



SCENIC RIM REGIONAL COUNCIL

Ordinary Meeting of Council

Agenda

Meeting to be held in the Council Chambers

82 Brisbane Street

Beaudesert

Tuesday, 24 November 2015

Commencing at 10.30 am

All correspondence to
be addressed to the
Chief Executive Officer

Scenic Rim Regional Council
PO Box 25
BEAUDESERT QLD 4285
ABN: 45 596 234 931

Beaudesert Administration Centre P: 07 5540 5111 F: 07 5540 5103
Boonah Administration Centre P: 07 5463 3000 F: 07 5463 2650
mail@scenicrim.qld.gov.au
www.scenicrim.qld.gov.au

**SCENIC RIM REGIONAL COUNCIL
ORDINARY MEETING
24 NOVEMBER 2015
AGENDA 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	2
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)]	61
8.	MISCELLANEOUS BUSINESS	61

ORDINARY MEETING OF COUNCIL

AGENDA

Please note: Agenda 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.
-

SCENIC RIM REGIONAL COUNCIL
ORDINARY MEETING
24 NOVEMBER 2015
AGENDA

OPENING OF MEETING

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

1. PRAYERS

A representative from Christian Life Beaudesert will offer prayers.

2. DECLARATIONS OF INTEREST BY MEMBERS

3. RECEPTION OF DEPUTATIONS BY APPOINTMENT

Nil

4. CONFIRMATION OF MINUTES

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

5. BUSINESS ARISING FROM PREVIOUS MINUTES

6. RECEPTION AND CONSIDERATION OF COMMITTEE REPORTS

- Finance Committee Meeting held on Tuesday, 17 November 2015

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

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

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

Item Author: Manager Planning

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

Purpose of Report

The report has been compiled outlining the facts and circumstances for a proposed development seeking an approval for a 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 a 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)).

Previous Council Considerations / Resolutions

Planning & Development Committee Meeting, 17 November 2015, Item 3.2 - The Committee deferred this item for further consideration to this Ordinary Meeting.

Risks

Strategic Risks

The following Level 1 and Level 2 (strategic) risks are relevant to the matters considered in this report:

- CF6 Failure to comply with statutory obligations and responsibilities;
- CE2 Failure to discharge regulatory responsibilities under legislation or local law;
- CE5 Failure to ensure regulatory applications are managed, assessed and processed in accordance with legislative timeframes and protocols;
- PO2 Political influence impacting on operational management of organisation.

Risk Assessment

Category	Consequence	Likelihood	Inherent Risk Rating	Treatment of risks	Residual Risk Rating
Environmental Impacts on environment as a result of development activity	Moderate	Unlikely	Medium	Environmental impacts considered and documented during assessment	Low
Legal Compliance and Liability Failure to ensure application is assessed in accordance with IDAS process	Minor	Possible	Medium	Documented assessment process	Low

Category	Consequence	Likelihood	Inherent Risk Rating	Treatment of risks	Residual Risk Rating
Legal Compliance and Liability Opportunity for applicant or third party appeal against Council decision	Minor	Possible	Medium	Ensure reasonable and relevant test applicable to assessment processes Model Litigant processes followed in court cases Minimise opportunities for appeals	Low
Reputation Negative perception from community or development proponents	Minor	Unlikely	Low	Transparent reporting of assessment Communications	Low

Brief Summary

Council is in receipt of a combined application seeking a 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 a 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)).

The proposed development is identified under the *Boonah Planning Scheme 2006* (Planning Scheme) as requiring Impact Assessment (Inconsistent) in the Horticultural / Dairying Lands Precinct of the Rural Zone. It is noted that due to inclusion of a Sales Office landuse which is not defined under the Planning Scheme, triggers an Inconsistent component of the application.

The description of the Rural Zone acknowledges areas surrounding Kalbar to be investigated for potential future medium to long term growth. The proposal has specifically been created to meet the needs of rural and regional retirees who want to maintain a rural lifestyle while having access to resort like facilities and on-site care options, all within close proximity to the Kalbar town centre. The proposal is considered to satisfy the intent of the Rural Zone.

The application consists of two (2) components which are briefly described as follows:

Preliminary Approval

The preliminary approval will seek to alter the Planning Scheme by introducing a Master Plan Development Code (*Kalbar Homestead Master Plan Development Code*) which sets out a clear framework for future development of the site. The master plan code will entail specific precincts each with an intent statement, a definition table of intended activities, a table of assessment for intended development and imposing specific criteria to guide and control future built form for the site.

Development Permit (Stage 1)

Stage 1 will consist of the main hub of the retirement community and will entail front-of-site works and a variety of built form including the main entrance, sales and management facilities, temporary display dwellings (intended for future accommodation), supported living apartments, residential age care facility, landscaping and an altered watercourse.

During the Public Notification period, Council received 17 properly made submissions. The matters raised have been considered and where possible, any adverse impacts have been mitigated through conditions.

The application was referred to the Department of Infrastructure, Local Government and Planning (DILGP). The department responded on the 30 April 2015 having no objection or requirements towards the proposed development.

Through the assessment process, the proposed development is now considered to satisfy the provisions of the Planning Scheme and other relevant statutory requirements. As such, it is recommended that Council approve the proposed development subject to reasonable and relevant conditions.

Background

The applicant attended two (2) pre-lodgement meetings with Council officers to discuss the proposed development on 10 April 2014 and 3 October 2014 respectively. The meetings covered a range of issues regarding the proposed concept, traffic and safety, type of application, building and plumbing, flooding impacts and application fees and infrastructure charges. Pre-lodgement meeting minutes indicated general support for the proposal in principal.

Proposal

Council is in receipt of a combined application seeking a 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 a 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)).

The proposed development is termed as the "Kalbar Homestead Integrated Retirement Community" and has been created with a rural theme which offers a range of care options within a single locality. The development will offer residents independent living units (both attached and detached), supported living units and residential aged care. The residential uses will be supported by communal facilities including dining halls, consultation room, recreation areas, tennis courts, swimming pools, gardens, an amphitheatre and formal garden area. It is also noted that large portions of the site will be dedicated to open space and riparian corridors to achieve a high amenity setting for the community. In total, approximately 85% of the site will remain as open space, offering integration with the surrounding rural land.

The applicant intends to revegetate waterways to enhance the character of the site and incorporate the surrounding biodiversity into the site. The various landscape treatments will also tie the proposal to the surrounding rural character whilst providing residents with a high quality and comfortable home.

In respect to the planning parameters and the current Planning Scheme provisions, the applicant seeks to achieve the above development through the following planning approvals:

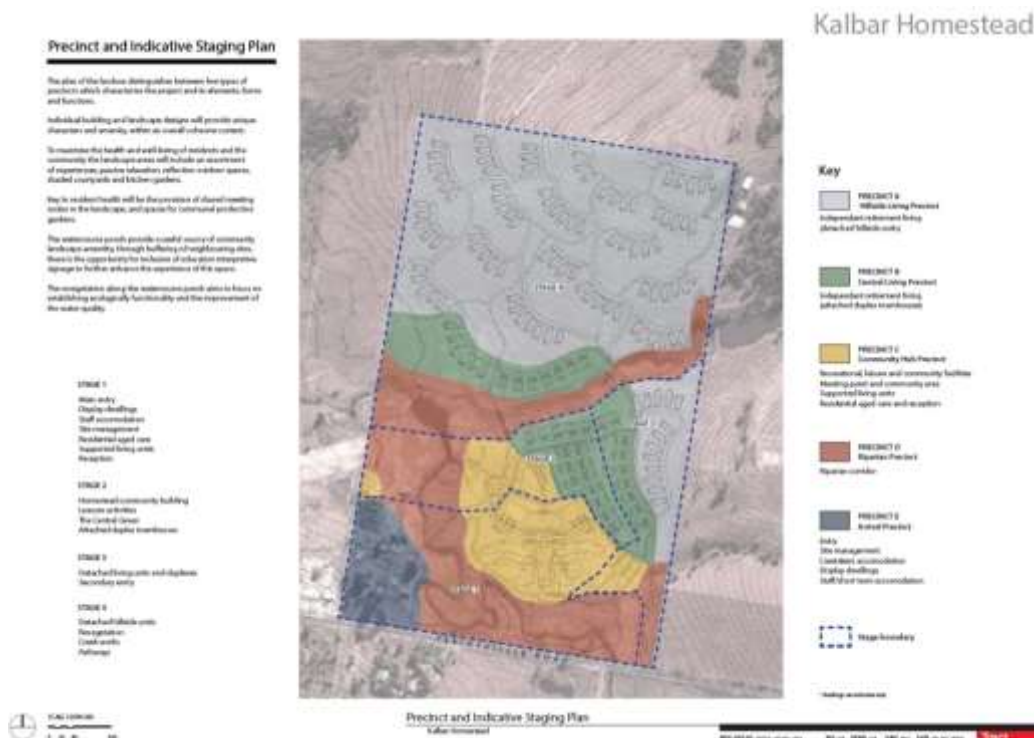
Preliminary Approval

The preliminary approval will seek to alter the Planning Scheme by introducing a master plan development code (Kalbar Homestead Master Plan Development Code) which sets out a clear framework for future development of the site. The Preliminary Approval will establish the key master planning components of the development in order to facilitate the logical and sequential establishment of the Kalbar Homestead across various future stages. The following key components are embodied in the Master Plan Code that will establish a site specific framework governing the future development of the Kalbar Homestead:

- Staging and Precincts: areas designated for the variety of age care activities and uses;
- Access and circulation: internal vehicle and pedestrian access as well as external connections;
- Landscape and Ecology: area intended for the protection / enhancement of the rural landscape and character; and
- Building Form: identifying the building envelopes and general structure intended for the variety of uses, services and free from risk of natural hazards.

The master plan code will entail specific precincts each with an intent statement, a definition table of intended activities, a table of assessment for intended development and imposing specific criteria to guide and control future built form for the site. The proposed *Kalbar Homestead Master Plan Development Code* (KHMP Code) will incorporate provisions in relation to density, building setbacks and heights, site coverage, building materials, landscaping, vehicle access and pedestrian linkages, open space areas, bushfire risk management and stormwater management. The aforementioned provisions are informed by the following plans which are incorporated in the KHMP Code:

- *Precinct and Indicative Staging Plan;*



- Indicative Landscape Concept Master Plan;



Indicative Landscape Concept Master Plan
Kalbar Homestead

Master Plan Landscape Key

MAIN ENTRY & SECOND ENTRY
Feature plantings, grass and soil banking and/or driveway apron landscape treatments.

FUTURE GOLF TEE
Existing large trees to be retained and related to a future golf green on the main entry driveway.

EXISTING TREES
To be retained unless noted. Refer to Vegetation Management Plan.

THE CENTRAL GREEN
Central community event and performance space with stage and shelter structure, tables, landscaping and games.

"COMMUNITY LEARNING HUB"
New walk to tennis, bowls, court and netball area.

LANDSCAPE GENERAL & COMMON SPACE
Informal areas consisting primarily of low groundcover and surface grass. Local native tree plantings.

LANDSCAPE TO BUILDINGS/SCREENING
Planting and turf grass areas surrounding walls, screens and building. Low tree screening and hedges will ensure provision of noise abatement within perimeter appropriate distribution of vegetation from common landscape open space.

LANDSCAPE BUFFER
Strategic native species arranged in appropriate screens & mounds and/or screening bushes, hedges and/or riparian side. Not to be built up along water and not along wetland boundaries.

TREES
Retained.

WALKING & FITNESS TRAIL
Informal open space for walking/jogging activities, low scale landscaping - a series of shrubs, low hedges & existing trees incorporating local elements & regional flora elements.

LOOKOUT POINT

POST HOURL TREATMENT & MEETING POINT
Trees, signage and feature tree plantings to highlight and emphasize.

EXISTING WATER COURSE
Retained areas consisting primarily of low groundcover and surface grass. Local native tree canopy.

CREED CHANNEL ELEMENTS
Linear water course with rock stabilization and lining of water course. Formed with rock, stone, timber and steel plantings for habitat, water quality improvement and visual amenity.

REPAIR & MAINTENANCE
Linear footpaths to observation points and linear paths to maintain natural ground water and surface flow. Change area and improve stormwater, multi-use outdoor room, people habitat and amenity.

REPAIR & CARE
Strategic and native species surrounding local water course, adjacent to water course. These trees will provide shade to the water course, maintain banks to prevent bank and improve water health. They will also provide further local habitat, provide connections and maintain habitat linkages, as well as reduce environmental impacts.

1000 FLOOD LINE

- Architectural Plans



O.O KALBAR HOMESTEAD

Revision	Revision Description	Revision Date
A	PA Review	20.03.15




KALBAR HOMESTEAD - Kalbar
1142 892085 - 168 Teverside Rd, Kalbar

COVER SHEET
5451-35-00-00_A



Page 8



SLADWIN PTY LTD SLIGH TANNER KALBAR HOMESTEAD - Residential Aged Care Perspectives - RAC West Block TVS architects
ARCHITECTS ARCHITECTS 190/STVILLE ROAD, KALBAR 9431 8502 10 A



2.0 RAC - Residential Aged Care

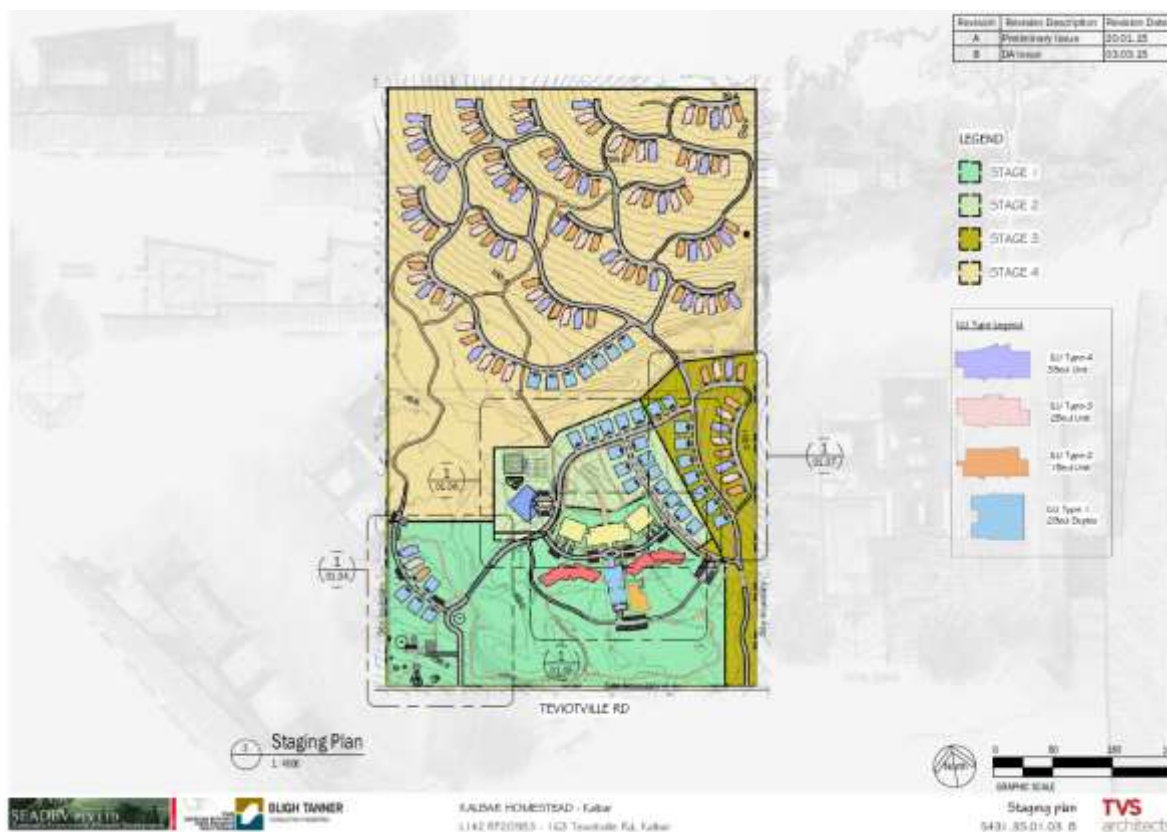


3.0 SLU - Supported Living Units

- Exterior Materials & Finishes



- Staging Plan

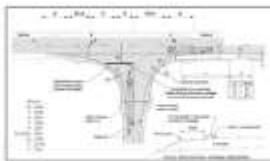


- *Access and Circulation Plan*

Access and Circulation Plan

The access typologies will provide a logical and legible hierarchy of low key access driveways for circulation throughout the facility.
 These access ways will have architectural/visual character and landscape theme.
 Access ways will be minimal width yet designed for practicality and ease of circulation throughout.
 Flush edges with grass and stone lined edges alongside will ensure positive drainage treatments.
 Shared paths will be established across the site to ensure that pedestrian movements are logical yet safe.
 Openness clearly shared pathways and the extension of the existing landscape theme are a consistent landscape theme and connecting element along all circulation access paths.
 Additionally landscaping and interactive signage will be incorporated in the design quality care and adding richness to the experience throughout.

- PRIMARY ACCESS
7m width
- SECONDARY ACCESS
5.5m width
- LOCAL ACCESS LOOP
6m width
- LOCAL ACCESS DRIVEWAY
2.5m width with widening provided at regular intervals for easy passing
- SHARED PATH CONNECTION
2.5m width for bicycles, babies and pedestrians
- VEHICLE BREAK
4.0m width
- SHARED PATH DOWNWALK
2.5m width



INTERSECTION DESIGN REQUIREMENTS

SCALE 1:1000
0 2 4 6 8



Access and Circulation Plan
Kalbar Homestead

Kalbar Homestead

Typical sections of access and landscape treatment (scale 1:100 @ A1)



PRIMARY ACCESS



SECONDARY ACCESS



LOCAL ACCESS LOOP



LOCAL ACCESS DRIVEWAY

*Scale 1:100 @ A1

The following technical reports were also submitted in support of the proposed development:

- *Bushfire Hazard Assessment and Mitigation Plan;*
- *Site Based Stormwater Management Plan;*
- *Vegetation Management Plan;*
- *Water Supply and Wastewater Report;*

Development Permit (Stage 1)

A Development Permit for a Material Change of Use over Stage 1 of the proposal has been sought to begin the initial stages of the development. Stage 1 will consist of the main hub of the retirement community and will entail front-of-site works and a variety of built form including the main entrance, sales and management facilities, temporary display dwellings (intended for future accommodation), supported living apartments, residential age care facility, landscaping and an altered watercourse. A landscape plan below illustrates the proposed layout and built form incorporated within Stage 1.

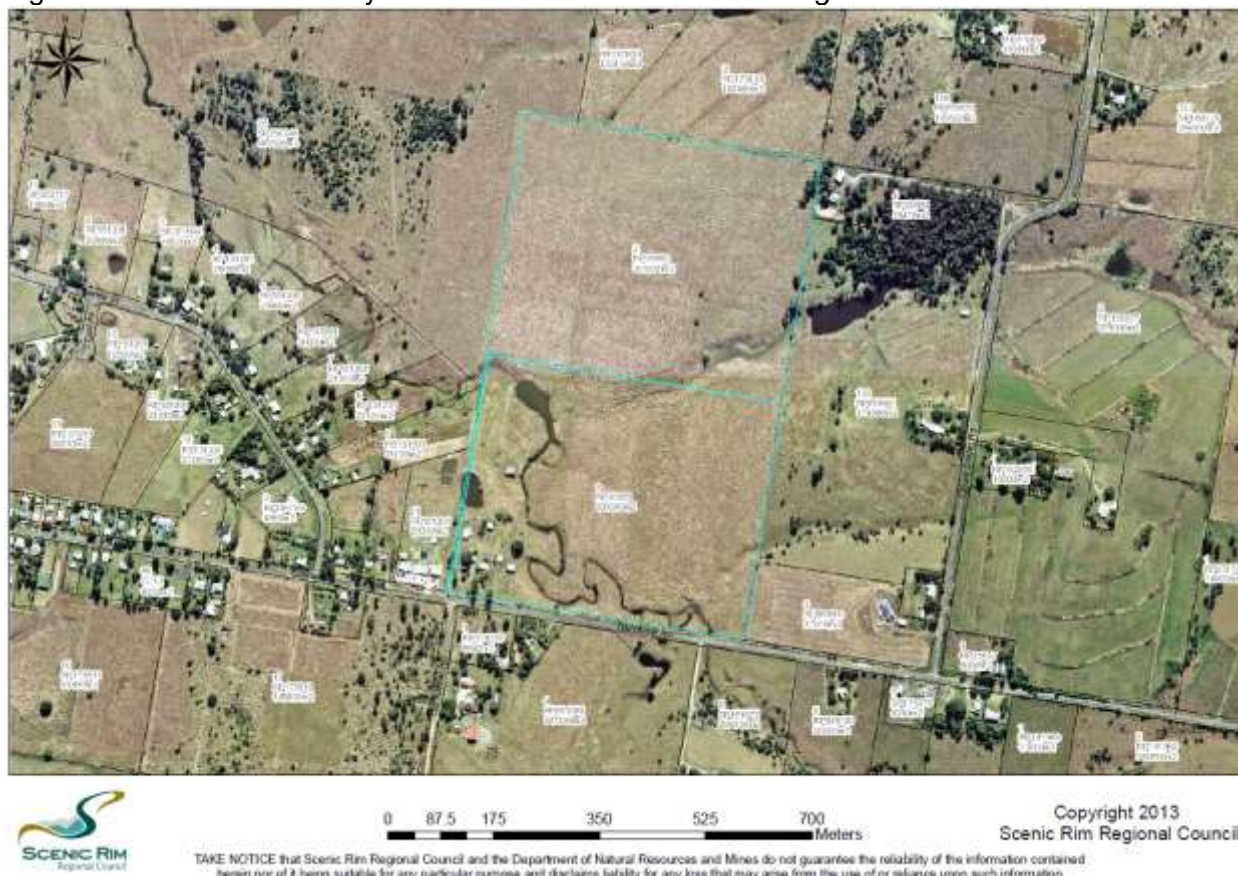
- *Stage 1 - Landscape plan*



Site and Environment

The subject site is located at 163 Teviotville Road, Kalbar more accurately described as Lots 1, 2 and 5 on RP20983. The site has an area of 40.14ha and is currently void of any significant vegetation with the exception of a few ornamental trees around the existing dwelling and associated structures. The site is undulating in nature with a waterway that traverses the site. The site is currently improved by a residential dwelling and sheds for associated farm activities and machinery. Refer to Figure 1 below which shows an aerial view of the subject site and surrounding properties.

Figure 1 - Aerial view of subject site and immediate surrounding area



Characteristics of Site & Surrounding Environment

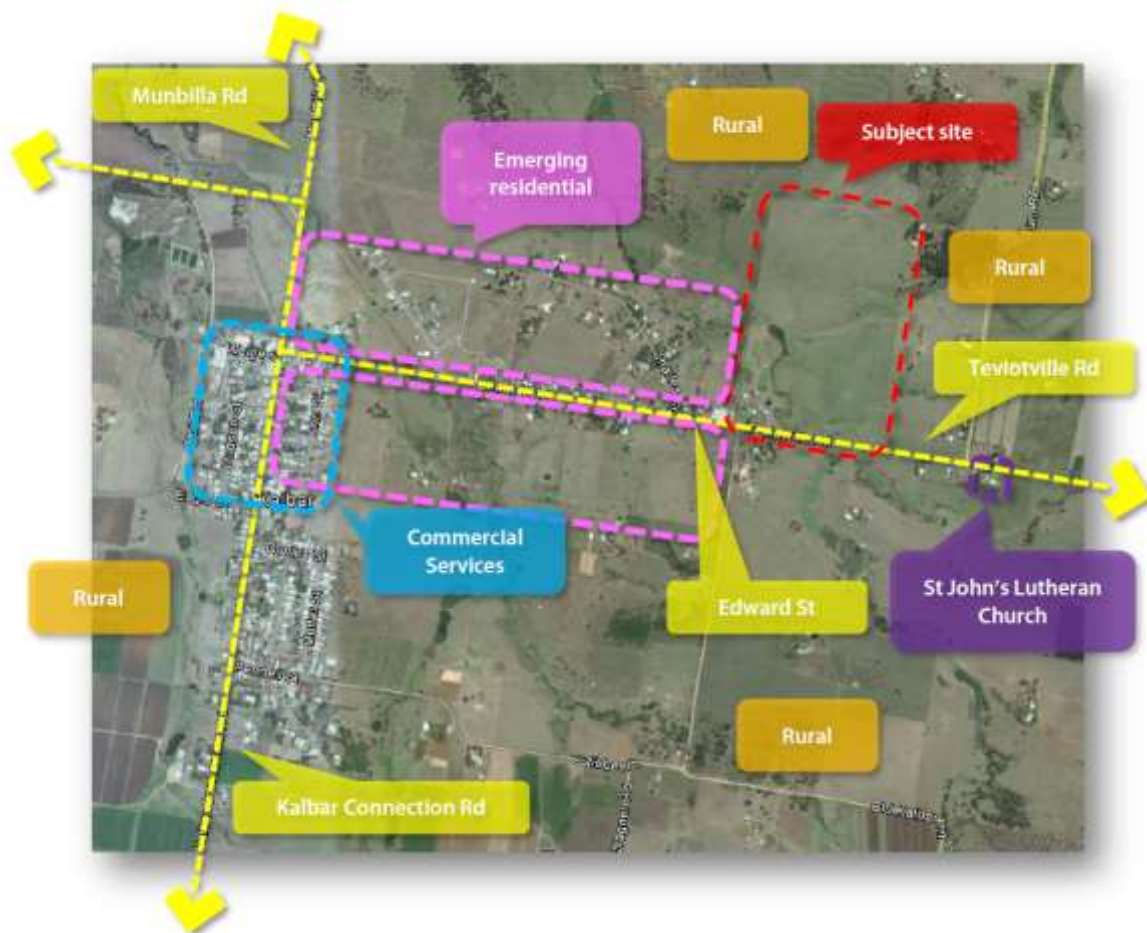
The subject site gains vehicle access via Teviotville Road and has a road frontage length of 490m. The site is located approximately 1.6kms east of the main commercial area of Kalbar and approximately 7.28km north-west of Boonah. Kalbar offers the majority of services that will support the proposed development, including a local bank, an Australia Post office, cafes, restaurants, a hardware store, a service station, grocery stores and various other services; whereas Boonah offers other major services required for residents such as the Boonah hospital, large format retail and a wide variety of smaller retailers. Furthermore, Boonah offers a variety of entertainment services, such as the Boonah Showground, markets, the Boonah Cultural Centre and large open spaces.

The site is bound:

- To the north by rural land, predominately used for pasture.
- To the east by rural land. The north east corner contains established vegetation around the site boundary. A low order creek system enters the site on this boundary.
- The site is bound to the south by Teviotville Road, which runs directly west into Kalbar. The far side of Teviotville Road contains further rural land.
- The site is bound to the west by rural land. The adjoining site at the south-west corner contains a childcare centre.

Refer to Figure 2 below which shows an analysis of the surrounding landuses close to and surrounding the subject site.

Figure 2 - Site surrounds analysis



Development Assessment

Relevant Planning Scheme Codes – Summary

Zone & Precinct Code	Overlay Code	Use Code
Rural Zone Code (Horticultural/Dairying Lands Precinct)	Economic Resources Overlay (Good Quality Agricultural Land)	Residential Development Code

Definitions under the Planning Scheme

Pursuant to the *Boonah Shire Planning Scheme 2006*, the proposed landuses' are defined below as follows:

<i>Multiple Dwelling:</i>	<i>premises used as the principal place of residence by more than one discrete household or domestic group. The term includes uses commonly known as a townhouse, unit, duplex, apartment, retirement village, aged persons home/ facility, nursing home, orphanage or children's home, aged care accommodation, residential development for people with special needs, hostel, institution (primarily residential in nature), boarding house, guest house, hostel or community dwelling (where unrelated people maintain a common discipline, religion or similar). The definition also includes any accommodation building excluding motel, house, caretakers residence.</i>
<i>Caretaker's Residence:</i>	<i>a dwelling unit for a caretaker in connection with a particular purpose on the same site.</i>
<i>Undefined landuse (Sales Office)</i>	a Sales Office is not defined under the <i>Boonah Shire Planning Scheme 2006</i> ; therefore the following definition has been taken from the State Government's <i>Queensland Planning Provisions v3.1</i> which defines Sales Office as: <i>The temporary use of premises for displaying a land parcel or buildings that can be built for sale or can be won as a prize. The use may include a caravan or relocatable dwelling or structure.</i>

Relationship with the Rural Zone intent

In accordance with the Planning Scheme, the subject site is located within the Rural Zone. Pursuant to the Planning Scheme, the overall outcomes sought by the Rural Zone include:

- a) *Good quality, viable and productive agricultural and grazing land is protected from further fragmentation and the intrusion of incompatible uses, for the purpose of primary industry and rural pursuits in accordance with land type and land use suitability.*
- b) *Existing rural activities are protected from encroachment by incompatible uses.*
- c) *Development maintains or enhances the rural amenity, character, environmental and scenic landscape values of rural areas. The scenic beauty and attraction of the Shire relies on the preservation of the rural character.*
- d) *Buildings and structures are designed and sited to be compatible with the rural character of the surrounding area.*

- e) *Land resources are used sustainably, consistent with any environmental or physical constraints (such as flooding, instability, slope, landslip and erosion) and within the land's productive capacity.*
- f) *Industries related to the rural and agricultural activities of the Shire are important for sustaining and enhancing the local economy over time.*
- g) *Industries related to the rural and agricultural activities of the Shire are diversified into rural related industries, value adding and niche market products (such as organic crops, farm forestry) and farm, rural and nature based recreation tourism opportunities.*
- h) *Rural related industries are encouraged to be located between Aratula and Silverdale, along the Cunningham Highway.*
- i) *Non-agricultural uses, such as recreation, home based business, education or tourism related uses may occur having regard to the above considerations.*
- j) *Limited housing development is provided for in the historical subdivisions at Clumber, Croftby, Fassifern Valley, Munbilla, Rosevale and Warrill View, where lot size permits or amalgamation of parcels occurs.*
- k) *The Warrill View Investigation Area is not encroached upon by intensive rural activities or industries which may adversely impact on the future investigation of the area.*

The proposed development has been designed and created to be sympathetic to the natural features of the site while maintaining the rural character of the area. The proposal incorporates large open space areas and architecturally designed buildings which promote a rural theme and visually attractive built form. The development will also offer employment opportunities in the local area and support a diversified rural economy while keeping with the rural character of the area.

Importantly to note, the application seeks approval for a Preliminary Approval under SPA to vary the effect of the Planning Scheme in relation to the current zoning designation. As such, where there are aspects of the development that do not accord with the Rural Zone, the application seeks to introduce new precinct and land uses over the site to facilitate the development.

As mentioned previously, the subject application triggers Impact (Inconsistent) Assessment given a Sales Office is not a defined landuse under the Planning Scheme. Notwithstanding, the temporary nature and minor scale of a Sales Office is not considered to conflict with the overall outcomes sought to be achieved in the Rural Zone.

Compliance with the Rural Zone Code

An assessment has been undertaken against the Rural Zone Code's Probable Solutions and Specific Outcomes. Where the applicant has proposed alternative solutions, officers have undertaken an assessment below:

Rural Zone Code			
Specific Outcomes	Probable Solution	Complies with Probable Solution	Complies with Specific Outcomes
SO3 The safe and efficient operation of roads is maintained having regard to the nature and volume of vehicles using the road, and the location and design of access points.	PS3 Vehicular access is designed and constructed in accordance with standards stated in Planning Scheme Policy 1.	No - refer below for applicant's alternative solution and justification.	Yes – refer below for officers' comments

Applicant's justification

The safe and efficient operation of the internal and external road network has been demonstrated by the Traffic impact assessment at Appendix 9 and further discussed in Information request response letter from Bitzios dated 1 July 2014.

Officer's comments

The application was referred to Council's internal Infrastructure Services section to assess the road networks and design against Planning Scheme Policy 1 and Australian Standards. Infrastructure Services have determined the proposed development can operate in a safe and efficient manner. Additionally, conditions have been imposed to ensure compliance with current standards. As such the proposal is satisfies SO3 in this instance.

Rural Zone Code			
Specific Outcomes	Probable Solution	Complies with Probable Solution	Complies with Specific Outcomes
SO4 Water supply, sewerage, electricity and roads are provided to meet appropriate standards and are adequate for on-site services.	PS4.1 Road, water supply and sewerage works are designed and constructed to standards stated in Planning Scheme Policy 1 and 2.	No - refer below for applicant's alternative solution and justification.	Yes – refer below for officers' comments

Applicant's justification

Water supply to be connected to Queensland Urban Utilities supply with internal reticulation to SEQ WS&S Design Code and AS3500 Plumbing Code (refer to Kalbar Homestead: Water Supply and Wastewater – Final Report (BT March 2015).

Early stages (1,2,3) sewerage to be connected to Queensland Urban Utilities Kalbar sewerage system with internal reticulation to SEQ WS&S Design Code and AS3500 Plumbing Code (refer to Kalbar Homestead: Water Supply and Wastewater – Final Report (BT March 2015).

Later stage (4) sewerage to use on-site wastewater systems serving 2-3 homes with on-site irrigation to AS3500 Plumbing Code (refer to Kalbar Homestead: Water Supply and Wastewater – Final Report (BT March 2015).

Roads – refer to Bitzios Traffic Report.

Electricity – to be supplied by local supply authority

As shown by this content, the proposed development meets the appropriate standards providing adequate on-site servicing for the future development.

Officer's comments

The proposed development is expected to be connected to all necessary services such as water supply, sewer, electricity and road connection. The applicant has provided advice from Queensland Urban Utilities indicating general support of the proposal. As mentioned in SO3 above, the proposed internal roads and external treatments have been assessed by Council's Infrastructure Services section and deemed to comply. Connection to electricity will be pursued through Energex as the local supply authority. Where necessary, conditions have been imposed to ensure service connection prior to the proposed land use commencing. As such, the proposal satisfies SO4 in this instance.

Rural Zone Code			
Specific Outcomes	Probable Solution	Complies with Probable Solution	Complies with Specific Outcomes
	PS4.2 Where connection is made to Council's reticulated water supply and/or sewerage systems headworks contributions are paid to the Council in accordance with Planning Scheme Policy 3.	No - refer below for applicant's alternative solution and justification.	Yes – refer below for officers' comments

Applicant's justification

Water supply to be connected to Queensland Urban Utilities supply with internal reticulation to SEQ WS&S Design Code and AS3500 Plumbing Code (refer to Kalbar Homestead: Water Supply and Wastewater – Final Report (BT March 2015).

Officer's comments

Since June 2014, water and sewer connections and headworks charges were removed from Council's jurisdiction and placed with Queensland Urban Utilities (QUU). As such, a separate approval process and applicable headworks charges will be issued by QUU. Therefore PS4.2 is no longer applicable.

Rural Zone Code			
Specific Outcomes	Probable Solution	Complies with Probable Solution	Complies with Specific Outcomes
SO9 All outdoor lighting is designed, constructed and operated so that light does not cause nuisance to nearby residents or passing motorists or shine upwards into the night sky.	PS9 All lighting complies with AS4282-1997 Control of Obstructive Effects of Outdoor Lighting or current policy.	No - refer below for applicant's alternative solution and justification.	Yes – refer below for officers' comments

Applicant's justification

The development has been designed as to minimise external lighting impacts. Due to the design of the development, and the separation from the road and adjoining residencies it is considered to comply with SO9.

Refer to development application design package at Appendix 5 and Architectural plans at Appendix 6.

Officer's comments

The following table gives the approximate distances of nearby residents from the lot boundary of the subject site.

Dwelling on adjoining lot	Distance of dwelling to subject site (m)
Lot 4 RP20983	30
Lot 2 RP226541	109
Lot 11 RP151391	Child Care Centre site
Lot 35 SP250246	Vacant site
Lot 3 RP818411	220
Lot 153 RP818411	234
Lot 138 RP858653	358
Lot 2 RP179138	506
Lot 4 RP205639	564
Lot 8 RP151391	258
Lot 9 RP151391	207

From the above table the closest resident is located on Lot 4 RP20983 (30m). To alleviate concerns of nuisance caused from any external lighting, a 15m landscaping buffer is proposed along the eastern boundary and conditions of approval have been imposed that any external lighting must comply with AS4282-1997 as quoted in PS9 above. As such, the proposed development complies with SO9.

Rural Zone Code			
Specific Outcomes	Probable Solution	Complies with Probable Solution	Complies with Specific Outcomes
SO15 Non-agricultural uses occur where they are: (i) of a low intensity and impact and associated with local rural activities; or (ii) maintain the rural landscapes in the zone and the locality specifically; and (iii) cause no adverse impact (due to site specific or cumulative effects) on water quality; and (iv) are connected to the Shire road network and urban centres by roads capable of accommodating the type and volume of traffic likely to be generated; and (v) are provided with a water supply, liquid and solid waste disposal system and electricity supply adequate for all on-site purposes.	PS15 No probable solution prescribed.	No - refer below for applicant's alternative solution and justification.	Yes – refer below for officers' comments

Applicant's justification

The proposed development is considered to comply with SO15 as:

i- It is of a low intensity (only covering 15% of the site area) and supports the surrounding rural community;

ii- It not only maintains the landscape, but enhances it;

iii- As discussed in the various supporting reports the proposed development does not cause adverse impacts;

iv- As discussed in the TIA, the proposed development is serviced with an appropriate road network; and

v- As discussed in the engineering documents the proposed development will be supplied with appropriate services.

Refer to the Master plan development code at Appendix 12.

Officer's comments

As mentioned above, the proposed site cover is 15% of the total site area and provides a service that will benefit the rural community. All proposed structures have been architecturally designed and use a colour palette to blend in with the natural landscape. The development will also be conditioned to be landscaped with suitable vegetation to assist in screening the development from the surrounding properties and public road. With the exception of the main care facilities, all proposed dwellings are to be constructed on poles to avoid any unnecessary earthworks wherever possible. Where earthworks are undertaken, the applicant has provided technical reports showing no adverse impacts to the environment or surrounding areas. The applicant seeks to alter the watercourse for flood mitigation; however stormwater quality will be managed during construction works and water quality will be improved in the long term by rehabilitating the creek. Finally, the proposed development will be connected to all necessary services such as water, sewer, electricity and telecommunications to a standard suitable for the proposed use. As such, the proposed development is considered to the purpose of SO15.

Rural Zone Code			
Specific Outcomes	Probable Solution	Complies with Probable Solution	Complies with Specific Outcomes
SO17 Works including landscaping are managed to prevent and contain the spread and movement of declared weeds and pest animals onto and from development sites.	PS17 No probable solution prescribed.	No - refer below for applicant's alternative solution and justification.	Yes – refer below for officers' comments

Applicant's justification

Measures have been / will be undertaken to ensure the development does not cause undue spreading of weeds or pests.

Officer's comments

An inspection of the subject site by Council's Animal and Pest Management officers on 4 March 2015 identified a large area of Class 2 Parthenium weed (*Parthenium Hysterophorus*). Parthenium is a Class 2 declared plant which under the *Land Protection (Pest and Stock Route Management) Act 2002*, Class 2 declaration requires landholders to control pests on the land and waters under their control. To prevent possible risk of an outbreak during construction and operational works; specific conditions have been imposed requiring a biosecurity plan to be prepared and submitted to Council for approval prior to operational works. As such, the proposal complies with SO17.

Compliance with the Precinct Code

The Rural Zone is divided into 4 precincts:

- Precinct 1 – Scenic Rim/Mountain Range Lands;
- Precinct 2 – Grazing Lands;
- Precinct 3 – Arable Lands; and
- Precinct 4 – Horticultural/Dairying Lands.

The above precincts are mentioned in the Planning Scheme with respect to minimum lot sizes, with no mention of character pursuits for each precinct. As there is no subdivisional aspect of the proposed development, the proposal does not compromise the intent of Precinct 4 - Horticultural / Dairying Lands.

Compliance with the Relevant Overlay Code

An assessment has been undertaken against the Economic Resources Overlay (OL 1A – Good Quality Agriculture Land) Code’s Probable Solutions and Specific Outcomes. Where the applicant has proposed alternative solutions, officers have undertaken an assessment below:

Element (i) : Overlay Map 1a – Good Quality Agricultural Land			
Specific Outcomes	Probable Solution	Complies with Probable Solution	Complies with Specific Outcomes
<p>SO1 Development does not reduce the utility and productive capacity of good quality agricultural land in terms of: (i) farm practices being protected from adjacent uses; (ii) adjacent uses not compromising agricultural operations; (iii) avoiding residential uses encroaching onto agricultural land; (iv) incorporating buffers to adjacent incompatible uses; (v) defining a boundary between agricultural land and residential areas.²⁷</p> <p>Note 27: In order for assessable development to occur, the Council</p>	<p>PS2.1 Development adjacent to or in an area on Overlay Map 1B, including areas within 100m of the haul routes: (i) does not result in a higher concentration of people than existing prior to the development; (ii) is to be compatible with existing and/or potential extractive industry and or mining operations in these areas.</p>	<p>No - refer below for applicant's alternative solution and justification.</p>	<p>Yes – refer below for officers' comments.</p>

<p>may require as part of an information request, that the applicant prepare a Land Resource Survey in accordance with State Planning Policy 1/92 Guidelines that demonstrates that the land is not good quality agricultural land.</p>			
---	--	--	--

Applicant's justification

As a result an Agricultural Land Study was undertaken by Land Resource Assessment and Management Pty Ltd to identify the suitability of the subject land for the proposed urban activities.

The study finds that:

“The three (3) lots are also designated in the South East Queensland Regional Plan 2009-2031 as part of the urban footprint for Kalbar. Conversion of this rural land to urban use will result in loss of actual grazing land and a loss of 28.7 to 33.6 ha of potential cropping land.

A cropping area of 33.6 ha is not economically viable for commercial production of cereals, broadacre row crops or lucerne. Due to surrounding lot sizes, acquiring a contiguous production area of adequate size for commercial production would involve acquiring one (for lucerne) to more than ten other blocks (for other crops). This would be an extremely difficult operation, both logistically and financially, and is a most unlikely scenario.

Should urban development be approved for Lots 1, 2 and 5, Queensland Government guidelines indicate there is no need for a buffer to separate the development from the long-term rural activities of cattle grazing with intermittent production of grass hay.”

Officer's comments

It is noted that the land is located within the Urban Footprint under the *South East Queensland Regional Plan 2009-2031* which identifies land that has the potential to be developed for urban purposes where in close proximity to urban uses and existing services. The site is within 2km to the Kalbar Township and has ability to connect to reticulated water and sewer.

A large portion of the subject site is mapped as being affected by Good Quality Agricultural Land in accordance with Planning Scheme although the site is currently used primarily for beef cattle grazing with intermittent production of grass hay. To support the proposed development, the applicant has provided a *Land Resource Survey* by Land Resource Assessment and Management Pty Ltd (LRAM), which has found the actual land suitable for cropping is 33.6ha which is not economically viable for commercial production of agricultural uses.

In relation to buffering adjacent incompatible uses, the applicant has proposed a landscape buffer of 15m along the northern lot boundary and 10m along the eastern lot boundary which will be appropriately landscaped as per the submitted landscape plan. This will also serve as a clear and identifiable boundary between the residential uses on site and the neighbouring rural activities. It is also noted that through the Land Resource Survey report, no commercial cropping activity occurs on adjoining lots that would involve any hazardous activity.

Given the above points, the proposal is considered to comply with SO1.

Compliance with the Relevant Specific Use Code

The proposal complies with all of the Residential Development Code's Probable Solutions and Performance Criteria.

Assessment of Other Aspects of the Proposal

Fair Values Charges Resolution (Version No. 2) July 2015

Through Council Resolution, Fair Value Charges came into effect on 29 May 2015 via Fair Value Charges (version no.1) May 2015. It replaced the previous Adopted Infrastructure Charges Resolution (version no.5) July 2014. The Fair Value Charges Resolution applies to the entire local government area of Scenic Rim Regional Council.

In accordance with the above *Fair Values Charges Resolution (FVCR) (version no.3) October 2015* adopted charges schedule, the proposed land uses fall within the following planning scheme category and use types:

Planning Scheme Use Category	Adopted Charges Schedule Use Category
Multiple Dwelling	Residential
Community Facilities	Essential Services
Caretaker's Residence	Residential
Commercial Premises	Commercial (Office)
Undefined Landuse (Sales Office)	Minor Uses

Note: It is to be noted that Queensland Urban Utilities (QUU) charges are applicable but does not form part of the Local Government Charge calculation below.

Local Government Charge for *Stage 1 of the Kalbar Homestead development*. Note the existing residential dwelling will be converted into a Caretakers Residence and therefore charges will be balanced out.

Proposed Landuse

Use	No. of Units	Unit of Measure	Charge Rate	Amount
Multiple Dwelling	Detached x 1	\$ per 1 bedroom dwelling	\$6,336	\$6,336.00
	Detached x 1	\$ per 2 bedroom dwelling	\$9,198	\$9,198.00
	Detached x 1	\$ per 3 or more bedroom dwelling	\$12,878	\$12,878.00
	Attached x 4	\$ per 2 bedroom dwelling	\$9,198	\$36,792.00
	Supported Living Units (SLU) x 26	\$ per 1 bedroom dwelling	\$6,336	\$164,736.00

Use	No. of Units	Unit of Measure	Charge Rate	Amount
	Supported Living Units (SLU) x 12	\$ per 2 bedroom dwelling	\$9,198	\$110,376.00
Community Facilities	Residential Aged Care (RAC) Facility x 2,166m ²	\$ per m ² GFA	\$95.56	\$206,982.96
	Dementia Wing (DW) x 620m ²	\$ per m ² GFA	\$95.56	\$59,247.20
Commercial Premises	Central Facilities (CF) x 856m ²	\$ per m ² GFA	\$95.56	\$81,799.36
Minor Uses	Temporary Estate Sales Office	Nil	Nil charge	\$0
Sub-Total				\$688,345.52

Impervious Area

Use	No. of Units	Unit of Measure	Charge Rate	Amount
Community Facilities	RAC (2,166m ²)	\$ per m ² of impervious area	\$8.69	\$18,822.54
	DW (620m ²)	\$ per m ² of impervious area	\$8.69	\$5,387.80
Commercial Premises	CF (856m ²)	\$ per m ² of impervious area	\$8.69	\$7,438.64
Sub-Total				\$31,648.98

Relationship to Desired Environmental Outcomes

The proposed development seeks to create an integrated retirement community development with aged care facilities within 2km of the Kalbar township. The proposal is considered to be generally supportive of and generally consistent with the planning regime for the area. Where there is a perceived conflict with the Planning Scheme, officers' consider the proposal satisfies the Desired Environmental Outcomes and the Planning Scheme as a whole in this instance.

Relationship to State Planning Policies and Regulations

This section identifies the relevant statutory planning provisions that required assessment for this development application.

State Planning Regulatory Provision (Adopted Charges)

The State Planning Regulatory Provisions (Adopted Charges) are relevant, given that the subject application is for the purposes of urban development site. The applicable charges have been calculated previously within this report and an Infrastructure Charge Notice will accompany any approval issued by Council.

State Planning Policy (SPP)

The State Planning Policy (SPP) is a key component of Queensland's land use planning system, which identifies the various State Governments' interests. The SPP provides a comprehensive set of principles to guide local and state government in land use planning and development assessment. An assessment against the SPP has concluded that the proposed development complies with the relevant provisions of the SPP.

South-East Queensland Regional Plan 2009-2031

The subject site is located within the Urban Footprint in accordance with the *South East Queensland Regional Plan 2009-2031* (SEQRP). Given the proposal is for the creation of an urban use within an urban area; the proposal is considered to comply with the regulatory provisions of the SEQRP.

Advertising

The applicant has submitted a written notice stating that public notice of the proposal has been completed in accordance with the requirements of the *Sustainable Planning Act 2009*.

Submissions

As mentioned previously, Council received 17 properly made submissions during public notification period. These submissions were received from:

Submitter Name	Submitter Address
Ms Sylvia Archer	462 Horan Road FRAZERVIEW QLD 4309
Mr Graeme E Whiteoak	20 Terrace Street TOOWONG QLD 4066
Mr Darryl L Proud	4 Carl Avenue KALBAR QLD 4309
Mr Aubrey C Heck	7 Carl Avenue KALBAR QLD 4309
Mrs Sonia L Scholz	107 Obum Obum Road KALBAR QLD 4309
Mr Richard B Thomson	39 Obum Obum Road KALBAR QLD 4309
Mr Nicholas D Gibson	105 Rome Street South YERONGA QLD 4104
Mr Oyvind Schougaard	2A Charles Street KALBAR QLD 4309
Mr Peter R L Prenzler	1A Charles Street KALBAR QLD 4309
Mr Michael Whiteoak	407 Seventeen Mile Rocks Road SEVENTEEN MILE ROCKS QLD 4073
Mr Michael J Ruthenberg	PO Box 165 BOONAH QLD 4310
Mrs Jane M Gibson	65 King Arthur Terrace TENNYSON QLD 4105
Ms Pamela J Schmidt	10 Charles Street KALBAR QLD 4309

Submitter Name	Submitter Address
Ms Jan M Tooth	8 Charles Street KALBAR QLD 4309
Mr Christopher Wilkes	194 Roadvale-Harrisville Road ROADVALE QLD 4310
Ms Kristina A Gibson	105 Rome Street South YERONGA QLD 4104
Mr Neil Kinsey	303 Kulgun Road OBUM OBUM QLD 4309

It should be noted that 16 submissions were received against the proposal while one submission was received in favour of the proposal. The submission in favour was received from the adjoining site to the east with the largest shared boundary (570m). The submitter quotes the need for local access to aged care and the benefit to the Kalbar community, economy and employment opportunities as reasons for support. The main points of objection are listed below, followed by Council officer's comments.

Points of Objection	Officers' Comment
<p><i>Agricultural land overlay</i></p> <p>The concerns that the land is classified under agricultural land overlay as Good Quality Agricultural Land and the <i>Land Resource Survey</i> by Land Resource Assessment and Management Pty Ltd (LRAM) is incongruous citing Council overlay, and previous use of the land for agricultural purposes. Also that without suitable buffers reverse amenity issues will occur, restricting future agricultural uses and potentially generating complaints from residents.</p>	<p>The applicant has provided the following comments in response to the issue raised:</p> <p><i>As demonstrated in the material submitted by LRAM the Good Quality Agricultural Land Overlay overstates the extent of good quality agricultural land. Furthermore, to utilise the suitable land would require the amalgamation of a substantial amount of surrounding blocks, resulting a difficult operation logistically and financially. In summary, LRAM makes clear that this is an unlikely scenario.</i></p> <p><i>Furthermore, the suggested buffer distance has been demonstrated as unnecessary; a suitable buffer has been provided to prevent any potential reverse amenity issues.</i></p> <p>As part of the approved plans, a landscape buffer will be conditioned to be planted along the northern and eastern lot boundaries to limit the visual amenity impacts of adjoining lots.</p> <p>The submitted <i>Land Resource Survey</i> has concluded that the area of GQAL on the subject site is not sufficient for a financially viable cropping operation. As such, the applicant has justified developing on mapped land and complied with the requirements of the Planning Scheme.</p>

Points of Objection	Officers' Comment
<p><i>Density</i></p> <p>The concerns that the proposed constitutes high density development, claiming proposed scale and density is not suitable for the location, and uses immediate area as comparison.</p>	<p>The applicant has provided the following comments in response to the issue raised:</p> <p><i>The suggestion that the proposed development constitutes high density development and will result in numerous adverse effects is overstated.</i></p> <p><i>The development cannot reasonably be considered high density. By calculating the density of the site the residential density of the full development is approximately 6.95 dwellings per hectare. Considering low density is typically considered to be 10-15 dwellings per hectare, it is clear the proposed development could not be considered high density.</i></p> <p><i>Further, the assertion that Stage 4, or the northern stage, is particularly high density is even more distorted. Using this same calculation the estimated density is 5.5 dwellings per hectare; well under typical low density measures.</i></p> <p><i>The density of the site is further supported by the site coverage proposed. The ultimate development will provide 84.34% or 33.74ha of the site as open space and watercourse, a substantial amount of the land holding.</i></p> <p><i>The comparisons provided in the submissions are not considered to be a reasonable measure as the proposed use is compared to land to the north and east, land that is located outside of the Urban Footprint. As the subject land is within the Urban Footprint a more reasonable comparison would be to compare the proposed use to the expanding Kalbar township. The facilities in the immediate area of the site further support the proposed development, for example the childcare centre adjoining to the east provides the opportunity for interaction allowing the uses to</i></p>

Points of Objection	Officers' Comment
	<p><i>complement one another.</i></p> <p>The proposed site cover will be approximately 15% and the density equates to approximately 7 dwellings per hectare. However it should be noted that density has been calculated using bedrooms for patients within the Residential Aged Care and Dementia building (60 beds), which are not dwellings as such. Therefore, using the actual number of detached and attached dwellings, and Supported Living Units (combined 218 dwellings) equate to a density of 5.4 dwellings per hectare, which is not considered high density in the traditional form.</p> <p>The applicant has utilised open spaces and architectural designed buildings to compliment the land form and reduce and perceived bulk. Therefore the proposal is considered to be of an appropriate scale and density for the site in this instance.</p>
<p><i>Rural zone and DEO's</i></p> <p>The concerns that the subject land is currently zoned rural and thus the proposed use and density is inconsistent with rural land use and inconsistent with the overall outcomes of the Rural Zone. Also mentions caravan proposal for the development.</p>	<p>The applicant has provided the following comments in response to the issue raised:</p> <p><i>The rural zoning of the proposed land has been considered in the Development Application material. The overall outcomes and requirements of the rural zoning have been addressed through the section 242 Preliminary Approval application for the subject site.</i></p> <p><i>The application seeks to vary the effect of the planning scheme for the reasons listed in the Written Response letter submitted in the Information Request Response.</i></p> <p><i>As such it is not considered necessary to comply with all of the items under the rural zone code as the application seeks to vary these aspects to allow for the proposed development, justifiable despite the conflict.</i></p> <p><i>The facility provides parking for Recreational Vehicles, however to use the area for Caravan park purpose would be inconsistent with the Intent of the Master Plan Development Code.</i></p>

Points of Objection	Officers' Comment
	<p>It is acknowledged that the proposal does not align entirely with all the overall outcomes of the Rural Zone; however the proposal does seek to vary the effect of the Planning Scheme in instances where there is a diversion from the Planning Scheme. The development as a whole has shown sufficient planning merit to warrant approval. Also, a Caravan Park is not proposed or approved as part of this application.</p>
<p>The concern that the proposed development does not meet DEO's, stating the development:</p> <ol style="list-style-type: none"> 1. Is not consistent with rural character due to density 2. Inconsistent with orderly growth of Kalbar 3. Kalbar does not contain amenities, facilities and infrastructure to cope with the increase in density and population 4. High density development will put strain on access to community services and infrastructure Town of Kalbar does not require a retirement facility for 450 people 	<p>The applicant has provided the following comments in response to the issue raised:</p> <ol style="list-style-type: none"> 1. <i>The proposed development has been designed to meet the desired local character through the architectural design of the buildings and urban design and landscape treatment of the site. During the preparation of the plans inspiration was taken from historical buildings in the area and incorporated into the final design.</i> 2. <i>The proposed development is considered to be consistent with the orderly growth of Kalbar for a number of reasons:</i> <ul style="list-style-type: none"> - <i>The subject site sits within the boundary of the Urban Footprint surrounding Kalbar, meaning the site is intended to form part of the urban growth area surrounding Kalbar over the next 10-15 years.</i> - <i>Based on aerial imagery it is clear that the urban form of Kalbar is expanding toward the east. A review of applications on POnline shows that there have been a number of applications for the surrounding land intending for increased urban development.</i> 3. <i>As discussed in the Planning Report lodged with the application material the facilities located in Kalbar and in Boonah will provide the necessary facilities for the proposed development, with the remaining requirements supplemented by the on-site services.</i>

Points of Objection	Officers' Comment
	<p><i>The Bligh Tanner material lodged with the application and the Information Request Response demonstrate the sites ability to operate with the existing infrastructure.</i></p> <p>4. <i>The proposed development is not intended to only service the township of Kalbar, but also the broader regional area. The vision of the Kalbar Homestead is to provide a facility to age in place for the rural residents of the broader Scenic Rim Region and beyond.</i></p> <p><i>Considering the ageing population Australia is facing it is considered that facilities like this will be required as demonstrated in the housing needs assessment.</i></p> <p>As mentioned previously, the applicant has demonstrated the proposal achieves the overall intent of the Rural Zone and the Planning Scheme as a whole. The proposed site is also capable of connecting to all necessary services and is a logical expansion of urban development to the east of Kalbar. The applicant has also provided a Needs Assessment Report which identifies the need for this sort of development to cater for aging population. Conditions have been imposed that require the development to be connected to all necessary services and comply with Council standards.</p>
<p><i>Impact of development</i></p> <p>The concern that there will be undue detriment caused by development, e.g. noise, lighting, land value, impact on wildlife.</p>	<p>The applicant has provided the following comments in response to the issue raised:</p> <p><i>Considering the low density nature (i.e. not high density) of the development within the urban footprint as well as appropriate buffers and boundary setbacks, any external impact generated by the elderly residents are considered to be minimal.</i></p> <p>Conditions have been imposed that all lighting be designed in accordance with Australian Standards so as not to cause nuisance to neighbouring properties. Conditions have also been imposed in</p>

Points of Objection	Officers' Comment
	<p>respect to noise emissions causing nuisance. The applicant has provided a tree impact assessment report detailing how the vegetation on the site will be managed and protected. The buildings will also be designed to minimise the impact on the land.</p>
<p><i>Scenic views</i></p> <p>The concern that the development will block scenic views.</p>	<p>The applicant has provided the following comments in response to the issue raised:</p> <p><i>The design and siting of the buildings and structures take into consideration the scenic values of this area of Kalbar. When viewed from the public or private land the development will either be screened from view or appear to integrate with the rural setting through the use of character elements and materials, lightly placed / clustered on the landscape, mirroring the layout in the surrounding rural areas.</i></p> <p><i>The loss of scenic view is not considered to be substantial.</i></p> <p>The development has been designed to work with the land and to emulate an environmentally sensitive development. The development will also be heavily landscaped to reduce any negative visual amenity impacts which has been included as part of conditions of approval.</p>
<p><i>Bushfire hazard</i></p> <p>The concern that the development will trap the residents in event of a bushfire.</p>	<p>The applicant has provided the following comments in response to the issue raised:</p> <p><i>It has not been proposed to seal the residents of the adjoining land in. During the detailed design of this stage emergency access can be reviewed – refer to bushfire report lodged with the application material.</i></p> <p>The applicant has provided a bushfire hazard assessment for the site and recommends certain actions be undertaken to reduce the risk of bushfire. The submitted report has been included in conditions of approval.</p>

Points of Objection	Officers' Comment
<p><i>SPP & State Interest Mapping</i></p> <p>The concern that the relevant State Interests identified on the site, request application has addressed these items.</p>	<p>The applicant has provided the following comments in response to the issue raised:</p> <p><i>Relevant State interests over the subject site have been addressed by the application material as part of the assessment of the application, as outlined in section 6 of the Planning Assessment Report.</i></p> <p>A copy of the application was referred to the Department of Infrastructure, Local Government and Planning (DILGP) to assess State Government interests. The department responded on the 23 January 2015 having no objection or requirements towards the proposal.</p>
<p><i>Not Properly Made</i></p> <p>The concern that the application is not properly made due to Owner's Consent Form.</p>	<p>The applicant has provided the following comments in response to the issue raised:</p> <p><i>The application is considered to be properly made. All relevant owner's consent or powers of attorney will be provided separately to Council.</i></p> <p>It is the case that the signatory has power of attorney to act on behalf of the co-owner of the subject land. The applicant has provided a signed owners consent form in the application common material.</p>
<p><i>Overriding Planning Scheme</i></p> <p>The concern that the content of <i>Statutory Guideline 05/09</i>, in particular sufficient grounds, have not been addressed by the application.</p>	<p>The applicant has provided the following comments in response to the issue raised:</p> <p><i>The submission is incorrect in the assertion that sufficient grounds or the content of Statutory Guideline have not been addressed. In response to Council's Information Request the items raised in the submission have been addressed – refer to the Information Request Response material for further details, in particular in the Written Statement.</i></p> <p>In the applicant's response to Information Request, the applicant provided justification for the proposal and demonstrated compliance with <i>Statutory Guideline 05/09</i>.</p>

Points of Objection	Officers' Comment
<p><i>Housing Needs</i></p> <p>The concern that the need for this development and that distances and public transport does not service the site.</p>	<p>The applicant has provided the following comments in response to the issue raised:</p> <p><i>The need for this type of facility will increase in the future considering the changing population structure of Queensland and the region.</i></p> <p><i>The distances to the supporting facilities and surrounding localities have been reviewed as part of the application and considered against the function of the facility. The proximity to these facilities is balanced against providing a diversity of housing options for ageing Queenslanders allowing them to continue living in a rural environment. Taking this into consideration the distance to Kalbar is considered to be reasonable.</i></p> <p><i>Notwithstanding, and given the lack of public transport in rural areas, a regular shuttle bus service will be available for residents to access services.</i></p> <p>The subject site is approximately 2km from the Kalbar township and is considered to be in close proximity in context. The applicant has provided relevant reports which support the proposal and demonstrate the site will have access to necessary services. The applicant will be conditioned to construct a footpath to the Kalbar township to provide access to the town other than vehicle dependant travel. The applicant has also noted the use of a regular shuttle bus service for residents.</p>
<p><i>Topography</i></p> <p>The concern that residents will not be able to walk around site due to slope</p>	<p>The applicant has provided the following comments in response to the issue raised:</p> <p><i>The claim that residents will not be able to traverse the site appears to be erroneous and at odds with a number of facilities built on similar, if not steeper, slopes.</i></p> <p><i>The topography of the site has been considered and utilised in the design. Higher care facilities housing residents that are more likely to need mobility assistance</i></p>

Points of Objection	Officers' Comment
	<p><i>are located on the flatter, southern portion of the site. The less intense product of detached independent living units are provided on the northern part of the site for residents who do not require a higher level of care at this stage. To further assist the residents' ability to utilise the site, access ways that cater for mobility scooters and golf buggies will be provided – refer to the Design Package lodged with the application.</i></p> <p>Conditions have been imposed that require all internal parking areas, driveways, circulation aisles and manoeuvring areas are to be designed and constructed in accordance with Australian Standards and the certified by a Registered Professional Engineer of Queensland (RPEQ) prior to commencement of the land use. It is noted that pathways have been provided and will be managed by the developer within the private property.</p>
<p><i>Landscape & Ecology</i></p> <p>The concern that only fauna has not been addressed and that the landscaping is not sympathetic to the character and beauty of the Scenic Rim.</p>	<p>The applicant has provided the following comments in response to the issue raised:</p> <p><i>Fauna in the region has been considered in the design. The Tree Protection Management Plan suggests fauna friendly fencing for the development, which will be further considered at the detailed design phase.</i></p> <p><i>The suggestion that the landscaping constitutes an overdevelopment is also considered to be an exaggeration, considering 33.74 ha of land (84.34% of the site) will be provided as general open space and the response to item 3 regarding density. Furthermore, the enhancement of the watercourse corridor will increase the amenity of the site and area, while also increasing the connectivity of the corridor.</i></p> <p><i>The design of the landscape and open space was prepared through a comprehensive process of creating a bucolic character. By incorporating</i></p>

Points of Objection	Officers' Comment
	<p><i>indigenous stone and timbers in the hardscape palette, and a careful selection of plants and trees from the local environment the landscape concept plan is considered to be sympathetic to the character of Scenic Rim and in particular, Kalbar.</i></p> <p>The applicant has provided a landscaping plan that is considered to be appropriate for the site. The proposal has not shown any aspect of the development that would be considered detrimental to the fauna of the local area. As mentioned above, the tree protection management plan references fauna friendly fencing; which this plan will be condition as part of the conditions package to be adhered to when constructing fences.</p>
<p><i>Traffic</i></p> <p>The concern that traffic generation calculations are incongruous and the 100km speed limit in front of the site is not suitable for the development.</p>	<p>The applicant has provided the following comments in response to the issue raised:</p> <p><i>The assertion that the traffic calculations prepared for the site are incongruous does not seem to be supported by further evidence, nor does it suggest specific ways in which the traffic generation would cause undue impacts.</i></p> <p><i>On the other hand, the findings by Bitzios Traffic Engineers demonstrate the traffic generated operation of the proposed development. The Traffic Impact Assessment lodged with the application concludes by stating 'As a result of these findings we conclude that there are no major adverse impacts caused by the development on the local or State road network.'</i></p> <p><i>The 100km speed limit on Teviotville Road has been considered and addressed in the Information Request Response. While Bitzios demonstrate the site can operate safely in the existing environment, it would be of benefit in terms of safety and amenity for the speed sign to shift east for reason beyond the proposed development. Refer to the Traffic and Transport</i></p>

Points of Objection	Officers' Comment
	<p><i>Information Request Response for full details.</i></p> <p>The applicant has demonstrated to Council in the response to Information Request that the development will not cause unsafe traffic conditions. The application has also been assessed by Council engineers whom have accepted the applicant's traffic report.</p>
<p><i>Wastewater & Stormwater</i></p> <p>The concern that the wastewater system proposed for Stage 4; noting requirement for ERA 63 and the area allowed for transpiration is not sufficient. The concern the design does meet the requirements of Planning Scheme Policy 2.</p>	<p>The applicant has provided the following comments in response to the issue raised:</p> <p><i>While the comments made in the submissions are correct, they do not properly represent the Bligh Tanner Water and Wastewater report lodged with the Development Application. The comments made can be addressed as follows:</i></p> <ul style="list-style-type: none"> - <i>The submissions state, 'The report further states an output of 41.5kL/day for individual systems.' To clarify this, this is the estimated Average Dry Weather Flow for all the individual systems in Stage 4, not for each individual system;</i> - <i>The Gibson letter raises a number of technical issues in relation to the irrigation of treated effluent and supports the discussion by reference to the Council Planning Scheme Policy 2 (PSP2). It is noted that PSP2 relates to stand alone single household systems, requiring Council plumbing approval of irrigation areas, whereas the intention is that the combined Stage 4 system will be approved by the Department of Environment and Heritage Protection (DEHP) in accordance with the Environment Protection Act. DEHP approval will require a more detailed analysis using the Model for Effluent Disposal by Land Irrigation (MEDLI) to demonstrate sustainability. It is noted that the MEDLI is specifically for analysis of wastewater irrigation and is considered a higher order of analysis than the methods provided in PSP2 and AS1547. The Bligh Tanner report included preliminary</i>

Points of Objection	Officers' Comment
	<p><i>MEDLI modelling and the following is noted:</i></p> <ul style="list-style-type: none"> - <i>The MEDLI results considered a range of irrigation areas from 1.2Ha to 3.3Ha. The total area of Stage 4 is approximately 20Ha, and for 109 dwellings plus associated road/driveway access the total area would be approximately 6Ha, leaving 14Ha for wastewater irrigation. This is well in excess of the estimated amount required;</i> - <i>MEDLI analysis estimates the mass balance for nutrients and water on a daily basis over 40 years (1964 to 2004), including a 100kL wet weather storage. This demonstrates that over that period there would not have been expected to be any runoff of effluent (even during wet periods) and that the nutrients are sustainably used or adsorbed into the soil structure;</i> - <i>In respect to PSP no. 2, it is considered that the site effluent disposal system can effectively meet the various parameters noted by the submission, i.e. land slope, flood level, soil/rock depths etc;</i> - <i>As the Bligh Tanner Report notes, the management of the individual site systems for effluent treatment and disposal is subject to obtaining DEHP approval and it is normal that EHP officers would scrutinise the proposal along with such things as the MEDLI analysis at that time. Bligh Tanner have considerable experience with the management of this kind of system (Bligh Tanner wrote Draft Guidelines for Decentralised Wastewater Systems for DERM some years ago), and whilst it is considered the proposal to be robust, sound engineering, a 'fall back' solution has been considered and can be implemented if necessary.</i> <p>The issue of wastewater is managed by Queensland Urban Utilities (QUU) since 2014.</p>

Points of Objection	Officers' Comment
	<p>Correspondence was included within the application common material from QUU which indicate support in principle of the applicants' proposal subject to certain criteria. It is noted that future stages will need to lodge an application for Development Permit of which the water and wastewater arrangements will need to be designed to comply.</p>
<p><i>Master Plan Items</i></p> <p>The concern that the use may be converted to a different residential use.</p>	<p>The applicant has provided the following comments in response to the issue raised:</p> <p><i>The concern of the use being converted in the future is not based on a reasonable planning process. If the land is desired to be converted in the future to a different residential use, the proposal would be subject to a new Development Application, therefore subject to full scrutiny of the development assessment process. – refer to use definitions and Level of Assessment Table in the Master Plan Development Code.</i></p> <p>The application is for Multiple Dwelling (Residential Aged Care Facility & Supported Living Apartments), Caretaker's Residence and Undefined Landuse (Sales Office). Any diversion from the approved landuses will require compliance with the proposed Master Plan Development Code or the Planning Scheme. Where it is not Self Assessable, a new application will need to be lodged to Council for approval and will again follow due planning processes. As such, any diversion from the approval will most likely trigger a new town planning application.</p>
<p>The concern that the application seeks flexibility for future development and that the proposed self-assessable aspects in Stage 4 are not acceptable.</p>	<p>The applicant has provided the following comments in response to the issue raised:</p> <p><i>We consider the proposed arrangement of Stage 4 being 'Self-assessable' as reasonable arrangement. The proposed uses in stage 4 are a less intense development and as a result create less of an impact on the site.</i></p>

Points of Objection	Officers' Comment
	<p><i>Furthermore, the matters that require consideration and assessment for this development have been addressed by the current application, for example the traffic matters, design and landscaping, the road design and access.</i></p> <p><i>As the planning matters for Stage 4 have been considered and addressed, and the Master Plan Development Code requires future works to be delivered generally in accordance with these plans, it is reasonable for future applications be 'Self-assessable.'</i></p> <p><i>Development subject to self-assessment has been regulated to a sufficient level of certainty about what can occur. Provisions are akin to that for the creation of residential lots in a subdivision where future houses, compliant with self-assessable provisions are not assessed by Council.</i></p> <p><i>While standard subdivision is not proposed (nor appropriate) in this case the density, building separation and envelope provisions will have the same effect.</i></p> <p>The applicant has provided sufficient detail in the subject application for officers to assess the development as a whole, including all components of future Self-Assessable development. The future stages will consist of only detached and attached dwellings with the exception of the Community Building which is in Stage 2. The development again will be limited to the proposed layout and any changes will trigger a separate application in which Council will assess any new impacts. The proposed Master Plan Code also includes provisions akin the current Planning Scheme to control the design of future dwellings, such as building heights, setbacks and density. As such, the applicant has shown sufficient merit to allow future development to be Self-Assessable when in accord with the approval or the Planning Scheme.</p>

Points of Objection	Officers' Comment
<p>The concern that a staged development should be proposed rather than a section 242 overriding the planning scheme and that the approval identifies building envelopes. Also the all future stages are Code Assessable.</p>	<p>The applicant has provided the following comments in response to the issue raised:</p> <p><i>This approach has been taken over a 'staged' approach to allow for flexibility to match future demand, e.g. in one instance only a small group of the facilities may be required as compared to future years, i.e. future stage requirements are unknown.</i></p> <p><i>The requirement for set building envelopes is not necessary as the same outcome is achieved by the Master Plan Development Code. The Stage 4 development will be assessed against the Master Plan Development Code Criteria which require the buildings to be located generally in accordance with the Master Plan Design Package, thus achieving the outcome of set building envelopes – refer to the previous response.</i></p> <p><i>If the proposed future development is not provided generally in accordance with the approved plans, and prescriptive acceptable solutions, the proposed development will require a new application.</i></p> <p>The application consists of four (4) stages and is reliant on a Preliminary Approval to facilitate the development in a holistic manner. Building envelopes are not considered necessary in this instance given the site is not heavily constrained by bushfire, steep slope or significant vegetation. Additionally, standard building setbacks have been included in the Master Plan Code. While future landuses' may be Self-Assessable in the future stages, any deviation from the approved layout will require a separate application and further assessment.</p>
<p>The concern that the Code should state the Regional Plan, where not varied, applies. Continues to suggest changes to section 7.1 should be amended to state relevant sections of Planning Scheme</p>	<p>The applicant has provided the following comments in response to the issue raised:</p> <p><i>It may be the case the submission did not consider the most up to date version of the Code provided in</i></p>

Points of Objection	Officers' Comment
<p>apply where not overridden.</p>	<p><i>response to the Information Request. The Master Plan Development Code does identify which parts of the scheme are overridden and when the proposed code does apply.</i></p> <p>The applicant has detailed in the Master Plan Code how the proposal specifically seeks to vary the effect of the Planning Scheme. Where the Code is silent about an issue, the Planning Scheme takes effect. In accordance with the <i>South East Queensland Regional Plan (SEQRP)</i>, the site is designated within the Urban Footprint and all development must still comply with the SEQRP.</p>
<p>The concern in relation to the definition of Integrated Retirement Facility and that the changes to definitions under Master Plan Development Code are slightly ambiguous.</p>	<p>The applicant has provided the following comments in response to the issue raised:</p> <p><i>An Integrated Retirement Facility is a retirement facility that offers the full suite of services, from independent living units through to high level residential aged care. The residents are supported by various services and additional entertainment and recreation facilities that allow residents to age in place allowing people to become part of community and have a sense of homeliness and belonging.</i></p> <p><i>Changes to the definitions under the Master Plan Development Code are not considered reasonable. When read and considered as a part of the full Development Code the certainty the submission seeks is achieved.</i></p> <p><i>Changing the definition of Central Facilities to state it is for the sole use of residents is unreasonable and would only act to segregate the facilities community from the broader Kalbar and Scenic Rim community, degrading social sustainability and is counter to the latest aged care integrated model.</i></p> <p>The proposed Master Plan Code entails specific landuse terms and definitions which override the Planning Scheme where there is an inconsistency.</p>

Points of Objection	Officers' Comment
	<p>The proposed terms which are complimented by the approved plans ensure the site will be developed as intended. The proposed definitions are appropriately worded to give enough certainty to decipher what the actual use will be.</p>
<p>The concern that a ten (10) year sunset clause on approval is needed.</p>	<p>The applicant has provided the following comments in response to the issue raised:</p> <p><i>A 10 year 'sunset clause' seems unreasonable for a development of the this size and scale. Taking into consideration the time required to carry out the development in full a 20 year horizon for this project is more reasonable.</i></p> <p>The application has sought a <i>Prescribed Period</i> of ten (10) years to complete the development in accordance with Section 343 of the <i>Sustainable Planning Act 2009</i>, of which Council officers support.</p>
<p><i>Contamination</i></p> <p>The concern that the site is not on the Contaminated Land Register and that testing be completed.</p>	<p>The applicant has provided the following comments in response to the issue raised:</p> <p><i>As noted the site has not been identified on the Contaminated Land Register and as such is not considered to be an issue for this application. The concern from the submitter is appreciated and the matter has been noted for consideration outside of the Development Application. To the best of our knowledge the site history and site inspection indicate the land never included a cattle dip.</i></p> <p>The site is not registered on the Contaminated Land Register and Council is not aware of any evidence of the site being at risk of contamination.</p>
<p><i>Firefighting & Water Supply</i></p> <p>The concern is that scenic amenity will be impacted by water tanks.</p>	<p>The applicant has provided the following comments in response to the issue raised:</p> <p><i>Above ground water supply measures have not been proposed. If these are proposed in the future they will be required to meet the</i></p>

Points of Objection	Officers' Comment
	<p><i>standards set by the relevant codes, sufficient for fire and general supply needs.</i></p> <p>Rainwater tanks have not been proposed as part of the application; however a condition has been imposed that rainwater tanks be screened from view from adjoining properties or public roads.</p>
<p><i>Operator</i></p> <p>The concern that the operator of facility is not listed in development application.</p>	<p>The applicant has provided the following comments in response to the issue raised:</p> <p><i>The listed operator of the facility once implemented is not a relevant planning matter. This has been passed on and can be considered outside of the planning application.</i></p> <p>The eventual operator of the development is a private matter and not a planning concern. The eventual operator will be required to operate and comply within the parameters of the approval.</p>
<p><i>Demographics</i></p> <p>The concern that the development will be highest density development in Kalbar, potentially increasing population by 58%.</p>	<p>The applicant has provided the following comments in response to the issue raised:</p> <p><i>The demographics of the Kalbar Township have been noted and considered during the application process.</i></p> <p><i>The assertion in the submission does not appear to be fully considered. The following comments address each of the points raised:</i></p> <ul style="list-style-type: none"> <i>- While the census figure provided is correct, it does not fully consider population movement (growth over time), nor population structure, which are all relevant factors in the equation.</i> <i>- Using a percentage increase is misleading as in real terms the increase would not be nearly as drastic. It is also important to consider the proposed development will not be provided in one instalment, rather being implemented over an extended period (i.e. not built in full instantly)</i>

Points of Objection	Officers' Comment
	<p>- <i>Focusing only on the Kalbar demographics is misleading as the vision of the proposed development is to service the broader region, meaning the population, housing need, impact management and economic benefit statistics for the region would be a far more useful to assess against the development.</i></p> <p>The development is proposed to be developed over four (4) stages and has a time period of 10 years to complete. The applicant has also submitted technical reports that support the proposed density in terms of servicing the development. As such, the proposed growth and ultimate density after Stage 1 will be in essence market driven process and will be constructed based on the market needs.</p>

Internal Referrals

Health, Building and Environment – Building and Plumbing

Council's internal Building Section has reviewed the application and advised that the applicant would need to submit a future building and plumbing application for the proposed buildings.

Health, Building and Environment – Environmental Policy

Council's Environment Policy section has assessed the application and has provided suitable conditions in respect to biosecurity matters preventing the further spread of a declared noxious weed onsite.

Health, Building and Environment – Health

Council's Environmental Health Section has assessed the application and advised that they have no objections to the proposal subject to the imposition of suitable conditions. Conditions have been provided in relation to air contaminants, light emissions, noise disturbance and emission limits, waste storage and removal, portable water hygiene, and mosquito control. Further advice was also provided in relation to future food licenses and advertising signs.

Development Assessment - Flooding

Council's internal Development Assessment Section (DA Flooding) has assessed the application against the relevant Planning Scheme Policies. DA Flooding have no objections subject to the imposition of relevant conditions. Conditions have been provided in respect to building floor levels and maintaining flood storage capacity.

Development Assessment - Engineering

Council's internal Development Assessment Section (DA Engineering) has assessed the application against the relevant Planning Scheme Policies. DA Engineering have advised that they have no objections subject to the imposition of relevant conditions. Conditions have been provided in respect to car parking and access, stormwater discharge and disposal, earthworks design and management, electrical works and car park lighting and general security.

Infrastructure Services

Council's internal Infrastructure Services Section has assessed the application and advised that they have no objections to the proposed development. A condition has been included requiring a future application for Operational Works (Landscaping on Private Land) to be submitted to Council for approval.

External Referrals*Department of Infrastructure, Local Government and Planning (DILGP)*

A copy of the application was referred to the Department of Infrastructure, Local Government and Planning (DILGP) through the State Assessment and Referral Agency (SARA) process in accordance with Section 273 of the *Sustainable Planning Act 2009*. Subsequently, correspondence dated 23 January 2015 was received from SARA advising that the Department had no objection or requirements towards the proposed development.

Conclusion

Council is in receipt of an application seeking an approval for a combined 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 a 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)).

Through the assessment process, the subject application has addressed the relevant provisions of the Planning Scheme. Where there is a perceived conflict, reasonable and relevant conditions have been imposed to ensure compliance.

As such, it is recommended that Council approve the proposed development subject to reasonable and relevant conditions entailed within the Director's Recommendation.

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
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

Plan Number	Title	Date	Prepared by
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
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 ₉₀	Background +10dB(A) 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 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.

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@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
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

Item Author: Manager Planning

File Reference: COMBd14/002

Reason for Confidentiality

This report is **CONFIDENTIAL** in accordance with Section 275(1)(f) of the Local Government Regulation 2012, which permits the meeting to be closed to the public for business relating to the following:-

- (f) starting or defending legal proceedings involving it.

8. MISCELLANEOUS BUSINESS