

Contact Officer: Shaunte Farrington  
Our Ref: DA/3/2018

23 February 2018

Boyneglade Property Developments Pty Ltd  
C/- Sarah Camilleri  
Zone Planning Group  
PO Box 5332  
GLADSTONE QLD 4680

Dear Madam

**INFORMATION REQUEST  
PLANNING ACT 2016 S68  
DEVELOPMENT ASSESSMENT RULES 2017 PART 3**

**DEVELOPMENT APPLICATION NO. DA/3/2018  
MATERIAL CHANGE OF USE - IMPACT - PRELIMINARY APPROVAL (VARIATION  
REQUEST) FOR RELOCATABLE RETIREMENT LIVING  
LOCATION: LOTS 1, 4 & 11 BRUCE HIGHWAY, BENARABY QLD 4680  
DESCRIPTION: LOT 11 SP 200678, LOT 1 RP 620530 & LOT 4 CTN 2091, IVERAGH**

Reference is made to the above Development Application and the Confirmation Notice issued on 5 February 2018.

Please be advised that upon review of the Development Application and supporting information, it has been determined that further information is required in order to satisfactorily assess the application. The information requested is set out below: -

1. The Economic Needs Assessment – November 2017 does not demonstrate that there is in fact an overwhelming need but rather a 'gap' in the market for retirement living. Taking into consideration nearby approvals for nearly 5,000 lots within the Riverstone Rise and the Sands Estates, the proposal does not consider whether there is in fact a need for additional long term residential housing regardless of form, tenure or configuration. As such, provide a Community and Economic Needs Assessment in accordance with SC6.4 of the Planning Scheme. Council considers that the current Needs Assessment simply focuses on retirement living and does not consider the broader residential community which is currently in oversupply.
2. The proposed Station Creek Development Code triggers Code Assessment for Relocatable Retirement and Residential Care Facilities and in all instances is completely silent on yield. Given the decision making provisions under the current *Planning Act 2016* for Code Assessment and the absence of provisions for yield, provide an amended Development Code which includes a maximum yield of the following:

- The Table of Assessment for Relocatable Retirement Facility and Residential Care Facility to Code Assessable unless where all existing and proposed sites exceed 510 sites being Impact Assessable;
- The purpose statement of the Development Code;
- The Overall Outcomes for the Development Code;
- The Performance Outcomes of Table 3.4.1; and
- The Acceptable Outcomes of Table 3.4.1.

Further to the above concerns regarding need and oversupply, the current common material stipulates that the overall yield will be approximately 510 'sites'. Council would like additional information on how the proposed development identified a total of '510 sites' for the subject land.

3. Council have concerns about conflicts with the adjoining commercial/industrial uses (Benaraby Motor Sport, the Benaraby Landfill and the Tannum Sands Quarry), and the direct noise impacts on this proposed development. In particular, the Benaraby Motor Sport Precinct has been strategically located by Council to reduce the noise impacts on sensitive land uses such as residential development. Although the Applicant has provided a Noise Impact Assessment and comments regarding the management of the relocatable retirement facility, Council believe that the location of such a development within close proximity to these noise generating uses is in direct conflict with the Planning Scheme and should be alternatively located within the Emerging Communities Zone. As such, provide justification as to how conflicts will be mitigated and managed so that Council have certainty that these land uses can coexist in harmony once in operation.
4. In many instances, where the proposal fails to comply with the Planning Scheme, the Applicant has cited affordability as the primary reason as to why such a development should be supported. Taking into consideration the need to deliver reticulated services outside of the Priority Infrastructure Area, and the requirements for stormwater, earthworks, flood hazard mitigation and onsite sewer, demonstrate a true cost comparison when compared to the available land within the Emerging Communities Zone. Failure to compare the construction and delivery costs of the proposal to that of the surrounding Emerging Communities Zone lots will result in Council being unable to provide weight to the Applicant's affordability position in the final assessment of this development proposal.
5. Demonstrate how the proposed development does not adversely affect the existing amenity of the locality, or result in a visually obtrusive built form when viewed from the Bruce Highway and Tannum Sands Road, neighbouring properties or from other developed areas overlooking the site. This is to be achieved by providing detailed before and after photomontages from the Bruce Highway and Tannum Sands Road and adjoining properties. The photomontages are to reflect how the development would present upon full construction including the 2-5m high acoustic barriers and earth mounds, and must demonstrate that the amenity of the area has not been diminished post development.

To avoid unsightly acoustic barriers and earth mounds, provide a Landscape Screening Plan prepared by a suitably qualified consultant which appropriately screens areas of visual impact. The Landscape Screening Plan must demonstrate how areas will be adequately screened to protect local views, vistas and sightlines as well as its visibility from roads and other public viewpoints impacted by the development as determined by the photomontages.

6. Clarify how the site will be managed with regard to transient visitors to the site, including day permits or overnight camping facilities.
7. Provide an Amended Traffic Impact Assessment Report with the following requirements:
  - a. Include amended Decision Time for both sight distance assessment and intersection analysis to allow for RV movements, as an allowance of 5.5 seconds is considered unsatisfactory for Council; and
  - b. Include assessment of all major internal intersections within the development in addition to the Internal Road and Tannum Sands Road Intersection, and the Tannum Sands Road and Bruce Highway Intersections already provided to Council, including vehicle swept paths for Recreational Vehicles.
8. Demonstrate that all proposed internal roads and accesses are designed to accommodate the largest vehicle on-site. The minimum requirements are in accordance with the Capricorn Municipal Development Guidelines, including consideration for street lighting and on street parking as appropriate.

*Advisory Note: The Capricorn Municipal Development Guidelines can be located at [http://www.cmdg.com.au/Guidelines/Design%20Specifications/Design\\_specifications.htm](http://www.cmdg.com.au/Guidelines/Design%20Specifications/Design_specifications.htm)*

9. Provide amended plans that demonstrate proposed pedestrian and bicycle movement throughout the site, in accordance with the *Our Place Our Plan Gladstone Regional Council Planning Scheme Version 2*, including provision for mobility scooters and disabled access.
10. Demonstrate how the integrity and efficiency of existing infrastructure systems are to be maintained by the proposal, considering that:
  - a. The proposed development is located outside of Council's 'Defined Water Service Area';
  - b. The development is out of sequence with the logical extension of the water network;
  - c. The proposal is inconsistent with the Tannum/Boyne/Benaraby/Wurdong Water Supply Scheme Strategic Plan which identifies water infrastructure sufficient for development needs for the next forty years;
  - d. The proposed development would trigger bulk water and reticulation infrastructure upgrades identified in the Tannum/Boyne/Benaraby/Wurdong Water Supply Scheme Strategic Plan (Stage BW3 and Stage BW4) to be brought forward and may result in this infrastructure requiring upgrades in size to cater for the proposed development. These upgrades include:
    - i. A new reservoir at Benaraby including associated inlet and outlet mains;
    - ii. Trunk reticulation mains; and
    - iii. Upgrades to bulk water delivery infrastructure to service this new reservoir, including installation of booster pumps

*Advisory Note: The proposed demand of 510 ET for the development exceeds the existing capacity of the Benaraby Water Network, triggering both Stages BW3 and BW4 within the Tannum/Boyne/Benaraby/Wurdong Water Supply Scheme Strategic Plan. The establishment cost of this trunk infrastructure, including any temporary works, maintenance and operation for up to 5 years, would be expected to be borne by the Applicant as Council*

*considers that these works are made necessary solely by this development. The upgrade works required for Stage BW4 are not within Council's network and would require referral to Council's Supplier prior to Council issuing any approvals with regards to the works.*

- e. The proposal identifies that a 180mm water main is required to service the Relocatable Retirement Living development, which would require:
  - i. Replacement of approximately 2.3 kilometres of existing Council water main with a larger size of main resulting in additional expense for renewal and replacement; and
  - ii. Need for additional works for temporary bypass lines at each stage of water main construction.

Furthermore, it is considered that the identified size of 180mm may be insufficient for the proposed development as the provided report does not address headloss and available pressure at the connection point.

*Advisory Note: The Tannum/Boyne/Benaraby/Wurdong Water Supply Scheme Strategic Plan was developed using an estimate of 10m of headloss per kilometre. As the proposed development is approximately nine kilometres from the existing reservoir, Council is concerned that the pipe size has not allowed for headloss, and therefore unable to achieve fire fighting flows and minimum allowable pressure at the connection point.*

- f. The size and length of the 180mm main (identified as being required by the proposed development), may result in significant water quality issues both for the proposed development and all neighbouring properties on the same line. This will only be exacerbated as there may be significant delays between commencement of the use and the site reaching full demand. This would result in significant costs to maintain and operate the mains, including testing, flushing and chlorinating of the system as needed.

*Advisory Note: Water Quality Requirements for the Gladstone Regional Council can be located within the Water Supply Network: D11 Design & Construction Guidelines Capricorn Municipal Development Guidelines located at <http://www.cmdg.com.au/Guidelines/Guidelines.htm>*

- g. The proposed works include a 350mm water main to cater for future development. This oversizing will exacerbate the already identified issues including:
  - i. Water quality
  - ii. Operating expense
  - iii. Replacement costs
- h. It is noted that the oversizing is proposed to cater for an additional development ("Transport Logistics Centre") that is not existing, not subject to this application, not currently proposed, not planned for the near future and not included in Council's infrastructure planning. If this development were to occur, it would require:
  - i. Significant replacement of existing Council water mains; including approximately 500m that was recently upgraded to a 200mm water main;
  - ii. Further oversizing of proposed trunk infrastructure including bulk water, reservoirs and reticulation.

*Advisory Note: The 'Defined Water Service Area' for the Gladstone Regional Council has been a result of significant planning, analysis and growth predictions for the region. The Strategic Plan allows for Council to maintain existing infrastructure, while allowing for logically staged and sequenced growth that can be managed, maintained and operated to an acceptable Standard of Service for the residents, and without generating excessive operating costs for Council's ratepayers.*

11. Demonstrate how the development is proposed to be serviced during an emergency if a break was to occur within the four kilometres of proposed water main.
12. Demonstrate that the minimum grade can be achieved for all sewer infrastructure proposed within the site, in accordance with the Capricorn Municipal Development Guidelines.
13. Demonstrate the proposed location for the onsite Sewerage Treatment Plant, that must be located a minimum of 1 metre above the 1% AEP Flood Level post-development with the proposed earthworks.
14. Clarify if treated effluent is proposed to be used for irrigation purposes for the Golf Course and landscaping of the development and demonstrate how the minimum treatment and classification of treated effluent is to be maintained in accordance with the Environmentally Relevant Activity (ERA) under the Department of Environment and Heritage Protection.
15. Demonstrate how the risk of overland flow and runoff from the onsite Sewerage Treatment Plant is to be managed. Council does not consider that the proposed dam water storage with a capacity of 1 in 5 year ARI event to be sufficient, due to the proximity of the Station Creek and the likelihood of flooding in the area.
16. Provide amended plans that demonstrate how the overland flow travelling from neighbouring sites is to flow through the site post development. At this time, Council does not consider the proposed redirection of overland flows along the property boundaries as satisfactory due to the high risk of flooding within proximity of the State Controlled Road.
17. Provide an amended Site Based Stormwater Management Plan (SWMP) that demonstrates that the proposed culverts within the site have capacity to support stormwater flows through the development.
18. Provide a Site-Specific Flood Study Assessment that demonstrates the following:
  - a. That the proposed earthworks will allow for the finished floor levels of the lots to be above the existing 1% AEP Flood Levels for the site; and
  - b. the modified 1% AEP Flood Level for the site that will occur due to the earthworks proposed by the development; and
  - c. a non-worsening of the 1% AEP Flood Level to adjacent and neighbouring properties.
19. Provide amended plans that show that all references to the proposed Benaraby Transport Logistics Centre have been removed as the works are not subject to this application.

Please note that the next stage of the application process cannot commence until an information request response to this information request and any applicable referral agency's



information request has been made by the applicant. A response to this information request may be provided in one of the following three ways:

1. Providing all of the information requested together with a written notice asking the Assessment Manager and any applicable referral agency to proceed to the next stage of the application process; or
2. Providing part of the information requested together with a written notice asking the Assessment Manager and any applicable referral agency to proceed to the next stage of the application process; or
3. A written notice: -
  - i. stating that the applicant does not intend to supply any of the information requested; and
  - ii. asking the Assessment Manager and any applicable referral agency to proceed with the assessment of the application.

Please be advised that Council is currently unsupportive of the proposed development due to extensive conflicts with the Planning Scheme, and the lack of evidence justifying the need for a change in zoning and significant costs for infrastructure upgrades and maintenance. As a result, if the Applicant cannot provide sufficient, unbiased justification to support the proposed developments proposal to change the zoning of the subject site, it is advised that the Applicant may withdraw the application and receive a partial refund as an alternative to receiving a potentially unfavourable outcome.

Please note that if no response is received to this information request or any applicable referral agency's information request within 3 months of the date of this request/s, then the application will automatically transition to the Decision Stage. However, you may obtain from the requesting Authority (ie. Council or a referral agency) an extension of time to respond to the information request. The request for the extension must be in writing and must be received by the requesting Authority prior to the expiry of the 3 month period. Please refer to Part 3 of the *Development Assessment Rules 2017* for further detail.

Should you have any queries in relation to this matter, please contact Council's Planning Officer Shaunte Farrington on (07) 4977 6851.

Yours faithfully



M C KELLY  
**A/PLANNING SERVICES COORDINATOR**