MATERIAL CHANGE OF USE RETIREMENT VILLAGE – 40-48 PROGRESS ROAD WHITE ROCK – DIVISION 3

PROPOSAL: RETIREMENT VILLAGE

APPLICANT: INNOVATIVE CARE PTY LTD (TTE)
C/- PROJEX NORTH T/A PRP PLANNING
PO BOX 4751
CAIRNS QLD 4870

LOCATION: 40-48 PROGRESS ROAD WHITE ROCK 4868

PROPERTY: LOT 221 ON N1861

PLANNING DISTRICT: WHITE ROCK EDMONTON

PLANNING AREA: RESIDENTIAL 2

PLANNING SCHEME: CAIRNSPLAN 2005

REFERRAL AGENCIES:
ENVIRONMENT & RESOURCE MANAGEMENT (FORMERLY DEPARTMENT OF NATURAL RESOURCES & WATER)
TRANSPORT & MAIN ROADS (FORMERLY DEPARTMENT OF MAIN ROADS)
TRANSPORT & MAIN ROADS (FORMERLY QUEENSLAND TRANSPORT)

NUMBER OF SUBMITTERS: NONE

STATUTORY ASSESSMENT DEADLINE: 8 JUNE 2009

APPLICATION DATE: 12/08/2008

DIVISION: 3

APPENDIX:
1. APPROVED PLAN(S) & DOCUMENT(S)
2. CONCURRENCE AGENCY CONDITIONS & REQUIREMENTS
3. DEVELOPER CONTRIBUTION CALCULATIONS
4. SUPPORTING INFORMATION
RECOMMENDATION:

That Council approve the development application for Retirement Village over land described as Lot 221 NR1861, located at 40-48 Progress Road White Rock, 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>
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<tbody>
<tr>
<td>Floor Plan</td>
<td>TP02 Rev B</td>
<td>02/04/2009</td>
</tr>
<tr>
<td>Elevations</td>
<td>TP03 Rev B</td>
<td>02/04/2009</td>
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<tr>
<td>Cover (Illustrations)</td>
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<td>02/04/2009</td>
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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.

Water Supply Contributions

3. 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 $113,598.42 (34.7 ERAs).

Payment is required prior issue of a Development Permit for Building Work.

Wastewater Contributions

4. 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 $131,831.19 (47 ERAs).

Payment is required prior issue of a Development Permit for Building Work.

Road Network Contributions

5. 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 $125,734.31 (23 ERAs).

Payment is required prior issue of a Development Permit for Building Work.

Community Purpose Infrastructure Contributions

6. 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 $12,597.00 (57 EPs).

Payment is required prior issue of a Development Permit for Building Work.
Stormwater Mitigation

7. Pay a monetary contribution to Council in accordance with the Planning Scheme Council’s Trunk Infrastructure Contributions Policy towards the provision or augmentation of stormwater drainage services.

Contributions must be paid at the rates applicable at time of payment. On the present method of calculation, the contributions are $1,894.46 for Stormwater Mitigation.

Payment is required prior issue of a Development Permit for Building Work.

Stormwater Quality

8. 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 $6,513.60 for Stormwater Quality.

Payment is required prior issue of a Development Permit for Building Work.

Public Art Contribution

9. 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.

Payment is required prior issue of a Development Permit for Building Work.

Air-conditioning Screens

10. 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 & Sewerage Infrastructure Plan

11. An updated water supply and sewerage infrastructure plan and supporting information including hydraulic network analysis must be submitted demonstrating how the development will be serviced by Council’s Infrastructure. In particular the plan must:-
a. Identify external catchments that will be connected to the internal sewer or water networks;

b. Identify any trunk infrastructure external to the development that may require upgrading to accommodate the development;

c. Be consistent with the White Rock Sewerage Scheme and sewer layout currently being designed by Council.

The water supply and sewerage infrastructure plan must be endorsed by the Chief Executive Officer prior to the issue of a Development Permit for Operational Works.

Water Supply and Sewerage Works External

12. The applicant/owner must undertake water supply and sewerage works external to the site to connect the subject land to Council's existing water supply and sewerage infrastructure, in particular:-

a. The applicant/owner must carry out sewerage works to connect the subject land to Council’s sewerage infrastructure. The applicant must liaise with Water and Waste regarding the status of the design and projected timeframe for construction of the proposed sewerage scheme;

b. 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;

c. Construct a 100 mm water main along Fretwell Road to the eastern side of the proposed access road and along the proposed access road to the boundary of adjoining Lot 220 on NR4033.

d. Where sewer works are contained in adjoining property, obtain the written approval from the relevant property owners.

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. Sewer must be located a minimum of 1.5 metres away from the proposed buildings and clear of the zone of influence from the footings and foundations of any building/structure;

d. Construct sewers within the property to sewer adjoining Lot in accordance with the White Rock Sewerage Scheme and sewer layout.

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

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

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.

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.

Developer Credits for the Construction of Trunk Infrastructure

14. The cost of constructing Trunk Infrastructure must be agreed to by the Chief Executive Officer prior to the issue of a Development Permit for Operational Works to construct the infrastructure. All trunk infrastructure, headworks or otherwise is subject to the applicant/owner entering into an infrastructure agreement with Council prior to commencement of detailed design.

Design and construction of trunk water and/or sewer infrastructure can be claimed against applicable water and sewerage contributions in accordance with Council’s Headworks Policy.

The agreement shall document the terms and conditions under which the infrastructure is to be built and how and when the applicant/owner is financially reimbursed.

Sewer Easement

15. Create an easement in favour of Council having a nominal width of 3 metres over any proposed sewer that will be owned by Council 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 submitted at the same time as seeking approval and dating of the Building Format Plan and must be lodged and registered with the Department of Natural Resources and Water in conjunction with the Plan of Survey.

**Damage to Infrastructure**

16. In the event that any part of Council’s existing 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 Water & Waste immediately of the affected infrastructure and have it repaired or replaced by Water & Waste, 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.

**Refuse Storage**

18. 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.

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

**Liquid Waste Disposal**

20. Trade waste discharge to sewer must meet the requirements of CRC Water and Waste’s Trade Waste Environmental Management Plan (TWEMP).

   A report demonstrating that the facility complies with the TWEMP must be submitted to and be approved by Council prior to the issue of a Development Permit for Building Work.

   The applicant must have all measures for pre-treatment installed prior to commencement of use.

**Vehicle Parking**

21. The amount of vehicle parking must be as specified in Council's Planning Scheme which is a minimum of 26 spaces. One of the spaces is to be allocated exclusively for ambulances close to the main entrance to the building. 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 maneuvering areas must be imperviously sealed, drained and line marked.
Protection of Landscaped Areas From Parking

22. 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.

Parking Signage

23. Erect signs advising of the location of the off-street visitor parking area and access thereto. The signs must be erected prior to Commencement of Use. One sign must be located on the Fretwell Road frontage.

Bicycle Parking

24. 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 minimum number of parking spaces required for this development is 17 spaces. The bicycle parking area must be constructed prior to Commencement of Use.

Lighting

25. 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

26. Undertake the following works at no cost to Council:

   a. Construct a road running along the full length of the site near the eastern boundary from Fretwell Road to the northern boundary of the site in accordance with the FNQROC development Manual. The design of the road shall include the following:

      i. 12m road reserve is to be provided along the full length of the Eastern Boundary of the site.

      ii. The Eastern most kerb and channel shall be provided 1.5m in from the Eastern Property boundary.

      iii. The trafficable carriageway is to be 6.5m wide.

      iv. The design of the carriageway pavement is to be based on the future potential traffic and is not to be less than that of a minor collector standard, as defined by Council’s FNQROC development manual.
v. A 4m verge shall be provided on the newly created road reserve and shall contain a footpath in accordance with Council’s Standard drawing CCC S1035

vi. Lighting in accordance with Council’s development manual Section D8. Lighting shall be based on the road’s ultimate form being not less than a minor collector.

c. Construct full width bitumen widening to the Fretwell Road frontage;

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

e. Make good the kerb(s) at redundant crossover(s);

f. Upgrade the street lighting to comply with requirements of the FNQROC Development Manual;

g. 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.

h. Construct kerb and channel to Fretwell Road;

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.

Dedication of Road Reserve

27. Once constructed, the road along the eastern boundary must be dedicated as Road Reserve at no cost to Council prior to Commencement of Use or approval and dating of the Building Format Plan, whichever occurs first.
Drainage

28. The applicant is to provide a revised plan of stormwater drainage works that show:

a. How the development may be drained in the future to ensure the drainage regime is generally in accordance with stormwater master planning as shown at Appendix 4; and

b. What additional infrastructure or what modifications to the existing drainage infrastructure shall be required to facilitate the future drainage regime.

The revised plans must be approved by Council prior to the commencement of works on site and must be constructed and completed prior to occupation of the building.

Above Ground Transformer Cubicles/ Electrical Sub- Stations

29. 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.

Acid Sulfate Soil Investigation

30. 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 Natural Resources and Water (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.

Construction Access

31. Vehicular access to the site for construction and demolition purposes must be provided from Fretwell Road only, unless authorised by the Chief Executive Officer.

Stockpiling and Transportation of Fill Material

32. 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.

33. 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

34. 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

35. 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. The large trees on the corner of Progress Road and Fretwell Road are to be retained.

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 including planting of street trees to Fretwell Road and Progress Road;
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;

**Hard Landscaping Works**

a. Natural and finished ground levels including details of all retaining works;

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

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

d. 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.

**Wildlife**

36. Prior to removal of any tree, an inspection must be carried out for any signs of protected wildlife including nests and animal habitat. Should any recent wildlife activity be identified, removal of the tree must not occur until the animal has vacated the area of immediate danger. If the animal does not move from the area of danger, the Queensland Parks and Wildlife Services must be contacted for advice. Important habitat trees should be retained wherever possible.

The wallabies at the site are to be removed or relocated from the site in an appropriate manner in accordance with the requirements of the Queensland Parks and Wildlife Services (QPWS). The applicant is to provide evidence to Council of the methods chosen to remove/relocate the wallabies and that such methods have been endorsed by QPWS.

The wallabies must be removed/relocated from the site prior to the commencement of the development and temporary fencing is to be erected during the construction phase that prevents the wallabies re-entering the site. All such work must be supervised by and carried out in accordance with the requirements of - and to the satisfaction of - the QPWS.
Notification of Vegetation Clearing

37. Council's Development Assessment Branch must be notified two days prior to the proposed date of commencement of any approved vegetation clearing to facilitate community awareness of such works.

Lawful Point of Discharge

38. 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.

Sediment and Erosion Control

39. 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

40. A screen fence must be provided to the side and rear 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

41. 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 detailed in the Landscape Plan and be endorsed by the Chief Executive Officer prior to the issue of a Development Permit for Building Work.

Details Of Development Signage

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

43. 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

44. 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

45. The applicant/owner must ensure that all lighting and landscaping requirements complies with Council’s General Policy Crime Prevention Through Environmental Design (CPTED).

Health

46. Premises intended to be used for the storage, preparation, handling, packing and/or service of food must comply with the requirements of the Food Act 2006 and the Food Standards Code.

47. Prior to construction or alteration of any premises used for storage, preparation, handling, packing and/or service of food, application for such must be made with Council's Public Health Unit.

48. An application for the construction or alteration of any food premises must be accompanied by two copies of plans drawn to a scale not smaller than 1:100. Such plans are to include details of ventilation (including mechanical exhaust ventilation systems), finishes to walls, floors and ceilings, details of the proposed layout and materials to be used in the construction of all fixtures, fittings and equipment. The plans should include detailed cross sections of all areas to be included in the construction or alteration. All works must be carried out in accordance with the requirements of the Food Act 2006, Food Safety Standards and AS 4674 – 2004 – Design, construction and fit-out of food premises.
49. Prior to operation of the food business, the operator must hold a current Food Licence issued by Council’s Public Health Unit under the **Food Act 2006**. Every licensed food business is required to have a Food Safety Supervisor who has met specified competencies and is reasonably available at all times the business is operating. Contact the Council’s Public Health Unit for further information.

50. Noise from air conditioning units, 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 1997** and **Environmental Protection Regulation 1998 (Part 2A - Environmental Nuisance)**.

### CONCURRENCE AGENCY CONDITIONS & REQUIREMENTS

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Refer to Appendix 2: Concurrence Agency Requirements. (Please note that these conditions / requirements may be superseded by subsequent negotiations with the relevant referral agencies).

### FURTHER 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 3. 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:

The land is located on the north-eastern corner of the intersection of Fretwell Road and Progress Road, has an area of 1.518 ha, contains a dwelling and paddocks for grazing livestock and is located in a Residential 2 Planning Area under CairnsPlan. The application seeks approval for a 120 bed Retirement Village that is contained in several single storey wings. Two car parking areas are proposed containing 39 car parking spaces. Access is proposed via a new road along the eastern boundary which is intended to link in with future development to the north. The application is impact assessable and was publicly notified. No submissions were received. Assessment of the application reveals that the proposal generally satisfies the relevant components of the scheme and the application is recommended for approval subject to conditions.

PLANNING CONSIDERATIONS:

Background

An application was submitted on 12 August 2008 for a Retirement Village at the subject site. The original application comprised of several single storey buildings with a large building located on the eastern side of the site containing 90 beds and two smaller buildings to the west containing 4 x 2 bedroom independent living units. The original application did not propose an access along the eastern boundary to link in with future development to the north (although a 15m wide area running the length of the boundary on the eastern side was left vacant for drainage purposes or future road). As a result of discussions between the applicant and Council, significant modifications were proposed and the assessment of this application relates to the amended plans.

Site and Surrounds

The land is located on the north-eastern corner of Fretwell Road and Progress Road, White Rock. The land has an area of 1.518 ha, contains a large dwelling and associated outbuildings, is otherwise vacant, has a slight fall from west to east and is a relatively regular rectangular shape. Surrounding land to the east and north is a similar size and has a similar use. Land to the south across Fretwell Road contains small residential lots as well as a childcare centre. Land to the west across Progress Road contains the main northern railway line followed by the Bruce Highway.

Historically the locality was a low density residential area and still exhibits elements associated with low density uses, including large paddocks with grazing horses and wallabies, extensive gardens as well as nurseries.

The area has an open semi rural feel. Much of this land was re-designated in CairnsPlan to Residential 2 and recent changes to the land use in the area are evident with new residential estates emerging.
Proposal

The proposal is for a single storey Retirement Village containing 120 beds. It is proposed to stage the development with the initial phase being within a large block containing 90 bed rooms with a single bed and ensuite in each room, communal lounge areas, courtyards, kitchens, dining areas, laundry, administration areas, parking for 39 cars and landscaping. Access is proposed to a central entrance point via a new road off Fretwell Road towards the eastern end of the property. The road is designed to eventually connect to future development to the north. A small car park and service bay that is accessed off Fretwell Road some 40m from the intersection with Progress Road is also proposed.

The second stage is for 30 beds contained within two wings that connect to the first stage. The second stage is located on the western side of the property fronting Progress Road.

The Retirement Village will offer a spectrum of care for both mentally and physically disabled elderly people. A low care wing, high care wings and dementia wings are proposed. The design of the building is highly articulated, contains a variety of colours and materials, has a setback of greater than 6m to Progress Road, 3m to Fretwell Road and large setbacks to the side and rear boundaries. An indented fence with landscaping is proposed to Progress Road and over the eastern half of the site.

CairnsPlan Assessment

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<td>Landscaping Code</td>
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</table>

Compliance Issues

Residential 2 Planning Area

Under this code the acceptable measure for height is a maximum 7.5m and for site population density it is 100 persons per hectare (pph). The proposal complies with these requirements having a single storey building 3.5m in height and a population density less than 100 pph (proposal is approximately 80 pph). Additionally, the proposal satisfies the purpose of the code. The proposal is a code assessable application and is consistent with the planning area and the emerging low scale development in the area.
Retirement Village Code

The proposal generally satisfies the acceptable measures and performance criteria of this code. Non-compliances with the acceptable measures are the site cover is greater than 40% and the proposal does not provide a hairdressers or convenience store. With respect to site cover, the proposed development has a site cover of 42%. Despite this, the proposal provides a high level of compliance with other acceptable measures. In particular, large landscaped areas are proposed, the site population density is low, deep setbacks to Progress Road and to the side and rear boundaries are proposed and the development is single storey which emulates the lower scale of surrounding development.

The minor non-compliance with site cover does not result in a building that will appear bulky, excessive or out of context with its surrounds. The minor discrepancy in site cover is therefore considered reasonable. A hairdressers and convenience store is not proposed as the residents will need a relatively high level of care at a minimum. Trips to local shopping areas, such as the Mt Sheridan Shopping Centre a few hundred metres away, are part of the normal operations proposed for the Retirement Centre. Many patients at the Village will not be in a state to walk to local shops, particularly dementia patients – hence the programmed and supervised outings.

Drainage

The site has a crossfall from west to east and during significant rain events large volumes of water are known to run from Progress Road across the site and into the adjacent sites to the east. The proposed development includes a road along the eastern boundary of the site as well as a car parking area adjacent to the road. It is proposed that water from the site will drain to the newly constructed road along the eastern boundary and be diverted to Fretwell Road. The car park has been designed to act as a detention basin for significant flood events. Conditions have been imposed to ensure that the proposal does not result in a worsening of flooding to downstream properties and that water is drained effectively from the site.

Parking

The proposed development generates a parking demand of 25 spaces. The applicant is proposing 39 spaces which complies with the acceptable measure in the parking code.

Public Notification / Submissions

The proposal was publicly notified in accordance with IPA requirements and no submissions were received.
Referral Agencies

The application was referred to the Department of Main Roads (within 100m of the Bruce Highway), Department of Natural Resources (Acid Sulfate Soils) and Queensland Transport. Comments and conditions have been provided by these agencies and have been attached as an appendix where relevant.

Headworks Contributions

The proposed development triggers Developer’s Headwork’s Contributions. Refer to Appendix 3 to view calculations.

Luke Jackson
Planning Officer
Action Officer

Simon Clarke
Manager Development Assessment
APPENDIX 1 APPROVED PLAN(S) & DOCUMENT(S)
APPENDIX 2 CONCURRENCE AGENCY CONDITIONS & REQUIREMENTS

4 September 2008

Mr N Briggs
Chief Executive Officer
Cairns Regional Council
PO Box 359
Cairns Qld 4870

Dear Mr Briggs

Cairns Regional Council: Bruce Highway (Innisfail-Cairns)
Situated at corner of Progress Road & Fretwell Road, White Rock
Lot 221 on NR 1861, Parish of Grafton
Innovative Care Pty Ltd
Proposed Material Change of Use (Retirement Village & Special Residential Use (Aged Care Facility)) Application
Referral Agency's Response (conditions apply)

I refer to the above application received at this office on 1 September 2008, requesting consideration of the above development.

A. CONDITIONS OF DEVELOPMENT

Pursuant to the Integrated Planning Act 1997, the Queensland Department of Main Roads, as a Concurrence Agency, has assessed the impact of the proposed development on the State-controlled road network and requires that Council include the following conditions of development for the subject application.

1. Permitted Road Access Location

   (i) Vehicular access between the Bruce Highway and the proposed development shall be via Progress Road and Fretwell Road, to the satisfaction of Cairns Regional Council.

   (ii) No direct vehicular access is permitted between Bruce Highway and the proposed development.

2. Road Traffic Noise & Visual Treatments

   (a) Visual Amenity Works

   The applicant/landowner shall provide landscaping along the Progress Road frontage of the subject land.
The landscaping shall be designed installed and maintained such that existing State-controlled road infrastructure, noise ameliorative works, and on-site buildings and carparking, are screened as much as practicable from each other.

The species of plants used in the landscaping works shall be in accordance with Council's standards. If Council doesn't have standards, then the requirement is that they are native, low maintenance species which are effective at providing the necessary screening specified above and do not create a safety risk (i.e. no thorns or poisonous fruits or berries).

All landscaping shall be completed prior to the commencement of the approved use.

(b) Road Traffic Noise Ameliorative Works

(i) Location of Works

Road traffic noise ameliorative works shall be incorporated into the design of the proposed independent living units and the applicant/landowner shall have regard to the design criteria specified within AS3671. A noise barrier fence shall be located on the subject land and suitably screened from the State-controlled road (i.e. Bruce Highway) with landscaping on the subject land. An acceptable alternative would be a noise barrier fence on the boundary of the subject land, with every second panel of the fence indented a minimum of one metre with landscaping of the indented areas. The fence would need to be suitably designed and painted to create a visually pleasing appearance to users of the State-controlled road reserve.

(ii) Maximum Noise Levels and Time Horizons

The following maximum road traffic noise free-field level must not be exceeded within 10 years of completion of the full development.

- External noise levels must not exceed 60 dB(A) L_{10} (18 hour), where existing levels measured at the local government deemed-to-comply dwelling setback distance are greater than 40 dB(A) L_{10} (8 hour) between 10pm and 6am; or
- External noise levels must not exceed 57 dB(A) L_{10} (18 hour), where existing levels measured at the local government deemed-to-comply dwelling setback distance are less than or equal to 40 dB(A) L_{10} (8 hour) between 10pm and 6am;
- Internal noise levels must not exceed the maximum noise levels specified in AS2107-2000.

External noise shall be defined as being noise in all open space areas including the proposed patios and private amenity spaces of the proposed independent living units.

(iii) Noise Testing

The following parameters shall be used to determine the required noise amelioration works:

- External noise levels shall be those predicted to occur on the subject land in areas likely to be frequently occupied by people for significant periods.
• Internal noise levels shall be determined in accordance with AS2107-2000.
• Noise monitoring shall be carried out in accordance with AS2702-1984.
• Noise predictions shall be carried out in accordance with Calculation of Road Traffic Noise (CRTN88) United Kingdom Department of Transport.

(iv) Road Traffic Noise Report
The applicant/landowner shall prepare a road traffic noise report, which demonstrates how the development is to be designed to conform to the above requirements. The report shall:
• predict the road traffic noise levels,
• identify the ameliorative works required within the subject land and the relevant buildings, and
• contain all relevant information and calculations upon which the conclusions of the report are based.

The applicant/landowner shall submit the report to the Cairns Office of the Department of Main Roads, and if necessary, shall amend the report until the Department of Main Roads considers that the report reflects the requirements of this condition. The report and any subsequent amendments shall be completed prior to the applicant/landowner seeking Council (or private certifier) approval for a development permit for carrying out building works on the subject land.

(v) Incorporation of Works into the Development
All noise ameliorative works required external to the building on the subject land shall be completed prior to commencement of the approved use of the building.

All noise ameliorative works required within the relevant building(s) shall be:
• incorporated into the building design(s) prior to the applicant/landowner seeking Council (or private certifier) approval for a development permit for carrying out building works on the subject land, and
• incorporated into the building(s) prior to commencement of the approved use of the building.

3. Advertising

No advertising device for the proposed development is permitted within the Bruce Highway reserve.

4. Parking

When calculating car parking requirements associated with the proposed development, no parking is permitted within the Bruce Highway reserve.

Reasons

The reasons and information used in the setting of conditions detailed above include:
23 September 2008

The Chief Executive Officer
Cairns Regional Council
PO Box 359
CAIRNS QLD 4870

Attention: Luke Nicholson

Dear Sir,

DEVELOPMENT APPLICATION FOR MATERIAL CHANGE OF USE – RETIREMENT VILLAGE/SPECIAL RESIDENTIAL USE (AGED CARE FACILITY), LOT 221 ON NR1961, 40-48 PROGRESS RD – WHITE ROCK – REFERRAL AGENCY RESPONSE

The chief executive of the Department of Natural Resources and Water (advice agency for the application) advises as follows:

The referral agency response for the application, prepared pursuant to section 3.3.16 of the Integrated Planning Act 1997, is enclosed. I look forward to receiving a copy of the decision notice for the application in due course.

Should you have any questions about this advice, please contact Cristina Froemmcke on 07 4039 8270.

Yours sincerely

Cristina Froemmcke
Natural Resource Officer
Landscapes and Community Services
North Region

ENCL. Referral Agency Response

CC
Innovative Care Pty Ltd
Cl-Projex North Pty Ltd
PO Box 4751
CAIRNS QLD 4870
Department of Natural Resources and Water –
Referral agency response

Given under Section 3.3.16 of the Integrated Planning Act 1997

1. Application details
   1.1. Applicant's name: Innovative Care Pty Ltd
   1.2. Property description: Lot 221 on NR1851
   1.3. Development type: MCU
   1.4. Assessment manager: Cairns Regional Council
   1.5. Assessment manager reference: 8/8/1021
   1.6. Referral date: 2 September 2008
   1.7. Our references: TrackJob – IA090BCNS0002

2. Advice agency response – acid sulfate soils
   The application triggers referral to NRW as an advice agency for acid sulfate soils (ASS) per Schedule 2 of the Integrated Planning Regulation 1998. The Department advises that further information is required to assess the application, as outlined below:

   Background
   The applicant proposes to fill the rear portion of the land to provide a level bench for construction. No information was provided with the application in relation to:
   - Source of inert fill material;
   - Determination if subject land has ASS
   - Effects of filling activities on existent ASS

   Recommendation
   It is recommended to provide an ASS investigation report as per SPP Guideline. The ASS investigation report and proposed management strategy should be sufficiently detailed for the assessment manager and NRW to be satisfied that the development outcomes required by the SPP 2/02 will be met. The information should specifically be provided in accordance with the relevant parts of Sections 6 to 10 of the SPP Guideline and the associated appendices. The investigation and any required management plan should be attached to the application to enable efficient and timely processing.

3. Third Party Advice - Aboriginal Cultural Heritage
   Under Section 23 of the Aboriginal Cultural Heritage Act 2003, a person who carries out an activity must take all reasonable and practicable measures to ensure that the activity does not harm Aboriginal cultural heritage (the “cultural heritage duty of care”). Maximum penalties for breaching the cultural heritage duty of care are $750 000 for a corporation and $75 000 for an individual.

   Applicants will comply with the cultural heritage duty of care in relation to Aboriginal cultural heritage if they are acting in compliance with the cultural heritage duty of care
NRW – referral agency response

guidelines gazetted under the Aboriginal Cultural Heritage Act 2003, available on the
NRW's website, or in accordance with an agreement with the Aboriginal party for the area
or a cultural heritage management plan approved under Part 7 of the Aboriginal Cultural

Applicants should also undertake a search of the Aboriginal Cultural Heritage Database
and the Aboriginal Cultural Heritage Register, administered by the Cultural Heritage
Coordination Unit, NRW. Application forms to undertake a free search of the Aboriginal
Cultural Heritage Database and the Aboriginal Cultural Heritage Register may be
obtained by contacting the Cultural Heritage Coordination Unit on (07) 323 83838 or on

Any queries about the assessment should be made to the coordinating officer for the
application. Contact details for the coordinating officer are:

Coordinating Officer: Cristina Froemmcke
Address: PO Box 937, Cairns QLD 4870
Phone: 07 4039 8270

Cristina Froemmcke
Natural Resource Officer
Landscapes and Community Services
North Region

23 September 2008
# APPENDIX 3 DEVELOPER CONTRIBUTION CALCULATIONS

## DEVELOPERS CONTRIBUTIONS SUMMARY

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### DEVELOPMENT CONTRIBUTIONS

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### Proprietor's Needs

1. Total water and sewer accommodations: 1 level
2. Total water and sewer accommodations: 1 level
3. Total water and sewer accommodations: 1 level

### Loss of open space

1. Loss of open space
2. Loss of open space
3. Loss of open space

### Total developer's contributions

$1,613,043.73
### CAIRNSPLAN APPLICATIONS ONLY

#### DEVELOPERS HEADWORKS CONTRIBUTIONS

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<th>DEVELOPERS NAME</th>
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This logsheet is indexed appropriately only for payments made within the quarter noted above.

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**Water sub-total:** $113,598.42

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**Sewerage sub-total:** $131,831.19

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**Bonds:**

- None: $0.00
- None: $0.00

**Other:**

- None: $0.00
- None: $0.00
- Public Art: $2,500.00 | T383 |

**Total:** $394,668.99

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1. The Developer should confirm these details with City 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 City Assessment once payment is received.
6. The original of these details to be forwarded to Finance Department with receipt once payment is received.
7. Payment details to be entered into Developer Contributions Register by Finance Officer.

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Agenda – Ordinary Meeting 27/5/09 - #2055870
APPENDIX 4: STORMWATER DRAINAGE MASTER PLAN