MATERIAL CHANGE OF USE (CODE ASSESSMENT) RETIREMENT VILLAGE – 52-58 SWALLOW STREET & 373-387 MCCOOMBE STREET MOOROOBOOL – DIVISION 5

S M Cook : 8/7/1676 : #2364368

PROPOSAL: RETIREMENT VILLAGE

APPLICANT: YEATES CONSULTING PTY LTD
37 LEICHHARDT ST
SPRING HILL QLD 4004

LOCATION OF SITE: 52-58 SWALLOW STREET &
373-387 MCCOOMBE STREET
MOOROOBOOL QLD 4870

PROPERTY: LOT 31 SP196731 & LOT 32 SP196731

PLANNING DISTRICT: INNER SUBURBS

PLANNING AREA: RESIDENTIAL 3

PLANNING SCHEME: CAIRNSPLAN 2009

REFERRAL AGENCIES: DEPARTMENT OF ENVIRONMENT & RESOURCE MANAGEMENT

NUMBER OF SUBMITTERS: ONE

STATUTORY ASSESSMENT DEADLINE: 23 NOVEMBER 2009

APPLICATION DATE: 03/07/2009

DIVISION: 5

APPENDIX:
1. APPROVED PLAN(S) & DOCUMENT(S)
2. DEVELOPER CONTRIBUTION CALCULATIONS
3. SUPPORTING INFORMATION TO PLANNING REPORT
RECOMMENDATION:

That Council approves the development application for Retirement Village on land described as Lot 31 SP196731 & Lot 32 SP196731, located at 52-58 Swallow Street & 373-387 McCoombe Street, Mooroobool, subject to the following:

APPROVED DRAWING(S) AND / OR DOCUMENT(S)
The term ‘approved drawing(s) and / or document(s)’ or other similar expressions means:

<table>
<thead>
<tr>
<th>Drawing or Document</th>
<th>Reference</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Site Plan</td>
<td>604 DD-01 Rev C</td>
<td>30 June 2009</td>
</tr>
<tr>
<td>Site Elevations</td>
<td>607 DD-02 Rev B</td>
<td>30 June 2009</td>
</tr>
<tr>
<td>Community Centre Floor Plans</td>
<td>607 DD-03 Rev B</td>
<td>30 June 2009</td>
</tr>
<tr>
<td>Community Centre Elevations</td>
<td>607 DD-04 Rev B</td>
<td>30 June 2009</td>
</tr>
<tr>
<td>House Type A Plans</td>
<td>607 DD-05 Rev B</td>
<td>30 June 2009</td>
</tr>
<tr>
<td>House Type B Plans</td>
<td>607 DD-06 Rev B</td>
<td>30 June 2009</td>
</tr>
<tr>
<td>House Type C Plans</td>
<td>607 DD-07 Rev B</td>
<td>30 June 2009</td>
</tr>
<tr>
<td>House Type D Plans</td>
<td>607 DD-08 Rev B</td>
<td>30 June 2009</td>
</tr>
</tbody>
</table>
ASSESSMENT MANAGER CONDITIONS

1. Carry out the approved development generally in accordance with the approved drawing(s) and/or document(s), and in accordance with:-
   a. The specifications, facts and circumstances as set out in the application submitted to Council;
   b. The following conditions of approval and the requirements of Council’s Planning Scheme and the FNQROC Development Manual.

   Except where modified by these conditions of approval.

Timing of Effect

2. The conditions of the Development Permit must be effected prior to Commencement of Use, except where specified otherwise in these conditions of approval.

Operational Works

3. An Operational Works Approval is required for the internal road network, nominated earthworks and water and sewer works associated with the development. Such works must be completed to the satisfaction of the Chief Executive Officer prior to Commencement of Use or approval and dating of the Building Format Plan, whichever occurs first. Where plans are required, three A1 size (3) copies of the plans and one copy at A3 size must be submitted to Council.

Amended Plan

4. An amended plan of development must be provided which clearly identifies the following requirements:
   a. The location of the refuse storage area. The refuse storage area must be designed and sited so as to be unobtrusive and screened from view from the street frontage. It must be demonstrated that appropriate access and sufficient manoeuvrability area for refuse collection services exists.

   The amended plan must be endorsed by the Chief Executive Officer prior to issue of a Development Permit for Building Work.

Air-conditioning Screens

5. Air conditioning units located above ground level and visible from external properties and the street must be screened with appropriate materials to improve the appearance of the building. Such screening must be completed prior to the Commencement of Use.
Water Supply Contributions

6. Pay a monetary contribution to Council in accordance with the Planning Scheme Policy towards the provision of water supply infrastructure.

Contributions must be paid at the rates applicable at time of payment. On the present method of calculation, the contributions are $296,491.80 (80.068 ERAs).

Payment is required prior to Commencement of Use or approval and dating of the Building Format Plan, whichever occurs first.

Wastewater Contributions

7. Pay a monetary contribution to Council in accordance with the Planning Scheme Policy towards the provision of sewerage infrastructure.

Contributions must be paid at the rates applicable at time of payment. On the present method of calculation, the contributions are $362,467.84 (80.068 ERAs).

Payment is required prior to Commencement of Use or approval and dating of the Building Format Plan, whichever occurs first.

Road Network Contributions

8. Pay a monetary contribution to Council in accordance with the Planning Scheme Policy towards the provision and upgrading of the road network.

Contributions must be paid at the rates applicable at time of payment. On the present method of calculation, the contributions are $123,712.60 (10.6 ERAs).

Payment is required prior to Commencement of Use or approval and dating of the Building Format Plan, whichever occurs first.

Community Purpose Infrastructure Contributions

9. Pay a monetary contribution to Council in accordance with the Planning Scheme Policy towards the provision of Community Purpose Infrastructure.

Contributions must be paid at the rates applicable at time of payment. On the present method of calculation, the contributions are $2,051.70 (1.03 EPs).

Payment is required prior to Commencement of Use or approval and dating of the Building Format Plan, whichever occurs first.
Stormwater Quality

10. Pay a monetary contribution to Council in accordance with Council’s Trunk Infrastructure Contributions Policy towards the improving Stormwater Quality.

Contributions must be paid at the rates applicable at time of payment. On the present method of calculation, the contributions are $8,781.19 for Stormwater Quality.

Payment is required prior to Commencement of Use or approval and dating of the Building Format Plan, whichever occurs first.

Public Art Contribution

11. Pay a monetary contribution to Council in accordance with Council’s General Policy – Public Art towards the provision of Public Art within the community.

Contributions must be paid at the rates applicable at time of payment. On the present method of calculation, the contributions are $2,500.00.

Payment is required prior to Commencement of Use or approval and dating of the Building Format Plan, whichever occurs first.

Water Supply and Sewerage Works External

12. Undertake the following water supply and sewerage works external to the site to connect the site to existing water supply and sewerage infrastructure:

   a. Augment existing water supply infrastructure to the extent necessary such that the development does not adversely affect the water supply to adjacent properties and such that a water service connection can be provided at the lot frontage;

   b. Augment existing sewers and pump station downstream of the site, to the extent required to accommodate the increased flows generated by the development;

The external works outlined above require approval from Council in accordance with Local Law 22 – (Activities on Roads). Three (3) copies of a plan of the works at A1 size and one (1) copy at A3 size must be endorsed by the Chief Executive Officer prior to commencement of such works. Such work must be constructed in accordance with the endorsed plan to the satisfaction of the Chief Executive Officer prior to Commencement of Use or approval and dating of the Building Format Plan, whichever occurs first.
Water Supply and Sewerage Works Internal

13. Undertake the following water supply and sewerage works internal to the subject land:-

a. The development must be serviced by a single internal water and sewerage connection made clear of any buildings or structures;

b. Water supply sub-metering must be designed and installed in accordance with the Plumbing and Drainage Act 2002 and the Water Supply (Safety and Reliability) Act 2008;

c. Relocate the existing sewer or site the proposed building such that the sewer is a minimum of 1.5 metres away from the building and clear of the zone of influence from the footings and foundations of any building/structure.

All the above works must be designed and constructed in accordance with the FNQROC Development Manual.

All works must be carried out in accordance with the approved plans, to the requirements and satisfaction of the Chief Executive Officer prior to Commencement of Use or approval and dating of the Building Format Plan, whichever occurs first.

Three (3) copies of a plan of the works must be endorsed by the Chief Executive Officer prior to the issue of a Development Permit for Operational Works.

Sewer Easement

14. Create an easement in favour of Council having a width of 3 metres over the existing / proposed sewer within the site to the requirements and satisfaction of the Chief Executive Officer. A copy of the easement documents must be submitted to Council for the approval by Council's solicitors at no cost to Council.

The approved easement documents must be lodged and registered with the Department of Environment and Resource Management in conjunction with the Plan of Survey prior to the Commencement of Use.

Inspection of Sewers

15. CCTV inspections of sewers must be undertaken both prior to commencement of works on site and at works completion where works have been undertaken over or to sewers. Defects must be rectified to the satisfaction of the Chief Executive Officer at no cost to Council prior to Commencement of Use or approval and dating of the Building Format Plan, whichever occurs first.
Damage to Infrastructure

16. In the event that any part of Council’s existing sewer/water infrastructure is damaged as a result of construction activities occurring on the site, including but not limited to, mobilisation of heavy earthmoving equipment, stripping and grubbing, the applicant/owner must notify Cairns Water immediately of the affected infrastructure and have it repaired or replaced by Cairns Water, at the developers cost, prior to the Commencement of Use or approval and dating of the Building Format Plan, whichever occurs first.

Water Saving

17. All toilet devices in the development must be fitted with dual flush cisterns and showers and hand basins in the development must be fitted with flow control valves or similar water control devices to generally restrict flow to 9 litres of water per minute.

Vehicle Parking

18. The amount of vehicle parking must be as specified in Council's Planning Scheme which is a minimum of 77 spaces of which 13 must be provided as visitor spaces. The car parking layout must comply with the Australian Standard AS2890.1 2004 Parking Facilities - off street car parking and be constructed in accordance with Austroads and good engineering design. In addition, all parking, driveway and vehicular manoeuvering areas must be imperviously sealed, drained and line marked.

Protection of Landscaped Areas From Parking

19. Landscaped areas adjoining the parking area must be protected by a 150mm high vertical concrete kerb or similar obstruction. The kerb must be set back from the garden edge sufficiently to prevent vehicular encroachment and damage to plants by vehicles.

Bicycle Parking

20. Provide secured, on-site bicycle parking in accordance with Table 10-1 of AUSTROADS Guide to Traffic Engineering Practice Part 14 - Bicycles. Based on the provisions in Table 10-1 (page 133). The bicycle parking area must be constructed prior to Commencement of Use.

Lighting

21. All lighting installed upon the premises including car parking areas must be certified by Ergon Energy (or such other suitably qualified person). The vertical illumination at a distance of 1.5 metres outside the boundary of the subject land must not exceed eight (8) lux measured at any level upwards from ground level.
External Works

22. Undertake the following works external to the land at no cost to Council:

   a. Construct a 2.0 metre wide concrete footpath to McCoombe Street and Swallow Road frontages in accordance with FNQROC Development Manual Standard Drawing 1035; Kerb ramps must be fitted with Tactile Ground Surface Indicators in accordance with Australian Standard AS1428.4: 2002 Design for Access and Mobility Part 4: Tactile Indicators.

   b. Provision of a concrete crossovers and aprons in accordance with FNQROC Development Manual Standard Drawing 1015;

   c. The applicant is to confirm that the street lighting to both McCoombe and Swallow Streets complies with requirements of the FNQROC Development Manual. In the event that the lighting does not comply the applicant is to upgrade the lighting to achieve compliance;

   d. Repair any damage to existing kerb and channel, footway or roadway (including removal of concrete slurry from footways, roads, kerb and channel and stormwater gullies and drain lines) that may occur during and works carried out in association with the construction of the approved development.

All works in the road reserve need to be properly separated from pedestrians and vehicles, with any diversions adequately signed and guarded. Particular attention must be given to providing safe passage for people with disabilities i.e. the provision of temporary kerb ramps if pedestrian diversions are necessary.

The external works outlined above require approval from Council in accordance with Local Law 22 – (Activities on Roads). Three (3) copies of a plan of the works at A1 size and one (1) copy at A3 size must be endorsed by the Chief Executive Officer prior to commencement of such works. Such work must be constructed in accordance with the endorsed plan to the satisfaction of the Chief Executive Officer prior to Commencement of Use or approval and dating of the Building Format Plan, whichever occurs first.

Above Ground Transformer Cubicles/ Electrical Sub-Stations

23. Above ground transformer cubicles and/or electrical sub-stations are to be positioned so that they do not detract from the appearance of the streetscape and must be clear of footpath areas. This will require cubicles/sub-stations to be setback from the street alignment behind a screen of landscaping, or incorporated within the built form of the proposed building. Details of the electrical sub-station positioning must be endorsed by the Chief Executive Officer prior to the issue of Development Permit for Building Work.
Under Grounding of Electricity Supply

24. All electricity lines along the full frontages of the subject site are to be placed underground. Such works are to be undertaken by Ergon Energy or an Ergon Energy approved contractor at the applicant’s expense.

Street lighting along the full frontages is to be upgraded to the applicable Lighting Category and lighting columns are to be of steel construction.

Ergon Energy must be notified of these requirements when making application for power supply.

All works must be completed prior to Commencement of Use or approval and dating of the Building Format Plan, whichever occurs first.

Internal Drainage Works

25. The applicant/owner must undertake drainage works to the site to ensure that stormwater is conveyed from the site in accordance with the FNQROC Development Manual and Planning Scheme requirements. The following drainage information / works are required:

   a. Construct a 600mm wide concrete invert in the base of each of the proposed swale drains for the full length of the drain;

   b. The applicant/owner shall ensure that the drainage from the swale drains is delivered to the existing underground stormwater drainage system while still maintaining a Q5 flood immunity level for the required pedestrian footpath;

   c. The applicant/owner shall ensure that the stormwater runoff from the proposed development in a Q5 storm event, will be fully contained within the propose swale drain (C/section2), inclusive of any freeboard required.

   d. The applicant/owner shall provide scour protection / redirectional structures for the stormwater at points at which either:

      i) The stormwater velocity is greater than 2.5m/s; or
      ii) The direction of the stormwater is changed by more than 45 degrees.

   e. Identify the need and tenure for flood detention areas to ensure a no worsening impact on downstream properties for the entire development.
The applicant/owner is to provide detailed plans and calculations demonstrating that the above requirements can be satisfied. Such information must be submitted to and be endorsed by the Chief Executive Officer prior to issue of a Development Permit for Operational Work. The proposed works listed above must be designed such that they do not result in the removal of trees which are nominated to be kept on the approved plans.

**Acid Sulfate Soil Investigation**

26. Undertake an Acid Sulfate Soil investigation in the area to be affected by this development. Soil sampling and analysis must be undertaken in accordance with procedures specified in, ‘Guidelines for Sampling and Analysis of Lowland Acid Sulfate Soils in Queensland’ (1998) or updated version of document produced by Department of Environment and Resource Management (Previously DNRW – QASSIT), and State Planning Policy 2/02 - ‘Planning and Managing Development involving Acid Sulfate Soils’. The results of this investigation must be submitted to Council for approval prior to any earthworks or clearing being commenced on the site.


**Stockpiling and Transportation of Fill Material**

27. Soil used for filling or spoil from the excavation is not to be stockpiled in locations that can be viewed from adjoining premises or a road frontage for any longer than one (1) month from the commencement of works.

Transportation of fill or spoil to and from the site must not occur within:

   a. peak traffic times; or
   b. before 7am or after 6pm Monday to Friday; or
   c. before 7 am or after 1pm Saturdays; or
   d. on Sundays or Public Holidays.

28. Dust emissions or other air pollutants, including odours, do not extend beyond the boundary of the site and cause a nuisance to surrounding properties.
Storage of Machinery & Plant

29. The storage of any machinery, material and vehicles must not cause a nuisance to surrounding properties, to the satisfaction of the Chief Executive Officer.

Landscaping Plan

30. The site must be landscaped in accordance with details included on a Landscaping Plan. The Landscaping Plan must show:

Planting Design

a. The location and species of all existing trees, with an indication as to whether each tree is to be retained or removed, and natural and finished ground levels if filling is to occur in the vicinity of any tree.

b. The inclusion of individual character through landscape design and plant species for the various streets within the development;

c. A planting design which is in accordance with the FNQROC Development Manual;

d. A planting design that does not include any species that are identified as Declared or Environmental Weeds or constitute an Invasive Species;

e. Provide a hierarchy of planting, which includes shade trees, shrubs and groundcovers;

f. The revegetation of the batter slopes.

Hard Landscaping Works

g. Details of any perimeter, private yard or street fencing;

h. Protection of landscaped areas adjoining parking areas from vehicular encroachment by a 150mm high vertical concrete kerb or similar obstruction;

i. Clothes drying areas screened from public view and have access to natural sunlight.

Two (2) A1 copies and one (1) A3 copy of the landscape plan must be endorsed by the Chief Executive Officer. The approval and completion of all landscaping works must be undertaken in accordance with the endorsed plan prior to the issue of a Certificate of Classification or Commencement of Use whichever occurs first. Landscaped areas must be maintained at all times to the satisfaction of the Chief Executive Officer.
Vegetation Clearing

31. Existing vegetation on the subject land must be retained in all areas except those affected by the construction of roadworks/access driveways, the installation of services as detailed on the approved plans as stated in Condition 1. Any further clearing requires an Operational Works Approval.

Vegetation to be retained is to be identified and adequately fenced off for protection purposes prior to construction work commencing on the site.

Lawful Point of Discharge

32. All stormwater from the property must be directed to a lawful point of discharge such that it does not adversely affect surrounding properties or properties downstream from the development, all to the requirements and satisfaction of the Chief Executive Officer.

Minimum Fill and Floor Levels: CBD and Environs Area - Zone 2

33. All floor levels in all buildings must be located a minimum of 150mm above the Q100 flood immunity level of 4.0 metres AHD, in accordance with FNQROC Development Manual, the CBD Environs Drainage Management Plan and Planning Scheme requirements.

Note that 150mm is the minimum allowable freeboard and Council recommends a freeboard of 300mm. Council's current records indicate existing ground levels of approximately 1.8 – 5.8 metres.

The development of the site must not consume more than sixty (60) percent of the existing flood storage volume of the site and must be conducted so as not to impede or hinder the surface water flow onto or off the subject land.

Three (3) copies of a plan of works, with supporting flood storage volume calculations, must be submitted to and be endorsed by the Chief Executive Officer prior to issue of a Development Permit for Building Work.

Sediment and Erosion Control

34. Soil and water management measures must be installed/implemented prior to discharge of water from the site, such that no external stormwater flow from the site adversely affects surrounding or downstream properties (in accordance with the requirements of the Environmental Protection Act 1994, and the FNQROC Development Manual).

Screen Fence

35. A screen fence must be provided to the side boundaries of the subject land, to the satisfaction of the Chief Executive Officer. The fencing must be consistent in terms of design and materials with other fences in the locality. The fencing must be completed prior to the Commencement of Use.
Street Fencing

36. Any proposed fences and/or walls to any road frontage are to be limited to the following:

a. 1.2 metres in height if solid; or
b. 1.5 metres in height if at least 25% visually transparent; or
c. 1.8 metres in height if at least 50% visually transparent.

Details of the street fencing must be included in the Landscape Plan and be endorsed by the Chief Executive Officer prior to the issue of a Development Permit for Building Work.

Ponding and / or Concentration of Stormwater

37. The proposed development is not to create ponding nuisances and / or concentration of stormwater flows to adjoining properties.

Refuse Storage

38. Refuse storage is required to service the site in accordance with Council requirements. Brochures on these requirements – ‘Requirements for Refuse Storage’ are available from CRC Water & Waste.

39. The refuse bin enclosure must be roofed and bunded and fitted with a bucket trap.

Details Of Development Signage

40. The development must provide clear and legible signage incorporating the street number for the benefit of the public.

Advertising Signage

41. Signs on the subject land must conform with Council’s Local Law No. 28 (Control of Advertising), to the requirements and satisfaction of the Chief Executive Officer.

Construction Signage

42. Prior to the commencement of any construction works associated with the development, a sign detailing the project team must be placed on the road frontage of the site and must be located in a prominent position. The sign must detail the relevant project coordinator for the works being undertaken on the site, and must list the following parties (where relevant) including telephone contacts:-

a. Developer;
b. Project Coordinator;
c. Architect / Building Designer;
d. Builder;  
e. Civil Engineer;  
f. Civil Contractor;  
g. Landscape Architect

Crime Prevention Through Environmental Design

43. All lighting and landscaping requirements are to comply with Council’s General Policy Crime Prevention Through Environmental Design (CPTED).

Miscellaneous

44. Noise from air conditioning units, swimming and spa pool filters, service equipment or other mechanical equipment must not emanate from the subject land to a degree that would, in the opinion of the Chief Executive Officer, create an environmental nuisance having regard to the provisions of the Environmental Protection Act 1994, Environmental Protection (Noise) Policy 2008.

45. Swimming pool water quality must be maintained in accordance with the Queensland Health Swimming and Spa Pool Water Quality and Operational Guidelines 2004.

Amalgamation Required

46. The applicant/owner is responsible for the reconfiguration (amalgamation) of Lot 31 on RP196731 and Lot 32 on RP196731 into one lot. The Plan of Survey must be registered with the Department of Environment and Resource Management at the applicant’s/owner’s cost prior to Commencement of Use.

Earthworks

47. All earthworks must comply with the management strategy described in Section 7 of the Golder and Associates report dated October 2006 (Reference No 001-06673035)

ADVICE

1. This approval, granted under the provisions of the Integrated Planning Act 1997, shall lapse four (4) years from the day the approval takes effect in accordance with the provisions of Section 3.5.21 of the Integrated Planning Act 1997.

2. All building site managers must take all action necessary to ensure building materials and / or machinery on construction sites are secured immediately following the first cyclone watch and that relevant emergency telephone contacts are provided to Council Officers, prior to commencement of works.

3. This approval does not negate the requirement for compliance with all other relevant Local Laws and other statutory requirements.
4. Headwork contribution calculations are attached as Appendix 2. Please note that the contributions must be paid at the rates applicable at the time of payment. Updated calculations must be requested prior to payment.


EXECUTIVE SUMMARY:

Council is in receipt of a development application seeking a development permit for the establishment of a Retirement Village at 52 - 58 Swallow Street & 373 – 387 McCoombe Street, Mooroobool, more particularly described as Lots 31 & 32 on SP196731.

The proposal is considered to comply with the requirements of the relevant codes of CairnsPlan and is recommended for approval, subject to conditions.

TOWN PLANNING CONSIDERATIONS:

Background

The site has been the subject of previous development applications. The most recent and relevant of these previous applications are discussed below:

8/8/407

There was a development application for a Material Change of Use for a Child Care Centre & Special Residential (for the Salvation Army crisis housing). This application was approved on 4 February 2003. This approval was not enacted upon and has lapsed.

8/30/72

There was a development application for a combined Material Change of Use and Reconfiguration of a Lot for 1 into 2 lots, with two Child Care Centres being located on one of the created allotments (the one fronting Swallow Street). This application was approved on 11 December 2006, with a four year currency period. The Reconfiguration of a Lot has been enacted upon. However, the Material Change of Use for the Child Care Centre has not been enacted upon. The approval remains current until 11 December 2010.

8/7/594

There was a development application for a Material Change of Use for a Retirement Village (43 x 2 bedroom units) over one of the allotments created within 8/30/72 (the one fronting McCoombe Street). The application was approved on 25 January 2007. This development approval has not been enacted upon and remains valid until 25 January 2011.
Proposal

The submitted application is seeking a development permit for a Material Change of Use for the establishment of a Retirement Village at 52 – 58 Swallow Street & 373 – 387 McCoombe Street, Mooroobool, more particularly described as Lots 31 & 32 on SP196731.

The site is situated within the Residential 3 Planning Area within the Inner Suburbs Planning District and is affected by the Q100 Flood Overlay and the Acid Sulfate Soils Overlay of CairnsPlan. The site has a total site area of 2.0517 hectares and frontage to both McCoombe Street & Swallow Street. Retirement Villages are identified as code assessable landuses within the Residential 3 Planning Area.

The site is predominantly flat with a slight fall towards the northern corner and is generally cleared of vegetation, excluding a stand of mature Melaleuca’s trees which is contained within the northern corner of the site (abutting McCoombe Street). Development within the surrounding area generally consists of single and double storey detached dwellings and units. The Raintrees Shopping Centre is located approximately 300 metres to the north of the site.

The proposal details the intent to provide a Retirement Village which consists of 62 self contained retirement units plus an on-site manager and associated administration / recreation / community centre building, swimming pool and open space area. Each unit will be afforded two bedrooms, a bathroom, kitchen/living/dining room, a laundry and a single covered parking space. It is anticipated that the facility will cater to residents who are self sufficient. As such no further on-site staffing arises from the proposal. Access to the facility will be achieved from a single gated cross over fronting McCoombe Street.

Predominantly the buildings will be single storey, with the exception of the managers unit, which is located above the community centre. In addition to the parking spaces afforded to each unit, the proposal includes an additional 16 on-site parking spaces provided for visitors to a total of 79 spaces, plus an ambulance bay. The proposed site coverage represents 29.3% of the site.
CairnsPlan Assessment

<table>
<thead>
<tr>
<th>CairnsPlan Inner Suburbs Planning District</th>
<th>Code Applicability</th>
<th>Compliance</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential 3</td>
<td>✓</td>
<td>Complies. Refer to discussion below.</td>
</tr>
<tr>
<td>Land Use</td>
<td>✓</td>
<td>Complies. Refer to discussion below.</td>
</tr>
<tr>
<td>Overlays</td>
<td>✓</td>
<td>Complies. Refer to discussion below.</td>
</tr>
<tr>
<td>General</td>
<td>✓</td>
<td>Complies. Conditions have been imposed to ensure compliance.</td>
</tr>
</tbody>
</table>

Compliance Issues

Residential 1 Planning Area Code

The proposal satisfies the purpose of the code and demonstrates compliance with the requirements of the relevant acceptable measures. The Code stipulates a maximum site population density of 300 persons per hectare. The proposal represents a development of approximately 50 persons per hectare.

Retirement Village Code

The proposal satisfies the purpose of the code and generally demonstrates compliance with the acceptable measures of the code. The proposal satisfies the site requirements of the code as it represents a site coverage of approximately 29% and is situated with walking distance (approximately 350 metres) from a District Centre and existing public transport routes.

The built form of the development is considered to be appropriate for the intended purpose. Each dwelling unit is self contained and paired with another, in a duplex style. The proposal provides for recreation areas with a pool and community centre and a private outdoor area, which facilitates the preservation of the existing trees on-site.

A condition has been imposed, Condition 3: Amended Plans, to ensure that the applicant provides an amended plan which clearly identifies the location of the refuse storage area. The purpose of this condition is to ensure that the siting of the area does not result in amenity issues for neighbouring properties.

The access to the site is gated. However the proposal has provided for two parking spaces for visitors which are within the sites boundary yet situated outside of the gated area.
The proposal satisfies the requirements of the code.

**Flood Management Code**

The site is identified as being affected by the Flood Overlay of CairnsPlan. The purpose of the Flood Overlay Code of CairnsPlan is to ensure that new development is afforded flood immunity to a defined (Q100) flood event. Conditions have been imposed to ensure that all habitable floors are finished at an appropriate level.

The other purpose of the code is to ensure that new development does not cause a significant adverse impact on adjoining or other external properties.

The submitted application included a Drainage Report which provided a study of the site and proposed mitigation measures. This report was reviewed by Council Engineers, who have recommended the inclusion of conditions with respect to drainage works to be undertaken by the applicant in order to mitigate a flood event.

**Potential or Actual Acid Sulphate Soil Material Code**

The site is identified as being affected by the Potential or Actual Acid Sulphate Soil Material Overlay of the Planning Scheme. During the assessment of the application, the proposal was referred to the Department of Environment and Resource Management as an Advice Agency for Acid Sulphate Soils. The DERM provided a response which requested that Council include a condition requiring the applicant / owner to comply with the management strategy (Acid Sulfate Soils) as provided for within the Golder and Associates report which was included within the common material for the application. Consequently Condition 47 has been recommended.

**Excavation and Filling Code**

Filling is proposed over portions of the site in order to provide pads with Q100 flood immunity in order to facilitate the placement of the units. Some areas of the site will be left in its natural state and no filling will occur.

The proposal included an indicative bulk earth works plan. However, given the scale of proposed filling on-site, it will be necessary for the proposal to obtain a development permit for operational works prior to undertaking any filling.

**Public Notification / Submissions**

Not Applicable. The proposal was code assessable. However, the Department of Environment and Resource Management requested that their Advice Agency Response be treated as a properly made submission.
HEADWORKS / CONTRIBUTIONS:

The proposed development triggers Developer’s Headwork’s Contributions. Refer to Appendix 2 to view calculations.

S M Cook
Planning Officer
Action Officer

Neil Beck
Acting Manager Development Assessment
SITE ELEVATIONS

SITE

RETIREMENT VILLAGE
607 McCOOMBE ST - CAIRNS
INNER CITY HOMES PTY LTD
### APPENDIX 2 DEVELOPER CONTRIBUTION CALCULATIONS

**CAIRNSPLAN APPLICATIONS RECEIVED AFTER 1/7/2009**

Planning Scheme Policy 4.04.05 - Trunk Infrastructure Contributions

DEVELOPERS HEADWORKS CONTRIBUTIONS

<table>
<thead>
<tr>
<th>Yeats Consulting Pty Ltd</th>
<th>N/a</th>
<th>N/A</th>
</tr>
</thead>
<tbody>
<tr>
<td>STREET No. &amp; NAME</td>
<td></td>
<td></td>
</tr>
<tr>
<td>52-58 Swallow Street &amp; 375-387 McCombe Street</td>
<td></td>
<td></td>
</tr>
<tr>
<td>SUBURB</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mooroobool</td>
<td></td>
<td></td>
</tr>
<tr>
<td>LOT &amp; RP No.s</td>
<td></td>
<td></td>
</tr>
<tr>
<td>L31 &amp; L32 SP196731</td>
<td></td>
<td></td>
</tr>
<tr>
<td>PARCEL No.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>P129121</td>
<td></td>
<td></td>
</tr>
<tr>
<td>DEVELOPMENT TYPE</td>
<td></td>
<td></td>
</tr>
<tr>
<td>MCU Retirement Village</td>
<td></td>
<td></td>
</tr>
<tr>
<td>COUNCIL FILE NO.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>8/7/1676</td>
<td></td>
<td></td>
</tr>
<tr>
<td>QUARTER ENDING</td>
<td></td>
<td></td>
</tr>
<tr>
<td>30-Jun-09</td>
<td></td>
<td></td>
</tr>
<tr>
<td>VALIDITY PERIOD</td>
<td></td>
<td></td>
</tr>
<tr>
<td>4</td>
<td></td>
<td></td>
</tr>
<tr>
<td>SKIDS No.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2362548</td>
<td></td>
<td></td>
</tr>
<tr>
<td>VERSION No.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>This logsheet is indexed appropriately only for payments made within the quarter noted above.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**DIST.** | **$ / ERA** | **NET ERA** | **ADJUSTMENT** | **AMOUNT DUE** | **AMOUNT PAID** | **RECEIPT TYPE** |
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>WASTEWATER</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>City</td>
<td>4.00</td>
<td>3,703.00</td>
<td>X</td>
<td>80.07</td>
<td>0.00</td>
<td>$296,491.80</td>
</tr>
<tr>
<td>WASTEWATER</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Southern</td>
<td>3</td>
<td>4,527.00</td>
<td>X</td>
<td>80.07</td>
<td>0.00</td>
<td>$362,467.84</td>
</tr>
<tr>
<td>TRANSPORT</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Cairns Urban</td>
<td></td>
<td></td>
<td>DMR Component</td>
<td></td>
<td>$33,824.60</td>
<td>348 / 05764</td>
</tr>
<tr>
<td>Distric 1</td>
<td></td>
<td></td>
<td>CRC Infrastructure</td>
<td></td>
<td>$89,888.00</td>
<td>348 / 05716</td>
</tr>
<tr>
<td>DRAINAGE</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Chinaman Creek</td>
<td></td>
<td>Stream Management</td>
<td></td>
<td>$0.00</td>
<td></td>
<td>355 / 5658</td>
</tr>
<tr>
<td>Public Parks &amp; Community Land</td>
<td></td>
<td>Stormwater Quality</td>
<td>$8,781.19</td>
<td>$0.00</td>
<td>400/5144</td>
<td></td>
</tr>
<tr>
<td>BONDS</td>
<td>0.00</td>
<td>$0.00</td>
<td></td>
<td>$0.00</td>
<td></td>
<td></td>
</tr>
<tr>
<td>OTHER</td>
<td>Public Art Commercial</td>
<td>$2,500.00</td>
<td>T 363</td>
<td>$0.00</td>
<td></td>
<td></td>
</tr>
<tr>
<td>TOTAL</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>$796,005.13</td>
</tr>
</tbody>
</table>

Prepared by Sarah Cook on 19-Oct-09 Amount Paid

Checked by Nick Bowden on 20-Oct-09 Date Paid

Amendments

1. The Developer should confirm these details with Development Assessment prior to arranging payment
2. City Assessment must update these details if the effective quarter is no longer current
3. City Assessment must update these details in the event of policy change or variation to Development Approval
4. These details must be presented at time of payment
5. A photocopy of these details to be forwarded to Development Assessment once payment is receipted
6. The original of these details to be forwarded to Finance Department with receipt once payment is receipted
7. Payment details to be entered into Developer Contributions Register by Finance Officer

---

Agenda – Ordinary Meeting 28/10/09 - #2330558
APPENDIX 3 SUPPORTING INFORMATION TO PLANNING REPORT