

# DA FORMER SUPERBEE Att 2 Original Report

Strategy and Planning Committee Agenda

29 September 2010

## 4 REPORTS

### 4.1 DEVELOPMENT APPLICATIONS

#### 4.1.1 DEVELOPMENT APPLICATION FOR MATERIAL CHANGE OF USE - RETIREMENT VILLAGE - 68 UNITS & COMMUNITY FACILITIES, 336 OLD BRUCE HIGHWAY TANAWHA

**File No:** MCU08/0059

**Author/Presenter:** Senior Development Planner, Planning Assessment, Barry Volp

**Attachments:** Att 1- Locality Map (SPC Att Pg 3)  
Att 2- Proposal Plans (SPC Pg 5)

<b>Planning Instrument:</b>	Maroochy Plan 2000 (21 April 2008)
<b>Applicant:</b>	Currie Ferguson & Woolcock
<b>Consultant (if applicable):</b>	Ken Hicks & Associates
<b>Application Number:</b>	MCU08/0059
<b>Division:</b>	6
<b>Properly Made Date:</b>	22/04/2008
<b>Information Request Date:</b>	16/06/2008
<b>Information Response Received Date:</b>	02/02/2009
<b>Proposal:</b>	Development Permit for Material Change of Use of Premises (Retirement Village - 68 Units & Community Facilities)
<b>Assessment Type:</b>	Impact
<b>No. of Submissions:</b>	29 (26 properly made)
<b>Land Address:</b>	336 Old Bruce Highway TANAWHA
<b>Property No:</b>	29613
<b>RPD:</b>	Lot 5 RP 183544
<b>SEQRP:</b>	Urban Footprint
<b>Land Area:</b>	3.1100 Hectares
<b>Strategic Plan Designation:</b>	Agricultural Protection and Rural or Valued Habitat
<b>Planning Area:</b>	20 – Mountain Creek Valley
<b>Planning Precinct:</b>	3 – Mons South
<b>Precinct Class:</b>	Sustainable Rural Residential
<b>Existing Use of Land:</b>	Former Tourist facility (Super Bee Honey Factory)

### PURPOSE

The purpose of this report is to seek council's determination of an application for a Retirement Village, comprising 68 units and community facilities. The application is before council due to the level of public interest (26 submissions against proposal).

### EXECUTIVE SUMMARY

The applicant seeks development approval for a Material Change of Use for a 68-unit Retirement Village including ancillary community facilities. The former Super Bee

tourist attraction occupied the site for approximately 20 years. A number of different types of dwelling units are proposed, including a mix of single and double-storey units with 2 and 3 bedroom configurations.

The proposed lot sizes generally range between 220m<sup>2</sup> to 250m<sup>2</sup>, resulting in a density of almost 22 dwellings per hectare, i.e. more than double that typically associated with a neighbourhood residential precinct and far exceeding that of any rural residential area. Hence, the scale and density of the Retirement Village and the resultant visual impact is clearly inconsistent with that anticipated in a rural residential setting.

The site contains a considerable amount of vegetation, with Regional Ecosystem (of concern) vegetation, as well as a wetland, located in the south-eastern corner. A covenant is proposed over this area. Two waterways traverse the property, one at the eastern end and the other at the western end, and both are proposed to be dedicated as drainage reserves. Neither of these waterways have been appropriately protected by the proposal and subsequently result in a conflict with the Planning Scheme.

Although the site is located within a Rural Residential Precinct, the precinct contains a number of existing non rural residential uses including Kings Church, Bellingham Maze, a caravan park, a service station, and the former Super Bee tourist attraction on the subject site itself. A small private school has recently been approved nearby.

However, despite the existence of these uses, the locality still retains a well-treed rural character, where buildings and the built form generally are subservient to, and appropriately screened by, the natural, vegetated environment.

The proposed development, characterised by a dense clustering of dwellings and a lack of vegetated buffers (both within and external to the site) represents an intensely urban outcome akin to a dense small-lot residential subdivision, and as such, is totally at odds with the existing character and with the outcomes intended by its rural residential precinct designation. Its rural location means that the site is remote from services and the elderly residents will be totally reliant on a village bus, or private vehicles while they are able to drive.

More broadly, the proposed development conflicts with numerous aspects of the Maroochy Plan 2000, is inconsistent with council's Growth Management Plan, provides insufficient planning grounds to approve given the substantial conflicts with the Planning Scheme, and is therefore recommended for refusal.

## **OFFICER RECOMMENDATION**

**That Council REFUSE Application MCU08/0059 for Development Permit for Material Change of Use of Premises for a Retirement Village (68 Units & Community Facilities) located at 336 Old Bruce Highway Tanawha, described as Lot 5 RP 183544 for the following reasons:**

- 1. the application conflicts with Maroochy Plan 2000 as it is not in keeping with the existing character of the locality;**
- 2. the application conflicts with Maroochy Plan 2000 as it will create adverse amenity impacts upon the locality;**

# DA FORMER SUPERBEE Att 2 Original Report

3. the application conflicts with Maroochy Plan 2000 as it does not respect the environmental values of the site, particularly the existing waterways;
4. the application conflicts with Maroochy Plan 2000 as it will create adverse off-site hydrological impacts
5. the applicant has not demonstrated sufficient planning grounds to justify approval despite the conflicts with the Planning Scheme; and
6. the site is inappropriate for dense residential use, particularly for the elderly, being remote from all retail, medical and social services.

## FINANCE AND RESOURCING

If the application was approved, the applicant would be required to pay contributions in accordance with council's Policies.

A current estimate of the infrastructure contributions required by this development is outlined below:

Infrastructure Network	Amount Payable
DC2 – Provision of bikeways and bicycle facilities	\$2,813.44
DC3 – Roads infrastructure	\$299,815.66
DC4 – Stormwater quality	\$146,695.07
DC5 – Public parks infrastructure	\$319,979.29
DC6 – Land for community facilities	\$28,652.82
<b>Total</b>	<b>\$797,956.28</b>

The above estimate of applicable contributions is based on 'urban - residential' rates (under the infrastructure charges policies), rather than the rural residential rates that currently apply to the site. Should the application be approved, an Infrastructure Agreement between council and the applicant would be required to secure contributions over and above that required by the current Planning Scheme Policies for rural residential land in order to reflect the demand generated by the use.

## INTRODUCTION

### Background/Site History

The subject site has previously operated as a tourist facility, being the Super Bee Honey Factory and its associated buildings/structures. It is understood that the site has been used as an unauthorised meeting (church) hall in recent years.

### Development application history

There were no formal pre-lodgement discussions about this proposed development. The application was lodged on 22 April 2008. Following the typical processing requirements under the Act, the applicant responded to council's request for further information on 29 January 2009. Public notification ended on 24 March 2009. The Department of Environment and Resource Management, acting as a concurrence agency (vegetation), provided its response to council on 3 August 2009. A meeting

was held between council officers and the applicant on 30 September 2009, whereby a number of concerns with the proposed development were discussed. The applicant formally responded to some of these concerns on 20 April 2010.

## Site Description

The subject site is located on the Old Bruce Highway or Tanawha Tourist Drive and is relatively flat, elongated and generally triangular in shape. The 3.11 hectare site has 4 frontages; being Tanawha Tourist Drive, Tanawha Road, Mannikin Road and the unconstructed Shannons Road. The site is heavily vegetated and two waterways traverse the site. A small dam exists in the north-eastern corner and a patch of Regional Ecosystem (Of-Concern) vegetation is located to its immediate south. Access to the site is via Tanawha Road to the south, which leads into a large asphalted car parking area essentially located in the middle of the site.

## Surrounding Uses

The site is essentially surrounded by rural residential properties. To the north are rural residential allotments generally larger than 3 hectares in area. To the south are somewhat smaller rural residential allotments of generally around 0.5 hectare, while a relatively large rural residential lot lies to the east. A caravan (relocatable home) park, Matilda Service Station and the Bellingham Maze are located to the west, interspersed with more rural residential properties. The site involving the recently approved Montessori School (child Care Centre) is located at the southern end of Glenmount Road, approximately 400m west of the subject site. The Kings Church is located approximately 200m to the north-east of the site on the corner of Tanawha Tourist Drive and Crosby Hill Road. Another Service Station (Caltex) is located approximately 500m east of the site along Tanawha Tourist Road. Chancellor Park is located approximately 1.5km (by road) east of the site.

## Proposal

The proposal is for a Material Change of Use to establish a Retirement Village comprising 68 individual dwelling units as well as a community facilities building for the exclusive use of residents of the complex. An on-site Manager will reside in one of the proposed units located adjacent to the access. There are a number of different types of dwelling units proposed. These are a combination of single storey dwellings with two bedrooms, and double storey dwellings comprising either three bedrooms or two bedrooms and a study. All units are proposed to have a single garage.

The proposed community facilities building, which is an ancillary use to the Retirement Village, comprises a large deck area with swimming pool, meeting hall, kitchen, craft rooms and amenities. The one storey high structure is to be elevated on poles and extend partially over the existing waterway (proposed drainage reserve) located in the eastern portion of the site. This waterway currently contains the small dam. Some riparian vegetation will need to be removed to facilitate the proposed community building.

Access to the site is maintained via Tanawha Road with a single access proposed generally in between the two existing access points. Each proposed unit has its own frontage to the new proposed internal road. Six (6) visitor parking bays are allocated across from the proposed community building. Further, each of the proposed units has a setback of 5.4m to its respective garage in order to accommodate a tandem parking space without encroaching onto the internal roadway.

Drainage reserves are proposed over the two existing waterways traversing the site; one on the western end and the other on the eastern side. It is the eastern waterway (dam) that is adjacent to the proposed community building. The Regional Ecosystem vegetation is located in the south-eastern corner of the subject site and has been identified for retention/protection by way of a covenant (approximately 2000m<sup>2</sup> in area).

## ASSESSMENT

### State Planning Policies/Management Plans

The following State Planning Policies (SPP) are applicable to this application:

- SPP 1-92 - Development & Conservation of Agricultural Land
- SPP 2-02 - Planning & Managing Development Involving Acid Sulfate Soils

SPP1/92 and SPP2/02 have both been deemed by the Minister for Local Government and Planning as being appropriately reflected in the Planning Scheme. Therefore, independent assessment against the State Planning Policies is not required.

The site is also identified as an 'Urban Koala Area' under the Koala Plan. The Nature Conservation (Koala) Conservation Plan 2006 and Management Program 2006-2016 requires that development has regard to the Urban Koala Area generally by way of the following:

- maintaining koala habitat linkages; and
- locating and designing buildings such that allows koalas to traverse the landscape.

The ecological assessment provided by the applicant identified the presence of two species of koala food trees on the site. As such, the assessment rated koala as a possible occurrence on the site, although no evidence of koala activity was found. The site is bordered by roads on all sides, hence the potential for fauna (koala) connectivity to and from the site would be limited.

The South East Queensland Koala Conservation State Planning Regulatory Provision came into effect on 31 May 2010. Under these Regulatory Provisions, the site is identified as *Low Value Bushland* and as being located within the *Assessable Development Area*. These Regulatory Provisions are not applicable to this application because they came into effect after the decision stage for the application commenced.

### South East Queensland Regional Plan

The site is located within the Urban Footprint under the South East Queensland Regional Plan. Thus, the proposed development is consistent with the Regional Plan. The identified Regional Ecosystem vegetation located in the south-eastern corner of the site is identified as a Terrestrial and Wetland Area under the South East Queensland Regional Plan. This area is proposed to be protected by way of covenant and, therefore, remains consistent with the intent of the Regional Plan.

# DA FORMER SUPERBEE Att 2 Original Report

## Growth Management Position Paper

The Growth Management Position Paper recognises the site as Existing Rural Residential within the Urban Footprint. The Key Directions for residential land state that: *Existing rural residential areas within the urban footprint continue to develop in accordance with the draft Local Government Management Strategy (LGMS) and planning scheme provisions.* The Draft Local Government Management Strategy for the former Maroochy Shire states the following:

<p>The rural residential precincts of Tanawha/Mons maintain the current character and be developed in a manner which respects the area's biophysical values and constraints.</p>	<p>Although within the urban Footprint, the Tanawha/Mons rural residential area.....is unsuitable for urban development due to its limited accessibility to transport and services, the urban break that it provides, its existing local character and extensive biodiversity values, and the degree of land fragmentation.</p>
--	---

Hence, while the Draft Local Government Management Strategy recognized the Urban Footprint designation over the locality, including the subject site, it asserts that the area is generally unsuitable for redevelopment. In particular, it requires that the current character of the area be maintained. Further, Maroochy Plan 2000 identifies the site as being located within a Rural Residential Precinct and for Agricultural Protection/Rural or Valued Habitat in its Strategic Plan. It is, therefore, considered that the proposed development is inconsistent with the Draft Maroochy Local Government Management Strategy, as well as the Planning Scheme and, ultimately, council's Growth Management Position Paper.

## **Planning Scheme**

Should the application be approved, the following Planning Scheme Policies will be applicable:

- DC1 – Water Supply and Sewerage Infrastructure
- DC2 – Provision of Bikeways and Bicycle Facilities
- DC3 – Roads Infrastructure
- DC4 – Stormwater Quality
- DC5 – Public Parks Infrastructure
- DC6 – Land for Community Facilities

## Strategic Plan and Desired Environmental Outcomes

Assessment against the Strategic Plan has identified a number of conflicts between the proposal and a number of provisions of the Planning Scheme. These conflicts are explored throughout this report and establish the grounds for the recommendation with respect to the proposal. The proposal conflicts with Desired Environmental Outcomes 1, 2, 3 and 6, and also Sections 7 and 10 of the Strategic Plan, and these are discussed in the following sections of the report.

## **Environmental Values**

The subject site currently contains a considerable amount of existing vegetation and a wetland. It is essentially the middle portion of the site (where the Super Bee factory

buildings and associated car parking is located) that is generally void of vegetation. Apart from the Regional Ecosystem and riparian vegetation, the remainder of the site's vegetation is not formally protected by Maroochy Plan. Planning Scheme Policy No. 12 – Biodiversity, which came into effect 30 September 2008 (after the application was received), includes specific measures requiring the protection of the riparian vegetation.

The proposal would result in the loss of much of the site's existing vegetation. In particular, the siting of the proposed communal facilities building partially within the existing 3<sup>rd</sup> order waterway (including the dam) will impact upon existing vegetation. Additionally, an internal road is proposed across this waterway. This waterway is identified as a *critical linkage* by Planning Scheme Policy No. 12 – Biodiversity and its riparian vegetation should be protected accordingly.

It is only the vegetation located in the south-eastern corner of the site that is identified as Regional Ecosystem (as well as a wetland). A covenant is proposed over this Regional Ecosystem vegetation along with a 20m setback to the nearest building. This is an appropriate protection measure for the identified Regional Ecosystem vegetation and meets the requirements of the Department of Environment and Resource Management.

Most of the other vegetation generally located throughout the site, other than the riparian vegetation adjacent to each of two streams, contributes more toward visual amenity than it does to environmental value. This is mainly because the site is fragmented by existing surrounding roads which ultimately reduce the connectivity potential of the site to any surrounding vegetation/habitat. Nonetheless, a considerable portion of the site's vegetation is located along the two waterways and it is this vegetation that has not been appropriately considered by the proponent.

A 7.5m wide rehabilitation buffer is proposed along the 3<sup>rd</sup> order waterway, which is well short of that required by Maroochy Plan. This is interrupted along the eastern side where the community facilities building is proposed. The applicant proposes to remove all of the stream's riparian vegetation, re-profile its banks and then rehabilitate it. It is also likely that the proposed works will impact upon the root zone of any retained vegetation. There remains a lack of certainty regarding potential impacts upon the 3<sup>rd</sup> order stream, particularly given the proposed location of the community facilities building. Concern is also raised regarding the 1<sup>st</sup> order stream located at the western end of the site as no assessment of this waterway has been provided, even though it is proposed to be redirected northward and re-profiled.

Consequently, the proposal conflicts with *Desired Environmental Outcome No. 1 - Environmental Management*, as it does not appropriately consider the existing waterways or respect the environmental values of the site. The proposal is also inconsistent with *Section 10 - Natural Resources* (Objective 10.5.3) of the Strategic Plan because it will further fragment existing vegetation on the site and compromise the aesthetic characteristics of the locality. While the potential impact of the proposed re-profiling of the site's two waterways is largely unknown, the proposed location of the community facilities building and roadway across the 3<sup>rd</sup> order stream does not promote the protection of the waterway linkage.

### **Amenity/Character**

The subject site is located within a rural residential precinct and although the immediate locality is dominated by detached dwellings on large vegetated allotments, it is interspersed with a handful of commercial uses (ie. service stations, a caravan

park and a church). Tanawha Tourist Drive also experiences higher traffic volumes than that expected in traditional rural residential localities. To this end, the locality is not considered to represent a pristine rural residential environment per se. That said however, the locality does still exhibit features unique to rural residential suburbs, particularly with respect to significant stands of vegetation in amongst well separated buildings. In particular, the allotments to the north across Tanawha Tourist Drive are quite large, with lot sizes generally in the order of 3 hectares.

The proposed lot sizes generally range between 220m<sup>2</sup> to 250m<sup>2</sup>, resulting in a density of almost 22 dwellings per hectare, ie. more than double that typically associated with a neighbourhood residential precinct and far exceeding that of any rural residential area. Hence, the scale and density of the Retirement Village and the resultant visual impact is clearly inconsistent with that anticipated in a rural residential setting.

Further, the site abuts Tanawha Tourist Drive and is part of the tourist route from the Bruce Highway. The subject site and the road reserve along Tanawha Tourist Drive currently comprises significant amounts of vegetation, which form a visual buffer and contribute toward the natural scenic attributes along the Tanawha Tourist Drive and the character of the area. The proposed units located along the Tanawha Tourist Drive frontage are located between 2.5m and 5m from the site boundary, thereby resulting in the loss of the existing vegetation along this frontage. The proposal thus relies on the vegetation located in the road reserve for visual buffering and amenity purposes. However, such vegetation should not be relied upon as a primary source of buffering as it has no formal measure of long term protection. On-site vegetation would be the most effective way of achieving an appropriate visual buffer. The proposed removal of the existing natural vegetation within the site, particularly along the site's frontage to Tanawha Tourist Drive conflicts with *Section 7 - Visual Amenity* of the Strategic Plan as it would compromise the character of the area and increase its visibility from an important arterial (tourist) route.

The proposal will result in a highly visible development as viewed from Tanawha Tourist Drive which does not accord with, and will impact upon, the existing (rural residential) character of the locality. As such, the proposal conflicts with *Desired Environmental Outcome No. 2 – Social Equity and Livability* and *Desired Environmental Outcome No. 6 – Urban Design, Heritage and Character*.

Character conflicts have been considered in a number of different forums, including the appeal of *Rosswalmore Property vs SCRC*. In that case, the site was located in a neighbourhood residential precinct. Nonetheless, the Judge found that the proposed density and scale resulted in a 'jammed up' housing development not in keeping with the character of development in the vicinity (in that case, Eumundi). While this part of Tanawha has different characteristics to the neighbourhood residential precinct of Eumundi, the issue of character is the key point in the judgement. With respect to the current application, the density, scale and resultant layout of the proposal is not in keeping with the character of the Rural Residential Precinct of the Mons South Precinct.

## Need

The proposed development would result in a medium-high density development in a low density, rural residential locality. The retirement village proposal closely resembles a small lot subdivision, which would be inconsistent in a rural residential precinct. Retirement villages are inconsistent with the general intent for rural



residential precincts and are preferred in mixed housing precincts and to a lesser extent, neighbourhood residential precincts.

The Economic Need Report provided by the applicant has not sufficiently demonstrated that there are no other alternate sites available for the proposed use and, as such, does not provide adequate justification to support the proposed development given the identified conflicts with the Planning Scheme. In essence, the Report reviewed a couple of potentially available sites in the Sippy Downs area (being 45 and 65 Sippy Downs Drive), due to their proximity to the Chancellor Park and the Sippy Downs Town Centre Precinct. While it is acknowledged that such uses should be ideally located proximate to community facilities generally found in Centre Precincts, a more widespread and complete assessment is required to determine the potential availability of appropriate sites for a Retirement Village of this scale and intensity.

To overcome the considerable conflict with the Planning Scheme, the applicant must demonstrate that there is an 'overriding need' for the proposal to establish in a particular location. 'Overriding need' must establish the overall social, economic and environmental benefits of the proposal against any detrimental impacts to the site/locality. The applicant must also establish that the community would experience significant adverse impacts if the development did not proceed.

Retirement villages of the nature proposed do not generally have specific locational requirements in order to serve a particular segment of the population. This is particularly the case if the facility provides a bus shuttle service for residents, as proposed. Conversely, uses such as schools and child care centres, for example, typically serve their local catchment and, therefore, may require a particular location in which to establish. The applicant has failed to demonstrate an overriding community need in the public interest for a retirement village to be located on this particular site.

Strategic Implementation Measure 2 of *Desired Environmental Outcome No. 5 - Community and Cultural Development* states the following:

- (c) *facilitate the development of premises, such as community halls, schools, welfare services and retirement villages, and residential care facilities at suitable locations which can meet community needs and demands....*

The intent of this Strategic Implementation Measure is to promote the establishment of, among others uses, retirement villages in order to provide *community....and recreational .....facilities*. Nonetheless, as stated in this Measure, such uses are to be facilitated 'at suitable locations'. To this end, the proposed use must be considered in the context of the entire planning scheme and, in doing so, demonstrates that the site is not suitable for a development of this scale and intensity.

While it could be reasonably argued that the proposed Retirement Village serves to meet the demands of population growth by providing accommodation and social opportunities for elderly residents, the subject site is not an appropriate location to provide such development at the scale and density proposed. In particular, the site is located within a rural residential precinct, whereby densities and associated impacts are expected to be relatively low. Although the character of the locality is not identical to a more remote and secluded rural residential environment, the proposed density and scale of the development is not in keeping with the existing locality. The

proposed use would result in a density normally anticipated in a mixed housing type of precinct. While the applicant provided an economic argument in support of the application, it appears to fall short of providing a balanced and comprehensive review of potential land available for a retirement village to locate. There has been no overriding need established for a retirement village to be located on this particular site.

Overall, the amenity and lifestyle values of the rural residential properties would be compromised and the natural resources on the site are not sufficiently protected by the proposal. The proposal does not meet the intent of *Desired Environmental Outcome No. 3 – Economic Sustainability*.

## Traffic/Transport

Maroochy Plan 2000 identifies Tanawha Tourist Drive as *Controlled Distributer Rural* road and the remainder of the surrounding roads as *Local Streets*. The traffic report submitted by the applicant indicates that the proposed development would not have a negative impact upon the function of Tanawha Tourist Drive. Council's Traffic engineer generally agreed with this conclusion, advising that there are no concerns with the proposal with respect to traffic generation, provided the intersection of Tanawha Tourist Drive and Mannikin Road is upgraded. The proposed access from Tanawha Road is preferred as it experiences far less traffic volumes than does Tanawha Tourist Drive. Should the application be approved, a condition can be imposed requiring additional road seal to the northern side of Tanawha Tourist Drive and also to create a Type CHR(S) right turn treatment on Tanawha Tourist Drive at its intersection with Mannikin Road.

## Site Location

The nearest commercial/community services and public transport facilities are located at Chancellor Park, which is approximately 1.5km from the site. Although there is a bus stop shelter located at the front of the Matilda Service Station just west of the site along Tanawha Tourist Drive and also one opposite, there does not appear to be a bus service that utilises these stops (according to the Translink website). It may be that it is a local school bus route only.

Nonetheless, the proposed development is not located conveniently in terms of access to public transport, community services, shops, medical services and the like, and, therefore, has the potential to increase the dependency on private vehicle usage. However, the applicant does propose a shuttle bus service for the residents of the retirement village, which (if operated appropriately) will enable residents to visit local services as a collective, thereby reducing reliance upon private vehicles to some degree. Although it is ideal that retirement villages are located proximate to such community services, the provision of a private shuttle bus service has potential to provide a convenient mode of transport for residents of the development. Such arrangements have been supported on other Retirement Village applications that are removed from everyday commercial facilities.

Undoubtedly, additional traffic (individual cars) will be generated by the proposed 68-unit retirement village. However, the frequency of private vehicle usage by retirees is generally low and thus, it is unlikely that such traffic would be significantly different to what currently exists. The intent of *Desired Environmental Outcome No. 4 – Transport & Accessibility* is upheld.

## Infrastructure

Due to its designation as rural residential, the site is not serviced by municipal reticulated sewer infrastructure, although a private sewer arrangement currently exists. Hence, to implement the required sewer infrastructure necessary to adequately service the proposed development, the applicant would need to gain the permission of the relevant property owners located over 1km from the site in order to place a rising main within their property. The applicant also requires the permission of Main Roads to use road reserve and council's Parks Branch to traverse the sewer through a reserve.

While such requirements could be conditioned by Unitywater should the application be approved, the sewer extension required would be costly for the applicant to construct. Nonetheless, the proposal will not compromise the intent of *Desired Environmental Outcome No. 7 – Physical Infrastructure*.

## Planning Area/Precinct Intent

The subject site is located in Planning Area 20 – Mountain Creek Valley, Planning Precinct 3 – Mons South, Precinct Class - Sustainable Rural Residential.

### PLANNING AREA

The Vision Statement of Mountain Creek Valley Planning Area promotes the following:

- (1) *It is intended that Mountain Creek Valley maintain a predominantly rural landscape at a major southern gateway to the Shire, accommodating areas of rural activities and natural vegetation, and providing a distinctive break between the urban areas of Buderim and Sippy Downs.*
- (2) *This will be achieved by:*
  - (a) *the continued use of land for rural activities;*
  - (b) *preventing urban development from encroaching into the Planning Area;*
  - (c) *maintaining the setting of the Bruce Highway generally as a densely vegetated scenic corridor;*
  - (d) *retaining and enhancing areas of remnant native vegetation; and*
  - (e) *limiting rural residential development to suitably located pockets of land east of the Highway.*

A Retirement Village does not promote the maintenance of a predominant rural landscape, nor does it *prevent urban development from encroaching into the Planning Area*. Hence, the proposed development does not further the intent of the Mountain Creek Valley Planning Area.

### PRECINCT INTENT

#### General Intent - Sustainable Rural Residential Precincts

The General Intent for Rural Residential Precinct states that *It is intended that the areas able to be developed in these Precincts be characterised by a low population density where people can enjoy a semi-rural lifestyle within relatively close proximity to urban facilities and that, multiple unit forms of residential use are generally not intended in such Precincts*. The Intent also requires that the built environment in these Precincts *respect and remain visually subordinate to the natural environment by retaining as much of the remnant vegetation as possible and by incorporating the natural environment into the development*. Underpinning this, the Mons South Precinct Intent states that the *Precinct is intended to be further developed for rural*

*residential purposes, with significant areas of remnant vegetation retained as much as possible, particularly along waterways and ridgelines.*

The proposed retirement village does not promote low population density or the envisaged semi-rural lifestyle. The proposal is not visually subordinate to the natural environment as insufficient setbacks and vegetated buffers are proposed, nor does it adequately incorporate the natural environment into the development. The proposal does not further the general intent of Sustainable Rural Residential Precincts.

The Precinct Intent also indicates that multiple unit forms of urban development are unsuitable for the Precinct and that existing vegetated area are fundamental considerations in determining the location and design of development. Although most of the existing vegetation on the site is not classified as 'remnant', much of it contributes positively to the amenity of the locality. The loss of vast amounts of vegetation to accommodate the current proposal is excessive and unwarranted; particularly the vegetation located in the eastern part of the site on either side of the Category 3 waterway. Overall, the proposal does not satisfy the intent of the Mons South Precinct.

#### PREFERRED AND ACCEPTABLE USES

The Preferred and Acceptable uses nominated in MP2000 are those referred to in the Tables of Development for the Sustainable Rural Residential Precinct. A Retirement Village, or any other use similar in scale, is not mentioned in the Table of Development. Hence, the current application is impact assessable.

The subject site was previously used as a tourist attraction. It is also surrounded by roads on all sides (albeit one of these roads is unformed) and Tanawha Tourist Drive is generally a well trafficked road. Thus there may be potential for an alternative land use to be considered for the site (other than rural residential), provided it has a scale and intensity commensurate with the locality. The proposed development is not 'appropriately sited and designed' and is not of a scale that is compatible with the locality.

#### LANDSCAPE AND BUILT FORM

There are no Landscape and Built Form requirements stipulated for this Precinct.

#### Applicable Codes

- Code for Nature Conservation and Biodiversity
- Code for Waterways and Wetlands
- Code for Assessment and Management of Acid Sulphate Soils
- Code for Landscaping Design
- Code for Transport, Traffic and Parking
- Operational Works Code
- Code for Integrated Water Management
- Code for the Development of Detached Houses and Display Homes
- Code for Retirement for Villages and Residential Care Facilities

# DA FORMER SUPERBEE Att 2 Original Report

The application does not comply with the following codes of Maroochy Plan 2000:

<b>Code</b>	<b>Discussion</b>
Code for Nature Conservation and Biodiversity	<p><u>Performance Criterion P1</u>  <i>The nature conservation and biodiversity values of environmentally sensitive areas are protected.</i></p> <p>Council's Ecologist has assessed the application and advised that the proposal involves extensive earth works within the root zone of many large trees adjacent to the waterways, which has a high probability of impacting upon the health and stability of "Of Concern" Regional Ecosystem. The fauna assessment provided by the applicant identified that there are 'likely' to be species on the site listed as rare or vulnerable (six under Qld legislation and two under Federal legislation). However, the survey was only undertaken for a one hour period using the random search methodology, which is inadequate to demonstrate that these species do not actually occupy the site.</p> <p>Overall, the assessment of the ecological values of the site provided by the applicant is inadequate to determine the actual impacts likely to result. There is insufficient justification to warrant the clearing of existing vegetation adjacent to the waterway. The proposal conflicts with Performance Criterion P1.</p> <p><u>Performance Criterion P4</u>  <i>Siting, design and construction of the development (including buildings, structures, outdoor activity areas and on-site infrastructure) minimise impacts on biodiversity values, having regard to:</i></p> <ul style="list-style-type: none"> <li><i>(a) the nature of the specific biodiversity values of the site and adjacent land;</i></li> <li><i>(b) the potential to contain new development within existing cleared or disturbed areas and avoid further fragmentation of vegetation;</i></li> <li><i>(c) the potential to respond sensitively to the natural land form;</i></li> <li><i>(d) the provision of adequate separation between the development and the specific biodiversity values of the site and adjacent land; and</i></li> <li><i>(e) the provision of other appropriate buffering treatments.</i></li> </ul> <p>The proposed development does not minimise impacts upon biodiversity values. It is not located in already cleared areas and, therefore, does not avoid further fragmentation. The existing vegetation located in the eastern part of the site (where proposed Units 23, 36 to 41 and 24 to 28 and 30 are located) should remain clear of development and be rehabilitated to ensure the overall ecological function of the 3<sup>rd</sup> order waterway is maintained. This vegetation also contributes toward the aesthetic characteristics of the locality. The proposal conflicts with Performance Criterion P4.</p>
Code for Waterways and Wetlands	<p>Performance Criteria (P1) states:  <i>A buffer is maintained to protect and enhance the environmental values and ecosystem services of waterways.....</i></p>

# DA FORMER SUPERBEE Att 2 Original Report

<u>Code</u>	<u>Discussion</u>
	<p>The site contains both 3rd and 1st order streams. The Acceptable Measures of the Code require a 25m wide and a 10m buffer to these streams respectively. Appropriate buffers have not been provided.</p> <p>Acceptable Measure A3.1 states: <i>No direct interference or modification of the waterway channel or instream habitat occurs other than where necessary for the natural enhancement of the waterway.</i></p> <p>The associated Performance Criterion (P3) states: <i>Stream integrity and in-stream habitat are protected or enhanced.</i></p> <p>The proposal involves the re-profiling of the two waterways, as well as the community facilities building located partly over the 3rd order waterway.</p> <p>The proposed works also include:</p> <ul style="list-style-type: none"> <li>• extensive in-stream works for the 3rd order steam, including removal of all riparian vegetation</li> <li>• a road crossing over the 3rd order steam</li> <li>• removal and relocation of the 1st order stream on the western part of the site and consequent removal of all its existing habitat</li> </ul> <p>Council's Ecologist advised that considerable modification of the waterways is proposed and suitable buffers are not maintained. No detail of the proposed rehabilitation of either of the streams is provided. The proposal requires the relocation of the 1<sup>st</sup> order waterway toward the north, which results in an alteration to its existing hydrological regime. Hence, the integrity and in-stream habitat may be compromised. The proposal conflicts with Performance Criteria P1 and P3 of the Code.</p>
Operational Works Code	<p><b>Element 4: Excavation and Filling</b> <u>Acceptable Measures</u></p> <p><i>A1.1: ....the extent of excavation (cut) and fill does not involve a total change of more than 1.0m relative to the natural ground level at any point.</i></p> <p><i>A1.2: No part of any cut and/or fill batter is within 1.5 metres of any property boundary except cut and fill involving a change in ground level of less than 200mm that does not necessitate the removal of any vegetation.</i></p> <p><i>A1.3: Retaining walls are no greater than 1.0 metre high.</i></p> <p>Council's Engineer has assessed the application and advised that the proposal involves cuts and retaining walls located closer than 1.5m from boundaries that are also in excess of 1m high. Insufficient justification has been provided regarding the non compliance. The proposal conflicts with the above Acceptable Measures.</p>

# DA FORMER SUPERBEE Att 2 Original Report

<b>Code</b>	<b>Discussion</b>
Code for Integrated Water Management	<p><b>Element 3: Flooding</b>  <u>Performance Criteria P1 &amp; P2</u>  <i>P1 Development does not result in:</i></p> <ul style="list-style-type: none"> <li>• adverse impacts on flood conveyance capacity;</li> <li>• unacceptable risk<sup>4</sup> to people's safety; and</li> <li>• adverse impacts on the capacity to use land within the floodplain.</li> </ul> <p><i>P2 For all floods up to and including the 100 year ARI:</i></p> <ul style="list-style-type: none"> <li>• the safety of people on the site is maintained;</li> <li>• potential damage to property on the site is minimised; and</li> <li>• the functioning of essential services is maintained.</li> </ul> <p>Council's Hydrologist has assessed the application and advised the following:                      The development proposes an increase in the number of people living and working at the site and has not provided an acceptable solution to demonstrate that the safety of people on the site will be maintained. The increased population comprise elderly and aged residents, who will be especially vulnerable and at risk should flooding occur on the site. Egress to and from the site has not been adequately demonstrated and in the current form will not provide the necessary access provisions.</p> <p>Further, stormwater peak discharges and levels are not equivalent in the pre and post development scenarios. Peak levels will be increased externally from the site in the post developed situation. Increases in flood characteristics externally from the site are not acceptable, especially where this may culminate in additional flood impacts to an already flooded site access. Hence, the proposal conflicts with the Code.</p>
Code for Retirement Villages and Residential Care Facilities	<p><b>Purpose</b>  <i>To ensure Retirement villages respect physical site constraints and are in keeping with the desired character, amenity and infrastructure capacity of the locality.</i></p> <p>The proposed retirement village does not appropriately respect the physical constraints of the site, nor is it in keeping with the desired character and amenity of the locality. The proposal conflicts with the Purpose of the Code.</p> <p><b>Element 1: Site Location</b>  <u>Performance Criterion P1</u>  <i>Premises must be located in an area that is consistent with the desired precinct character.....in which it is situated, and have close and convenient access to:</i></p> <ul style="list-style-type: none"> <li>• every day commercial facilities,</li> <li>• community facilities, and</li> <li>• public transport (or alternative private transport) facilities.</li> </ul> <p>While the applicant proposes a shuttle bus to enable residents to readily access everyday commercial facilities, it is unclear exactly how convenient the shuttle service will be for the residents of the</p>

# DA FORMER SUPERBEE Att 2 Original Report

<u>Code</u>	<u>Discussion</u>
	<p>Village. The applicant has merely stated that a shuttle bus will be provided, but does not stipulate how it will function on a day to day basis. For such a service to operate effectively, it is important that the shuttle bus provides regular trips to certain locations (for example, visit a major shopping complex and medical facilities at least a couple of times a week). Should the application be approved, the shuttle bus service would need to be conditioned to ensure a convenient service (at regular intervals) for the convenience of residents.</p> <p>The proposal does not meet P1 because:</p> <ul style="list-style-type: none"> <li>• it is not located in an area that is consistent with the desired precinct character (ie. rural residential); and</li> <li>• the applicant has not demonstrated that the shuttle bus service will provide residents with convenient access to everyday commercial facilities.</li> </ul> <p><u>Performance Criterion P2</u>  <i>Premises (including vehicle and pedestrian access for staff, residents or visitors) must be designed, sited and constructed to respect and be visually integrated into the streetscape and the natural surroundings whilst ensuring:</i></p> <ul style="list-style-type: none"> <li>• maintenance, where possible, of natural landforms and vegetation,</li> <li>• development is not visually intrusive, particularly from ridge lines, public open spaces, major tourist roads and other critical vantage points, outside of the site,</li> <li>• land is capable of proper drainage so as not to adversely impact on water quality,</li> <li>• development occurs on less steep parts of the site that do not unacceptably increase the visibility of the buildings from adjacent areas and in a form that allows natural landforms and vegetation to be maintained as much as possible,</li> <li>• maintaining natural drainage patterns (for both surface flows and groundwater), and</li> <li>• minimising erosion potential.</li> </ul> <p>The proposed scale and density of the proposed development is out of character with its immediate locality and it will not visually integrate into the streetscape and natural surroundings. It will be visually intrusive as viewed outside of the site and the natural waterways and vegetation are not adequately maintained. An acceptable resolution to drainage issues on the site has not been reached and the natural drainage patterns will not be maintained. Hence, the proposal does not meet P2 of the Code.</p> <p><b>Element 2: Site Size &amp; Density</b>  <u>Acceptable Measure A1.2</u>  <i>Development is of a scale that is consistent with the Precinct intent.....</i></p> <p>The scale of the proposed retirement village is inconsistent with the Precinct and will result in unacceptable amenity impacts to the</p>



# DA FORMER SUPERBEE Att 2 Original Report

<u>Code</u>	<u>Discussion</u>
	<p>locality and, therefore, conflicts with this Acceptable Measure.</p> <p><u>Acceptable Measure A2.1</u>  <i>The number of dwelling units on the site does not exceed:</i></p> <ul style="list-style-type: none"> <li>• the preferred maximum density stated for the precinct in which the site is situated (Volume 3 of this planning scheme refers), or</li> <li>• where a preferred maximum density is not stated - a Dwelling Unit Factor of 500,  <i>(whichever is the greater), and taking into account any specific environmental requirements of the site.</i></li> </ul> <p>There is no maximum density specified for the precinct because it is intended for rural residential living only. As the actual final arrangement of the 2 bedroom and 3 bedroom units is unknown, the maximum yield that is possible needs to be considered for the purpose of calculating density. As such, the proposed density equates to 85 equivalent units. The proposed development exceeds the maximum Dwelling Unit Factor by 24 equivalent 2 bedroom units. Hence, the proposal conflicts with Acceptable Measure A2.1.</p> <p><b>Element 4: Building Siting &amp; Design</b>  <u>Acceptable Measure A1.5</u>  <i>Buildings are set back a minimum of - In Sustainable Rural Residential Precincts – 10 metres.</i></p> <p>The proposed dwelling units are set back only 2m from the Tanawha Tourist Drive frontage and similar (although varied) setbacks are proposed to Tanawha Road. Hence, the proposed setbacks do not comply with Acceptable Measure A1.5.</p> <p>The associated Performance Criterion (P1) states:  <i>Premises must be sited and designed to take into account the relationship to adjoining premises, as well as the contextual relationship with the locality, which establish the overall setting of the site, including:.....</i></p> <ul style="list-style-type: none"> <li>• the location and amenity of adjacent buildings and premises;</li> <li>• townscape character and context; and</li> <li>• views and vistas.</li> </ul> <p>The proposal does not take into account its contextual relationship with the locality or the overall setting of the site, nor is it sympathetic to the views and vistas from Tanawha Tourist Road. The proposal conflicts with Performance Criterion P1.</p>
Code for Transport, Traffic and Parking	<p>For Retirement Villages, Schedule 2 to the Code requires 1 car parking space per self contained unit plus visitor parking at 50% of resident parking requirements. This equates to 102 spaces. Each proposed dwelling unit includes a single garage with sufficient space available behind to accommodate tandem parking. Six (6) additional parking bays are proposed near the community facilities building. Taking into account the ability for tandem parking behind each unit's single garage, the parking numbers proposed exceeds</p>

# DA FORMER SUPERBEE Att 2 Original Report

<b>Code</b>	<b>Discussion</b>
	<p>the requirements of the Code.</p> <p><u>Acceptable Measure A1.3</u> <i>The provision of at least one bus parking space at premises where buses are likely to be regular vehicles arriving at the facility in accordance with the requirements for provision of bus parking outlined in Planning Scheme Policy No. 6 - Transport, Traffic and Parking.</i></p> <p>The proposal relies on a shuttle bus service to justify the suitability of the site's location to be developed as a retirement village because the site is not located conveniently with respect to everyday services and public transport. However, no provision for a bus parking is proposed on site, nor have any details about the intended operation of this shuttle service been provided. The proposal conflicts with Acceptable Measure A1.3.</p>

## ECONOMIC IMPACTS

The Economic Development Branch advised as follows:

This development will contribute to the short term maintenance of jobs in the construction sector. The Economic Development Strategy's key goal of diversifying the economy will be met by enabling the accelerated growth of each of the 11 identified emerging sectors (Aviation, Creative Industries, Digital Industries, Education Services, Environmental Technologies, Food and Beverage, Health and Wellbeing, Light Industries, Professional Services, Sport and Leisure and Business Tourism and Events) alongside ensuring that the 3 primary sectors (Construction, Retail and Tourism) continue to grow.

## REFERRALS

### Internal Referrals

The application was forwarded to the following internal specialists:

- Infrastructure
- Unitywater
- Hydrology and Hydraulics
- Traffic and Transport
- Landscaping
- Strategic Planning
- Ecology

Their assessment forms part of this report.

### External Referrals

#### REFERRAL AGENCIES

The following Referral Agencies are applicable to this application. Their comments are provided below:

#### Concurrence

Department of Environment and Resource Management (formally Department of Natural Resources & Water)

The Department provided their Concurrence Agency response with respect to clearing vegetation on 3 August 2009 and imposed conditions requiring the establishment of a vegetation covenant over the Regional Ecosystem vegetation. This has been proposed by the applicant.

#### Advice

Department of Environment and Resource Management (formally Environmental Protection Agency)

The Department provided their Advice Agency response with respect to Wetlands on 4 July 2008 and provided the following recommendation to council:

- *the development approval should be conditioned to ensure that the existing development footprint (including building footprints, firebreaks, pathways, road access and necessary buffers) is amended to ensure that no clearing occurs within the area which is designated as both a referable wetland and an 'Of Concern' regional ecosystem;*
- *the drainage line extending through the centre of the lot should be revegetated using locally native species that reflect the pre-clearing regional ecosystem, with preference given to endemic species. Rehabilitation of this area will provide greater connectivity to wetland regional ecosystems located both north and south of the focal lot;*
- *the hydrological regime and flow rates into the wetland area and downstream wetland areas should not exceed those present prior to development;*
- *the development approval should be conditioned to ensure that a detailed stormwater management plan is prepared which ensures that the quality of stormwater flow from the site meets the water quality objectives scheduled under the Environmental Protection (Water) Policy 1997 for receiving waters, unless council considers that more stringent water quality targets are required. Water Sensitive Urban Design Principles including the use of bioretention basins and vegetated swales are supported; and*
- *adequate sediment and erosion management plans/practices are prepared and applied to ensure that sediment and pollutants during the construction phase do not enter the watercourse or wetland systems.*

Since the Department provided the above response to council, the proposal has been amended to include the identified Of Concern Regional Ecosystem and wetland with a covenant. Hence, the Department's first dot point is no longer relevant. However, their second dot point refers to the revegetation of the waterway and the location of the proposed community facilities building prohibits this to occur along the

# DA FORMER SUPERBEE Att 2 Original Report

entire length of the waterway. The remainder of the recommendations could be conditioned if the application were approved.

## SUBMISSIONS

The application was publicly notified in accordance with requirements of the *Integrated Planning Act 1997*. Twenty six properly made submissions and three not properly made submissions were received. One of the submissions was in the form of a petition with a number of signatories all against the proposal. One of the submissions (which was not properly made) was in support of the proposal.

## GROUNDS OF SUBMISSIONS

The following table provides a summary of the grounds for submissions received.

Issues	Comments
<b>conflict with planning scheme</b>	Agree. The proposal conflicts with a number of planning scheme provisions as discussed throughout this report. The application is recommended for refusal accordingly.
<b>out of character</b>	Agree. The proposed density and scale of the retirement village is out of character with its locality and would have adverse amenity impacts.
<b>inappropriate design of units</b> 2 storey, 3 bedroom units are not appropriate for retirees	Agree. It is unusual for a retirement village to include 2 storey dwellings with up to 3 bedrooms given the anticipated end uses of the development. Nonetheless, the proposed buildings would visually intrude into the current rural residential amenity.
<b>increased traffic</b>	Agree in part. The traffic impacts would be greater than the current situation because the site is not used as a tourist attraction any longer. However, it is unlikely that retirees would generate a significant increase in traffic movement in the area.
<b>impact on natural habitat/wildlife</b>	Agree. Even though the vegetation (Regional Ecosystem) located in the south-eastern corner of the site will be protected via a covenant, there has generally been insufficient information submitted to quantify the actual likely impacts upon the existing natural environment and, in particular, the potential impact upon the two waterways and to any endangered species that may occupy the site.
<b>inappropriate location</b> Site is not located close to essential services (shops, medical services) or public transport.	Agree in part. The subject site is not appropriate for a development of this scale due to its inherent conflict with the character of the locality. However, the proposed shuttle bus may assist in providing residents of the development with convenient access to essential services. This arrangement has been used to support other retirement village development applications also located in areas removed from such essential services.
No footpaths in the area and no designated crossing on Tanawha Tourist Drive	Agree in part. Should the application be approved, conditions would be imposed requiring the formation of an appropriate verge and footpath to the site's frontages. This would result in a loss of some of the trees that currently exist along the road shoulder. Nonetheless, there would be opportunities for

# DA FORMER SUPERBEE Att 2 Original Report

Strategy and Planning Committee Agenda

29 September 2010

Issues	Comments
	<p>residents to walk (for leisure purposes) along Tanawha Road and around the neighbouring streets to the south of the site.</p> <p>Tanawha Tourist Drive has an existing 80km/h posting adjacent to the site and the verges are restricted by vegetation and swale drains, particularly to the east of the site. While it would be undesirable for residents to walk along Tanawha Tourist Drive (northern boundary), mainly due to safety reasons, there would be opportunities for residents to walk to the Matilda service station if and when required. However, the verge alongside Tanawha Tourist Drive to the east of the site is generally un-trafficable (particularly for the elderly). Furthermore, there is presently no safe location anywhere near the site to safely cross Tanawha Tourist Drive.</p>
Residents will not be able to easily walk to access services.	Agree in part. The nearest services are generally located about 1.5km away at Chancellor Park/Sippy Downs, which is too far to easily walk. There is a service station located approximately 400m from the proposed access to the development which could be accessed on foot if need be. Nonetheless, a suitably operated shuttle bus would overcome these issues.
The use would be better located in Bellflower or Palmview	Agree. Master planning is currently being undertaken for Palmview. There should be a number of opportunities for retirement villages to be appropriately located in that area.
<b>amenity impacts</b> the existing trees on the site act as a noise buffer to the rural residential properties from traffic on Tanawha Tourist Drive	No assessment has been undertaken to determine the potential impact of traffic noise upon existing residential properties located to the south of the site. However, the existing trees provide more visual/amenity benefits the acoustic. It is more likely that any effect the existing trees would have on reducing noise would be psychological.
<b>construction noise</b>	While it is agreed that there would be noise during construction, this can be mitigated via operating hour conditions should the application be approved.
<b>insufficient road and intersection infrastructure</b>	Disagree. Council's engineer confirmed that the current road network is sufficient to accommodate the proposed use. Also, should the development be approved, conditions will be imposed requiring the upgrade of the Tanawha Tourist Drive and Mannikin Road intersection.
<b>impact on value of surrounding properties</b>	This is not a matter relevant to the Planning Scheme.
<b>flooding impacts</b>	The extent of flooding to the area may be exacerbated by the development.
<b>need</b> there is an oversupply of retirement villages in the area	The economic analysis provided by the applicant asserts there is a lack of such accommodation in the Shire.
the submitted	Agree. The economic analysis failed to demonstrate an

# DA FORMER SUPERBEE Att 2 Original Report

Strategy and Planning Committee Agenda

29 September 2010

---

Issues	Comments
economic report fails to demonstrate need for the proposed development	overriding community need in the public interest for a retirement village to be located on this particular site.
will set a precedent in the area	Regardless of the outcome of the current application, any other development proposed in the locality would be assessed on its individual merits.
insufficient parking	Disagree. The parking proposed is compliant with the planning scheme requirements for a retirement village.
sewer infrastructure there is no reticulated sewer and no provisions has been made for on-site effluent disposal	Disagree. The site is currently serviced by a private sewer main which is connected to Unitywater sewer infrastructure, hence, the site does not require on-site effluent disposal. Should the application be approved, conditions would be imposed requiring the upgrade of this infrastructure.

## CONCLUSION

The proposed scale and density of the retirement village is inconsistent with the rural residential character of the locality and subsequently conflicts with the intent of the precinct identified in Maroochy Plan 2000. The proposal would result in numerous adverse amenity impacts to surrounding rural residential properties. The proposed development has not adequately considered the ecological features of the site. In particular, the two waterways traversing the site will be adversely impacted by the proposed works. The proposal represents a significant conflict with the Planning Scheme, including its Strategic Plan, Precinct Intent and a number of Codes and also council's more recent Growth Management Plan. Although the site is located within the Urban Footprint under the South East Queensland Regional Plan, there are insufficient planning grounds to override the conflict with the Planning Scheme. The application is recommended for refusal.