



SCENIC RIM REGIONAL COUNCIL

Ordinary Meeting of Council

Minutes

Meeting held in the Council Chambers

82 Brisbane Street

Beaudesert

Tuesday, 24 November 2015

Commenced at 10.35 am

All correspondence to
be addressed to the
Chief Executive Officer

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**SCENIC RIM REGIONAL COUNCIL
ORDINARY MEETING
24 NOVEMBER 2015
MINUTES CONTENTS**

ITEM	SUBJECT	PAGE NO
	OPENING OF MEETING.....	1
	ATTENDANCE	1
	APOLOGIES.....	1
1.	PRAYERS.....	1
2.	DECLARATIONS OF INTEREST BY MEMBERS	1
3.	RECEPTION OF DEPUTATIONS BY APPOINTMENT	1
4.	CONFIRMATION OF MINUTES	2
5.	BUSINESS ARISING FROM PREVIOUS MINUTES.....	2
6.	RECEPTION AND CONSIDERATION OF COMMITTEE REPORTS	2
7.	CONSIDERATION OF BUSINESS OF MEETING	3
7.1	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	3
7.2	COMBd14/002 Update to Council on Deenery Gold Appeal L3 RP48275 [Closed s.275(1)(f)]	20
8.	MISCELLANEOUS BUSINESS	20

ORDINARY MEETING OF COUNCIL

MINUTES

Please note: Minutes Items where Subject Headings are followed by [CLOSED] are to be discussed in closed session in accordance with Section 275(1) of the Local Government Regulation 2012.

Section 275(1) A local government or committee may resolve that a meeting be closed to the public if its councillors or members consider it necessary to close the meeting to discuss-

- (a) the appointment, dismissal or discipline of employees; or
 - (b) industrial matters, affecting employees; or
 - (c) the local government's budget; or
 - (d) rating concessions; or
 - (e) contracts proposed to be made by it; or
 - (f) starting or defending legal proceedings involving it; or
 - (g) any action to be taken by the local government under the Planning Act, including deciding applications made to it under that Act; or
 - (h) other business for which public discussion would be likely to prejudice the interests of local government or someone else, or enable a person to gain financial advantage.
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SCENIC RIM REGIONAL COUNCIL
ORDINARY MEETING
24 NOVEMBER 2015
MINUTES

OPENING OF MEETING

The Mayor, Cr Brent, as Chairman of the Meeting, declared the Meeting open and welcomed all in attendance.

ATTENDANCE

Cr J C Brent, Mayor
Cr N J Waistell
Cr N O'Carroll
Cr V A West, Deputy Mayor
Cr J J Sanders
Cr R J Stanfield
Cr D A McInnes
Mr C R Barke, Chief Executive Officer
Mr A M Magner, Director Regional Services
Mr P G Murphy, Director Infrastructure Services
Ms K Stidworthy, Chief Finance Officer

APOLOGIES

Nil

1. PRAYERS

Nil

2. DECLARATIONS OF INTEREST BY MEMBERS

Nil

3. RECEPTION OF DEPUTATIONS BY APPOINTMENT

Nil

4. CONFIRMATION OF MINUTES

- Minutes of the Ordinary Meeting held on Tuesday, 27 October 2015.

Moved Cr Stanfield , seconded Cr McInnes, that the Minutes of the Ordinary Meeting held on 27 October 2015, as previously circulated to Councillors, be taken as read and confirmed.

CARRIED

5. BUSINESS ARISING FROM PREVIOUS MINUTES

Nil

6. RECEPTION AND CONSIDERATION OF COMMITTEE REPORTS

- Finance Committee Meeting held on Tuesday, 17 November 2015

The Report of the Finance Committee meeting dated 17 November 2015, was presented, this being recorded on Minute Sheet Nos

ADOPTION REPORT

Moved Cr O'Carroll, seconded Cr West, that the Report of the Finance Committee Meeting dated 17 November 2015, be adopted.

CARRIED

- Corporate & Community Services Committee Meeting held on Tuesday, 17 November 2015

The Report of the Corporate and Community Services Committee meeting dated 17 November 2015, was presented, this being recorded on Minute Sheet Nos

ADOPTION REPORT

Moved Cr Waistell, seconded Cr West, that the Report of the Corporate & Community Services Committee Meeting dated 17 November 2015, be adopted.

CARRIED

- Planning & Development Committee Meeting held on Tuesday, 17 November 2015

The Report of the Planning & Development Committee meeting dated 17 November 2015, was presented, this being recorded on Minute Sheet Nos

ADOPTION REPORT

Moved Cr Sanders, seconded Cr Stanfield, that the Report of the Planning and Development Committee Meeting dated 17 November 2015, be adopted.

CARRIED

7. CONSIDERATION OF BUSINESS OF MEETING

7.1 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

Applicable Planning Scheme	<i>Boonah Shire Planning Scheme 2006</i>
Applicant	SEADEV Pty Ltd
Owner(s)	Mr D S Hassum, Mr S G Hassum
Site Address	163 Teviotville Road KALBAR
Real Property Description	Lot 1, 2 and 5 on RP20983
Site Area	40.28Ha
Relevant Zone and Precinct	Rural Zone - Horticultural/Dairying Lands Precinct
Proposal	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))
Assessment Level	Impact Assessable (Inconsistent being Undefined Landuse for Sales Office)
Approval Type	Combined Preliminary Approval under Section 242 of <i>Sustainable Planning Act 2009</i> and Development Permit
Public Notification:	Notice of compliance received 2 October 2015
Submissions Received	17 Properly Made Submissions were received
Is a Notation to the Planning Scheme required?	No
Date Application Received:	9 March 2015

Director's Recommendation

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

Real Property Description:	Lots 1, 2 and 5 on RP20983
Address of property:	163 Teviotville Road KALBAR
Site area:	40.28Ha
Proposal:	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: Self-assessable Otherwise Code assessable	Kalbar Homestead Master Plan Development Code
Attached Duplex Townhouse	Where in Precinct A and compliant with assessment criteria: Code assessable 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: Self-assessable Otherwise Code assessable	Kalbar Homestead Master Plan Development Code
Attached Duplex Townhouse	Where in Precinct B and compliant with assessment criteria: Self-assessable 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: Code assessable Otherwise Impact assessable	Kalbar Homestead Master Plan Development Code
Supported Living Apartments	Where in Precinct C and are compliant with assessment criteria: Code assessable Otherwise Impact assessable	Kalbar Homestead Master Plan Development Code
Central Facilities	Where in Precinct C and are compliant with assessment criteria: Code assessable 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: Code assessable Otherwise impact assessable	Kalbar Homestead Master Plan Development Code
Short Term Accommodation	Where in Precinct E and are compliant with assessment criteria: Code assessable 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: Self-assessable 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

Plan Number	Title	Date	Prepared by
	Kalbar Homestead Proposed Development - Site Based Stormwater Management Plan	05.03.2015 and further submission dated 10.07.2015	Bligh Tanner
	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

Plan Number	Title	Date	Prepared by
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
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

Plan Number	Title	Date	Prepared by
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 *Boonah Shire Planning Scheme 2006* 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 as prepared by Tract Consultants. 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)	Background +5dB(A)	Background +10dB(A)
Night time (10:00pm-7:00am)	Background +3dB(A) Background=LA ₉₀	Background +8dB(A) Background=LA ₉₀

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 or 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.

36) The developer must provide a development buffer totalling a minimum separation distance of thirty (30) metres between the nearest independent living unit (ILU) building wall and the northern boundary of the site. The development buffer is to consist of a minimum fifteen (15) metre vegetated buffer and be planted generally in accordance with the submitted drawing No. 0713-0506-00 Rev.01, titled *Stage 1 Landscape Concept Plan* dated 05.03.2015 as prepared by Tract Consultants.

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.

Moved Cr McInnes, seconded Cr Stanfield, that the Director's recommendation be adopted.

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

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

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

Site details

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

Page 1

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 lpswichSARA@dspdip.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
Department of Transport and Main Roads, scland@tmr.qld.gov.au

**7.2 COMBd14/002 Update to Council on Deenery Gold Appeal L3 RP48275
[Closed s.275(1)(f)]****Executive Officer: Director Regional Services****File Reference: COMBd14/002**

Council resolved into closed session in accordance with the provisions of Section 275(1) of the Local Government Regulation 2012 and Council's Meetings and Other Forums Policy relating to closed session meetings to discuss this item.

Moved Cr Sanders
Seconded Cr Stanfield

CARRIED

Following discussion in closed session of this item, Council resumed in open session for the proposal of resolutions.

Moved Cr Stanfield
Seconded Cr West

CARRIED

Director's Recommendation

That Council authorise the Chief Executive Officer to finalise the appeal.

Moved Cr West, seconded Cr Stanfield, that the Director's recommendation be adopted.

CARRIED

Attachments

Nil.

8. MISCELLANEOUS BUSINESS

Nil.

The Ordinary Meeting then closed at 10.55 am.
To be confirmed on 15 December 2015.

**Cr John Brent
MAYOR**