustainable Planning Act 2009*, this Development Approval takes effect:
- (i) From the date the Decision Notice/Negotiated Decision Notice (as the case may be) is given to the Applicant, if there are no Submitters and the Applicant does not appeal the decision to the Court; or
  - (ii) From the end of the Submitter's appeal period if there is a Submitter and the Applicant does not appeal the decision to the Court; or
  - (iii) Subject to the decision of the Court when the appeal is finally decided if an appeal is made to the Court by any party; as the case may be. Development may start when a Development Permit takes effect (subject to any conditions specifying commencement).
- f) **APPROVAL LAPSES AT COMPLETION OF RELEVANT PERIOD** - This Development Approval will lapse if the Material Change of Use does not happen before the end of the relevant period. The relevant period is four (4) years from the date the approval takes effect. The relevant period may be extended at the discretion of Council under Section 341 of the *Sustainable Planning Act 2009*. Before the Development Approval lapses, a written request to extend the relevant period may be made to Council under Section 383 of the *Sustainable Planning Act 2009*. Please note that Council will not automatically remind Applicants/Occupiers when the relevant period is about to lapse.

#### 4. Further approvals are required for:

- a. A Building Works approval is required for all building works associated with the proposed development, prior to undertaking any building work on the subject site.
- b. A Plumbing and Drainage approval is required for all / any plumbing and drainage works associated with the proposed development, prior to undertaking any plumbing and drainage works on the subject site.
- c. Operational Works (Landscaping on private land) approval is required for any landscaping work conditioned as part of this Decision Notice prior to commencement of use.

- d. Operational Works (Stormwater) approval is required for any stormwater management work conditioned as part of this Decision Notice prior to commencement of use.

**5. That the Submitter/s be advised of the following:**

**SUBMITTER ADVICE - APPROVAL** - Council has considered all matters relevant to this application, including your submission, and has resolved to approve the application subject to the listed conditions. Council is of the view that the development is competent and takes a satisfactory approach in its layout and design commensurate with the stated conditions of approval.

**6. Administrative Action:**

That Decision Notices be issued in accordance with s.335 of the *Sustainable Planning Act 2009* to the Applicant, submitter/s and referral agencies.

**Committee Recommendation**

That this item be deferred to the Ordinary Meeting to be held on 24 November 2015, for further consideration.

Moved: Cr Waistell  
Seconded: Cr West

Carried

**Attachments**

1. Approved plans (attached separately).
2. Kalbar Homestead Integrated Retirement Community - Master Plan Development Code dated 4 November 2015 (attached separately).
3. SARA Correspondence dated 30 April 2015.

## Attachment 3 - SARA Response



Department of  
**State Development,  
Infrastructure and Planning**

Our reference: SDA-0315-019454  
Your reference: MCBn15/002

30 April 2015

The Chief Executive Officer  
Scenic Rim Regional Council  
PO Box 25  
BEAUDESERT QLD 4285  
[mail@scenicrim.qld.gov.au](mailto:mail@scenicrim.qld.gov.au)

Attn: Mr Thor Nelson

Dear Mr Nelson

**Concurrence agency response - no requirements**

163 Teviotville Road, Kalbar  
(Given under section 285 of the *Sustainable Planning Act 2009*)

The referral agency material for the development application described below was received by the Department of State Development, Infrastructure and Planning under section 272 of the *Sustainable Planning Act 2009* on 15 April 2015.

**Applicant details**

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Applicant name: SEADev Pty Ltd  
Applicant contact details: c/- Tract Consultants Pty Ltd, Level 2, 140 Ann Street,  
Brisbane QLD 4000

**Site details**

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Street address: 163 Teviotville Road, Kalbar  
Real property description: Lots 1, 2 and 5 on RP20983  
Local government area: Scenic Rim Regional Council

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

SDA-0315-019454

**Application details**

- Proposed development:
- Preliminary Approval under section 242 of the *Sustainable Planning Act 2009* for a Material Change of Use for an Integrated Retirement Community to be developed in accordance with the Master Plan Development Code
  - Development Permit for a Material Change of Use (Stage 1) for Multiple Dwelling (Residential Aged Care Facility and Supported Living Apartments), Caretaker's Residence and Undefined Land use (Sales Office)

**Referral triggers**

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

Referral trigger                      Schedule 7, Table 3, Item 2 – Development impacting on state-transport infrastructure

**No requirements**

The department advises the assessment manager, under section 287(2)(a) of the *Sustainable Planning Act 2009*, that it has no requirements relating to the application.

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

If you require any further information, please contact Kieran Hanna, Principal Planning Officer, on (07) 3432 2404, or via email [pswichSARA@dsdip.qld.gov.au](mailto:pswichSARA@dsdip.qld.gov.au) who will be pleased to assist.

Yours sincerely



Nathan Rule  
**Manager - Planning**

cc: SEADev Pty Ltd c/- Tract Consultants Pty Ltd, [sgallagher@tract.net.au](mailto:sgallagher@tract.net.au)  
Department of Transport and Main Roads, [scland@tmr.qld.gov.au](mailto:scland@tmr.qld.gov.au)

**3.3 COMBd15/001 A combined application for a Material Change Use (Impact-inconsistent) and Reconfiguring of Lot to establish a Medium Density Residential (78 units) and a one (1) into two (2) lot Reconfiguration Lot 2 SP250386**

**Executive Officer: Director Regional Services**

**File Reference: COMBd15/001**

<b>Applicable Planning Scheme</b>	<i>Beaudesert Shire Planning Scheme 2007</i>
<b>Applicant</b>	Wolter Consulting Group
<b>Owner(s)</b>	Philip Usher Constructions Pty Ltd
<b>Site Address</b>	25-27 Tequesta Drive, Beaudesert
<b>Real Property Description</b>	Lot 2 SP250386
<b>Site Area</b>	3.231 hectares
<b>Relevant Zone and Precinct</b>	<ul style="list-style-type: none"> <li>• Beaudesert and Canungra Townships Zone</li> <li>• Active Recreation and Residential Precincts</li> </ul>
<b>Proposal</b>	A combined application for a Material Change Use (Impact-inconsistent) and Reconfiguring of Lot
<b>Assessment Level</b>	To establish a Medium Density Residential (78 units) and a one (1) into two (2) lot Reconfiguration
<b>Approval Type</b>	Development Permit
<b>Public Notification</b>	A notice was published on 30 September 2015 in the Beaudesert Times
<b>Submissions Received</b>	Five (5) properly made submissions were received during the statutory notification period
<b>Is a Notation to the Planning Scheme required?</b>	Yes. To reflect the current land use precinct of Active Recreation to be commensurate with the Medium Density Residential Precinct
<b>Date Application Received:</b>	29 June 2015

**Director's Recommendation**

1. That Council resolve to approve the development in respect to the following property:

**RPD:** Lot 2 SP250386  
**Address of property:** 25 - 27 Tequesta Drive, Beaudesert  
**Site area:** 3.231 hectares  
**Proposal:** A Development Permit for a combined Material Change of Use and Reconfiguring a Lot

**Further development permits required:**

- a) A Building Works approval is required for all building works associated with the proposed development, prior to undertaking any building work on the subject property.
- b) A Plumbing and Drainage approval is required for all / any plumbing and drainage works associated with the proposed development, prior to undertaking any plumbing and drainage works on the subject property.
- c) Operational Works (Landscaping on private land) approval is required for any landscaping work conditioned as part of this Decision Notice prior to commencement of use.
- d) Operational Works for Stormwater approval is required for any stormwater works conditioned as part of this Decision Notice prior to commencement of use.
- e) A Property Access Location Approval and Works in Road Reserve Approval are required prior to the construction of a proposed access point.

**2. Conditions of Approval:****PART A - Development Permit for Material Change of Use for Medium Density Residential (78 units)****Approved Plans**

- 1) **USE IN ACCORDANCE WITH THE APPLICATION - MATERIAL CHANGE OF USE -** Development being undertaken generally in accordance with the Approval Plans, and accompanying documentation, except insofar as it is modified by the conditions of this approval. Any minor changes may be requested by the applicant in accordance the *Sustainable Planning Act 2009* without the need for a further Development Application for a Material Change of Use. The Approved Plans are limited to the following drawings:

Plan/Drawing	Prepared by	Plan/Dwg No.	Date
Site Plan	Philip Usher Constructions	DA-A3-01	15-09-15
Open Space Plan	Philip Usher Constructions	DA-A3-02	15-09-15
Streetscapes Plan	Philip Usher Constructions	DA-A3-05	24-08-15
Siting Plan D.6-P Brochure	Philip Usher Constructions	DA-A3-06 Rev G	24-08-15
Siting Plan D.7 Brochure	Philip Usher Constructions	DA-A3-07 Rev G	24-08-15
Siting Plan H.7 Brochure	Philip Usher Constructions	DA-A3-08 Rev G	24-08-15
Siting Plan L.4 Brochure	Philip Usher Constructions	DA-A3-09 Rev G	24-08-15
Siting Plan L.4S Brochure	Philip Usher Constructions	DA-A3-10 Rev G	24-08-15
Siting Plan M.10 Brochure	Philip Usher Constructions	DA-A3-11 Rev G	24-08-15

Plan/Drawing	Prepared by	Plan/Dwg No.	Date
Siting Plan S.1 Brochure	Philip Usher Constructions	DA-A3-12 Rev G	24-08-15
Siting Plan of U.6-P Brochure	Philip Usher Constructions	DA-A3-13 Rev G	24-08-15
Gym-Patio Floor Plan & Elevation	Philip Usher Constructions	DA-A3-22 Rev G	24-08-15
D.6-P Elevations	Philip Usher Constructions	DA-A3-23 Rev G	24-08-15
D.7 Elevations	Philip Usher Constructions	DA-A3-24 Rev G	24-08-15
H.7 Elevations	Philip Usher Constructions	DA-A3-25 Rev G	24-08-15
L.4 Elevations	Philip Usher Constructions	DA-A3-26 Rev G	24-08-15
L.4S Elevations	Philip Usher Constructions	DA-A3-27 Rev G	24-08-15
M.10 Elevations	Philip Usher Constructions	DA-A3-28 Rev G	24-08-15
S.1 Elevations	Philip Usher Constructions	DA-A3-29 Rev G	24-08-15
U.6-P Elevations	Philip Usher Constructions	DA-A3-30 Rev G	24-08-15

### General

- 2) **DEFINITION COMPLIANCE AND EXCLUSIONS** - The approved use and associated ancillary activities shall at all times comply with the definition of Medium Density Residential as identified under Schedule 1 – Defined Uses and Chapter 5, Part 2, Division 12 of the *Beaudesert Shire Planning Scheme 2007*.
- 3) **COMMENCEMENT OF USE** - Prior to the use commencing, the applicant shall advise Council's Planning Department in writing, of the proposed commencement date.
- 4) **WORKS - APPLICANT'S EXPENSE** - All works, services, facilities and/or public utility alterations required by this approval or stated condition/s, whether carried out by the Council or otherwise, shall be at the Applicant's expense unless otherwise specified.

### Landscaping

- 5) **DETAILED LANDSCAPE PLAN TO BE SUBMITTED FOR APPROVAL** - The developer must submit to Council for approval an application for Operational Works (landscaping on private land). The Operational Works application for landscaping on private land must be approved prior to commencement of use.
- 6) **LANDSCAPING - GENERAL** - The land shall be landscaped with suitable trees and shrubs together with grass or other ground cover in accordance with the provisions of Council's Town Planning Scheme. Such trees and shrubs shall be native Australian varieties particularly those indigenous to the locality, where possible, and be maintained in a sturdy and healthy condition with dead or diseased trees replaced as soon as practicable. Any landscaping required to be removed as a result of construction shall also be replaced with suitable plantings approved prior to its removal.



- 7) **LANDSCAPING – SPECIFIC** – The entire development site is required to be landscaped generally in accordance with an approved Landscaping Plan with all balance areas of the site not otherwise hard sealed, landscaped or built upon to be turfed.

#### Screened landscaping

Landscaping must also be established along the entire northern boundary of the development except where a fire break of slashable turf is required between retained vegetation and allotment boundary; with the exception of the adjoining northern boundary with existing Lot 50 SP179918 and where otherwise access is being provided. The required landscaping seeks to achieve aesthetically pleasing screening between the development and the adjoining residential precinct to the north. Plant species must contain dense foliage and be of non-deciduous variety to a minimum height of five (5) metres. Similar landscaping treatments should also be considered along the sites southern boundary.

#### Streetscape

The development must establish and maintain suitable street tree species within the Tequesta Drive road reserve along the entire length of the developments northern boundary with Tequesta Drive.

- 8) **FENCING** – The development site must incorporate timber paling fencing (post and rail construction) along all existing and proposed boundaries of the site to a minimum height of 1.8 metres with paling spaces to be no greater than 10mm apart. The required boundary fencing excludes the dividing boundary between existing Lot 50 SP179918 and part of the western boundary of the development site where the proposed easement (5m width) will allow for unimpeded access to the golf course in favour of Lot 50 SP179918.

The required fencing must also be further established between each proposed dwelling unit as offered by the Applicant for the purposes of establishing privacy and not for defining property boundaries.

The required boundary fencing excludes the western boundary of Lot 244 on SP220335 and the development site where an acoustic barrier is required to be constructed to a height of 1.8m above the finished car park level or boundary level (whichever is highest). The barrier shall be constructed using lapped timber (minimum 40% overlap), masonry, fibre cement sheet, Hebel, Perspex, plywood or other material with a minimum surface density of 10kg/m<sup>2</sup>. The barrier shall be free from gaps or holes.

#### **Amenity**

- 9) **LAND CLEARING** - Any cleared vegetation must be chipped and reused on-site where possible and open burning of such materials is not to occur.
- 10) **SITE MAINTENANCE** - The site shall be maintained in a clean and orderly state at all times.

- 11) **OPEN STORAGE - SCREENING** - Open storage areas containing goods or materials associated with the approved use (in particular communal wheelie bin area/s) shall be screened from Tequesta Drive and any adjoining residential precinct by way of rendered masonry walls or timber slated screens or landscaping that complements the architectural design theme of the development and other existing residential development in the locality.

#### **Car parking and Access**

- 12) **CAR PARKING & DRIVEWAYS – CONCRETE / FLEXIBLE PAVEMENT WITH AC SEAL** - All parking areas, driveways, circulation aisles and manoeuvring areas are to be designed and constructed in accordance with AS 2890.1 - 2004 and AS 2890.2 – 2002 and Council's Design & Construction Manual. All pavements will be designed to suit the proposed vehicle loadings with the individual pavements constructed as either a rigid pavement (reinforced concrete pavement) or alternatively as a flexible pavement (asphalt concrete (AC) seal), from the property boundary to the satisfaction of Council's Director – Infrastructure Services, or equivalent acting reasonably. The internal driveway is to be no less than 6 metres wide.

The car parking layout will be generally constructed as shown in the approved plans.

The completed works are to be certified by a Registered Professional Engineer of Queensland (RPEQ) as having been constructed in accordance with good engineering practice to a standard reasonable for a communal driveway. The works required by this condition are to be completed prior to the commencement of the use.

The car parking provisions must be available prior to the commencement of the use and must be maintained in good condition for the lifetime of the proposed use.

- 13) **CAR PARKING NUMBERS** - The developer is to provide the required car parking at a rate no less than specified in the Parking & Servicing Code, generally as shown in the approved plans. Parking for standard vehicles, people with disabilities and servicing vehicles are to comply with Australian Standards. At least one (1) visitor car parking space must be dedicated for people with disabilities (PWD). Due regard must also be held with the requirements of the Building Code of Australia for parking for people with disabilities.
- 14) **CAR PARKING ON-SITE** - All vehicles under the control of the party(ies) charged with the overall responsibility for the operation of the facility and any ancillary staff will be parked wholly within the curtilage of the site. All vehicle movements to and from the site, inclusive of service vehicles, are to be conducted in forward gear. The requirements of this condition are to be adhered to for the lifetime of the approved use.
- 15) **VEHICLE LOADING / UNLOADING** - All loading and unloading of vehicles associated with the approved uses, including the pick-up and/or delivery of goods and materials, will be conducted at all times from within the curtilage of the site. The requirements of this condition are to be adhered to for the lifetime of the approved use.

**Waste Management**

- 16) WASTE STORAGE** - All waste produced at the site must be stored in appropriate containers/receptacles of a sufficient number to receive all waste generated at the site. Waste containers/receptacles must be maintained in full working order and lids are to remain closed at all times except when receiving or disposing of waste.
- 17) WASTE REMOVAL** - All wastes must be removed to an approved disposal facility by a transporter holding all necessary government approvals. Waste must be removed at a frequency and in a manner that prevents nuisance from the waste at neighbouring premises.
- 18) RESIDENTIAL WASTE MANAGEMENT ARRANGEMENTS** - Residential waste management arrangements must be provided for the development so that:
- Ready and unobstructed access is available for Council's waste collection service(s) for each waste container (wheelie bin) kept at the locality; and
  - Provision is made to conceal containers (wheelie bin) from public view from any street or roadway except when the containers are placed for collection.

**Conservation**

- 19) FAUNA AND FLORA MANAGEMENT PLAN IMPLEMENTATION** - The applicant must develop, implement and comply with a Fauna and Flora Management Plan prepared for the site and submitted to the administering authority for approval prior to commencing works.

The plan will contain the following components (but not be limited by):

- Minimal risk of injury or death to resident wildlife.
- All injured animals to be treated humanely.
- Patches of habitat are not to be cleared in a haphazard fashion that limits fauna movement.
- Clearing of vegetation is to be undertaken in a set out clearing order. No habitat is to be isolated by clearing.
- No vegetation to be disturbed outside of areas designated for clearing. Where clearing activities are scheduled adjacent to remnant vegetation, areas outside of the clearing zone will be clearly marked with high visibility marker ribbon to ensure they are avoided.
- A fauna spotter/catcher will be present preceding and during all clearing activities to actively search all habitat for wildlife and to ensure that clearing methods are appropriate.
- Clearing of vegetation to be undertaken so that any more mobile fauna are able to move to other areas of suitable habitat.
- Confine clearing to staged approval area only (e.g. clear in stages as approvals are gained no initial entire site vegetation clearing to occur).
- Ensure nesting sites for hollow-dependant fauna are available by providing nest boxes for those hollows that are lost in retained areas.

### Access and Roads

- 20) ACCESS TO COUNCIL ROAD** - The Applicant shall undertake the construction of the access Crossovers to Council Standards with the appropriate signage and sufficient capacity to cater for two lane movements. The Developer shall design and construct the access to be generally in accordance with Scenic Rim Regional Council Standard Drawing R-06. The works required by this condition are to be completed prior to the commencement of the use. The access provisions shall be maintained in good condition for the lifetime of the proposed use.
- 21) WORKS WITHIN EXISTING ROAD RESERVES** - A Property Access Permit and Road Corridor Use Permit Applications are to be lodged with Council. The works required by this condition are to be completed prior to the commencement of the use.
- 22) KERB AND CHANNEL** - The Developer will be responsible for the subsequent reinstatement of the kerb and channel within Tequesta Drive and the re-profiling of the verge such that it matches in with the existing verge profile. All areas within the road verge that are disturbed as a result of the development/building works are to be topsoiled (50mm minimum) and turfed.

### Stormwater Drainage

- 23) ADVERSE DRAINAGE IMPACT - GENERAL** - Drainage from the development works / building works shall not adversely impact upon adjacent properties. No ponding, concentration or redirection of stormwater shall occur onto adjoining land.
- 24) STORMWATER DISCHARGE AND DISPOSAL** - The developer is to make provision for the collection and disposal of stormwater drainage flows to a legal point of discharge, the form of said collection and discharge will be in accordance with the provisions of Queensland Urban Drainage Manual (QUDM) and Council's Design and Construction Manual. Detailed design will be submitted as part of an application for Operational Works with Council. Stormwater management will generally follow the strategy adopted outlined in the Stormwater Management Plan prepared by Intelara Integrated Solutions Pty Ltd dated 4 September 2015 or as amended and approved by Council.  
The works required by this condition are to be completed prior to the commencement of the use.
- 25) SEDIMENT AND EROSION CONTROL MANAGEMENT PLAN (SECMP)** - The Applicant is to submit to Council for approval, a properly prepared comprehensive Erosion and Sediment Control Program as part of the Operational Works Application. The report is to comply with "*Soil Erosion and Sediment Control: Engineering Guidelines for Queensland Construction Sites, Institute of Engineers, Australia 1996*".

### Earthworks Design and Management

- 26) EARTHWORKS OPERATIONS (CAR PARKING AREAS, ACCESS DRIVEWAY AND ALLOTMENT FILLING)** – All earthworks associated with the car-parking areas, access driveway(s) and the building works will be undertaken in accordance with of Council's Design and Construction Manual.

- 27) **RETAINING WALLS** – The design and construction of any retaining wall greater than 1.0 metre in height is to be structurally certified by a Registered Professional Engineer Queensland. Retaining structures inclusive of its foundations shall not encroach onto any adjoining property or road reserve. Any retaining wall higher than 1.0 metre will require approval under a Building Application.

#### Electrical Works

- 28) **ELECTRICITY** - The Applicant is to make provision of a suitable electricity supply from the State electricity grid through the State authorised supplier (Energex) or production of evidence of satisfactory arrangements for such supply having been made, such supply to be on normal supply tariffs. The works required by this condition are to be completed prior to the commencement of the approved use.
- 29) **CAR-PARK LIGHTING & SECURITY GENERAL** - The developer shall be responsible for the provision and ongoing maintenance of adequate lighting to the open area car-parking facilities and all pedestrian links to the requirements of the relevant Australian Standards within AS1158 – Lighting for Roads and Public Spaces and AS4282 – Control of the Obtrusive Effects of Outdoor Lighting. The lighting to the aforementioned areas will be maintained in good condition for the lifetime of the proposed use.

The works required by this condition are to be completed prior to the commencement of the approved use. The lighting to the aforementioned areas will be maintained in good condition for the lifetime of the proposed use.

#### Miscellaneous

- 30) **PAYMENT RATES AND CHARGES** - Payment of all rates, charges or expenses which are in arrears or remain a charge over the land under the provisions of the *Local Government Act 2009*, the *Sustainable Planning Act 2009* (in particular Section 815) or any other relevant Act.
- 31) **COMMUNAL MAIL BOX/ES** – The Applicant is to make provision for the suitable location and construction of a communal mail box structure for all 78 dwelling units. The proposed location must be easily accessible by residents, tenants and the like, whilst being easily accessed and identified by Australian Post staff.
- 32) **PROFESSIONAL REPORTS** - A copy of any technical report prepared and any subsequent amendment is to be provided to the future Body Corporate.

### **PART B - Development Permit for Reconfiguring a Lot (one (1) into two (2) Lots)**

#### Approved Plans

- 1) **USE IN ACCORDANCE WITH THE APPLICATION – RECONFIGURING A LOT** - Development being undertaken generally in accordance with plans referenced in the table below and accompanying documentation, except insofar as it is modified by the conditions of this approval.

Plan title	Prepared by	Plan/Dwg No.	Date
Plan of Reconfiguration	Wolter Consulting Group	SB1515-02-A	09-03-15

### Stormwater Drainage

- 2) **ADVERSE DRAINAGE IMPACT - GENERAL** - Drainage from the development works / building works shall not adversely impact upon adjacent properties. No ponding, concentration or redirection of stormwater shall occur onto adjoining land.
- 3) **STORMWATER DISCHARGE AND DISPOSAL** - The developer is to make provision for the collection and disposal of stormwater drainage flows to a legal point of discharge, the form of said collection and discharge will be in accordance with the provisions of Queensland Urban Drainage Manual (QUDM) and Council's Design and Construction Manual.

The completed works are to be certified by a Registered Professional Engineer of Queensland (RPEQ) as having been constructed in accordance with good engineering practice. The works required by this condition are to be completed prior to the commencement of the use.

### Miscellaneous Works

- 4) **FINAL PLAN OF SURVEY** - The Developer shall submit a final plan of survey that conforms with the approved plans and showing any easements established as a result of this approval.
- 5) **ACCESS EASEMENT LOT 50 SP179918** - The development must provide for through a Plan of Survey a registered access easement in favour of Lot 50 SP179918 along the entire length of the southern boundary of Lot 50 and to a minimum width of 5 metres enabling unimpeded access to the golf course and the existing shed. Any proposed fencing should be established along the southern boundary of the proposed easement at no expense to Council or the respective land owner of Lot 50 SP179918.
- 6) **EASEMENT ARRANGEMENTS** - All the necessary documentation for the establishment / extinguishment of any easement as a result of this approval will be facilitated by the applicant as his own expense. Copy of these documents duly executed is to be provided at the time of requesting the endorsement of the final plan of survey.
- 7) **PAYMENT RATES AND CHARGES** - Payment of all rates, charges or expenses which are in arrears or remain a charge over the land under the provisions of the *Local Government Act 2009*, the *Sustainable Planning Act 2009* (in particular Section 815) or any other relevant Act.

### 3. That the Applicant be further advised of the following:

- A) **ADVERTISING SIGNS** - Advertising signs may require an approval in accordance with Council's Local Laws. Further information and the relevant application forms can be obtained by contacting Council's Health & Environment area on 07 5540 5444.

- b) DEVELOPMENT APPROVAL CONDITIONS ATTACH TO LAND** - Development Approvals which include conditions and any modifications attach to the land and are binding on the owner, the owner's successors in title and any occupier of the land pursuant to section 245 of the *Sustainable Planning Act 2009*.
- c) VEGETATION MANAGEMENT ACT 1999 AND THE CULTURAL HERITAGE ACT 2003** - This approval in no way restricts or inhibits the provisions of neither the *Vegetation Management Act 1999* nor the *Aboriginal Cultural Heritage Act 2003*. The Applicant(s) will need to satisfy himself/herself/themselves that in undertaking the proposed development works that his/her/their actions will not contravene the provisions of the aforementioned Acts.
- a) WHEN DEVELOPMENT APPROVAL TAKES EFFECT** - Pursuant to *Sustainable Planning Act 2009*, this Development Approval takes effect:
- (i) From the date the Decision Notice/Negotiated Decision Notice (as the case may be) is given to the Applicant, if there are no Submitters and the Applicant does not appeal the decision to the Court; or
  - (ii) From the end of the Submitter's appeal period if there is a Submitter and the Applicant does not appeal the decision to the Court; or
  - (iii) Subject to the decision of the Court when the appeal is finally decided if an appeal is made to the Court by any party; as the case may be. Development may start when a Development Permit takes effect (subject to any conditions specifying commencement).
- d) APPROVAL LAPSES AT COMPLETION OF RELEVANT PERIOD** - This Development Approval will lapse if the Reconfiguring a Lot does not happen before the end of the relevant period. The relevant period is four (4) years from the date the approval takes effect. The relevant period may be extended at the discretion of Council under section 341 of the *Sustainable Planning Act 2009*. Before the Development Approval lapses, a written request to extend the relevant period may be made to Council under Section 383 of the *Sustainable Planning Act 2009*. Please note that Council will not automatically remind Applicants/Occupiers when the relevant period is about to lapse.

**4. Further approvals are required for:**

- a) A Building Works approval is required for all building works associated with the proposed development, prior to undertaking any building work on the subject property.
- b) A Plumbing and Drainage approval is required for all / any plumbing and drainage works associated with the proposed development, prior to undertaking any plumbing and drainage works on the subject property.
- c) Operational Works (Landscaping on private land) approval is required for any landscaping work conditioned as part of this Decision Notice prior to commencement of use.
- d) Operational Works for Stormwater approval is required for any stormwater works conditioned as part of this Decision Notice prior to commencement of use.

- e) A Property Access Location Approval and Works in Road Reserve Approval are required prior to the construction of a proposed access point.

**5. That the Submitters be advised of the following:**

**SUBMITTERS ADVICE - APPROVAL** - Council has considered all matters relevant to this application, including your submission, and has resolved to approve the application subject to the listed conditions. Council is of the view that the development is competent and takes a satisfactory approach in its layout and design commensurate with the stated conditions of approval.

**6. Administrative Action:**

That Decision Notices and an Infrastructure Charges Notice be issued in accordance with s.335 of the *Sustainable Planning Act 2009* to the Applicant and submitter/s.

**Committee Recommendation**

That the Director Regional Services' recommendation be adopted.

Moved: Cr Stanfield

Seconded: Cr West

Carried

**Attachments**

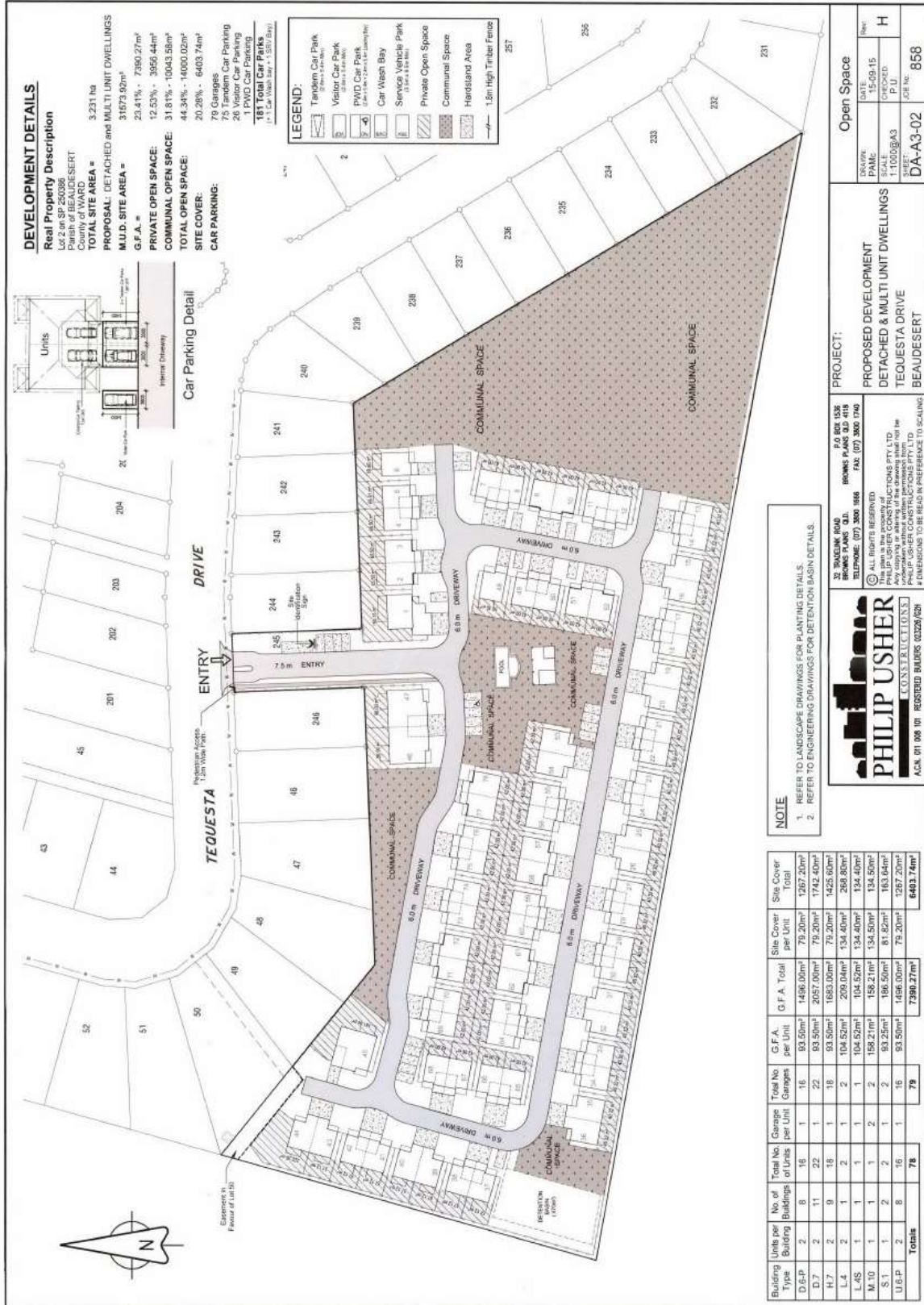
1. Proposed Site Plan.
2. Proposed Open Space Plan.
3. Proposed Streetscapes Plan.
4. Proposed Siting Plan for Unit Type D.6-P.
5. Proposed Siting Plan for Unit Type D.7.
6. Proposed Siting Plan for Unit Type H.7.
7. Proposed Siting Plan for Unit Type L.4.
8. Proposed Siting Plan for Unit Type L.4S.
9. Proposed Siting Plan for Unit Type M.10.
10. Proposed Siting Plan for Unit Type S.1.
11. Proposed Siting Plan for Unit Type U.6-P.
12. Proposed Gym-Patio Floor Plan & Elevation.
13. Proposed Elevations for Unit Type D.6-P.
14. Proposed Elevations for Unit Type D.7.
15. Proposed Elevations for Unit Type H.7.
16. Proposed Elevations for Unit Type L.4.
17. Proposed Elevations for Unit Type L.4S.
18. Proposed Elevations for Unit Type M.10.
19. Proposed Elevations for Unit Type S.1.
20. Proposed Elevations for Unit Type U.6-P.
21. Proposed Reconfiguration Plan.
22. Queensland Urban Utilities Services Advice Notice.



Attachment 1 - Proposed Site Plan

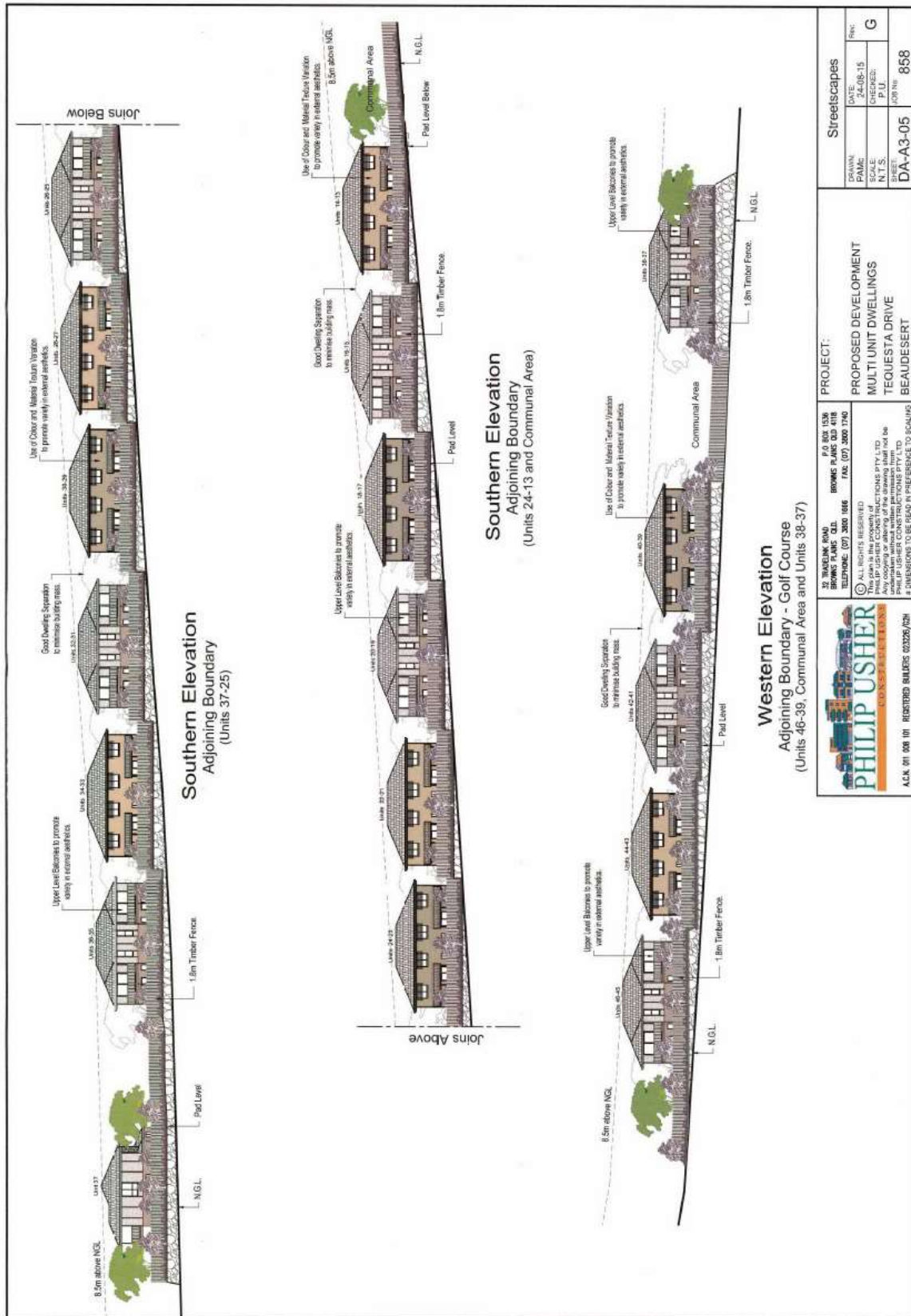


Attachment 2 - Proposed Open Space Plan



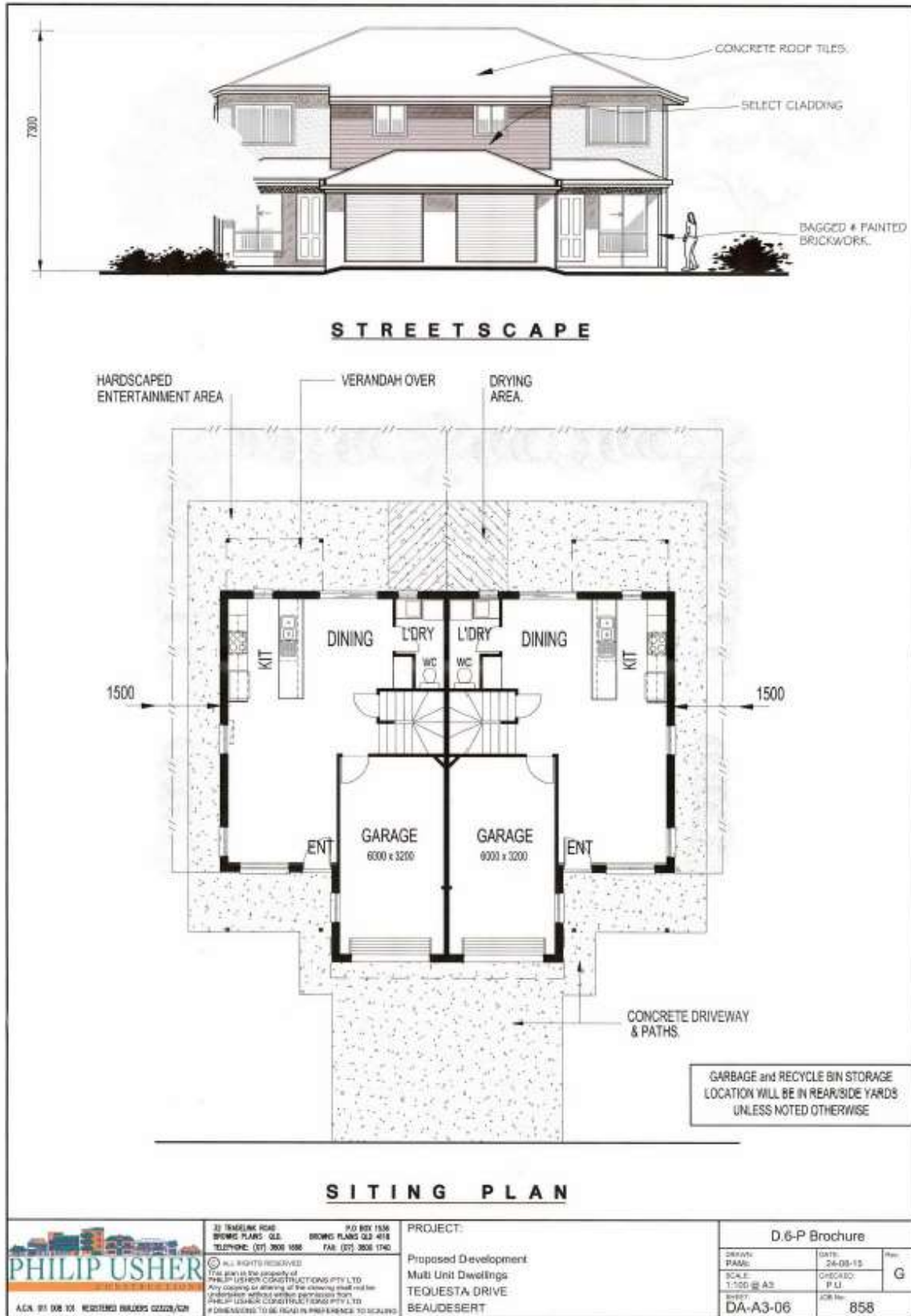


Attachment 3 - Proposed Streetscape Plan

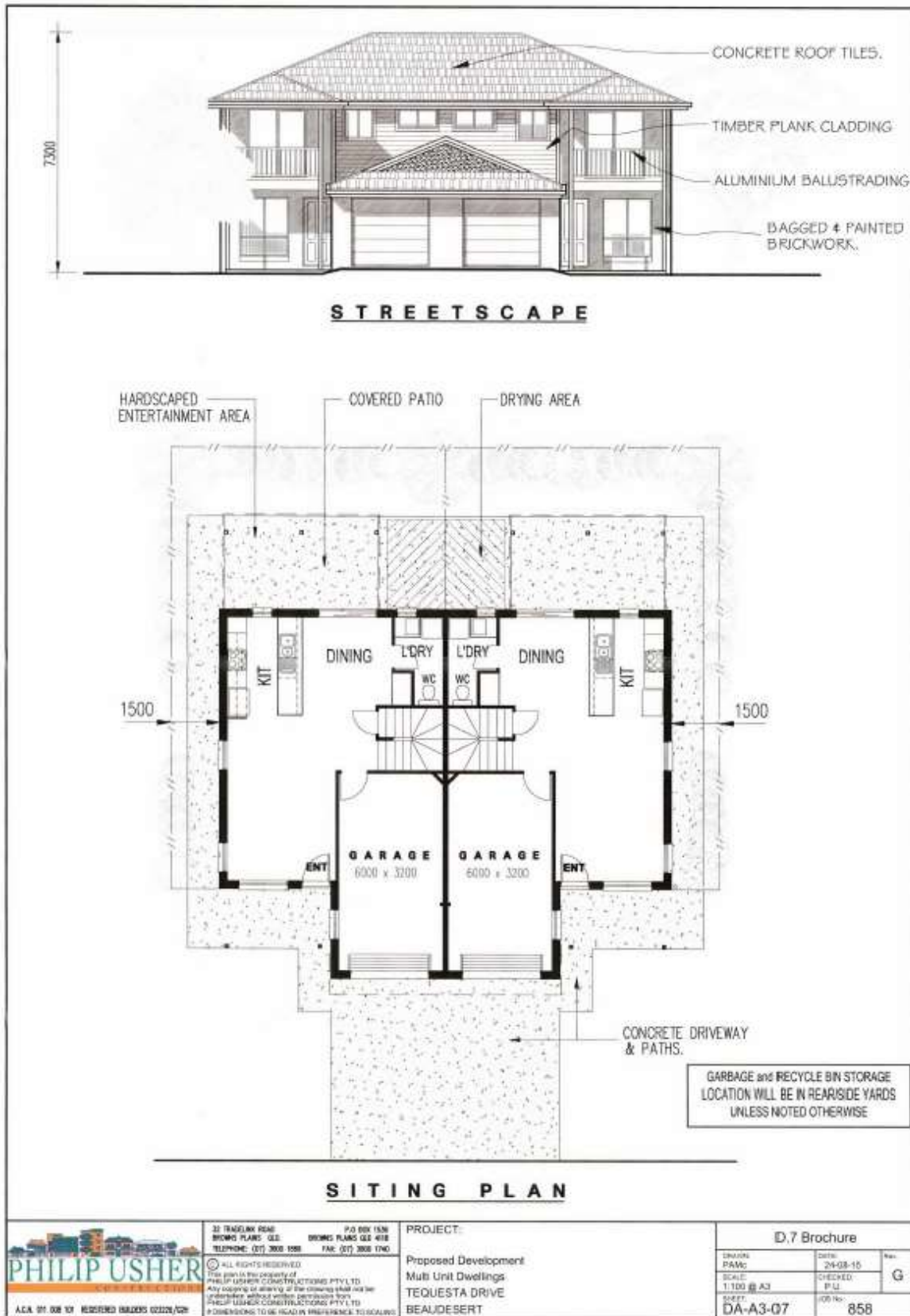


<b>Streetscapes</b> DRAWN: N.T.S. DATE: 08/15 SCALE: P.L.L. SHEET: DA-A3-05 JOB NO: 858	
<b>PROJECT:</b> PROPOSED DEVELOPMENT MULTI UNIT DWELLINGS TEQUESTA DRIVE BEAULIESERT	
37 WILKING ROAD, BROMBYA NSW 1516 PHONE: (07) 300 1816 FAX: (07) 300 1740 © ALL RIGHTS RESERVED PHILIP USHER CONSULTANTS PTY LTD This plan is the property of Philip Usher Consultants Pty Ltd and is to be used only for the project and site conditions stated herein. No other use or reproduction without written permission from Philip Usher Consultants Pty Ltd. ALL DIMENSIONS TO BE READ IN PREFERENCE TO SCALE	

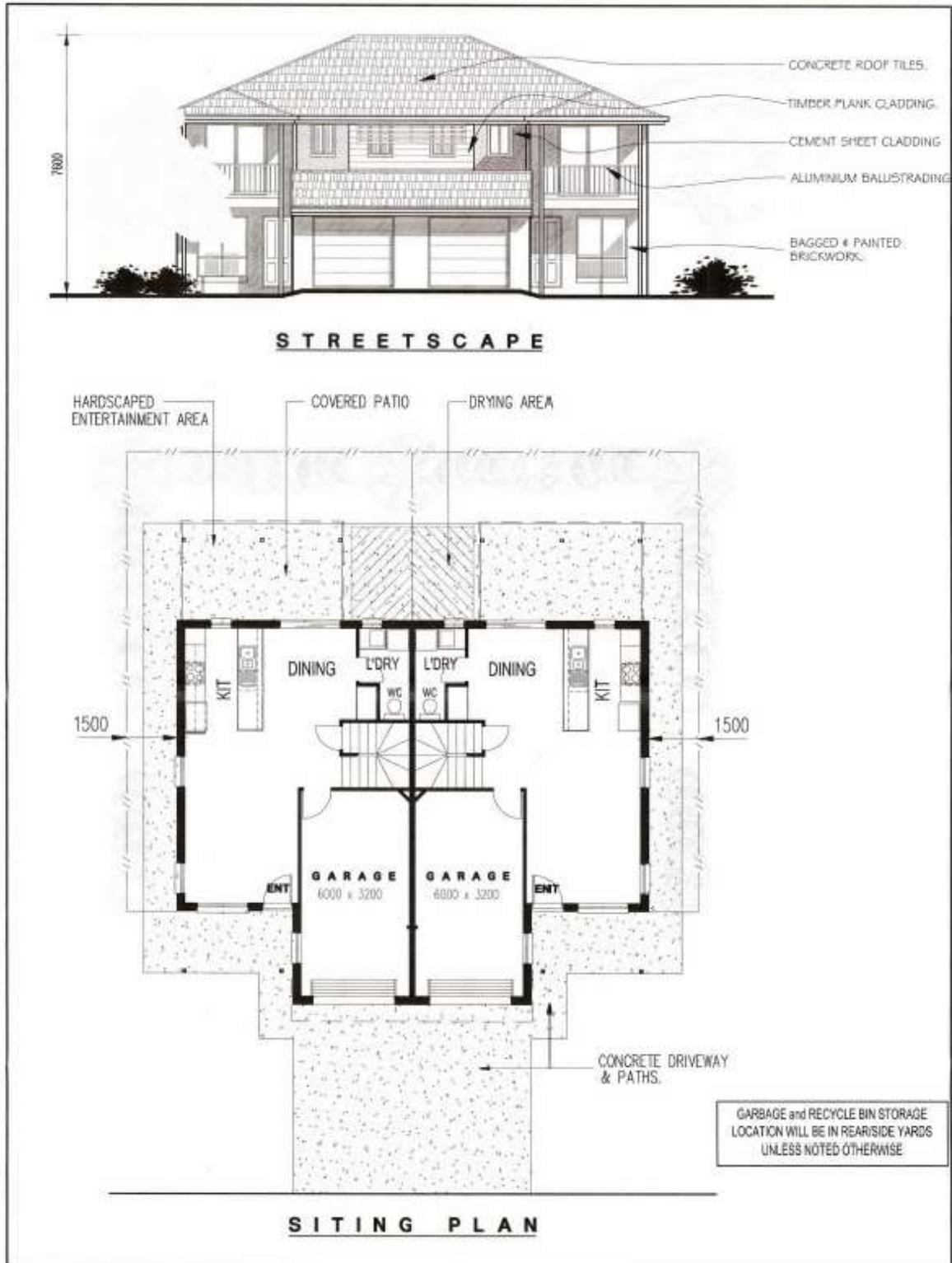
Attachment 4 - Proposed Siting Plan for Unit Type D.6-P




Attachment 5 - Proposed Siting Plan for Unit Type D.7



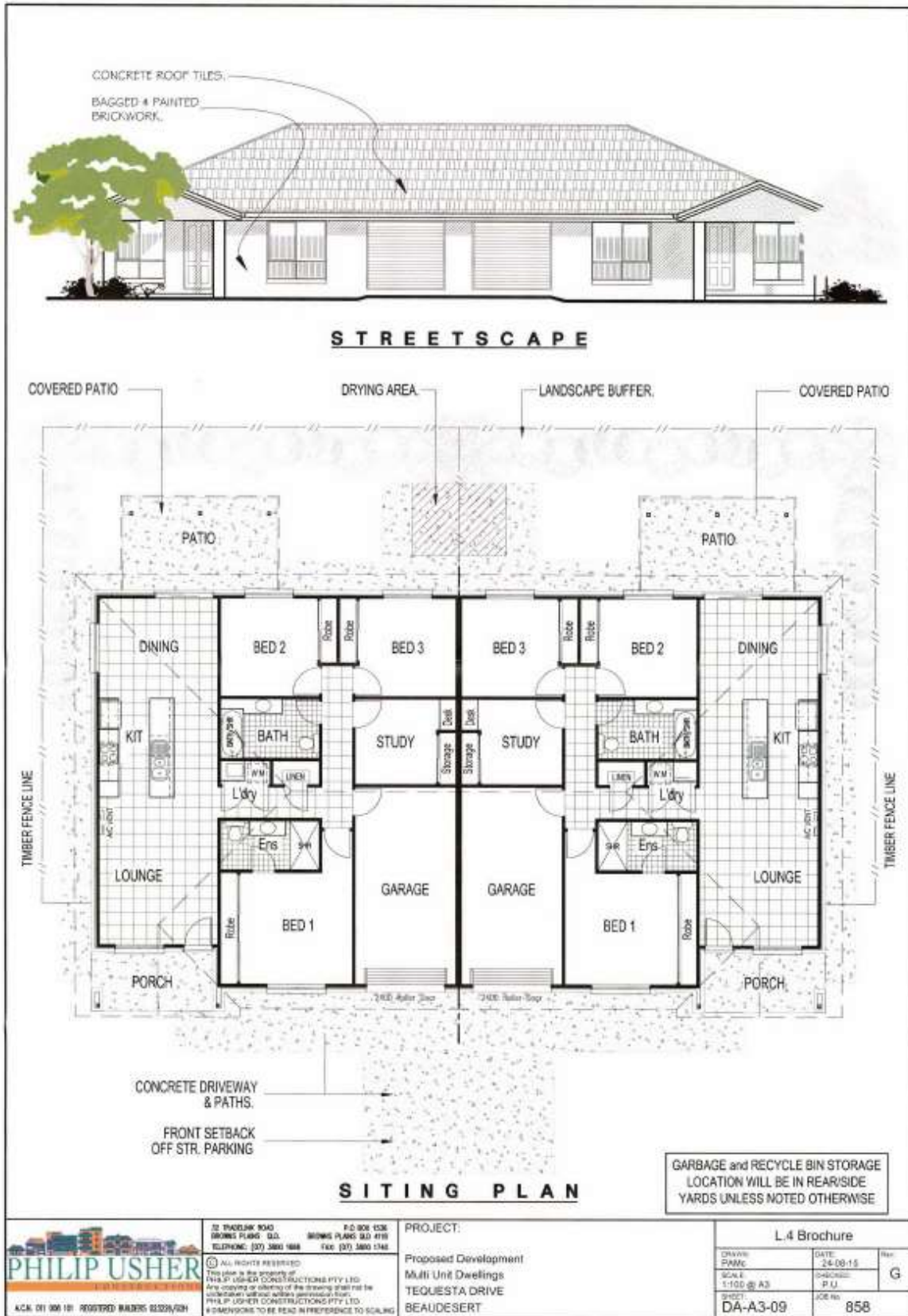
Attachment 6 - Proposed Siting Plan for Unit Type H.7



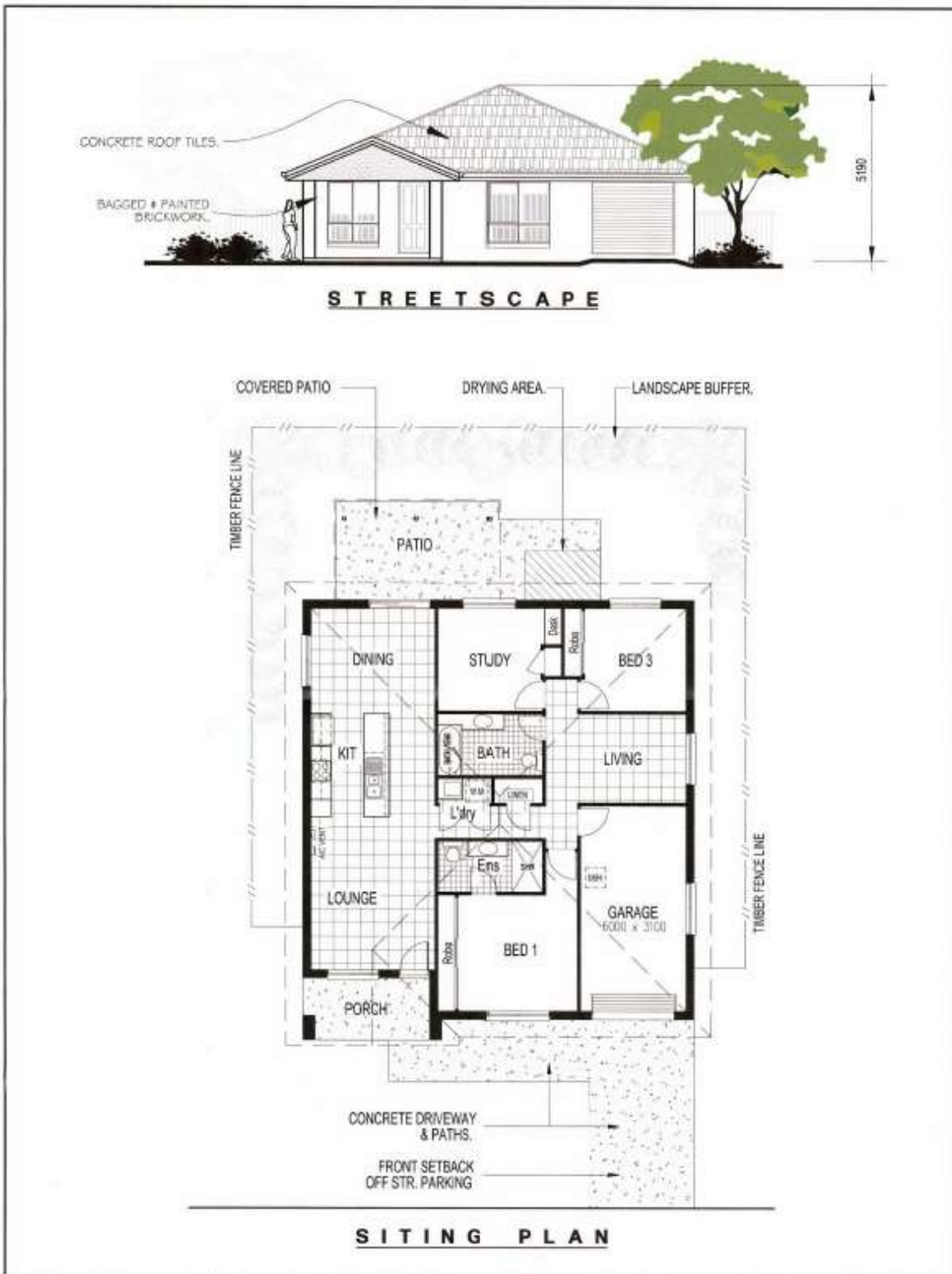
 <p>ALCA 01 008 301 REGISTERED BUILDERS 023274/02H</p>	<p>33 TRADING ROAD BROWNS PLAINS QLD TELEPHONE (07) 5603 0066 FAX (07) 5603 1746</p>	<p>P.O. BOX 1530 BROWNS PLAINS QLD 4113</p>	<p>PROJECT Proposed Development Multi Unit Dwellings TEQUESTA DRIVE BEAUDESERT</p>	<p>H.7 Brochure</p>	
	<p>ALL RIGHTS RESERVED This plan is the property of PHILIP USHER CONSTRUCTIONS PTY LTD Any copying or alteration of the drawings shall not be undertaken without written permission from PHILIP USHER CONSTRUCTIONS PTY LTD # DRAWINGS ARE TO BE READ IN PRESENCE OF SCALE(S)</p>	<p>DATE: 24-08-15 DRAWN BY: P.L.L.</p>	<p>Rev: G</p>	<p>SCALE: 1:100 @ A3</p>	<p>DATE: 24-08-15 DRAWN BY: P.L.L.</p>



Attachment 7 - Proposed Siting Plan for Unit Type L.4



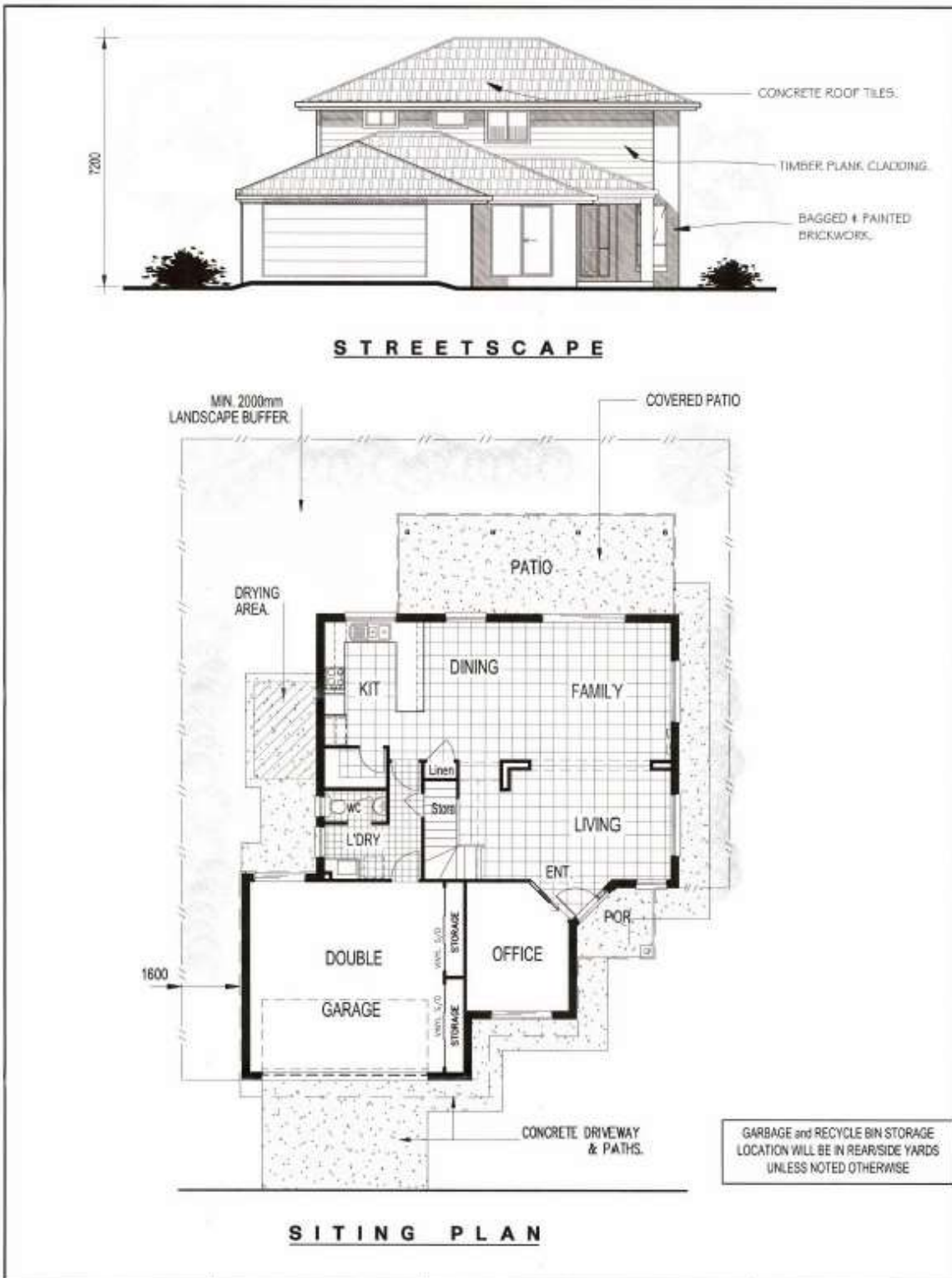
Attachment 8 - Proposed Siting Plan for Unit Type L4.S



 <p>ALN 071 008 101 REGISTERED BUILDERS 021226/420</p>	<p>22 TONDELING ROAD BROWNS PLAINS QLD TELEPHONE: (07) 3002 1888 FAX: (07) 3002 1783</p>	<p>3-3 BOX 1528 BROWNS PLAINS QLD 4708</p>	<p>PROJECT: Proposed Development Multi Unit Dwellings TEQUESTA DRIVE BEAUDESERT</p>	<p>L 4S Brochure</p>
	<p>© ALL RIGHTS RESERVED This plan is the property of PHILIP USHER CONSTRUCTIONS PTY LTD. Any copying or sharing of the drawings shall not be undertaken without written permission from PHILIP USHER CONSTRUCTIONS PTY LTD. IT IS UNDERSOUGHT TO BE READ IN PREFERENCE TO SCALING</p>	<p>DATE: 24-05-15 CHECKED: P.U. JOB NO: 858</p>	<p>SCALE: 1:100 @ A3 SHEET: DA-A3-10</p>	<p>Rev: G</p>

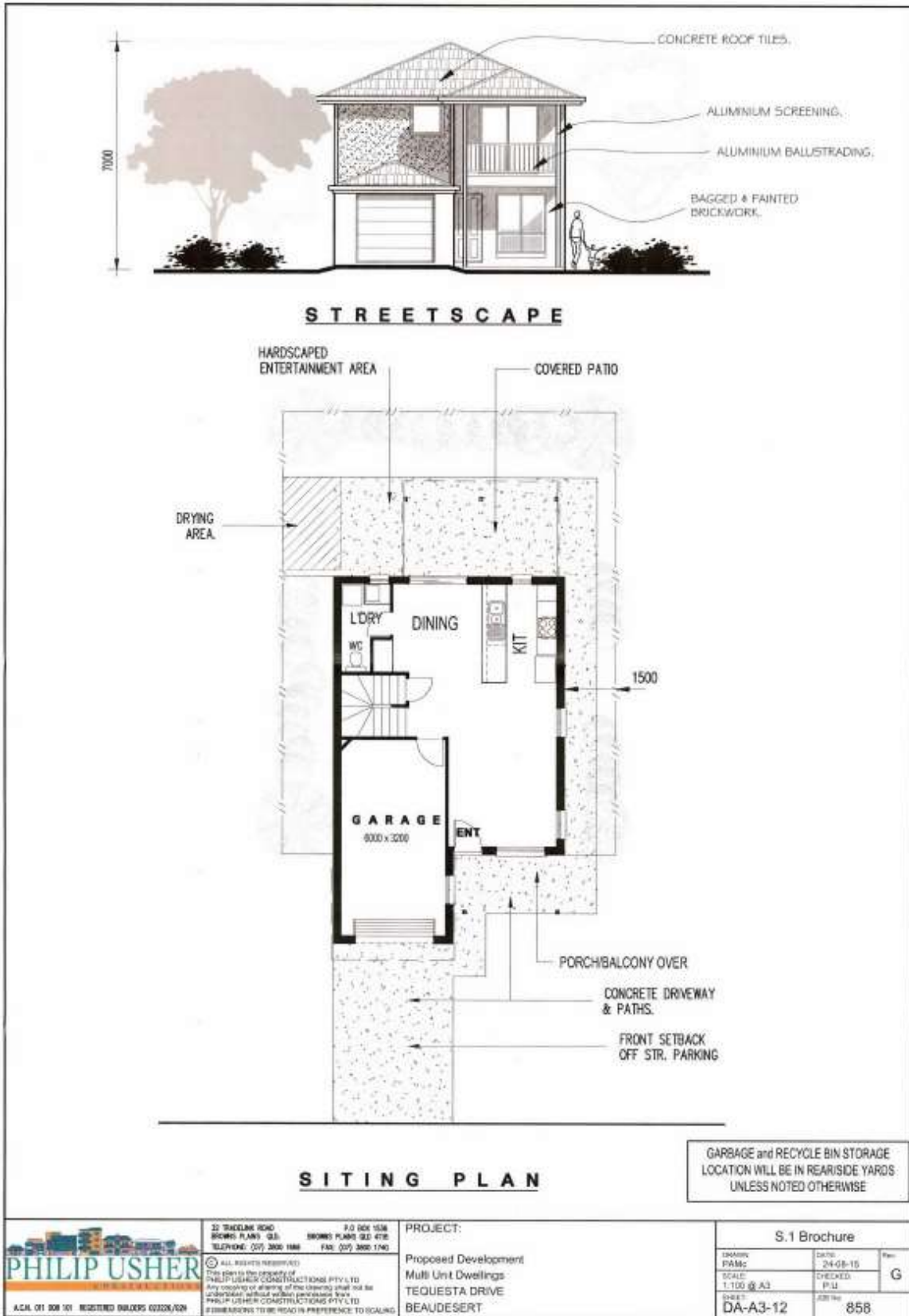


Attachment 9 - Proposed Siting Plan for Unit Type M.10

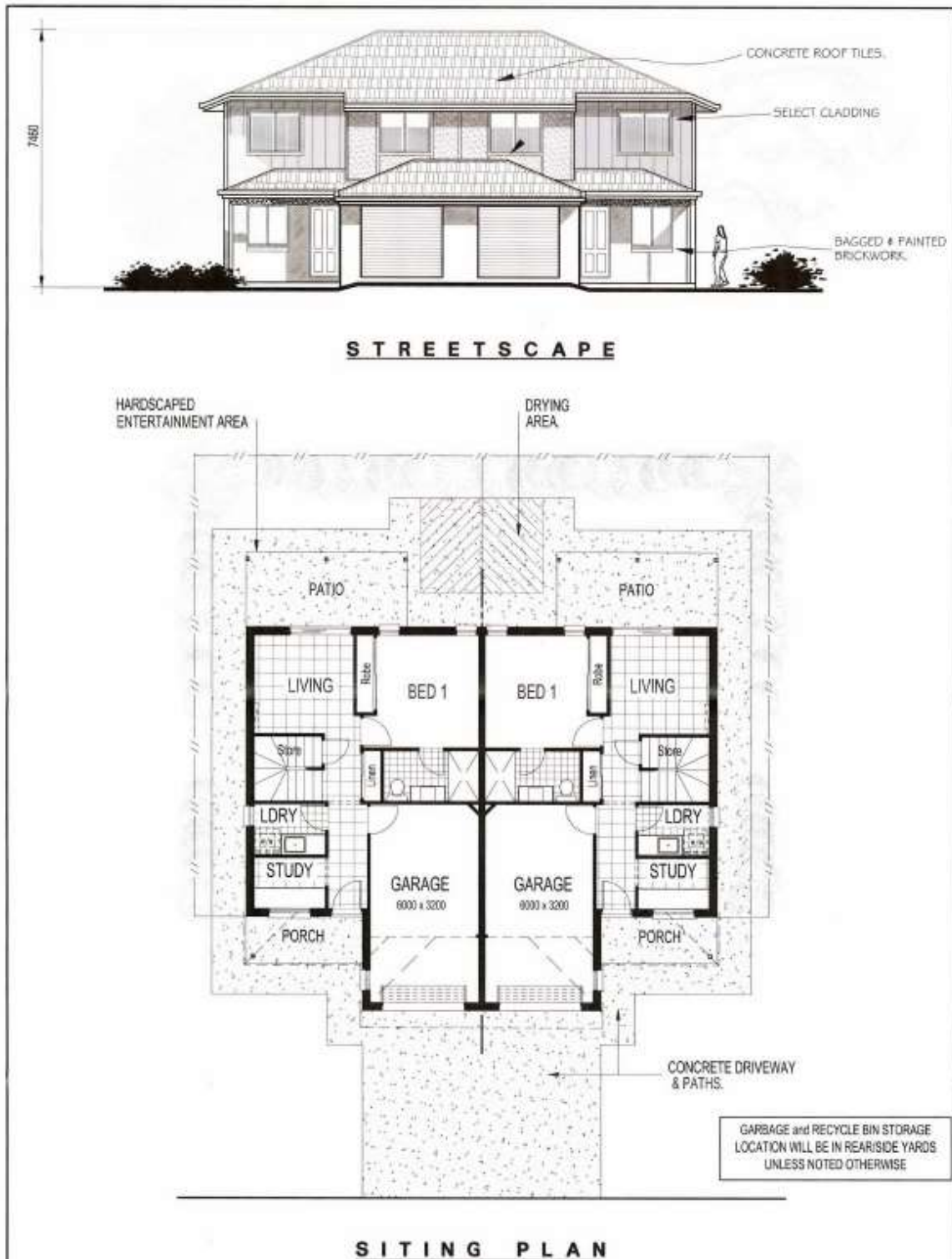


<p>PHILIP USHER</p> <p>ARCHITECTS</p> <p>22 TANDANK ROAD MORONG P.O. BOX 1536 TELEPHONE: (01) 300 3888 FAX: (01) 300 1782</p> <p>ALL RIGHTS RESERVED This plan is the property of PHILIP USHER CONSTRUCTION PTY LTD. Any copying or sharing of the drawing shall not be considered without written permission from PHILIP USHER CONSTRUCTION PTY LTD. # DIMENSIONS TO BE READ IN PREFERENCE TO SCALING</p>	<p>P.O. BOX 1536 MORONG P.O. BOX 1536 TELEPHONE: (01) 300 3888 FAX: (01) 300 1782</p>	<p>PROJECT: Proposed Development Multi Unit Dwellings TEQUESTA DRIVE BEAUDESERT</p>	<p>M.10 Brochure</p> <table border="1"> <tr> <td>DATE: 24-09-15</td> <td rowspan="2">REV: G</td> </tr> <tr> <td>CHECKED: P.U.</td> </tr> <tr> <td>SCALE: 1:100 @ A3</td> <td>JOB No: 858</td> </tr> <tr> <td>PROJECT: DA-A3-11</td> <td></td> </tr> </table>	DATE: 24-09-15	REV: G	CHECKED: P.U.	SCALE: 1:100 @ A3	JOB No: 858	PROJECT: DA-A3-11	
	DATE: 24-09-15	REV: G								
CHECKED: P.U.										
SCALE: 1:100 @ A3	JOB No: 858									
PROJECT: DA-A3-11										
<p>ACK: 01 300 101 REGISTERED BUILDERS 02025/028</p>										

Attachment 10 - Proposed Siting Plan for Unit Type S.1



Attachment 11 - Proposed Siting Plan for Unit Type U.6-P



**PHILIP USHER**  
 ARCHITECTS  
 4, ECL, 01 806 101 RESIDENTIAL BUILDINGS 023228/028

12 BRIDLEBANK ROAD  
 BROWNS PLAINS QLD  
 TELEPHONE: (07) 3660 1888

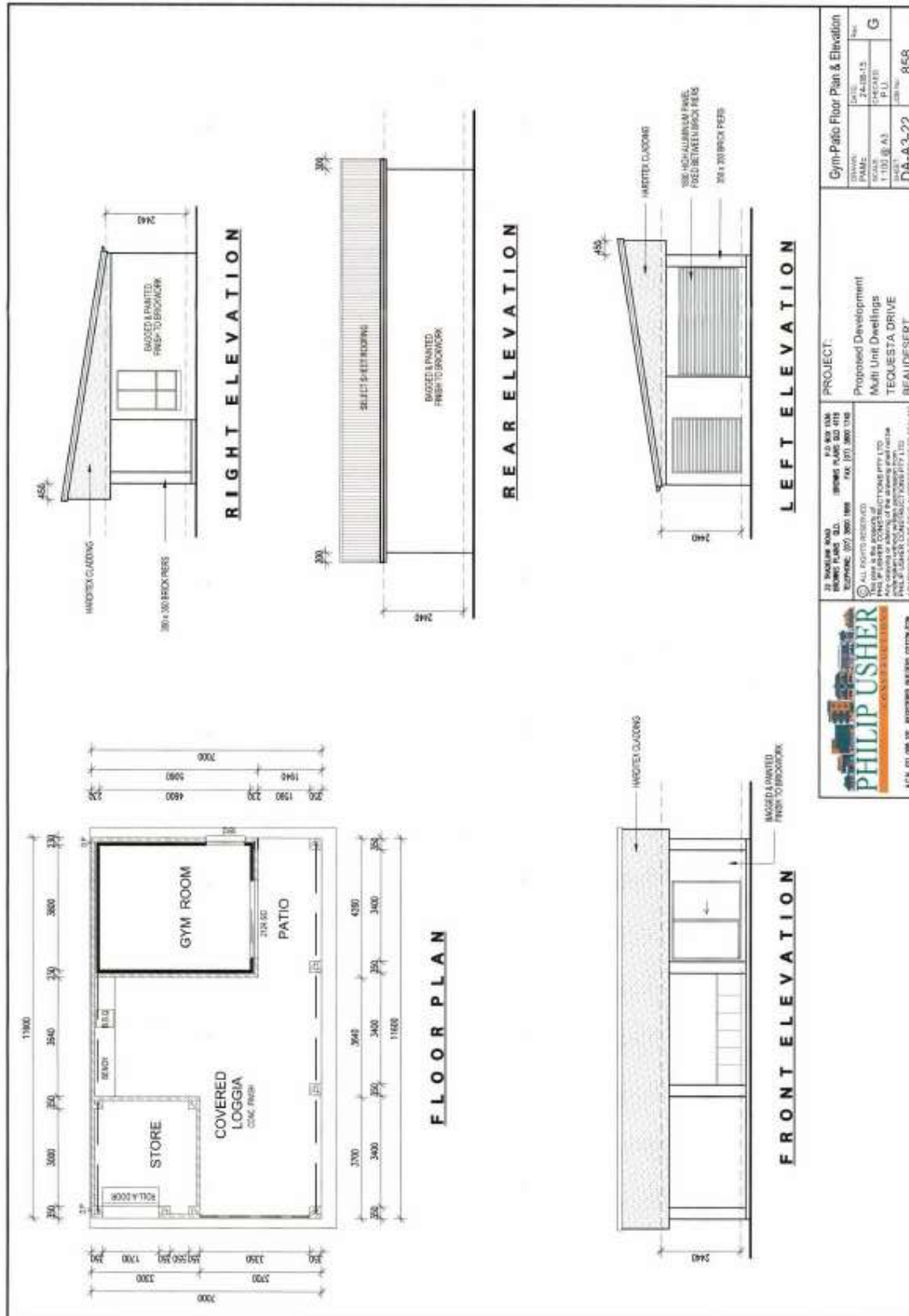
P.O. BOX 1528  
 BROWNS PLAINS QLD 4718  
 FAX: (07) 3660 1740

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 #CONSISTENT TO GC DRAWING REFERENCE TO SCALE(S)

PROJECT:  
 Proposed Development  
 Multi Unit Dwellings  
 TEQUESTA DRIVE  
 BEAUDESERT

U.6-P Brochure		
DRAWN: PAME	DATE: 24-06-15	Rev: G
SCALE: 1:100 @ A3	CHECKED: P.U.	
SHEET: DA-A3-13	JOB NO: 858	

Attachment 12 - Proposed Gym-Patio Floor Plan & Elevation



<p>PHILIP USHER ARCHITECTS &amp; INTERIORS</p> <p>ACK: 011 008 10* - ARCHITECT BUILDING OCCUPANCY</p>		<p>PROJECT: Proposed Development Multi Unit Dwellings TECQUESTA DRIVE BEAUCESERT</p>	<p>Gym-Patio Floor Plan &amp; Elevation</p> <table border="1"> <tr> <td>DATE:</td> <td>24.08.15</td> <td>REV:</td> <td>G</td> </tr> <tr> <td>DRAWN:</td> <td>CH/CH/15</td> <td>CHECKED:</td> <td></td> </tr> <tr> <td>SCALE:</td> <td>1:100 (R.A.)</td> <td>P.L.I.</td> <td></td> </tr> <tr> <td>SHEET:</td> <td>DR-A3-22</td> <td>SHEET NO.:</td> <td>858</td> </tr> </table>	DATE:	24.08.15	REV:	G	DRAWN:	CH/CH/15	CHECKED:		SCALE:	1:100 (R.A.)	P.L.I.		SHEET:	DR-A3-22	SHEET NO.:	858
DATE:	24.08.15	REV:	G																
DRAWN:	CH/CH/15	CHECKED:																	
SCALE:	1:100 (R.A.)	P.L.I.																	
SHEET:	DR-A3-22	SHEET NO.:	858																
<p>17 BROADWAY, SUITE 101 BEAUCESERT QLD 4507 TELEPHONE: (07) 3900 1800 FAX: (07) 3900 1700</p> <p>© ALL RIGHTS RESERVED This plan is the property of Philip Usher Architects &amp; Interiors. No copies or extracts of the drawings shall be made without the written consent of Philip Usher Architects &amp; Interiors. * DIMENSIONS TO BE READ IN DIMENSIONS TO BOUND</p>																			

Attachment 13 - Proposed Elevations for Unit Type D.6-P

**FRONT ELEVATION**

**SIDE ELEVATION**

**REAR ELEVATION**

SCREENING OF WINDOWS AND BALCONIES INDICATIVE ONLY.  
SCREENING TO BE IN ACCORDANCE WITH COUNCIL REQUIREMENTS.

32 TRAVELER ROAD  
BRING PLAINS Q.D.  
TELEPHONE (07) 300 1866 FAX (07) 300 1740

PHILIP USHER  
REGISTERED BUILDERS 603229/1024  
CONCRETE & STEEL BUILDERS

7/0 BOX 6536  
BRING PLAINS Q.D. 4115  
TELEPHONE (07) 300 1866 FAX (07) 300 1740

PROJECT: D.6-P Elevations  
Proposed Development  
Multi Unit Dwellings  
TEQUESTA DRIVE  
BEAUDESERT

DATE:	24.08.15	REV:	G
DRAWN:	5.100 @ A3	SCALE:	P.L.V.
SHEET:	DA-A3-23	ACB No:	858



Attachment 14 - Proposed Elevations for Unit Type D.7

**FRONT ELEVATION**

80 x 15 PRIMED TIMBER SURROUNDS TO WINDOWS  
SELECT CLADDING  
CONCRETE ROOF TILES AT 22.5° PITCH  
CONCRETE ROOF TILES AT 22.5° PITCH  
COLOURBOND FASCIA & GUTTERING  
PAVING LUGS SET ALUMINUM HANGERS TO BE INSTALLED TO BALCONY'S

**SIDE ELEVATION**

CONCRETE ROOF TILES AT 22.5° PITCH  
RAGING GUTTER  
BAGGED & PAINTED FINISH TO BRICKWORK

**REAR ELEVATION**

CONCRETE ROOF TILES AT 22.5° PITCH  
POLE PLATE FIXED ABOVE BRICKWORK WEEP HOLES  
BAGGED & PAINTED FINISH TO BRICKWORK

**SCREENING OF WINDOWS AND BALCONIES INDICATIVE ONLY.  
SCREENING TO BE IN ACCORDANCE WITH COUNCIL REQUIREMENTS.**

<p>22 WINDUML ROAD MURFEEVILLE VIC 3464 TELEPHONE: (07) 3006 9008 FAX: (07) 3006 1706</p> <p>© ALL RIGHTS RESERVED This plan is the property of Philip Usher Pty Ltd. Any use of this plan for any other project without the prior written consent of Philip Usher Pty Ltd is prohibited. DIMENSIONS TO BE READ IN PREFERENCE TO SCALING.</p>		<p>PROJECT: Proposed Development Multi Unit Dwellings TEQUESTA DRIVE BEAUCESERT</p>	<p>D.7 Elevations</p> <p>DATE: 14/08/15 DRAWN BY: P.L. SCALE: 1:100 @ A3 CHECKED BY: G JOB NO: 858</p>
<p>ALCO 01 008 01 ROOSTERS BUILDERS 012267626</p>		<p>PHILIP USHER ARCHITECTS &amp; BUILDERS</p>	

Attachment 15 - Proposed Elevations for Unit Type H.7

**FRONT ELEVATION**

**SIDE ELEVATION**

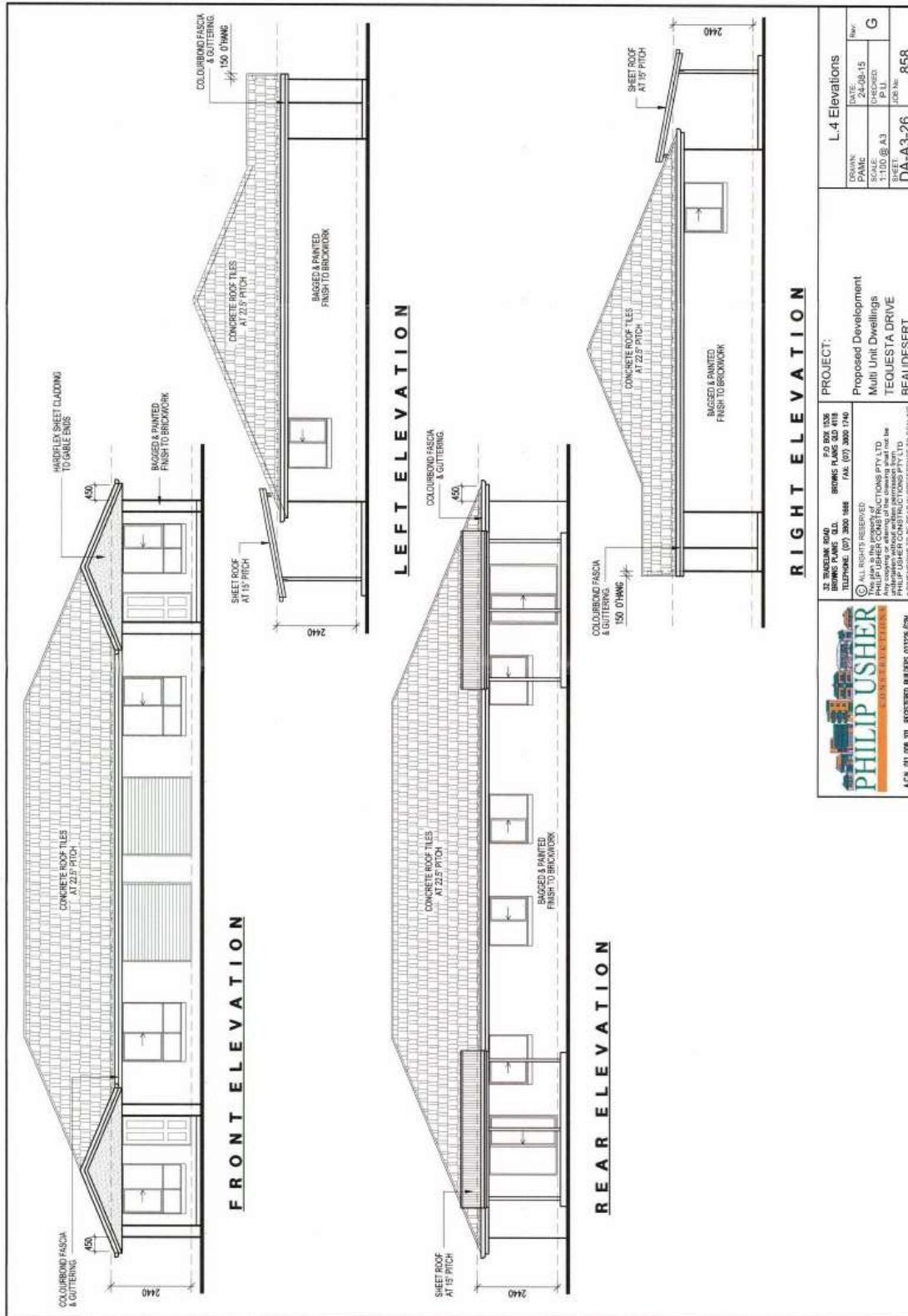
**REAR ELEVATION**


Annotations in drawings include:  
 - CONCRETE ROOF TILES AT 22.5° PITCH  
 - BASAGED & PAINTED FINISH TO BRICKWORK  
 - COLOURBOND FASCIA & GUTTERING  
 - POWDER-COATED ALUMINIUM HANDRAIL & BALESTRADING TO BALCONY'S  
 - 68 x 115 PRIMED TIMBER SURROUNDS TO WINDOWS  
 - SELECT WALL PAPER CLADDING  
 - POLE PLATE FIXED ABOVE BRICKWORK WEEP HOLES

Screening of Windows and Balconies Indicative only.  
 Screening to be in Accordance with Council Requirements.

32 TRACEMAN ROAD BROOKS PLAINS QLD 4118 PHONE: (07) 3000 1066 FAX: (07) 3000 1740		P.O. BOX 1038 BROOKS PLAINS QLD 4118 PHONE: (07) 3000 1066 FAX: (07) 3000 1740	
© ALL RIGHTS RESERVED PHILIP PUSHER CONSTRUCTIONS PTY. LTD. PHILIP PUSHER CONSTRUCTIONS PTY. LTD. PHILIP PUSHER CONSTRUCTIONS PTY. LTD. PHILIP PUSHER CONSTRUCTIONS PTY. LTD. PHILIP PUSHER CONSTRUCTIONS PTY. LTD.		PROJECT: Proposed Development Multi Unit Dwellings TEQUESTA DRIVE BEAUCOUDS	
A.C.N. 011 008 101 REGISTERED BUILDERS 03/22/2004		H.7 Elevations DRAWN: [blank] DATE: 24-05-15 SCALE: @ 1:50 SHEET: DA-A3-25 JOB NO: 858	

Attachment 16 - Proposed Elevations for Unit Type L.4



 <p>PHILIP USHER ARCHITECTS                  ALL RIGHTS RESERVED                  PHILIP USHER CONSULTANTS PTY LTD                  1/100 RIVERVIEW DRIVE                  BEAUCESERT QLD 4207                  A/CN 811 506 011 REGISTERED BUILDERS 0222267209</p>	<p>PROJECT:                  Proposed Development                  Multi Unit Dwellings                  TEQUESTA DRIVE                  BEAUCESERT</p>	<p>L.4 Elevations</p>
	<p>32 BRUCEWAY ROAD                  BEAUCESERT QLD 4207                  TEL: (07) 3902 1940                  FAX: (07) 3902 1940</p>	<p>DATE: 24/08/15                  DRAWN: J.P.L.                  SCALE: 1:100 @ A3                  SHEET: DA-A3-26                  JOB No: 858</p>



Attachment 17 - Proposed Elevations for Unit Type L.45

**FRONT ELEVATION**

**RIGHT ELEVATION**

**LEFT ELEVATION**

**REAR ELEVATION**

Architectural details include: CONCRETE ROOF TILES AT 22.5° PITCH, BAGGED & PAINTED FINISH TO BRICKWORK, COLOURBOND FASCIA & GUTTERING 150 CH/MS, SHEET ROOF AT 15° PITCH, HARDIPLY SHEET CLADDING TO GABLE ENDS, and BAGGED & PAINTED FINISH TO BRICKWORK.

 <p>PHILIP USHER ARCHITECTS &amp; ENGINEERS AUCKLAND OFFICE: 09 833 8888 DUNEDIN OFFICE: 03 478 0000</p>		<p>PROJECT: Proposed Development Multi Unit Dwellings TEQUESTA DRIVE BEAUESERT</p>	<p>L.45 Elevations</p>
<p>25 TRAFALGAR ROAD DUNEDIN 9010 TELEPHONE: (07) 300 1900 FAX: (07) 300 1740</p>	<p>10 MILL LANE DUNEDIN 9010 TELEPHONE: (07) 300 1900 FAX: (07) 300 1740</p>	<p>DATE: 15/08/15 SCALE: 1:100 @ A3 SHEET: DA-A3-27 JOB No: 858</p>	<p>Rev: G</p>
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Attachment 18 - Proposed Elevations for Unit Type M.10

**FRONT ELEVATION**

**RIGHT ELEVATION**

**LEFT ELEVATION**

**REAR ELEVATION**

Labels in drawings include: CONCRETE ROOF TILES AT 23° PITCH, FACE BRICKWORK OR BAGGED & PAINTED FINISH, COLOURBOND FASCIA & GUTTERING, SHEET ROOF AT 15° PITCH, SELECT PINK CLADDING, POLE PLATED ABOVE BRICKWORK (KEEP POLLS).

22 WILKINSON ROAD BRISBANE QLD 4008 TEL: (07) 3000 1000 FAX: (07) 3000 1190		PROJECT: Proposed Development Multi Unit Dwellings TECOUESTA DRIVE BEAUCOAST	M.10 Elevations DRAWN BY: J. GARDNER CHECKED BY: P. U. SCALE: 1:100 @ A3 SHEET: DA-A3-28 JOB NO: 858
ALL RIGHTS RESERVED This plan is the property of Philip Usher Pty. Ltd. Any copying or sharing of this drawing shall not be permitted without the written consent of Philip Usher CONSTRUCTION PTY LTD * DIMENSIONS TO BE READ IN PREFERENCE TO SCALES		PHILIP USHER THE PINK & BLUE BUILDERS A/C/L 01/ 008 07/ RESIDENTIAL INDUSTRY 02026/021	

Attachment 19 - Proposed Elevations for Unit Type S.1

Screening of Windows and Balconies Indicative only.  
Screening to be in Accordance with Council Requirements.

**LEFT ELEVATION**

**RIGHT ELEVATION**

**FRONT ELEVATION**

**REAR ELEVATION**

<p><b>32 BRADSHAW ROAD</b> BRIMS BANK QLD 4207000 (07) 3000 1000</p> <p>© ALL RIGHTS RESERVED PHILIP USHER CONSTRUCTION PTY LTD Underwritten without limitation of liability # UNEMPLOYED TO BE SHOWN IN PREFERENCE TO SCROLLING</p>	<p>P.O. BOX 1534 BRIMS BANK QLD 4116 TEL (07) 3000 1100</p>	<p><b>PROJECT:</b> Proposed Development Multi Unit Dwellings TEQUESTA DRIVE BEAUDESERT</p>	<p><b>S.1 Elevations</b></p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td>DRAWN:</td> <td>DATE:</td> <td>REV:</td> </tr> <tr> <td>1:100 @ A3</td> <td>24.08.15</td> <td>G</td> </tr> <tr> <td>SHEET:</td> <td>PROJECT:</td> <td>FOR NO:</td> </tr> <tr> <td>DA-A3-29</td> <td></td> <td>858</td> </tr> </table>	DRAWN:	DATE:	REV:	1:100 @ A3	24.08.15	G	SHEET:	PROJECT:	FOR NO:	DA-A3-29		858
DRAWN:	DATE:	REV:													
1:100 @ A3	24.08.15	G													
SHEET:	PROJECT:	FOR NO:													
DA-A3-29		858													

Attachment 20 - Proposed Elevations for Unit Type U.6-P

**FRONT ELEVATION**

**LEFT ELEVATION**

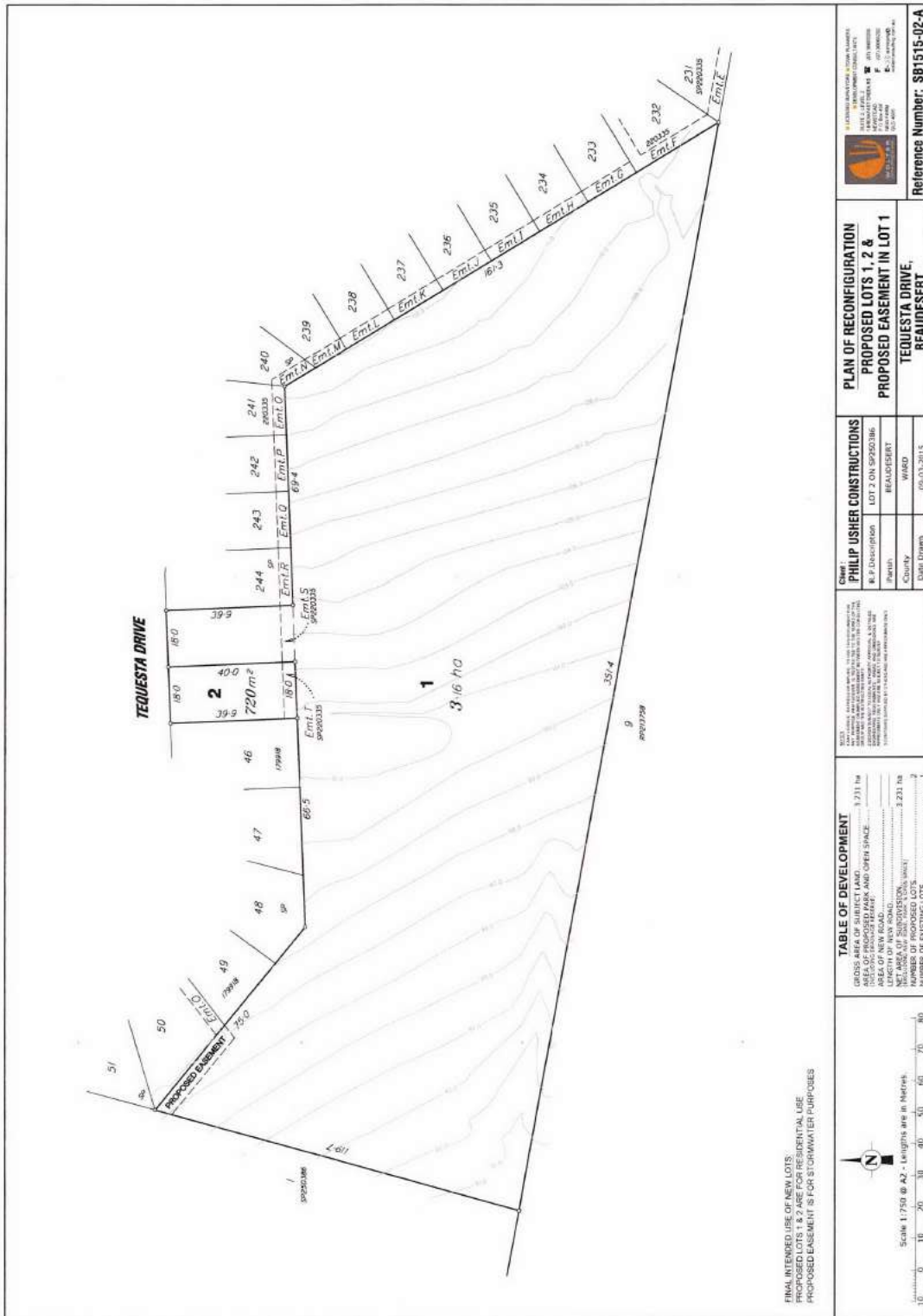
**REAR ELEVATION**

**RIGHT ELEVATION**

Privacy Screening to be in Accordance with Council Requirements.

<p>US: 2400 W. PALM BLVD                  BOCA RATON, FL 33433                  TELEPHONE: (561) 360-1666                  FAX: (561) 360-1740</p> <p>ALL RIGHTS RESERVED                  This plan is the property of Philip Usher Pty Ltd. Any copying or altering of the contents of this plan without the written consent of Philip Usher Pty Ltd is strictly prohibited.                  PHILIP USHER CONSTRUCTION PTY LTD                  DIMENSIONS TO BE READ IN PREFERENCE TO SCALING</p>	<p>PROJECT:                  Proposed Development                  Multi Unit Dwellings                  TEQUILISTA DRIVE                  BEAUDESERT</p>	<p style="text-align: center;"><b>U.6-P Elevations</b></p> <p>DATE: 24/08/15                  CHECKED: P.U.                  JOB NO: 858</p>
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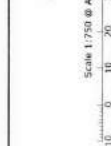
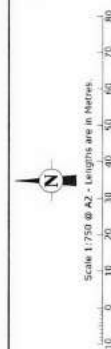
Attachment 21 - Proposed Reconfiguration Plan



FINAL INTENDED USE OF NEW LOTS:  
PHILIP USHER CONSTRUCTIONS  
PROPOSED EASEMENT IS FOR S' GRAVITY WATER PURPOSES

**TABLE OF DEVELOPMENT**

LENGTH OF PROPOSED ROAD	3.231 km
AREA OF PROPOSED ROAD AND OPEN SPACE	3.231 ha
LENGTH OF NEW ROAD	3.231 km
NET ASSAULT SURFACE (TOTAL MILE)	3.231 km
NUMBER OF PROPOSED LOTS	1
NUMBER OF EXISTING LOTS	1



**Client:** PHILIP USHER CONSTRUCTIONS  
**Project:** LOT 2 ON SPUDS/3B  
**County:** BEAUAUDESERT  
**Ward:** WARD  
**Date Drawn:** 09-03-2015

**PLAN OF RECONFIGURATION  
PROPOSED LOTS 1, 2 &  
PROPOSED EASEMENT IN LOT 1  
TEQUESTA DRIVE,  
BEAUAUDESERT**





Attachment 22 - Queensland Urban Utilities Services Advice Notice



Queensland Urban Utilities  
 GPO Box 2785  
 BRISBANE QLD 4001  
 Phone: 07 3432 2200 or 13 26 57  
[www.urbanutilities.com.au/development-services](http://www.urbanutilities.com.au/development-services)

28/08/2015

Aaron Butler  
 Intelara Pty Ltd  
 231 North Quay  
 Brisbane QLD 4000

Via Email: [aaron.butler@intelara.com](mailto:aaron.butler@intelara.com)

Dear Aaron,

**Queensland Urban Utilities Services Advice Notice**

QUU Application Number: 15-SRV-15180  
 Applicant Name: Philip Usher Constructions  
 Street Address: 27 TEQUESTA DR BEAUDESERT QLD 4285  
 Real Property Description: 2SP250386

Proposed service connection/alteration/disconnection type:

Drinking water	<input checked="" type="checkbox"/>
Non-drinking water	<input type="checkbox"/>
Wastewater	<input checked="" type="checkbox"/>

Queensland Urban Utilities provides this Services Advice Notice in accordance with 99BRAC of the SEQ Water (Distribution and Retail Restructuring) Act 2009. This Services Advice Notice does not constitute an application for connection, is not an approval to connect to the Queensland Urban Utilities network(s) and does not bind any future Queensland Urban Utilities decision if the applicant applies for a connection.

Queensland Urban Utilities understands that the proposed development will consist of a 77 unit townhouse development.

Based on your proposal and discussion with Queensland Urban Utilities officers, the following advice is provided:

**Queensland Urban Utilities Services Advice****Infrastructure and Design****Water**

A 150mm uPVC main is available for connection within Tequesta Dr.

Water supply infrastructure works are to be designed and constructed in accordance with Queensland Urban Utilities standards, policies and guidelines.

The Applicant is to construct water supply infrastructure works that will ensure that the proposed development achieves Queensland Urban Utilities Desired Standards of Service (DSOS).

**Wastewater**

The closest sewer to the subject site is located within Lot 50 SP179918.

Wastewater infrastructure works are to be designed and constructed in accordance with Queensland Urban Utilities standards, policies and guidelines.

The Applicant will be required to construct wastewater infrastructure works that will ensure that the proposed development achieves Queensland Urban Utilities Desired Standards of Service (DSOS).

**Network Demand and Capacity****Water**

An assessment of the water supply available at the site, including computational hydraulic modelling of the network under peak demand and fire flow conditions, has been completed.

The assessment indicates that the existing water supply has adequate capacity to service the proposed development in accordance with the SEQ Water Supply and Sewerage Design and Construction Code, 2013 (SEQ WS&S D&C Code).

**Wastewater**

A hydraulic assessment of the sewerage network servicing the site under peak wet weather flow conditions has been completed.

The assessment indicates that the existing sewerage reticulation system downstream from MH436863 contains adequate capacity to cater for the proposed development.

The current layout shown on drawing number 10581-DA01 by Interlara Consulting has proposed the use of a private sewerage pump station to command internal units that cannot be conveyed via gravity to the existing sewer mains. The station must contain a private discharge chamber. Flows from this private chamber will then connect via gravity to Queensland Urban Utilities existing network.

Odour management for the private station and discharge chamber must be considered through design of the asset and details imbedded within the registered Community Management Statement for the estate.

Page 2 of 4

**Infrastructure Charges (as at 1 July 2014)****Water**

Multiple Dwelling

1 or 2 bedroom dwelling - \$1,698  
3 or more bedroom dwelling - \$2,412

**Wastewater**

Multiple Dwelling

1 or 2 bedroom dwelling - \$7,102  
3 or more bedroom dwelling - \$10,088

**Connection Application Process**

Based on the information provided, it is expected that the following applications will be required to assess the ability to connect to Queensland Urban Utilities networks:

**1. Property Service Connection – Minor Works**

The Water Approval will require connection works to be undertaken. These works are expected to be available under the Certification Scheme for Minor Works. You will be able to choose a QUU Endorsed Consultant and a contractor to appoint to design and construct the works, including live works in most cases (Permit to Work required) and then maintain the works for a specified period (usually 12 months) in accordance with the conditions stated in your Water Approval (including compliance with the SEQ WS&S D&C Code). Further information regarding the Certification Scheme for Minor Works is available at: <http://www.urbanutilities.com.au/development-services/help-and-advice/connections/certification-scheme>

Please note that the information provided within this section is subject to the specific aspects of the development and water application.

**Fees and Charges**

Likely Queensland Urban Utilities fees and charges associated with these applications are outlined below.

**1. Application Phase**

Base Application Fee – Property Services Connection \$564 (per connection / Technical Report Review Fee \$558 (per report)

**2. Design, Construction and Maintenance Phases**

Certification Scheme Audit and Compliance Fee \$450 (per application for each service)

**Notes:**

1. The customer may incur additional fees and charges during the approval and works phase, including but not limited to, fees levied by the RPEQ and construction contractor, fees associated with the provision of maintenance / uncompleted works bond(s), re-checking amended plans fees, re-inspection of works fees and infrastructure agreement preparation fees;



2. The above estimates are indicative only and are subject to review of the detailed application upon lodgement; and
3. Please refer to the QUU Water Netserv Plan - for further details / clarifications on Fees and Charges.

**Time Frames for Assessment**

It is anticipated that the works to connect to Queensland Urban Utilities networks will be available under the Certification Scheme for Minor Works.

**Connection Assessments**

To be completed within 20 business days of receipt of Property Made Connection Application (including payment of the relevant assessment fee), or within a further 20 business days of receipt of requested information (unless extended by agreement).

**Design Phase**

Typically, for an application which is classified as **minor works**, no assessment of the design phase is expected to be required from Queensland Urban Utilities.

However, Queensland Urban Utilities may audit a selection of certified designs based on its assessment of the risk of non-compliance

This Services Advice Notice is current for a period of two (2) years from the date of issue. Should you wish to proceed with applying for a service connection please lodge your application via Queensland Urban Utilities Development Services Online Lodgement Portal at <http://www.urbanutilities.com.au/development-services>. Please include your Services Advice reference number in your application.

Queensland Urban Utilities may, at its discretion, provide a reduced fee for a service connection application based on this Services Advice Notice if your application is received within 12 months of the date of issue and is substantially in accordance with the proposal upon which this advice was issued.

If you have any questions in relation to this Decision Notice, please do not hesitate to contact your account manager, Brett Carruthers, on 3432 2069 or [brett.carruthers@urbanutilities.com.au](mailto:brett.carruthers@urbanutilities.com.au). Alternatively, please contact our Developer Customer Services Team on 07 3432 2200.

Yours sincerely



**Brett Carruthers**  
Senior Engineer  
Queensland Urban Utilities

**3.4 MCBn15/007 Development Permit for a Material Change of Use Intensive Animal Industry (Rural Use) (Emu Farm - Intensive Emu Farming) Industry - Low Impact (Industrial Use) Try It Emu Farm Marburg Pty Ltd Lot 2 SP140087**

**Executive Officer: Director Regional Services**

**File Reference: MCBn15/007**

<b>Applicable Planning Scheme</b>	<i>Boonah Shire Planning Scheme 2006</i>
<b>Applicant</b>	Try It Emu Farm Marburg Pty Ltd
<b>Owner(s)</b>	Try It Emu Farm Marburg Pty Ltd
<b>Site Address</b>	830 Coleyville Road COLEYVILLE
<b>Real Property Description</b>	Lot 2 SP140087
<b>Site Area</b>	39.73 Ha
<b>Relevant Zone and Precinct</b>	Rural Precinct 4 Horticulture / Dairying 40ha
<b>Proposal</b>	Material Change of Use – Intensive Animal Industry (Rural Use) (Emu Farm - Intensive Emu Farming)
<b>Assessment Level</b>	Impact Assessment Industry - Low Impact (Industrial Use)
<b>Approval Type</b>	Development Permit
<b>Public Notification:</b>	16 September 2015 to 9 October 2015
<b>Submissions Received</b>	3
<b>Date Application Received:</b>	26 June 2015

**Director's Recommendation**

1. That Council resolve to approve the development in respect to the following property:

**RPD:** Lot 2 on SP140087  
**Address of property:** 830 Coleyville Road COLEYVILLE QLD 4307  
**Site area:** 39.73 Ha  
**Proposal:** Material Change of Use – *Boonah Planning Scheme 2006*

**Further development permits required:**

- a) A Building Works approval is required for all building works associated with the proposed development, prior to undertaking and building work on the subject property.
- b) A Plumbing and Drainage approval is required for all / any plumbing and drainage works associated with the proposed development, prior to undertaking any plumbing and drainage works on the subject property if applicable.
- c) An application for Constructing or interfering with a road or its operation is required for the Civil Works associated with the proposed Development.

## 2. Conditions of Approval:

### Approved Plans

- 1) **USE IN ACCORDANCE WITH THE APPLICATION - MATERIAL CHANGE OF USE -** Development being undertaken generally in accordance with Plan/s No/s. referenced in the table below and received by Council on 7 July 2015 and accompanying documentation, except insofar as it is modified by the conditions of this approval. Any minor changes may be requested by the Applicant in accordance with the Sustainable Planning Act 2009 without the need for a further Development Application for a Material Change of Use.

Plan/Drawing	Prepared by	Plan/Dwg No.	Date
Site Plan	Lockyer Drafting Designs	1637.01 A	May 2015
Proposed Abattoir (Plan)	Lockyer Drafting Designs	1637.02 B	May 2015

### General

- 2) **DEFINITION COMPLIANCE AND EXCLUSIONS -** The approved use and associated ancillary activities shall at all times comply with the definition of an Intensive Animal Industry under Schedule 1 – Dictionary and relevant provisions of Part 6 of the Boonah Shire Planning Scheme 2006.
- 3) **COMMENCEMENT OF USE -** Prior to the use commencing, the Applicant shall advise Council's Planning Department in writing, of the proposed commencement date.
- 4) **WORKS - APPLICANT'S EXPENSE -** All works, services, facilities and/or public utility alterations required by this approval or stated condition/s, whether carried out by the Council or otherwise, shall be at the Applicant's expense unless otherwise specified.

### Landscaping

- 5) **EXISTING VEGETATION - PRESERVATION -** The landscaping of the site and/or landscaping plan shall incorporate the preservation of existing forestry vegetation, where not required to be cleared for the purpose of this approval, as shown on the approved Site Plan.
- 6) **LANDSCAPING - GENERAL -** The land shall be landscaped with suitable trees and shrubs together with grass or other ground cover in accordance with the provisions of Council's Town Planning Scheme. Such trees and shrubs shall be native Australian varieties particularly those indigenous to the locality, where possible, and be maintained in a sturdy and healthy condition with dead or diseased trees replaced as soon as practicable. Any landscaping required to be removed as a result of construction shall also be replaced with suitable plantings approved prior to its removal.

### Amenity

- 7) **SITE MAINTENANCE -** The site shall be maintained in a clean and orderly state at all times.

- 8) **LIMITS ON BIRD NUMBERS** – A maximum of 3000 birds shall be permitted on site at any one time.
- 9) **RECORD KEEPING** - All records and documents required to be kept by a condition of this Approval (including all records and documents required to be kept under the Environmental Management Plan) at the premises for a period not less than 3 years and make the records and documents available for examination by an Authorised Officer immediately upon request.
- 10) **ODOUR AND DUST EMISSIONS MONITORING & RECORDING** - The operator must conduct regular checks to monitor odour and dust emissions and record relevant information including date, time, location, staff member and an odour and/or dust emission description.
- 11) **AIR CONTAMINANTS** - A noxious or offensive odour must not be emitted beyond the boundaries of the premises. No particulate matter or visible contaminant, including dust, smoke, fumes and aerosols likely to cause environmental harm is to emanate beyond the boundaries of the premises.
- 12) **LIGHT EMISSIONS** -- Light sources at the premises must be positioned and shielded to prevent light spillage outside the boundaries of the premises.
- 13) **NOISE DISTURBANCE** - The activity must be carried out by such practicable means necessary to prevent or minimise the emission of noise likely to cause environmental nuisance at any noise sensitive or commercial place.
- 14) **NOISE EMISSION LIMITS** - If a complaint (other than a frivolous or vexatious complaint) is made to the administering authority, the emission of noise from the premises must not exceed the levels prescribed by Table 1 (below).

**Table 1**

Time Period	At dwelling or other Noise sensitive place	At commercial premises
Daytime (7:00am-10:00pm)	Background +5dB(A)	Background +10dB(A)
Night time (10:00pm-7:00am)	Background +3dB(A)	Background +8dB(A)
	Background=LA <sub>90</sub>	Background=LA <sub>90</sub>

The compliance levels are measured as the average of the maximum A-weighted sound levels adjusted for noise character measured over a 15-minute time interval. These provisions apply except where specific emission limits are provided in the *Environmental Protection Act 1994*.

- 15) **NOISE, DUST AND ODOUR ASSESSMENT REPORTS – COMPLIANCE** - If a complaint (other than a frivolous or vexatious complaint) is made against the business, the administering authority may request an assessment of the acoustic, dust or odour qualities of the business be undertaken by a qualified professional. The report is to be submitted to Council within three (3) months of the complaint.
- 16) **EROSION & SEDIMENT CONTROL** - Appropriate erosion and sediment control measures must be installed and maintained as required to prevent or minimise the release of sand, silt or mud from the premises to any stormwater drainage system or any natural waterway.

- 17) **RELEASES TO WATER** - Releases to water must not cause any visible oil slick or other visible evidence of oil or grease, nor contain visible, grease, scum, litter or floating oil.
- 18) **CARCASS MONITORING AND STORAGE** - Regular checks for mortalities must be undertaken (minimum frequency of once per day) with any carcasses immediately removed. Carcasses are to be stored in sealed, impermeable container(s) and either:
- i. Removed from the site on the same day; or
  - ii. Refrigerated below 4°C and removed as required.
- 19) **CARCASS REMOVAL AND DISPOSAL** - No on-site carcass disposal is permitted (unless expressly directed to do so by a State or Federal Government Agency following a disease event or mass mortality). All carcasses removed from the site must be disposed of at an approved disposal facility by an approved transporter.
- 20) **SOLID WASTE REMOVAL RECORDS** - For all solid waste removed from the premises (including poultry litter) records must be kept of the following:
- i. The date, quantity and type of waste removed;
  - ii. The name of the waste transporter and/or disposal operator that removed the waste; and
  - iii. The intended treatment/disposal destination of the waste.
- 21) **WASTE** - Waste is not to be stockpiled so as to cause environmental nuisance or attract flies.
- 22) **WASTE STORAGE** - All waste produced at the site must be stored in appropriate containers/receptacles of a sufficient number to receive all waste generated at the site. Waste containers/receptacles must be maintained in full working order and lids are to remain closed at all times except when receiving or disposing of waste.
- 23) **PESTS & VERMIN** - Organic substances likely to provide a food source for vermin must be stored in a sealed and airtight storage container to exclude access by pests or vermin.

#### **Car parking and Access**

- 24) **ACCESS TO COUNCIL ROAD** - The Applicant shall undertake the construction of the access Crossovers to Council Standards with the appropriate signage in accordance with Council's current standards. A Property Access Permit and Road Corridor Use Permit Applications are to be lodged with Council. A Road Corridor Use approval is required for any access construction work.

The access provisions shall be maintained in good condition for the lifetime of the proposed use.

- 25) **CAR PARKING & DRIVEWAYS – GRAVEL** - All parking areas, internal roadways and manoeuvring areas are to be designed and constructed in accordance with AS 2890.1 - 2004 and AS 2890.2 – 2002 and Council's Design & Construction Manual.

The completed works will be certified by a Registered Professional Engineer of Queensland (RPEQ) as having been constructed in accordance with good engineering practice to a standard reasonable for commercial purposes. These car parking provisions must be available prior to the commencement of the use and will be undertaken generally in accordance with the approved plans.

The works required by this condition are to be completed prior to the commencement of the use.

- 26) **CAR PARKING NUMBERS** - The developer is to make provision for the establishment of adequate car parking on site to serve staff associated with the approved use and for visitors to the site. The car parking spaces shall be established prior to the commencement of the approved use.
- 27) **CAR PARKING ON-SITE** - All vehicles under the control of the party(ies) charged with the overall responsibility for the operation of the facility and any ancillary staff will be parked wholly within the curtilage of the site. All vehicle movements to and from the site, inclusive of service vehicles, are to be conducted in forward gear. The requirements of this condition are to be adhered to for the lifetime of the approved use.
- 28) **VEHICLE LOADING / UNLOADING** - All loading and unloading of vehicles associated with the approved uses, including the pick-up and/or delivery of goods and materials, will be conducted at all times from within the curtilage of the site. The requirements of this condition are to be adhered to for the lifetime of the approved use.

#### **Stormwater Drainage**

- 29) **ADVERSE DRAINAGE IMPACT - GENERAL** - Drainage from the development works / building works shall not adversely impact upon adjacent properties. No ponding, concentration or redirection of stormwater shall occur onto adjoining land.
- 30) **STORMWATER DISCHARGE AND DISPOSAL** - The Developer is to make provision for the discharge of stormwater drainage flows to a legal point of discharge. The Developer shall provide all necessary stormwater drainage; such drainage works shall be designed and constructed in accordance with the *Queensland Urban Drainage Manual (QUDM)*.

The works required by this condition are to be completed prior to the commencement of the use.

- 31) **EROSION CONTROL** - The Applicant is responsible for implementation of erosion control measures designed to minimise soil movement and to minimise silt loads entering drainage lines and watercourses as a result of either the development works / building works.

**Water**

- 32) ADEQUATE WATER SUPPLY** – The Applicant is to make provision for the establishment of an adequate water supply system capable of servicing the development. Details on the proposed method of providing an adequate water supply are to be submitted as part of a Development Application for *Plumbing and Drainage Works*. The requirements of this condition are to be completed prior to the commencement of the approved use.

**Wastewater**

- 33) WASTEWATER DISPOSAL - GENERAL** - The Applicant is to provide a wastewater disposal system capable of servicing the proposed development so as to adequately provide for the treatment and disposal of wastewater on-site.

The wastewater disposal system is to conform with the provisions of the Department of Housing and Public Works “Queensland Development Code”, the “Queensland Plumbing and Wastewater (QPW) Code” and AS1547-2000. Details on the proposed method of treatment and disposal of wastewater are to be submitted as part of a Development Application for *Plumbing and Drainage Works*. The works required by this condition are to be completed prior to the commencement of the approved use.

**Earthworks Design and Management**

- 34) EARTHWORKS OPERATIONS (CAR PARKING AREAS, ACCESS DRIVEWAY AND ALLOTMENT FILLING)** – All earthworks associated with the car-parking areas, access driveway(s) and the building works will be undertaken in accordance with Section 3.4 of Council's Design and Construction Manual.

**3. That the Applicant be further advised of the following:**

- a) DEVELOPMENT APPROVAL CONDITIONS ATTACH TO LAND** - Development Approvals which include conditions and any modifications, attach to the land and are binding on the owner, the owner's successors in title and any occupier of the land pursuant to Section 245 of the *Sustainable Planning Act 2009*.
- b) VEGETATION MANAGEMENT ACT 1999 AND THE CULTURAL HERITAGE ACT 2003** - This approval in no way restrict or inhibits the provisions of neither the *Vegetation Management Act 1999* nor the *Aboriginal Cultural Heritage Act 2003*. The Applicant(s) will need to satisfy himself/herself/themselves that in undertaking the proposed development works that his/her/their actions will not contravene the provisions of the aforementioned Acts.
- c) WHEN DEVELOPMENT APPROVAL TAKES EFFECT** - Pursuant to *Sustainable Planning Act 2009*, this Development Approval takes effect:
- (i) from the date the Decision Notice/Negotiated Decision Notice (as the case may be) is given to the Applicant, if there are no Submitters and the Applicant does not appeal the decision to the Court; or

(ii) from the end of the Submitter's appeal period if there is a Submitter and the Applicant does not appeal the decision to the Court; or (iii) subject to the decision of the Court when the appeal is finally decided if an appeal is made to the Court by any party; as the case may be. Development may start when a Development Permit takes effect (subject to any conditions specifying commencement).

**d) APPROVAL LAPSES AT COMPLETION OF RELEVANT PERIOD** - This Development Approval will lapse if the Material Change of Use does not happen before the end of the relevant period. The relevant period is four (4) years from the date the approval takes effect. The relevant period may be extended at the discretion of Council under Section 341 of the *Sustainable Planning Act 2009*. Before the Development Approval lapses, a written request to extend the relevant period may be made to Council under Section 383 of the *Sustainable Planning Act 2009*. Please note that Council will not automatically remind Applicants/Occupiers when the relevant period is about to lapse.

#### **4. Further approvals are required for:**

- a) A Building Works approval is required for all building works associated with the proposed development, prior to undertaking and building work on the subject property.
- b) A Plumbing and Drainage approval is required for all / any plumbing and drainage works associated with the proposed development, prior to undertaking any plumbing and drainage works on the subject property if applicable.
- c) An Operational Works approval is required for the on-site Civil Works associated with the proposed Development.
- d) An application for Constructing or interfering with a road or its operation is required for the Civil Works associated with the proposed Development.

#### **5. Administrative Action:**

That Decision Notices be issued in accordance with s.335 of the *Sustainable Planning Act 2009* to the Applicant.

#### **Committee Recommendation**

That the Director Regional Services' recommendation be adopted.

Moved: Cr Stanfield

Seconded: Cr Brent

Carried

#### **Attachments**

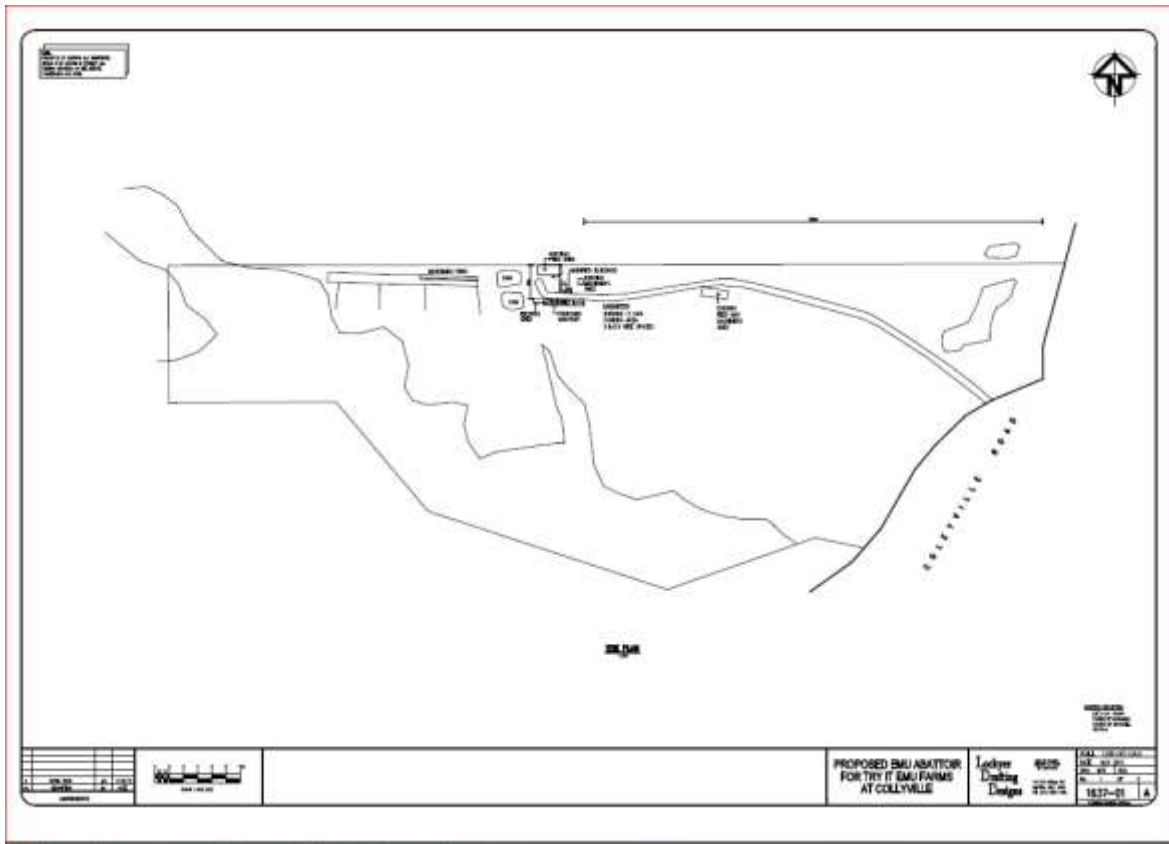
- 1. Site Locality map.
- 2. Proposed Site layout.
- 3. Detail of Proposed Abattoir.



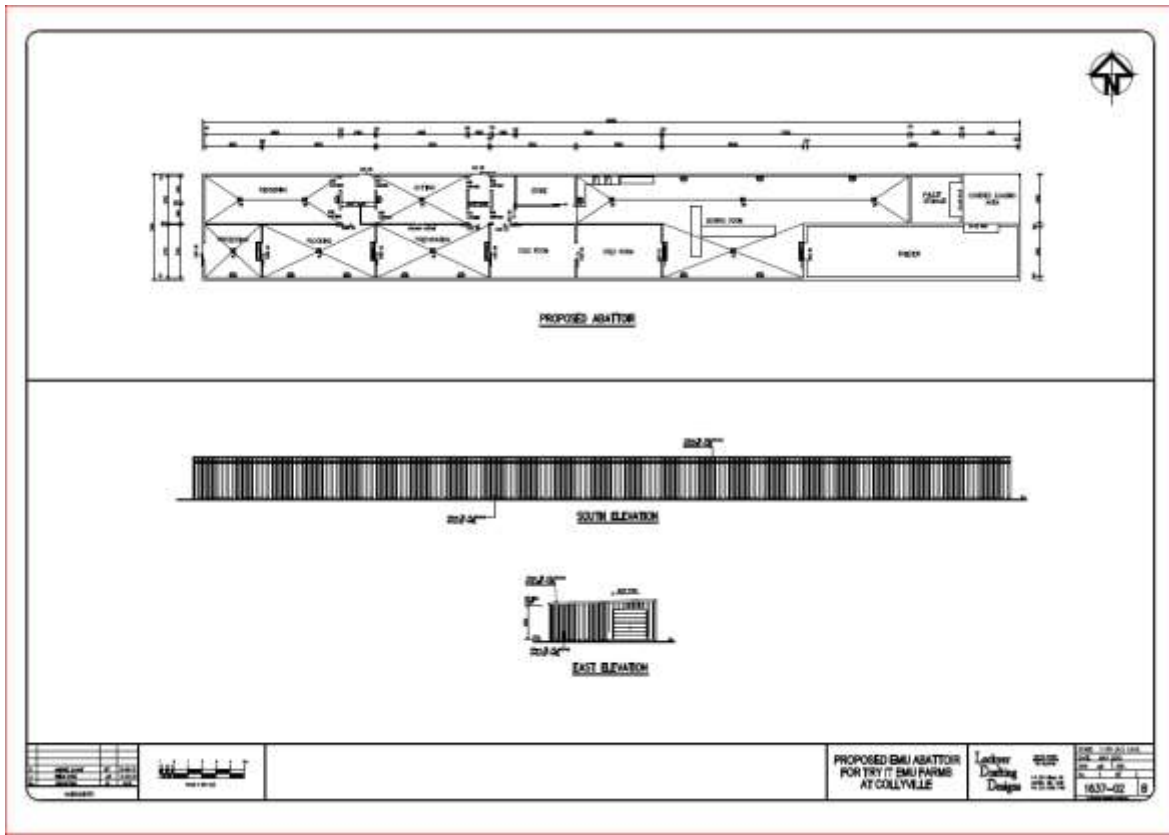
Attachment 1 - Site Locality map



Attachment 2 - Proposed Site layout



Attachment 3 - Detail of Proposed Abattoir



**3.5 MCBn15/010 Request to Change Conditions of Approval Conditions 1, 4 and 5 for a Material Change of Use for Service Station and Food Premises Application (Impact Assessable) at 6774 Cunningham Highway, Aratula on L1 & 2 RP170576**

**Executive Officer: Director Regional Services**

**File Reference: MCBn15/010**

<b>Applicable Planning Scheme</b>	<i>Boonah Planning Scheme 2006</i>
<b>Applicant</b>	Planning Initiatives
<b>Owner(s)</b>	Mr P Balsategui
<b>Site Address</b>	6774 Cunningham Highway ARATULA
<b>Real Property Description</b>	Lot 1 RP170576 and Lot 2 RP170576
<b>Site Area</b>	19,828m <sup>2</sup>
<b>Relevant Zone</b>	Village Zone
<b>Approval Type</b>	Development Permit - Material Change of Use – <i>Boonah Planning Scheme 2006</i>
<b>Proposal and Assessment Level</b>	Request to Change Conditions of Approval – Conditions 1, 4 and 5.
<b>Public Notification:</b>	Not Applicable
<b>Submissions Received</b>	Nil
<b>Is a Notation to the Planning Scheme required?</b>	No
<b>Date Current Application Received:</b>	24 September 2015

**Director's Recommendation**

1. That Council resolve, pursuant to the *Sustainable Planning Act 2009*, to approve the Request to Change an Existing Approval for the development application for Material Change of Use, in accordance with the following:

**RPD:** Lot 1 RP170576 and Lot 2 RP170576  
**Address of property:** 6774 Cunningham Highway, Aratula QLD  
**Site area:** 19,828m<sup>2</sup>  
**Proposal:** Request to Change Conditions of Approval – Conditions 1, 4 and 5. The Original Application was Impact Assessable (Consistent) and approved with conditions

## 2. Conditions of Approval:

### Approved Plans

- 1) **USE IN ACCORDANCE WITH THE APPLICATION - MATERIAL CHANGE OF USE -** Development being undertaken generally in accordance with the plans identified in the table below received by Council on 24 September 2015 and accompanying documentation, except insofar as it is modified by the conditions of this approval. Any minor changes may be requested by the Applicant in accordance with the *Sustainable Planning Act 2009* without the need for a further Development Application for a Material Change of Use.

Plan/Drawing	Prepared by	Plan/Dwg No.	Date
Proposed Development Site Plan	Cadway Projects	10891 SK18 Issue A	22/09/2015
Overall Site Plan	Cadway Projects	10891 SK14 Issue D	22/09/2015
Site Vehicle Circulation Plan	Cadway Projects	10891 SK12 Issue E	22/09/2015
Proposed Floor Plan	Cadway Projects	10891 SK17 Issue A	22/09/2015

### General

- 4) **CAR PARKING NUMBERS -** The Applicant is to provide forty six (46) standard car parking spaces including two (2) car parking spaces for People With Disabilities – PWD. In addition to this the applicant is to provide seventeen (17) truck parking bays. The total number of car parking spaces shall be available prior to the commencement of the approved use.
- 5) **CAR PARKING AND DRIVEWAY – CONCRETE / FLEXIBLE PAVEMENT -** All car parking areas, driveways and manoeuvring areas are to be designed and constructed in accordance with AS 2890.1 - 2004, AS 2890.2 – 2002. The car parking areas and circulation aisles will be provided with adequate signage.

All pavements will be designed to suit the proposed vehicle loadings with the individual pavements constructed as either a rigid pavement (reinforced concrete pavement) or alternatively as a flexible pavement with asphalt concrete surfacing. The completed works are to be certified by a Registered Professional Engineer of Queensland (RPEQ) as having been constructed in accordance with good engineering practice.

The internal car parking layout is to be generally in accordance with the Site Plan prepared by Cadway Projects with drawing number: 10891 SK18 Issue A dated 22/09/2015.

All parking and driveways areas will be maintained in good condition for the lifetime of the proposed use.

**3. Approval Conditions (Referral Agency):**

Department of Infrastructure, Local Government and Planning Referral Response dated 20 October 2015.

**4. That the Applicant be further advised of the following:**

- a) **APPROVAL LAPSES AT COMPLETION OF RELEVANT PERIOD** - This Development Approval will lapse if the Material Change of Use does not happen before the end of the relevant period. The relevant period is four (4) years from the date the approval takes effect. The relevant period may be extended at the discretion of Council under Section 341 of the *Sustainable Planning Act 2009*. Before the Development Approval lapses, a written request to extend the relevant period may be made to Council under Section 383 of the *Sustainable Planning Act 2009*. Please note that Council will not automatically remind Applicants/Occupiers when the relevant period is about to lapse.
- b) **DEVELOPMENT APPROVAL CONDITIONS ATTACH TO LAND** – Development Approvals which include conditions and any modifications, attach to the land and are binding on the owner, the owner's successors in title and any occupier of the land pursuant to Section 245 of the *Sustainable Planning Act 2009*.
- c) **VEGETATION MANAGEMENT ACT 1999 AND THE CULTURAL HERITAGE ACT 2003** - This approval in no way restricts or inhibits the provisions of neither the *Vegetation Management Act 1999* nor the *Aboriginal Cultural Heritage Act 2003*. The Applicant(s) will need to satisfy himself/herself/themselves that in undertaking the proposed development works that his/her/their actions will not contravene the provisions of the aforementioned Acts.
- d) **WHEN DEVELOPMENT APPROVAL TAKES EFFECT** - Pursuant to Section 339 of the *Sustainable Planning Act 2009*, this Development Approval takes effect:
  - (i) from the date the Decision Notice/Negotiated Decision Notice (as the case may be) is given to the Applicant, if there are no Submitters and the Applicant does not appeal the decision to the Court; or
  - (ii) from the end of the Submitter's appeal period if there is a Submitter and the Applicant does not appeal the decision to the Court; or
  - (iii) subject to the decision of the Court when the appeal is finally decided if an appeal is made to the Court by any party; as the case may be. Development may start when a Development Permit takes effect (subject to any conditions specifying commencement).
- e) **FOOD LICENSING** – If a business handles or prepares food, it may be required to be licensed and approved by Council in accordance with the *Food Act 2006*. Further information and the relevant application forms can be obtained by calling Council's Health & Environment area on 07 5540 5444. The licence is required before operation is commenced

- f) **ADVERTISING SIGNS** - The majority of advertising devices require a licence in accordance with Council's Local Laws. Further information and the relevant application forms can be obtained by contacting Council's Health & Environment area on 07 5540 5444.
- g) **MINOR ALTERATIONS** - Notwithstanding the requirements detailed in this approval, any other minor alterations and/or modifications shall be subject to the prior written approval of QUU.
- h) **FIRE ANTS RESTRICTED AREAS** - In accordance with the Plant Protection Act 1989 and the Plant Protection Regulation 1990, a quarantine notice has been issued for the State of Queensland to prevent the spread of the Red Imported Fire Ant (ant species *Solenopsis invicta*) and to eradicate it from the State. It is the legal obligation of the land owner or any consultant or contractor employed by the land owner to report the presence or suspicion of Fire Ants to the Queensland Department of Primary Industries on 132523 within 24 hours of becoming aware of the presence or suspicion, and to advise in writing within seven days to:

Director General  
Department of Primary Industries  
GPO Box 46, Brisbane QLD 4001

It should be noted that the movement of Fire Ants is prohibited, unless under the conditions of an Inspectors Approval. More information can be obtained from the Queensland Department of Primary Industries website [www.dpi.qld.gov.au](http://www.dpi.qld.gov.au).

The land over which you have made a development application is within a suburb known to have Fire Ants and as such is within a "Restricted Area". The presence of Fire Ants on the site may affect the nature, form and extent of works permitted on the site. In view of this it will be necessary for you to contact the Department of Primary Industries to investigate the site and for you to implement any necessary matters required by that Department prior to the commencement of any works.

- i) **STRATA TITLE DEVELOPMENTS** - If the applicant is considering making an application for strata title in the future, consideration should be given in regard to having a separate sewer connection for each tenement Trade Waste Approval. The discharge of waste liquids to the sewerage system must be conducted in accordance with the conditions of a Trade Waste Approval. Approvals can be obtained from Queensland Urban Utilities. This must be addressed through the plumbing application stage. For further information on approvals please contact the QUU on 132 675 or visit their website at - [www.urbanutilities.com.au/Businesses/Trade\\_waste](http://www.urbanutilities.com.au/Businesses/Trade_waste).

#### 5. Further approvals are required for:

- a. An Operational Works approval is required for the Civil and Electrical Engineering Works and the Landscaping Works associated with the proposed development.
- b. A Building Works approval is required for all building works associated with the proposed development, prior to undertaking the building work on the subject property.

- c. A Plumbing and Drainage approval is required for all / any plumbing and drainage works associated with the proposed development, prior to undertaking any plumbing and drainage works on the subject property.
- d. A Building demolition application will be required for the removal of the existing buildings.
- e. A commercial plumbing application will be required for this development.
- f. The applicant must provide the hydraulic services design to Queensland Urban Utilities for connection approval. The connection approval to be provided to Council as part of the plumbing application.

#### **6. Administrative Action:**

That Decision Notices and an amended Infrastructure Charges Notice be issued in accordance with s.335 of the *Sustainable Planning Act 2009* to the Applicant and submitter/s.

#### **Committee Recommendation**

That the Director Regional Services' recommendation be adopted.

Moved: Cr Stanfield

Seconded: Cr Brent


Carried

#### **Attachments**

1. Applicant's request to Change Conditions of Approval dated 23 September 2015.
2. Proposed Amended Plans.
3. Dekho Map / Aerial Photo.



**Attachment 1 - Applicant's request to Change Conditions of Approval dated 23 September 2015**



# PLANNING INITIATIVES

DEVELOPMENT PLANNING CONSULTANTS

Our Ref: 2184jf  
Your Ref: MC.Bn12/00003

23 September, 2015

The Assessment Manager  
Planning  
Scenic Rim Regional Council  
PO Box 25  
BEAUDESERT 4285

**SCENIC RIM REGIONAL COUNCIL**

File No: MC.Bn12/00003

23 SEP 2015

Doc. Set No: BEA

Resp. Officer: DA ADMIN

2. CEAJ 3. ....

PROP ID 30730

Dear Sir,

**REQUEST FOR PERMISSIBLE CHANGE TO A DEVELOPMENT APPROVAL**

**MCU – INDUSTRY (SERVICE STATION) & FOOD PREMISES – DA No. MC.Bn12/00003**

**SHELL ARATULA – 6774 CUNNINGHAM HIGHWAY ARATULA 4309 – LOTS 1 & 2 RP170576**

We act for Pedro Balsategui, the owner of the above site and Otazu Pty Ltd, the operator.

**REQUEST**

On their behalf, we are writing to request a Permissible Change under section 369 of the *Sustainable Planning Act 2009* (SPA) to an MCU Development Approval for the above site. The MCU was approved by Council on 2 May, 2013.

The desire to change the approval has arisen through changes becoming apparent during the detailed design stage of the project; the Owners (and developers) of the site wishing to make various changes to the layout so as to provide an improved development in terms of access and circulation and the need for other minor changes to the floor plan of the building to suit tenant requirements.

It is considered that the proposed changes do not result in a *substantially different development* and meet the requirements under s367 of the SPA in regard to what is required for a Permissible Change.

**PROPOSAL**

The request to amend the approved plans includes *minor* changes and corresponding changes to those conditions that include plan references. The amended plans show a reduction in the number of entry crossovers off the Highway from three to two as well as changes to the parking and circulation areas (including improvements to the proposed drive-through area).

There is also a slight increase in the overall GFA of the proposed development by 20 sqm. This has been brought about through a tenant requirement for the originally approved public external eating areas (which were not included in the original GFA calculation), now being internalised and becoming GFA. I.e. there is no real change in the actual overall floor areas nor any additional customer areas.

As will be seen from the enclosed proposal plans prepared by Cadway and apart from the Traffic Changes mentioned above, there are no changes to the existing approved uses, Industry (Service Station) and Food Premises nor the introduction of any additional uses or changes that would result in any perceived impacts to the site from the proposed development.

Level 1, 895 Ann Street  
Fortitude Valley Qld 4006  
PO Box 1774  
New Farm Qld 4005

Telephone (07) 3666 0766  
Facsimile (07) 3666 0788  
admin@planning-initiatives.com  
Braxdan P/L ABN 22 893 260 230

**ATTACHMENTS**

In support of the application, we enclose the following:-

- 3 copies of the Cadway Projects Architectural Plans
- Pekol Traffic Transport Traffic Impact Assessment
- Clear Sky Engineering Stormwater Advice & Reports
- SARA Pre-lodgement Response

**APPLICATION FEE**

As advised by Council, the application fee is calculated on a base amount of \$990.00 plus \$190.00 for each condition that needs to be changed.

In this case, it is considered that the request relates to 3 conditions to be changed and the fee has been calculated as follows:-

Base Fee	\$990.00
Conditions 3 x \$190.00 =	<u>\$570.00</u>
Total Application Fee	\$1,560.00
Less Pre-lodgement Fee	<u>\$750.00*</u>
Nett Amount Payable	<u>\$ 810.00</u>

\*The applicant has paid \$750.00 for the Pre-lodgement Meeting and as advised by Council, this has been deducted from the application fee as shown above.

The applicant has arranged payment of the \$810.00 directly to Council earlier this week.

**CONCURRENCE AGENCY**

The Department of Transport and Main Roads was a Concurrence Agency for the original application and approval.

With the changes to SPA, the Referral Agency is now SARA. Preliminary consultation has been carried out with them and subsequently, a Pre-lodgement Response from SARA has been received and is attached.

As required under as required under section 372 of the SPA, a copy of this application has been forwarded to SARA requesting an amended Referral Response.

**PRELODGEEMENT MEETING**

A Pre-lodgement Meeting was held with Council on Wednesday, 16<sup>th</sup> of September at Beaudesert.

From that meeting, there was an understanding that Council would be supportive of the proposed changes subject to provision of satisfactory Plans, Traffic and Stormwater Advices/Reports and the receipt of a properly made application.

**PROPOSED CHANGES**

The changes to the MCU Approval requested are as follows:-



• ATTACHMENT 1 – CONDITIONS OF APPROVAL

2. Conditions of Approval

Approved Plans

It is requested that this be condition be changed from:-

**Approved Plans**

**1) USE IN ACCORDANCE WITH THE APPLICATION - MATERIAL CHANGE OF USE -** *Development being undertaken generally in accordance with the plans identified in the table below received by Council on 18 January 2013 and accompanying documentation, except insofar as it is modified by the conditions of this approval. Any minor changes may be requested by the Applicant in accordance with the Sustainable Planning Act 2009 without the need for a further Development Application for a Material Change of Use.*

Plan/Drawing	Prepared by	Plan/Dwg No.	Date
Detailed Site Plan	Cadway Projects	10891SK02 Revision B	28/5/2012
Overall Site Plan	Cadway Projects	10891SK01 Revision D	31/08/2010
Site Circulation Plan	Cadway Projects	10891SK03 Revision B	18/07/2012
Building Floor Plan	Cadway Projects	10891SK04 Revision C	05/03/2012

To:-

**Approved Plans**

**1) USE IN ACCORDANCE WITH THE APPLICATION - MATERIAL CHANGE OF USE -** *Development being undertaken generally in accordance with the plans identified in the table below received by Council on 18 January 2013 and accompanying documentation, except insofar as it is modified by the conditions of this approval. Any minor changes may be requested by the Applicant in accordance with the Sustainable Planning Act 2009 without the need for a further Development Application for a Material Change of Use.*

Plan/Drawing	Prepared by	Plan/Dwg No.	Date
Proposed Development Site Plan	Cadway Projects	10891SK18 Revision A	22/09/2015
Overall Site Plan	Cadway Projects	10891SK14 Revision D	22/09/2015
Site Vehicle Circulation Layout	Cadway Projects	10891SK12 Revision E	22/09/2015
Proposed Floor Plan	Cadway Projects	10891SK17 Revision A	22/09/2015

The above plan changes include the reduction in the number of entry crossovers off the Highway from three to two as well as changes to the parking and circulation areas (including improvements to the proposed drive-through area).

They also show a slight increase in the overall GFA of the proposed development.

The increase of 20sqm has been brought about through a tenant requirement for the originally approved public external eating areas (which were not included in the original GFA calculation), now being internalised and becoming GFA. I.e. there is no real change in the actual overall floor areas, size of the proposed development nor any additional customer areas.

- ATTACHMENT 1 – CONDITIONS OF APPROVAL

**General**

**5) Carparking and Driveway**

It is requested that this condition be changed **from:-**

**CAR PARKING AND DRIVEWAY – CONCRETE / FLEXIBLE PAVEMENT – All car parking areas, driveways and manoeuvring areas are to be designed and constructed in accordance with AS 2890.1 - 2004, AS 2890.2 – 2002. The car parking areas and circulation aisles will be provided with adequate signage.**

*All pavements will be designed to suit the proposed vehicle loadings with the individual pavements constructed as either a rigid pavement (reinforced concrete pavement) or alternatively as a flexible pavement with asphalt concrete surfacing. The completed works are to be certified by a Registered Professional Engineer of Queensland (RPEQ) as having been constructed in accordance with good engineering practice.*

*The internal car parking layout is to be generally in accordance with the Site Plan prepared by Cadway Projects with drawing number: 10891 SK02 B dated 28/05/2012.*

*All parking and driveways areas will be maintained in good condition for the lifetime of the proposed use.*

**To:-**

**5) CAR PARKING AND DRIVEWAY – CONCRETE / FLEXIBLE PAVEMENT – All car parking areas, driveways and manoeuvring areas are to be designed and constructed in accordance with AS 2890.1 - 2004, AS 2890.2 – 2002. The car parking areas and circulation aisles will be provided with adequate signage.**

*All pavements will be designed to suit the proposed vehicle loadings with the individual pavements constructed as either a rigid pavement (reinforced concrete pavement) or alternatively as a flexible pavement with asphalt concrete surfacing. The completed works are to be certified by a Registered Professional Engineer of Queensland (RPEQ) as having been constructed in accordance with good engineering practice.*

*The internal car parking layout is to be generally in accordance with the Site Plan prepared by Cadway Projects with drawing number: 10891 SK18 A dated 22/09/2015.*

*All parking and driveways areas will be maintained in good condition for the lifetime of the proposed use.*

The above change is to update the plan referenced in the original condition.

- ATTACHMENT 1 – CONDITIONS OF APPROVAL

**3. Approval Conditions (Referral Agency):**

It is requested that this be changed **from:-**

**3. Approval Conditions (Referral Agency):**

*Department of Transport and Main Roads Referral Response dated 21 February 2013.*

**To:-**



### 3. Approval Conditions (Referral Agency):

SARA Referral Response dated (SARA response date to be inserted).

The above change is to amend the Referral Agency from DTMR to SARA and to update the date of the response to that of the new Referral Response when received.

### SUSTAINABLE PLANNING ACT

Under the Sustainable Planning Act, section 367 of the SPA defines a 'Permissible Change' as:-

#### **367 What is a permissible change for a development approval**

(1) A **permissible change**, for a development approval, is a change to the approval that would not, because of the change—

(a) result in a substantially different development; or

(b) if the application for the approval were remade including the change—

(i) require referral to additional concurrence agencies;

or

(ii) for an approval for assessable development that previously did not require impact assessment—require impact assessment; or

(c) for an approval for assessable development that previously required impact assessment—be likely, in the responsible entity's opinion, to cause a person to make a properly made submission objecting to the proposed change, if the circumstances allowed; or

(d) cause development to which the approval relates to include any prohibited development.

In response to the above:-

- *Substantially Different Development*

The proposal has been assessed against the provisions of *Statutory Guideline 06/09 - Substantially different development when changing applications and approvals* and is not considered to be a substantially different development as:-

The proposal —

- *Does not* involve a new use with different or additional impacts
- *Does not* result in the application applying to a new parcel of land
- *Does not* dramatically changes the built form in terms of scale, bulk and appearance (There is only a slight increase in GFA with the external eating floor area now internalised)
- *Does not* change the ability of the proposal to operate as intended.
- *Does not* remove a component that is integral to the operation of the development
- *Does not* significantly impact on traffic flow and the transport network
- *Does not* introduce new impacts or increases the severity of known impacts
- *Does not* remove an incentive or offset component that would have balanced a negative impact of the development
- *Does not* impact on infrastructure provision, location or demand.

- *Additional Concurrence Agencies*

The changed proposal would not require referral to any additional Concurrence Agencies if it was remade back when originally lodged.

- *Impact Assessment*

The proposed changes would not alter the original level of assessment.

- *In the responsible entity's opinion, to cause a person to make a properly made submission objecting to the proposed change, if the circumstances allowed*

We understand that there were no submitters for the original application.

It is considered that the proposed changes are "minor" and they do not result in a substantially different development nor any added impacts.

Therefore it would be reasonable to expect that in the responsible entity's opinion, a person would not make a properly made submission objecting to the proposed changes, if the circumstances allowed.

- *Prohibited Development*

The proposed changes will not result in Prohibited Development.

### **INFRASTRUCTURE CHARGES**

As there has been a slight increase in the GFA of the development by 20sqm, a recalculation of the Infrastructure Charges will need to be made.

We request that this be carried out in accordance with the Council's Fair Value Charges Resolution and consideration be given to the proposed development being considered under the *Scenic Rim Jobs Jump Start* Incentive as it relates to Commercial (Retail) and Industry uses.

### **CONCLUSION**

It is considered that the proposed changes and request is consistent with the provisions of a 'Permissible Change' under section 367 of the SPA and may be approved by Council.

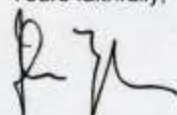
A copy of this request has also been sent to SARA as required under section 372 of the SPA requesting an amended Referral Response.

We look forward to Council's consideration of this request and trust that the information provided is sufficient and satisfactory for your assessment.

However, should you have any questions or require any further information, please do not hesitate to contact us.

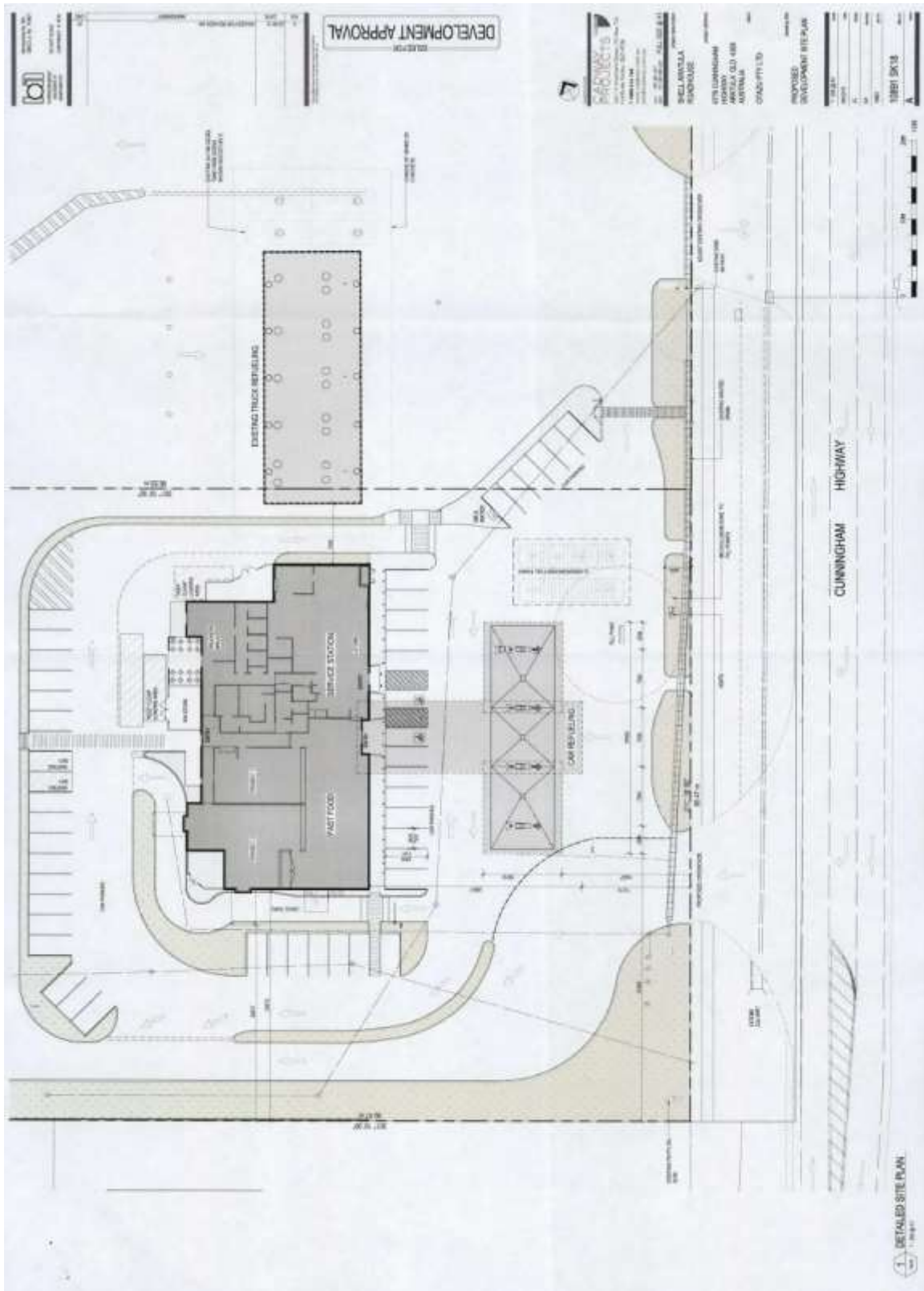
Thank you for your assistance in this matter.

Yours faithfully,



John Farquhar

Attachment 2 - Proposed Amended Plans





**DEVELOPMENT APPROVAL**

**PROJECTS**  
 14/01/15  
 15/02/15  
 15/03/15  
 15/04/15

**MR L. J. SHERWIN**  
 ARCHITECT  
 COUNTY OF CHURCHILL

**REAL PROPERTY DESCRIPTION**  
 LOT 1 & 2 (2 PLOTS)  
 PARISH OF HENNINGTON  
 COUNTY OF CHURCHILL

**MARKING SCHEDULE**

CAR PARKING	2000	2000
TRUCK AND CARAVAN PARKING	0	0
TRUCK PARKING	0	0

**AREA SCHEDULE**

UNDEVELOPED AREA	1000	1000
BUILDING AREA	1500	1500
AREA OF SERVICE REQUIREMENT	1000	1000
TOTAL SITE AREA	3500	3500

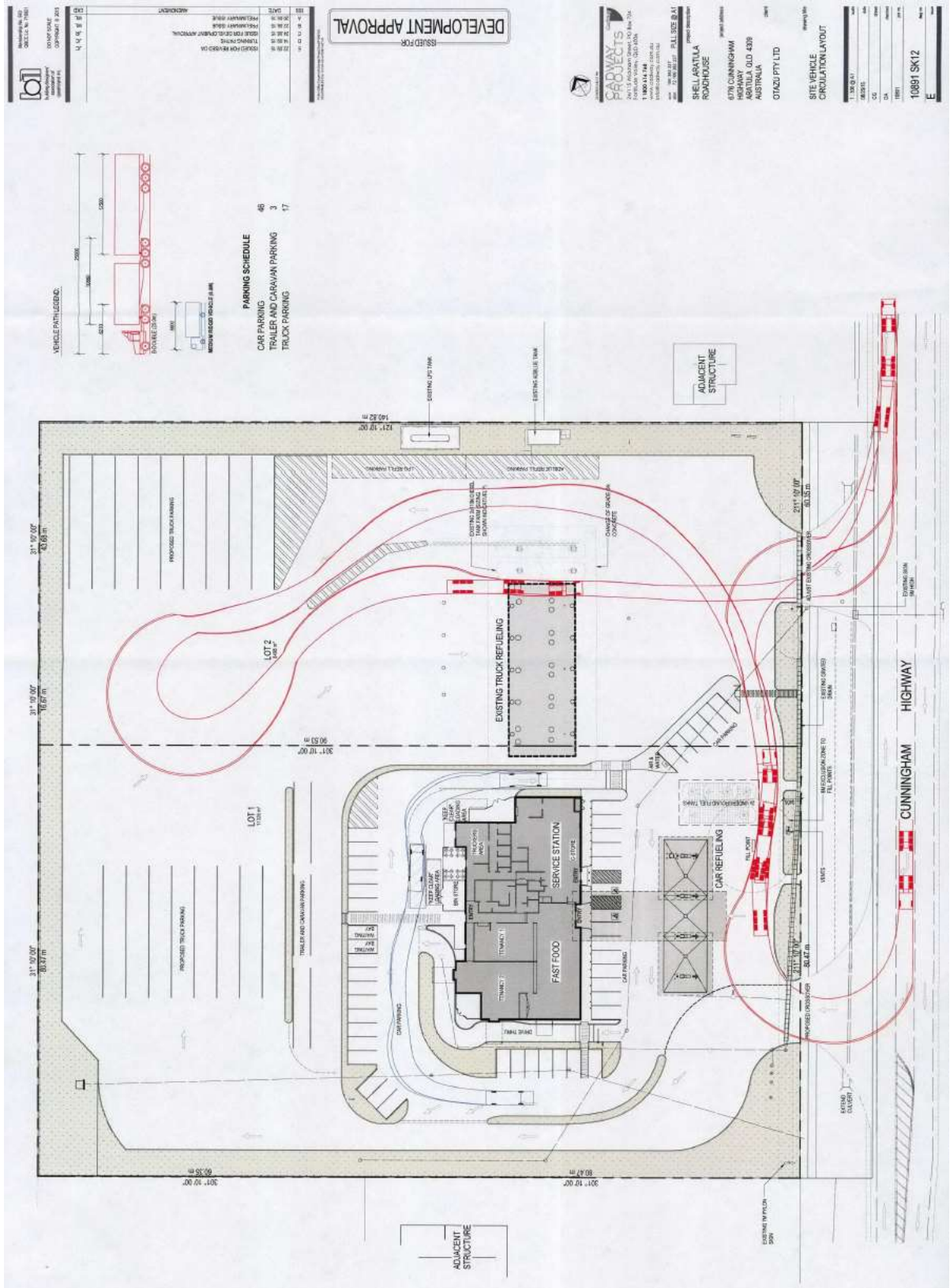
**NOTES**

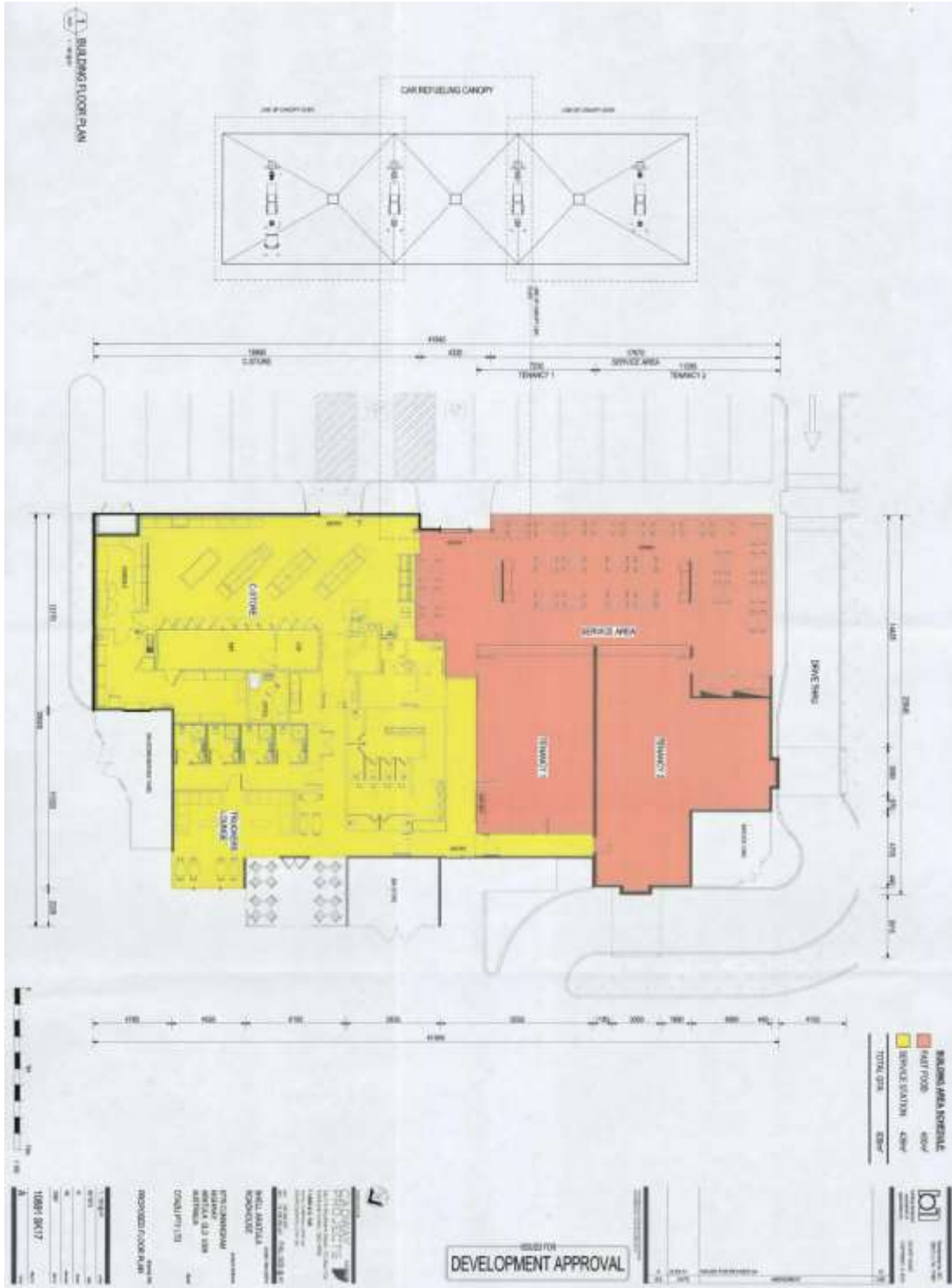
1. PROPOSING TO BE FINISHED IN ACCORDANCE WITH COUNCIL CONDITIONS.
2. REFER ENGINEERING DRAWING FOR EXTENT AND LOCATION OF ACoustic FENCE TO BOUNDARY.

**Overall Site Plan - Summary Requirements**

TYPE	1
AREA	3500
DATE	15/02/15
TOTAL SITE AREA	3500

**Site Plan Details:**  
 LOT 1: 11.10m, 11.10m, 11.10m, 11.10m, 11.10m, 11.10m  
 LOT 2: 11.10m, 11.10m, 11.10m, 11.10m, 11.10m, 11.10m  
 ADJACENT STRUCTURE  
 PART FOOD SERVICE STATION  
 SERVING IN BUILDING  
 CARPARKING  
 CUNNINGHAM HIGHWAY







Attachment 3 - Aerial Photo



Dekho Map



### 3.6 MCip15/002 Request to Change Conditions for a Development Approval for a Material Change of Use RPS Australia East Pty Ltd L10 SP141687

Executive Officer: Director Regional Services

File Reference: MCip15/002

<b>Applicable Planning Scheme</b>	MCU – Ipswich Planning Scheme 2006
<b>Applicant</b>	RPS Australia East Pty Ltd
<b>Owner(s)</b>	Poltick Pty Ltd
<b>Site Address</b>	1544-1580 Ipswich Boonah Road, PEAK CROSSING
<b>Real Property Description</b>	Lot 10 SP141687
<b>Site Area</b>	34.17 Ha
<b>Relevant Zone and Precinct</b>	Rural A (Agricultural) Zone and Rural B (Pastoral) Zone
<b>Proposal</b>	Permissible Change to Code Assessable Application
<b>Assessment Level</b>	Code Assessment
<b>Approval Type</b>	Development Permit
<b>Date Application Received:</b>	9 September 2015

#### Director's Recommendation

1. That, pursuant to the *Sustainable Planning Act 2009*, Council resolve to approve the Request for a Permissible Change to an Existing Approval for the development application for Material Change of Use in accordance with the following:

- 3) **DURATION OF ACCOMMODATION** - The approved use must not accommodate any person/s for a continual period of more than 84 days in duration unless otherwise approved by Council.

#### 2. Administrative Action:

That Decision Notices be issued in accordance with s.335 of the *Sustainable Planning Act 2009* to the Applicant, submitters and referral agencies.

**Committee Recommendation**

1. That Council refuse to approve the Request for a Permissible Change to an Existing Approval.

2. **Administrative Action**

That Decision Notices be issued in accordance with s.335 of the *Sustainable Planning Act 2009* to the Applicant, submitters and referral agencies.

Moved: Cr Stanfield

Seconded: Cr O'Carroll

Carried


**Reason for Refusal:**

That the proposed changes are not in accordance with the definition of "Temporary Accommodation" contained within Schedule 1 - Dictionary of the Ipswich Planning Scheme 2006.

**Attachments**

1. Applicants request dated 1 September 2015.
2. Correspondence from SARA dated 29/9/2015.

## Attachment 1 - Applicants request dated 1 September 2015



HPC Ref: 15155  
Council Ref: MC.Ip11/00001

Unit 4, 46 Douglas Street  
MILTON Q 4064  
p. 07 3217 5800  
f. 07 3367 3965  
[www.hpcurban.com.au](http://www.hpcurban.com.au)

1<sup>st</sup> September 2015

Sent via email Cc: Sent via MyDAS

Scenic Rim Regional Council  
Development Assessment  
[mail@scenicrim.qld.gov.au](mailto:mail@scenicrim.qld.gov.au)

Department of State Development,  
Infrastructure and Planning  
State Assessment and Referral Agency

Request to Change Development Approval pursuant to section 369 of the *Sustainable Planning Act 2009* Development Permit MC.Ip11/00001 for Material Change of Use (Temporary Accommodation – Tourist Use – 20 Farmstay Cabins) and an Environmentally Relevant Activity (ERA 63(2)(a) – Sewerage Tourist Facility for 21-100 EP) on land at 1544-1580 Ipswich Boonah Road, PEAK CROSSING Q 4306 and described as Lot 10 on SP141687.

On the 29<sup>th</sup> March 2012, Council granted approval for a Development Permit – Material Change of Use (Temporary Accommodation – Tourist Use – 20 Farmstay Cabins) at 1544-1580 Ipswich Boonah Road, PEAK CROSSING Q 4306 and described as Lot 10 on SP141687. It is proposed to make changes to the approval as discussed below.

**Site Characteristics**

The site is within the Rural A (Agricultural) Zone and Rural B (Pastoral) Zone under the *Ipswich Planning Scheme (2006)*. The subject site is 341700m<sup>2</sup> (34.17 hectares) in area, and is relatively flat due to being used predominately for farming purposes and is also improved with 20 farmstay cabins and farm house.

**Approval Summary**

The approval was issued by Scenic Rim Regional Council on the 29<sup>th</sup> March 2012 (MC.Ip11/00001) for a Development Permit for Material Change of Use (Temporary Accommodation – Tourist Use) which proposed 20 Farmstay Cabins, and also for Environmental Relevant Activity (ERA 63(2)(a) – Sewerage Tourist Facility for 21-100 EP).

**Proposed Changes**

It is proposed to modify 'Condition 3 – Duration of Accommodation' within the Development Permit for a Material Change of Use (Temporary Accommodation – Tourist Use – 20 Farmstay Cabins) as detailed below. No changes are proposed for the design or use of the development, or the ERA permit.

**Changes to Approval**

**Condition**

The change to approval seeks to modify Condition 3 – Duration of Accommodation. It is proposed to change the maximum number of duration of stay days from:

“The approved use must not accommodate any person/s for a continual period of more than 60 days in duration unless otherwise approved by Council.”

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to;

"The approved use must not accommodate any person/s for a continual period of more than 84 days in duration unless otherwise approved by Council."

The rationale for this change is to align the proposed development with the definition of Short-Term Accommodation under the *South East Queensland Regional Plan 2009-2031 State Planning Regulatory Provisions* and the *Queensland Planning Provisions version 31* dated 27 June 2014.

*"a facility which is purpose built for non-permanent accommodation and makes individual units or spaces available for separate hire for periods of no more than 12 weeks to tourists and travellers. It includes, but is not limited to a holiday cabin, motel, hotel, holiday apartment, guesthouse, dormitory, backpackers hostel, camping site and caravan park. It does not include residential development."*

*South East Queensland Regional Plan 2009-2031 State Planning Regulatory Provisions*

*"Premises used to provide short term accommodation for tourists or travellers for a temporary period of time (typically not exceeding three consecutive months) and may be self contained. The use may include a manager's residence and office and the provision of recreation facilities for the exclusive use of visitors.*

*Examples include: Motel, backpackers, cabins, serviced apartments, accommodation hotel, farm stay."*

*Queensland Planning Provisions version 31*

#### Assessment

It is noted that the approved use of 'Temporary Accommodation' is defined under the *Ipswich Planning Scheme (2006)* to have a maximum of 60 duration days:

*"(1) "Temporary Accommodation" means the use of premises for providing short term or temporary accommodation (less than 60 days duration) and related services and facilities for visitors (e.g. a kiosk, amenities, restaurant or a dining room).*

*(2) The term includes the use of premises for—*

- (a) boarding house;*
- (b) camping ground;*
- (c) caravan park;*
- (d) farm stay accommodation; or*
- (e) motel."*

However, the wording of Condition 3 provides flexibility in regard to the maximum number of duration of stay days, allowing variation from the planning scheme definition where approved by Council:

*"60 days in duration unless otherwise approved by Council."*

The proposed change to the maximum number of duration of stay days does not represent a change or significant intensification of the approved use, as the intent of the accommodation is still for short

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term or temporary accommodation. The proposed change better aligns the approval with higher order and more contemporary planning instruments, in which the eventual Scenic Rim Planning Scheme will be required to reflect, superseding the current *Ipswich Planning Scheme (2006)*.

**Supporting Information**

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Please find attached the following support information:

- Appendix A: Development Approval MC.Ip.11/00001- *Scenic Rim Regional Council*
- Appendix B: Owner's Consent - *Rahrose Pty Ltd* and
- Appendix C: IDAS Request to Change Existing Approval Form.

**Application Fees**

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The application fee in accordance with Scenic Rim Regional Council's Development Assessment and Compliance Fees 2015-16 is as follows:

Request to change a development approval (applicable to a proposal under Section 369 of the *Sustainable Planning Act 2009* that constitutes a minor modification or permissible change)

Base Fee	\$897.00
Fee per condition/issue	\$188.00
Number of conditions/issues	1
<b>Total</b>	<b>\$1085.00</b>

We request that Council send via email a fee quote to facilitate electronic payment of the application fee.

**Permissible Change Requirements**

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The *Sustainable Planning Act 2009* section 367 defines what constitutes a *permissible change* to a development approval:

- (i) A *permissible change*, for a development approval, is a change to the approval that would not, because of the change-
  - a. result in a substantially different development; or
  - b. if the application for the approval were remade including the change-
    - i. require referral to additional concurrence agencies; or
    - ii. for an approval for assessable development that previously did not require impact assessment - require impact assessment; or
  - c. for an approval for assessable development that previously required impact assessment - be likely, in the responsible entity's opinion, to cause a person to make a properly made submission objecting to the proposed change, if the circumstances allowed; or
  - d. cause development to which the approval relates to include any prohibited development.

The proposed changes constitute a *permissible change* because:

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- a. The proposed changes do not result in a substantially different development (refer to Table 1 below).
- b. If the application were remade:
  - i. No additional referral agencies would be triggered; and
  - ii. The original application was subject to impact assessment.
- c. No submissions were lodged in response to the original application during the public notification period. The proposed changes are minor and do not present any additional justification or grounds for a submission to be made.
- d. The proposed changes will not cause prohibited development to be undertaken as the application would be code assessable if remade under the current planning scheme.

The proposed changes do not trigger referral to additional referral agencies and do not change the type of development approval sought. If the application were remade incorporating the proposed changes, the application would be code assessable. *Statutory Guideline 6/09 – Substantially different development when changing applications and approval* has been published to assist in determining whether a change is a Minor or Permissible Change. Table 1 below outlines changes that cannot be considered as a Minor or Permissible Change and provides an assessment of the proposed changes.

A change may result in a substantially different development if the proposed change	Assessment of proposed changes
Involves a new use with different or additional impacts	The change to the maximum number of duration of stay days from 60 to 84 days does not involve a new use, and is in keeping with the intent of the approved Farmstay Cabins for short term or temporary accommodation.
Results in the application applying to a new parcel of land	The proposed change does not result in the application applying to a new parcel of land.
Dramatically changes the built form in terms of scale, bulk and appearance	The proposed change does not result in a change to the built form of the development.
Changes the ability of the proposal to operate as intended. For example, reducing the size of a retail complex may reduce the capacity of the complex to service the intended catchment	The change to the maximum number of duration of stay days does not affect the ability of the development to operate as intended.
Removes a component that is integral to the operation of the development	The proposed changes do not involve the removal of any components of the approved development.
Significantly impacts on traffic flow and the transport network, such as increasing traffic to the site	The proposed changes do not create additional impacts on traffic flow or the transport network. The change to the maximum number of duration of stay days will not increase the amount of traffic frequenting the site.
Introduces new impacts or increases the severity of known impacts	The proposed changes will not result in any new impacts or increase the severity of known impacts. There will be no new or increased impacts associated with changing the maximum number of duration of stay days from 60 to 84

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	days.
Removes an incentive or offset component that would have balanced a negative impact of the development.	The proposed changes will not result in the removal of any incentive or offset component of the development.
Impacts on infrastructure provision, location or demand.	The proposed changes do not impact on the infrastructure provision or location.

Table 1. Guidelines for Substantially different development when changing applications and approvals

The proposed changes are therefore considered to constitute a *Permissible Change* under section 367 of the *Sustainable Planning Act 2009*.

**Referral Agencies**

The *Sustainable Planning Act 2009* section 372 requires that Concurrence Agencies are notified of a Permissible Change Application. The original application triggered referral to the Department of Environment and Resource Management, the Department of Transport and Main Roads as agencies.

A copy of this request has been provided to the Department of State Development, Infrastructure and Planning – State Assessment and Referral Agency, please see attached confirmation.

We request the assessment manager issue a new Decision Notice with the above amendments. If you have any questions please do not hesitate to contact this office on 07 3217 5800.

Yours sincerely,  
 HPC Urban Design & Planning Pty Ltd  
 ACN 095 337 861



Ashley Everton  
 AUTH COORP/2013/1814  
 Senior Urban Planner  
[ashley.e@hpcurban.com.au](mailto:ashley.e@hpcurban.com.au)

## Attachment 2 - Correspondence from SARA dated 29/9/2015

**From:** IpswichSARA  
**Sent:** Tue, 29 Sep 2015 06:05:24 +0000  
**To:** mail@scenicrim.qld.gov.au  
**Cc:** South.Coast.IDAS@tmr.qld.gov.au;SARA@ehp.qld.gov.au;Ashley Everton  
**Subject:** Concurrence Agency Response - Permissible Change Request - No Objections  
(SARA Ref:SPD-0815-020456/Council Ref: DA5714)  
**Attachments:** SPD-0915-020740 Response to permissible change (relevant entity).pdf

SARA Ref: SPD-0915-020740 / Council Ref: MC.Ip11/00001

Good afternoon,

Please find attached the Department's response to the Permissible Change Request relating to land at 1544-1580 Ipswich-Boonah Road, Peak Crossing.

The Department has considered the request and advises that it has no objection to the change request being approved.

Please do not hesitate to contact me if you have any further queries.

Kind Regards

Aimee Ellis  
Senior Planner | SEQ West  
Regional Services  
Department of Infrastructure, Local Government and Planning  
Level 4, Icon Tower, 117 Brisbane St, Ipswich  
PO Box 129 Ipswich QLD 4305  
p. 07 3432 2408 | e. [aimee.ellis@dilqp.qld.gov.au](mailto:aimee.ellis@dilqp.qld.gov.au)  
[ipswichSARA@dilqp.qld.gov.au](mailto:ipswichSARA@dilqp.qld.gov.au) | [www.dilqp.qld.gov.au](http://www.dilqp.qld.gov.au)  
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Department of Infrastructure,  
Local Government and Planning

Our reference: SPD-0915-020740  
Council reference: MC.Ip11/00001

29 September 2015

The Chief Executive Officer  
Scenic Rim Regional Council  
PO Box 25  
BEAUDESERT QLD 4285  
mail@scenicrim.qld.gov.au

Dear Sir/Madam,

**Notice about request for permissible change—relevant entity**

Development Permit for Material Change of Use for Temporary Accommodation  
(20 Farmstay Cabins) and Environmentally Relevant Activity (ERA 63).  
1544-1580 Ipswich Boonah Road, Peak Crossing  
(Given under section 373(1) of the *Sustainable Planning Act 2009*)

The Department of Infrastructure, Local Government and Planning received a copy of the request for a permissible change under section 372(1) of the *Sustainable Planning Act 2009* on 1 September 2015 advising the department, as a relevant entity, of the request for a permissible change made to the responsible entity under section 369 of the *Sustainable Planning Act 2009*.

The department understands that the proposed changes are as follows:

- Amendment to Scenic Rim Regional Council's condition to change the maximum duration of stay from 60 days to 84 days.

The department has considered the proposed changes to the development approval and advises that it has no objection to the change being made.

If you require any further information, please contact Aimee Ellis, A/Principal Planning Officer, on 3432 2408, or via email [IpswichSARA@dilgp.qld.gov.au](mailto:IpswichSARA@dilgp.qld.gov.au) who will be pleased to assist.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Kieran Hanna'.

Kieran Hanna  
**A/Manager – Planning**

cc: Department of Transport and Main Roads, [South.Coast.IDAS@tmr.qld.gov.au](mailto:South.Coast.IDAS@tmr.qld.gov.au)  
Department of Environment and Heritage Protection, [sara@ehp.qld.gov.au](mailto:sara@ehp.qld.gov.au)  
HPC, [Ashley.e@hpcurban.com.au](mailto:Ashley.e@hpcurban.com.au)

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

**4. INFRASTRUCTURE SERVICES**

Nil.

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Cr J.J. Sanders  
**CHAIRPERSON**  
**PLANNING AND DEVELOPMENT COMMITTEE**