

Attachment Folder

Item 8.1

Ordinary Meeting

Thursday, 30 January 2025

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DETAILED ASSESSMENT REPORT

DEVELOPMENT PERMIT FOR SHORT TERM

ACCOMMODATION

MCU23/0125

APPLICATION SUMMARY	
Division:	5
Applicant:	Geoffrey Thomas Family Trust
Consultant:	Adams & Sparkes Town Planning
Owner:	Presidential Capital Pty Ltd Tte
Proposal:	Development Permit for Material Change of Use of Premises to Establish Short Term Accommodation
Properly Made Date:	24/05/2023
Street Address:	862 & 894 Landsborough-Maleny Rd BALD KNOB QLD
RP Description:	Lot 1 SP 256087 & Lot 3 SP 311048
Assessment Type:	Impact
Number of Properly Made Submissions:	<p>The application was publicly notified for 15 business days between 11 December 2023 and 18 January 2024 in accordance with the requirements of the Planning Act 2016.</p> <p>A total of 2 properly made submissions was received objecting to the proposed development.</p>
State Referral Agencies:	<p><u>Concurrence</u></p> <ul style="list-style-type: none"> SARA at DSDILGP (State Controlled Road)
Referred Internal Specialists:	<ul style="list-style-type: none"> Economic Development Branch Development Services Branch: <ul style="list-style-type: none"> Principal Development Engineer Senior Landscape Officer Senior Environmental Management Officer 3D Project Officer

PROPOSAL:

The application seeks approval for Development Permit for Material Change of Use of Premises to Establish Short-Term Accommodation.

The proposed development will comprise of 38 residential units, a manager's residence and a reception and dining area, along with associated carparking and driveway access. The residential accommodation is comprised of 33 one-bedroom units and 5 two-bedroom

units, plus the manager's two-bedroom unit. Each unit includes bedroom/s with an ensuite, kitchenette and balcony.

The proposal comprises of six buildings, with the main building fronting Landsborough-Maleny Rd which includes Reception, Dining area (for guests only), Manager's office and meeting rooms. Twenty units are proposed directly adjacent the reception building all with balconies facing towards the coastal viewlines. An additional three buildings are proposed along the northern boundary of the site, which contain the remaining 18 units and manager's residence.

All buildings are a maximum of two storeys and within the 8.5m overlay height limit.

Vehicular access to the site is proposed via a 12m wide all-movements crossover on Landsborough Maleny Road, which includes a Basic Left Turn (BAL) and Channelised Right Turn (CHR) treatment. The proposal incorporates a total of 45 car parking spaces, including three persons with disability (PWD) bays. A service vehicle car park (MRV) is provided adjacent to the Reception/dining building. The proposed development also includes three motorcycle parking spaces, ten bicycle parking spaces and 18 golf cart parking spaces.

Reticulated water supply is not available to the development. Potable water supply will be provided via rainwater storage tanks.

The site is not in a sewered area. Greywater, accounting for two thirds of the wastewater flow will be treated on-site and discharged via a dedicated land application area. The land application area is proposed on adjoining lot 894 Landsborough-Maleny Road (Lot 1 on SP256087) which is also owned by the applicant. An easement is proposed over the land application area to provide the appropriate discharge rights. The remaining blackwater will be pumped out from a storage tank for disposal at a municipal sewerage treatment facility.

It is noted that Lot 1 SP 256087 has been included in the application but for the purposes of wastewater irrigation only. All other aspects of the development are contained within Lot 3 SP 311048.

On site waste collection is proposed from a screened bin enclosure and washdown area located at the eastern end of the proposed car parking area. The bin store area will contain 6 x 1,100L bulk bins which will be serviced two times a week on site by a waste collection vehicle.

Plans, elevations and sections are included below.

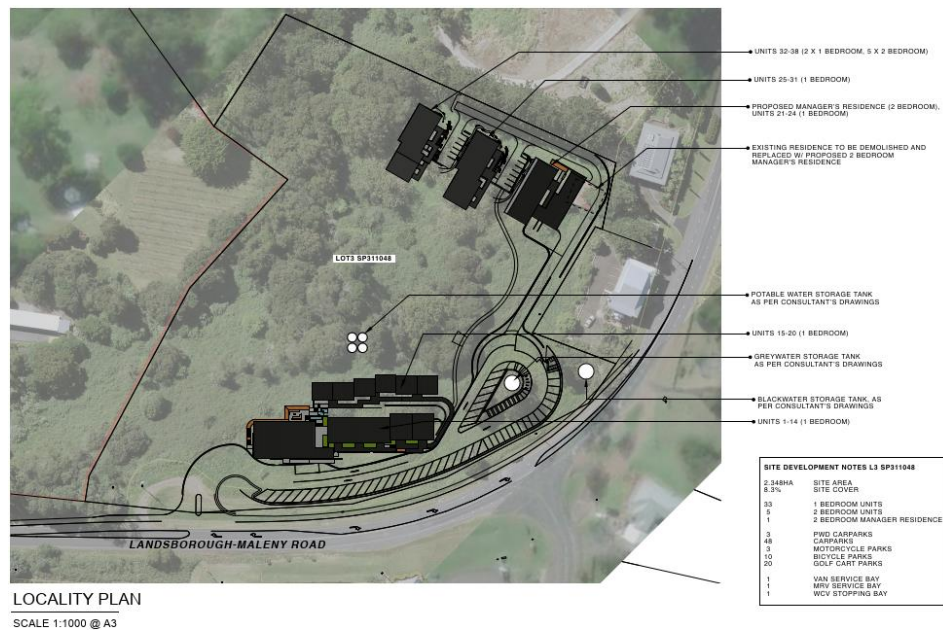


Figure 1 Locality Plan

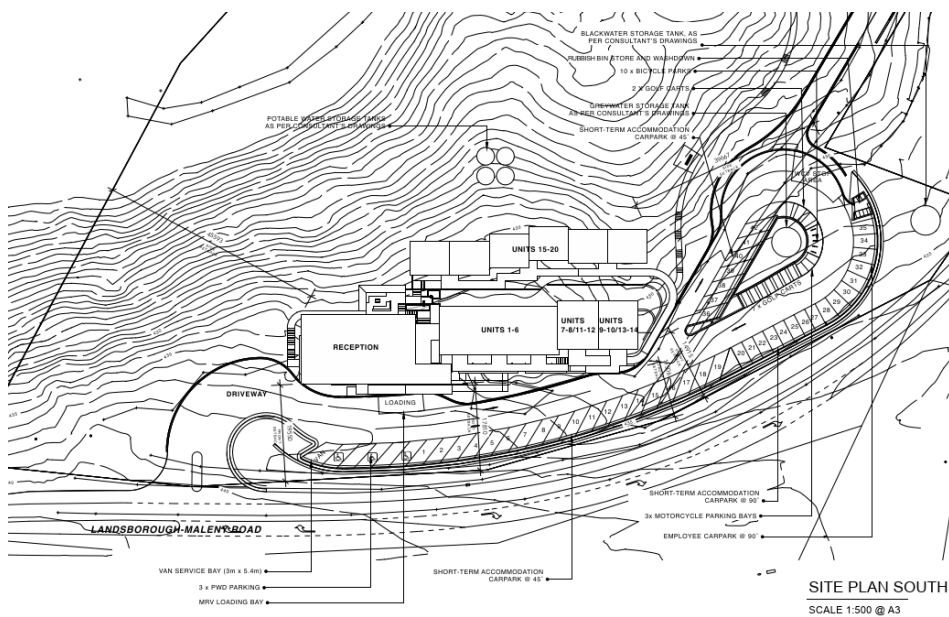


Figure 2 Site Plan of Southern Buildings and carpark

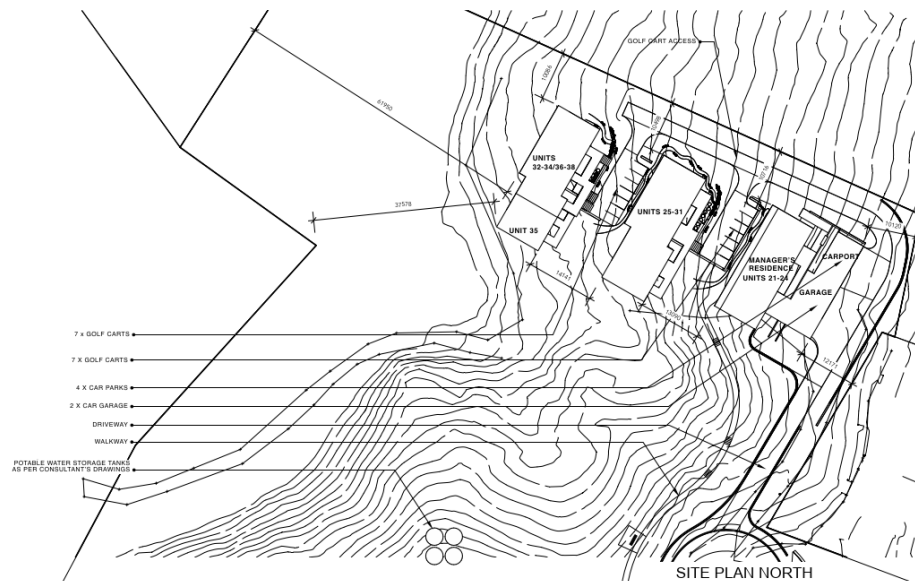


Figure 3 Site Plan of Northern Buildings

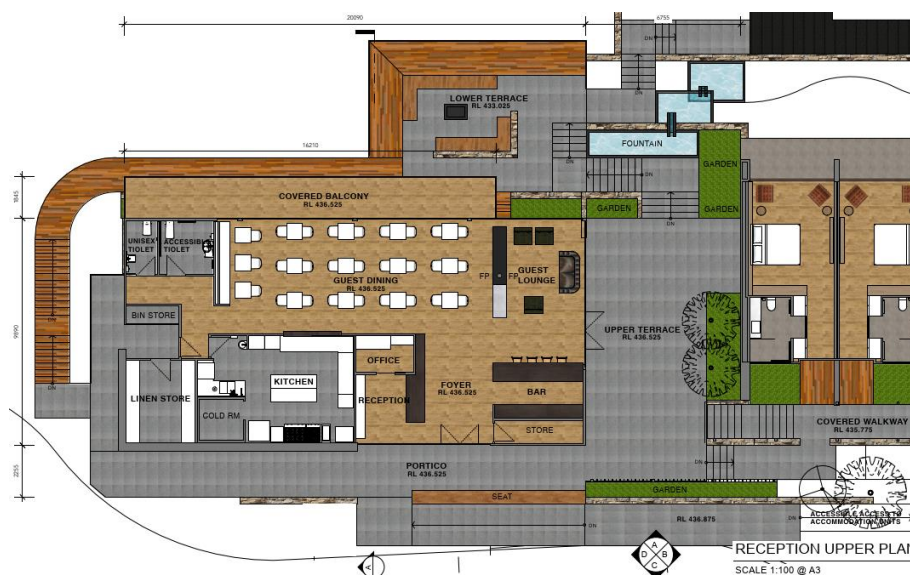


Figure 4 Upper Floor Plan of Reception Building

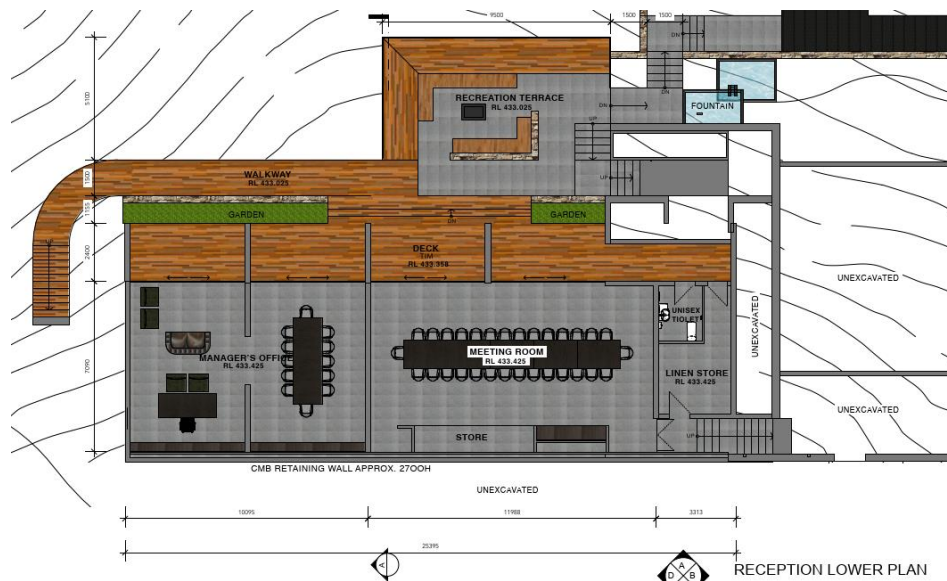




Figure 7 Floor Plans of Units 7-10



Figure 8 Floor Plan of Managers Residence



Figure 10 South Elevation of southern building (from road frontage)



Figure 11 North Elevation of southern building

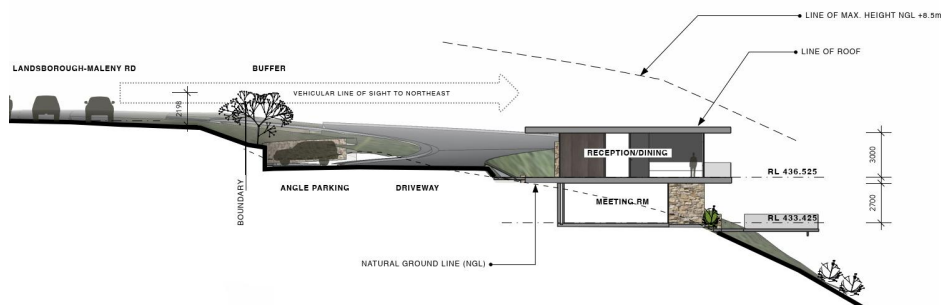


Figure 12 Section of Reception Building and Carpark

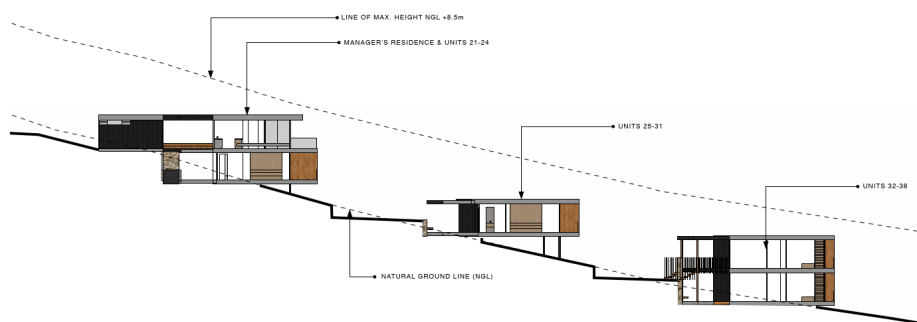


Figure 13 Section of Units 21-38 and Manager's Residence

The following table describes the key development parameters for the proposal:

MATERIAL CHANGE OF USE	DEVELOPMENT PARAMETERS	
	Design solution offered by the codes as an Acceptable Outcome for achieving compliance	Proposed
Gross Floor Area	60m ² x 8 = 480m ²	1,950m ² approx.
Number of Units	Not Applicable	38 units plus manager's residence
Building Height/Storeys	8.5m	8.5m (up to 2 storeys)
Density	Not Applicable	15.9 units per/ha based on the site area of Lot 3 SP 311048 only (2.348ha)
Setbacks	Front: 20m Side: 50m	Front: 11m-19m Side: 10m
Site Cover	NA	8.3% (based on the area of Lot 3 SP 311048 only)
Parking	42 spaces	45 car parks

	4 motorcycle spaces 6 bicycle spaces 1 x MRV & 1 x VAN	3 motorcycle spaces 10 bicycle spaces 1 x MRV & 1 x VAN
Landscaping	Minimum 3m wide landscape buffer to frontages (between car parking and front boundary). NOTE: While this is a minimum requirement in the Landscape Code, there are other provisions in the Strategic Framework and Overlay codes which take precedence and may require wider buffer widths, this is discussed in the following sections of the report.	2m-15m wide landscape buffer to frontage.

SITE DETAILS:

Site Features and Location

SITE AND LOCALITY DESCRIPTION	
Land Area:	2.348ha (Lot 3 SP 311048 only)
Existing Use of Land:	Detached Dwelling (to be demolished)
Road Frontage:	Approx. 218m to Landsborough-Maleny Rd
Significant Site Features:	<ul style="list-style-type: none"> Site slopes from road frontage to the rear with steeper land (escarpment) located within the centre portion of the site. Site is cleared along the road frontage with the remainder of the site vegetated. Site comprises an uninhabited dwelling in the eastern portion of the site that will be removed. The site to the North-West (Lot 1 on SP256087), known as Maleny Manor, is owned by the applicant and is an operated as a function facility. Existing access is from the western end of the Landsborough Maleny Road frontage.
Topography:	The site is very steep with slopes ranging from 15% to greater than 25%, with the majority of the site being greater than 25%, noting the site forms part of the Blackall Range escarpment which in places has slopes up to 60%.
Surrounding Land Uses:	North: Function Facility and short-term accommodation (Maleny Manor) East: Rural zoned land used for agistment and residential purposes South/West: Landsborough-Maleny Rd forms the southernmost and western boundaries. Adjoining the site

	<p>to the south, are two smaller rural zoned properties one containing a dwelling house (836 Landsborough-Maleny Rd) and the other being used as a restaurant and short term accommodation (840 Landsborough-Maleny Rd). On the opposite side of Landsborough-Maleny Rd is a mixture of residential properties and commercial uses including a commercial centre (within a Local Centre Zone) which contains restaurants and art galleries. Adjacent to the commercial centre are existing short term accommodation uses (Maleny Views Motel and Maleny Terrace Cottages).</p>
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The location of the subject site in relation to its surrounds is shown below:

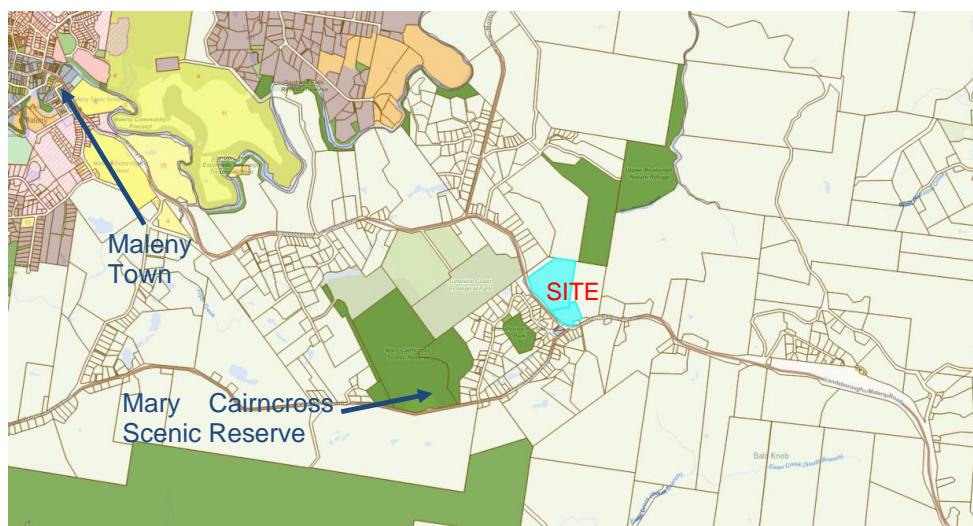


Figure 14 Locality Map



Figure 15 Aerial Photo of Site

Development History of Site

In relation to the site where the short term accommodation buildings are proposed, there is no relevant planning history to this proposal (a single detached dwelling is the only existing structure on the site).

ASSESSMENT:

Framework for Assessment

Categorising Instruments for Statutory Assessment

For the *Planning Act 2016*, the following categorising instruments may contain assessment benchmarks applicable to development applications:

- the *Planning Regulation 2017*
- the Planning Scheme for the local government area
- any temporary local planning instrument
- any variation approval

Of these, the planning instruments relevant to this application are discussed in this report.

Assessment Benchmarks Related to the *Planning Regulation 2017*

The *Planning Regulation 2017* (the Regulation) prescribes assessment benchmarks that the application must be carried out against, which are additional or alternative to the

assessment benchmarks contained in council's Planning Scheme. These assessment benchmarks may be contained within:

- the SEQ Regional Plan and Part E of the State Planning Policy, to the extent they are not appropriately integrated into the Planning Scheme; and
- Schedule 10 of the Regulation.

PLANNING REGULATION 2017 DETAILS	
Applicable Assessment Benchmarks:	<ul style="list-style-type: none"> • Part E

State Planning Policy (SPP), Part E

The assessment benchmarks of the SPP Part E that are relevant to the development proposal do not vary the current provisions of the Planning Scheme.

Assessment Benchmarks Related to the Planning Scheme

The following sections relate to the provisions of the Planning Scheme.

PLANNING SCHEME DETAILS	
Planning Scheme:	Sunshine Coast Planning Scheme 2014 (16 May 2022)
Strategic Framework Land Use Category:	Rural Enterprise and Landscape Area High Value Scenic Area Scenic Route Major Escarpment
Local Plan Area:	Not applicable
Zone:	Rural Zone
Consistent/Inconsistent Use:	Potentially consistent
Applicable Assessment Benchmarks:	<p>In relation to the <i>Sunshine Coast Planning Scheme 2014</i>, the application is assessable against the whole of planning scheme, including the <i>Strategic Framework</i> and the following relevant codes:</p> <ul style="list-style-type: none"> • <i>Landslide Hazard and Steep Land Overlay</i> • <i>Biodiversity, waterways and wetlands overlay code</i> • <i>Bushfire hazard overlay code</i> • <i>Height of buildings and structures overlay code</i> • <i>Regional infrastructure overlay code</i> • <i>Scenic amenity overlay code</i> • <i>Rural zone code</i> • <i>Nature and rural based tourism code</i> • <i>Landscape code</i> • <i>Nuisance code</i> • <i>Safety and security code</i> • <i>Stormwater management code</i> • <i>Sustainable design code</i> • <i>Transport and parking code</i>

	<ul style="list-style-type: none"> • <i>Waste management code</i> • <i>Works, services and infrastructure code</i>
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Strategic Framework

The Strategic Framework is an Assessment Benchmark for Impact Assessable applications and considers the following matters:

- Settlement Pattern
- Economic Development
- Transport
- Infrastructure and Services
- Natural Environment
- Community Identity, Character and Social Inclusion
- Natural Resources
- Natural Hazards

The application has been assessed against each of the matters above.

The proposal conflicts significantly with Council's Strategic Intent for development within rural areas and severely compromise the outcomes relating to Rural areas, High Value Scenic Areas, Scenic Routes and the Blackall Range Escarpment.

Upon detailed review of the application material and Council's 3D modelling it has been found that the proposal would have a significant impact on the views available across the site from Landsborough-Maleny Road (identified Scenic Route) and will severely detract from the landscape values of the site and the visual amenity of a scenic route. The proposal is positioned in a highly prominent location and is of a bulk and scale which is more urban in nature which is incongruent with its rural setting. The mitigating features of the proposal have been considered, but these have been found to not be sufficient to overcome the significant visual amenity impacts the proposal would have. Additionally, the applicant's visual impact assessment has been peer reviewed by an external visual amenity expert. Both internal specialists and the external peer reviewer agree that the proposal would have significant detrimental visual impacts and conflicts with the Strategic Framework in a number of ways.

The pertinent issues arising out of assessment against the Strategic Framework are discussed below.

Strategic Intent

Section 3.2.1 of the Strategic Intent provides an overview for shaping growth in the Sunshine Coast. The following statement used to articulate the policy direction of the planning scheme for shaping growth in rural areas is considered particularly pertinent to the assessment of the proposed development:

Outside of defined urban and rural residential areas, rural and natural areas are protected and enhanced for their rural enterprise, landscape and environmental values. These areas separate the Sunshine Coast from other parts of metropolitan

South East Queensland and provide the landscape setting and biological diversity for which the Sunshine Coast is renowned.

Comments

The proposal is more urban in scale and intensity and is inconsistent with the character of the surrounding rural area, despite it not being a typical rural area because of the surrounding land uses. Given that a significant proportion of the site is subject to environmental constraints, the proposed development is concentrated to the south of the site presenting a dense array of built form, which is inconsistent with the character and amenity of the rural area. The proposed short-term accommodation would comprise 38 units, and associated facilities (reception, guest dining, meeting rooms and extensive car parking) plus a manager's residence. This represents a short-term accommodation offering of a significant scale within the Rural Zone. This type of development is more suited to an urban environment.

Settlement Pattern

Section 3.3 of the Strategic Framework provides policy statements for managing the pattern of settlement in urban areas on the Sunshine Coast. Although the development does not propose permanent accommodation, the scale of the proposed accommodation buildings are considered to be urban development in this context. The following strategic outcome in section 3.3.1 (d) is considered pertinent as it relates to the protection of rural lands and natural areas:

Outside these [urban] areas, rural lands and natural areas are maintained predominantly for their rural enterprise, landscape and environmental values. These areas reinforce the character of the Sunshine Coast as a place with large areas of open space surrounding distinct and separate urban and rural residential areas.

Comments

The short-term accommodation buildings and associated facilities (reception, guest dining, meeting rooms and extensive car parking) are not consistent with the rural character of the area. They are of a bulk, scale and intensity more akin to an urban setting. The subject site is located outside of the local growth management boundary and the proposed scale and intensity of the short-term accommodation use conflicts with the strategic outcomes of the settlement pattern, as it does not contribute to a compact, efficient and functional urban form.

Economic Development

Element 5 of Section 3.4 of the Strategic Framework provides policy statements for managing tourism and tourism focus areas. Specific outcome 3.4.6.1 (a) is considered pertinent to the assessment of the proposed development:

"To support the preferred pattern of settlement, development provides for tourist oriented activities and services to be concentrated within the tourism focus areas identified conceptually on Strategic Framework Map SFM 2 (Economic development elements) and described in further detail in Table 3.4.6.1 (Tourism focus areas)"

Comments

The Strategic Framework seeks to establish urban tourism uses within the Coastal Tourism Focus areas, while Table 3.4.6.1 requires tourism in rural locations to be “*low impact*” and to have a “*primary emphasis on nature and hinterland/rural based tourism experiences*”. The short-term accommodation is of a scale and intensity which is urban in nature (taking the form of small short term accommodation rooms) and has not demonstrated any emphasis on nature or hinterland/rural based tourism experience. Further, the proposal is not considered ‘low impact’ in terms of visual amenity and character as discussed in the following section.

Community Identity, Character and Social Inclusion

The following Strategic Outcomes in section 3.8.1 are considered pertinent as they relate to non-urban areas:

(c) The prominent landscape features which contribute to the diversity and richness of the Sunshine Coast landscape, including beaches, headlands, high dune systems, creeks and rivers, islands, mountains, ridgelines, foothills and escarpments remain intact and undiminished. In 2031 these features are clearly identifiable in the landscape and retain a high level of visual, scenic and cultural value. (Emphasis added)

(d) The Sunshine Coast continues to be renowned for the many important views and vistas which contribute to the identity and attractiveness of the region. Local views of importance to residents are recognised and respected. (Emphasis added)

(f) Although parts of the coastal urban area within the Sunshine Coast Enterprise Corridor display the characteristics of a complex and reasonably intense urban environment, other parts of the region are generally characterised by a less intensive scale and form of development. (Emphasis added)

Further Specific Outcomes under the Landscape elements and features (Element 1) in section 3.8.2.1 are particularly pertinent to the proposal:

(a) The landscape elements identified conceptually on Strategic Framework Map SFM 6 (Community identity, character and social inclusion elements) which include regional and sub-regional inter-urban breaks, high value scenic areas, regional gateways and scenic routes are protected and enhanced. (Emphasis added)

(d) Scenic routes are protected and enhanced as major transport routes providing a high level of scenic and visual amenity to travellers.

(e) The prominent landscape features identified in Table 3.8.2.1 (Regionally significant landscape features) and important views to these features are protected from intrusion from buildings and other aspects of urban development. (Emphasis added)

(g) Other views and vistas, including those identified in local plans or which are important in a local context are also protected, particularly from development which exceeds specified building heights.

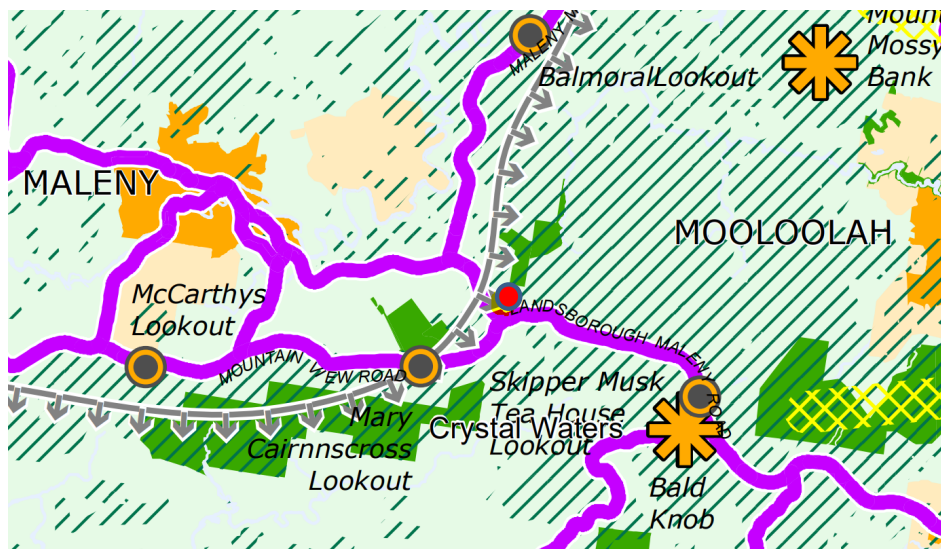


Figure 16 Extract of Strategic Framework Map SFM6 showing the site on a Scenic Route (approx. location of site shown with a red dot)

Figure 16 above shows the site being within 'High Value Scenic Area' (green hatch) and adjacent to a 'Scenic Route' (purple line) and an identified 'Major Escarpment' (grey arrows) by Map SFM6. It is noted that the Blackall Range escarpment is identified as a Regionally significant landscape feature in Table 3.8.2.1.

Landsborough Maleny Road is also identified as a Scenic Route on the Scenic Amenity Overlay Map.

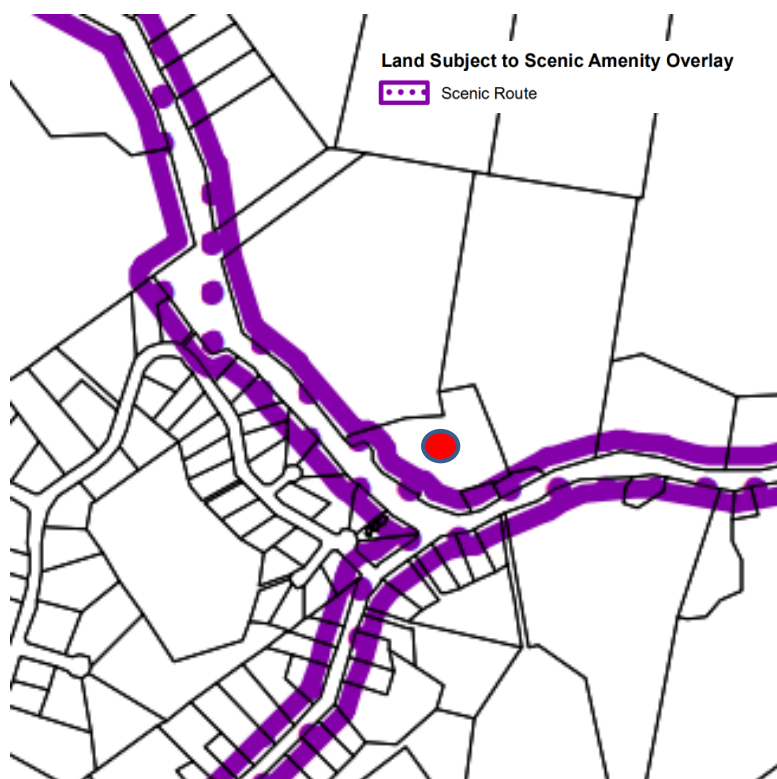


Figure 17 Extract of Scenic Amenity Overlay Map OVM38L (location of site shown with a red dot)

Comments

Existing views of the site along Landsborough Maleny Road are provided in the images below (these have been provided by an external visual amenity expert appointed by Council to undertake a peer review of the applicant's material).



Figure 18 View of site from Landsborough Maleny Road



Figure 19 View of site from Landsborough Maleny Road



Figure 20 View of site from Landsborough Maleny Road



Figure 21 View of site from Landsborough Maleny Road (intersection with Mountain View Rd)

The applicant proposes to address the provisions of the Planning Scheme relating to Scenic Routes, High Value Scenic Areas and the Blackall Range escarpment through a combination of built form treatments and landscaping treatments. The Architectural and Landscape Concept Plans submitted for the subject application incorporate:

- Landscape treatments to visually screen and soften built form elements.
- Planting in close proximity to the proposed buildings to help screen buildings and soften views into the development but not block view sheds from the scenic route.

- A predominantly endemic plant palette to create a building setting which is grounded in its context and is consistent with the natural landscape and character of the Maleny Hinterlands.
- The removal of a number of weed tree species on the property to open up additional view sheds from the scenic route.
- Building materials and external finishes that are compatible with the visual character and the landscape or townscape setting of the scenic route.
- Stepping of the building in sections in line with the natural landform.
- Keeping a flat roof profile and minimising building height where possible.

In addition, the applicant has provided a Visual Impact Assessment which has come to the following conclusions:

- The Photomontages provide static views limited by the field of view of the camera lens and are focussed upon the Site. In 'real world' situations the site (and the proposed development) would be viewed dynamically as a receptor passes the Site and would not have a fixed view. The visibility of broader visual context would militate their attention, interest and focus on the Site.
- Views from Landsborough-Maleny Road to the north across the Site will primarily be experienced by receptors travelling along the road in motor vehicles. These views will be available for a very short duration and are less expansive than views available from Landsborough-Maleny Road to the east of the Site.
- The streetscape is not a pedestrian orientated environment. It only provides a footpath partially along the southern side of the Landsborough-Maleny Road extending from the intersection with Mountain View Road to the west where it terminates at a bus stop. Receptors are unlikely to linger at the bus stop due to it providing neither seating nor shelter. The Site's neighbouring streetscape is otherwise unlikely to be traversed by pedestrians.
- The availability of the existing view is somewhat fortuitous, resulting primarily from the absence of taller vegetation on the Site. Vegetation located on the Site adjacent to the frontage or within the road reserve elsewhere along the northern side of Landsborough-Maleny Road is shown to obstruct views partially or fully to the north from Landsborough-Maleny Road. The view could therefore be easily diminished or lost due to potential similar tree growth on the Site.
- The change to the existing view resulting from the proposed development, will also include the creation of new view opportunities from Landsborough-Maleny Road. The clearing of vegetation within the Site will allow for alternate views to the north into and across the Site when looking to the north from Landsborough-Maleny Road, including a new vista from the intersection with Mountain View Road.
- The building will have limited visibility from Landsborough-Maleny Road and the neighbouring properties.
- The building's bulk and scale will be compatible with the existing streetscape. The proposed development will complement and make a positive contribution to the existing streetscape's built form character that will enhance its legibility and coherence.
- The proposed development will not have an unacceptable impact upon the existing visual character, amenity, and sense of place of the streetscape, neighbourhood, and citywide contexts.
- The proposed development is consistent with the applicable planning scheme provisions and intent where relevant to issues of visual amenity and character.

A selection of photomontages (and associated viewpoint referenced plan) provided with the Visual Impact Assessment are provided below:



Figure 22 Applicant's Viewpoint Reference Plan



Figure 23 Applicant's photomontage view of proposal from Landsborough Maleny Rd from Viewpoint D



Figure 24 Applicant's photomontage view of proposal from Landsborough Maleny Rd from Viewpoint E



Figure 25 Applicant's photomontage view of proposal from Landsborough Maleny Rd from Viewpoint F



Figure 26 Applicant's photomontage view of proposal from Landsborough Maleny Rd from Viewpoint G



Figure 27 Existing view of site from Landsborough Maleny Rd from Viewpoint H



Figure 28 Applicant's photomontage view of proposal from Landsborough Maleny Rd from Viewpoint H (showing removal of existing vegetation)



Figure 29 Applicant's photomontage view of proposal from Landsborough Maleny Rd from Viewpoint L

The landscape outcomes shown in the applicant's photomontages and on their landscape concept plans have been reviewed by Council's Senior Landscape Officer who has advised that the planting shown on these images are not realistic or viable for several reasons as outlined below:

- A retaining wall is proposed adjacent to the majority of the frontage of the site associated with the proposed car park, which is set back a minimum of 1m from the property boundary.
- The proposal indicates an offset of the retaining walls from the front boundary of approx. 750mm for the majority of the frontage, with 2 larger areas for landscape at either end of the car parking area. The space of 750mm would be insufficient to accommodate planting capable of screening the car park and just as critically the built form.
- At the top of the retaining wall the submitted engineering plans show a cut off drain proposed for stormwater overland flow interception and conveyance. Planting/landscaping within this drainage infrastructure will be very limited (if any).

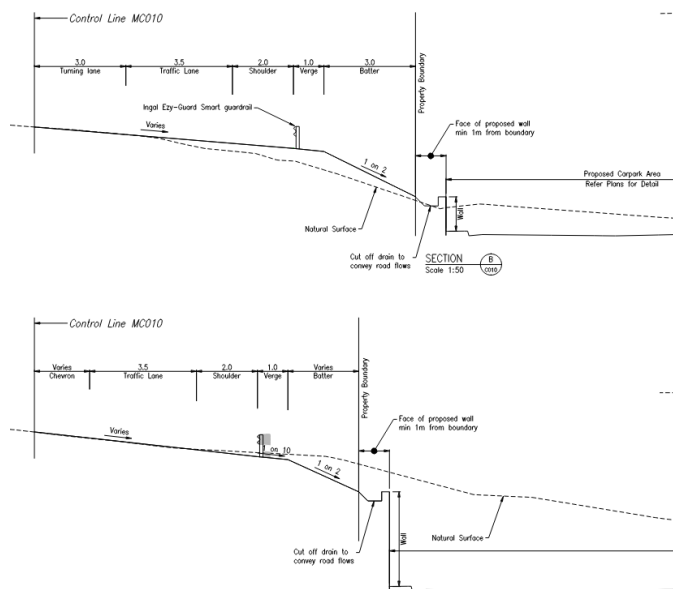


Figure 30 Applicant's engineering sections of proposed retaining wall adjacent the site's frontage

- The width of landscaping space at the base of the proposed retaining wall is very limited (approx. 600mm). This width is insufficient to accommodate species that could achieve a height to screen the built form from the road, with such a narrow width not being conducive to the growth of plants.
- A narrow area of landscape is proposed between the car park and the building that could potentially be landscaped. This has a maximum width of approximately 2.0m, with the width varying across the length. While some tree planting could hypothetically occur in this area, given the limited width it is unlikely to support any more than approximately 3 canopy trees which will not be sufficient to screen the built from considering its extensive length (70m).
- The conditions imposed by the State (for state controlled road impacts) limit planting along the entire frontage of the site so as to not obstruct visibility for vehicles exiting the site, which means landscape must be less than 1m high (both within the site and within the road reserve). In addition, there are conditions requiring front boundary fencing be provided for the length of the frontage (due to the steep drop off), which may further impact upon landscape outcomes.

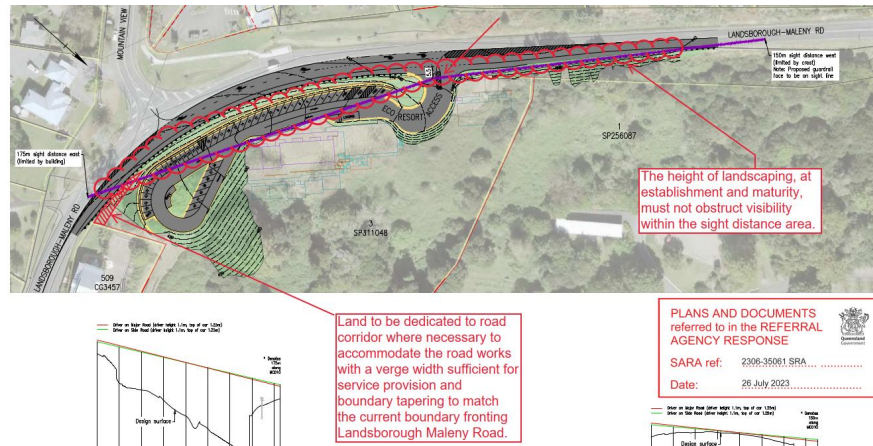


Figure 31 State referenced plan showing extent of landscaping restrictions

- The applicant's landscape concept plans indicate substantial verge planting to assist in screening the built form. This is not considered feasible given the aforementioned constraints.
- The application material indicates two storage tanks associated with greywater and blackwater treatment. No detail has been provided around the height of these tanks or what landscape could feasibly be provided in these two locations.

The applicant's visual impact assessment (VIA) was peer reviewed by Council's external visual amenity expert. Council's expert has made the following conclusions, which dispute the applicant's assertion that the proposal would not have an unacceptable impact upon the existing visual character and amenity and would be consistent with the planning scheme provisions relating to visual amenity and character:

"The VIA Report that is the focus of this review reflects a customised methodology for assessing impacts from the proposed development, but we accept that the essence of the assessment adopts the fundamentals of what might be considered an industry standard. There are however aspects of the assessment methodology and the findings which we consider to be shortcomings or disagree with. Of particular note:

- a) the assessment provides little in the way of description of the landscape and visual values of the site and wider setting and in our opinion the VIA Report understates the values of the landscape and the importance of the views across the site;*
- b) the Photomontages that have been provided (as well as the earlier set attached to the VIA Report) represent a narrow view of the proposed development from each viewpoint and limit the appreciation of the full extent of the view, the full extent of view obstruction, nor the full extent of the development likely to be visible from each viewpoint;*
- c) there is a lack of specificity in the application documents and the VIA Report about tree retention and removal across the site meaning the extent of the new views provided around the built form cannot be known with certainty;*
- d) the ratings for assessing impact magnitude lack clarity and the ratings for the sensitivity of receptors are lower than we would have rated;*

e) the responses provided for a number of the provisions raised in Council's IR are limited or overly general.

In our opinion, having regard to the proposed development, our observations about the site and the visual environment, and in response to the key outcomes sought by the relevant assessment benchmarks:

a) we accept that the proposed development is separated into a number of buildings with some having limited visibility; is of high architectural merit; is complementary to the rural character of the area; and responsive to the site conditions, but also believe that the main southern building is a relatively large building and arguably a more intense development outcome than is contemplated for this type of use in this locality;

b) the proposed development will have a significant impact on the views available across the site from Landsborough-Maleny Road and will severely detract from the landscape values of the site and the visual amenity of a scenic route;

c) while it is possible that there could be some new views provided (as a partial compensation for the views that will be lost) the provision and maintenance of these views is not assured (given the lack of certainty relating to retained and proposed landscaping).

Ultimately, having regard to the above observations, the proposed development fails, in our opinion, to satisfy a number of key assessment benchmarks and while the VIA Report is informative and useful, it does not demonstrate otherwise."

In context of the above advice from the external visual amenity expert and also Council's Senior Landscape Officer, Council's 3D Modelling Officer has undertaken detailed modelling of the proposal. This modelling seeks to illustrate a more accurate and realistic landscape outcome and includes the infrastructure items shown on the applicant's engineering details and as required by the State agency requirements. It demonstrates the proposal will clearly obstruct the available views from the scenic route, including the loss of foreground and mid distant views of rolling hills and other significant landscape features, and that the impacts of the proposal will not be mitigated by landscaping.

The following images are taken from the road at eye level of a person sitting in a sedan vehicle.



Figure 32 Council 3D model view of proposal from Landsborough Maleny Rd from Viewpoint D



Figure 33 Council 3D model view of proposal from Landsborough Maleny Rd from Viewpoint E



Figure 34 Council 3D model view of proposal from Landsborough Maleny Rd from Viewpoint F



Figure 35 Council 3D model view of proposal from Landsborough Maleny Rd from Viewpoint G



Figure 36 Council 3D model view of proposal from Landsborough Maleny Rd from Viewpoint H



Figure 37 Council 3D model view of proposal from Landsborough Maleny Rd from Viewpoint L



Figure 38 Panoramic view of proposal from opposite side of Landsborough-Maleny Road

Given the conclusions of Council's external visual amenity expert and upon review of Council's 3D modelling, it is clear the proposal would have a detrimental impact on scenic and visual amenity of the identified Scenic Route due to it being located in a prominent location and due to the overall bulk and scale of the development. With regards to the bulk and scale of the proposal the following points are noted:

- The main building addressing the frontage is approximately 70m long, which, for comparison purposes, is approximately the same length as Council's City Hall building within the Maroochydore CBD.
- The footprint of the buildings are significantly larger than any existing building in the locality noting the main building is double the size of the commercial buildings on the opposite side of the road (within a Local Centre Zone). Below is an analysis of the proposed building footprints in relation to existing building footprints in the surrounding locality. It is clear the proposal would be the largest building in the locality by a considerable margin, particularly when compared to existing buildings on the northern side of Landsborough Maleny Rd.

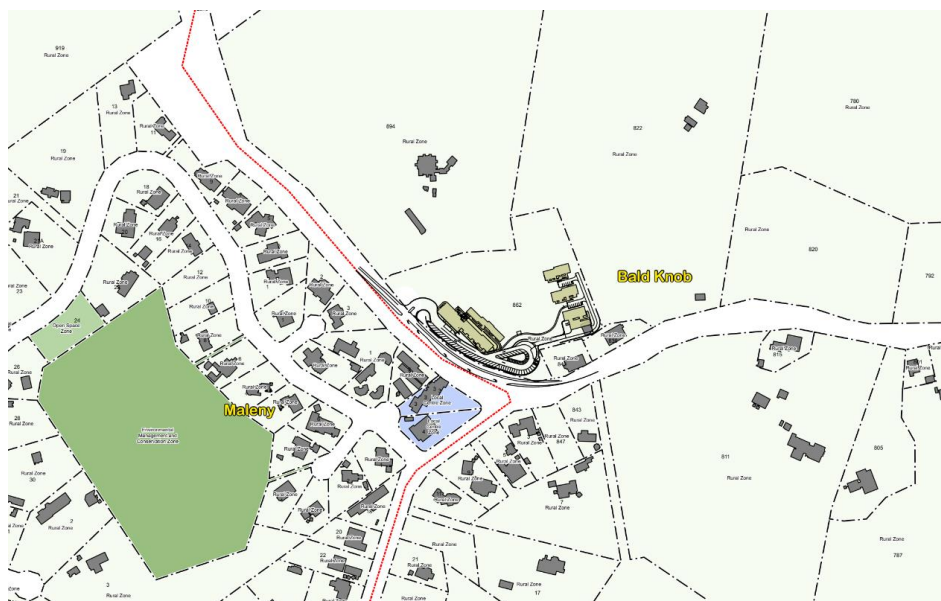


Figure 39 Building Footprint Analysis

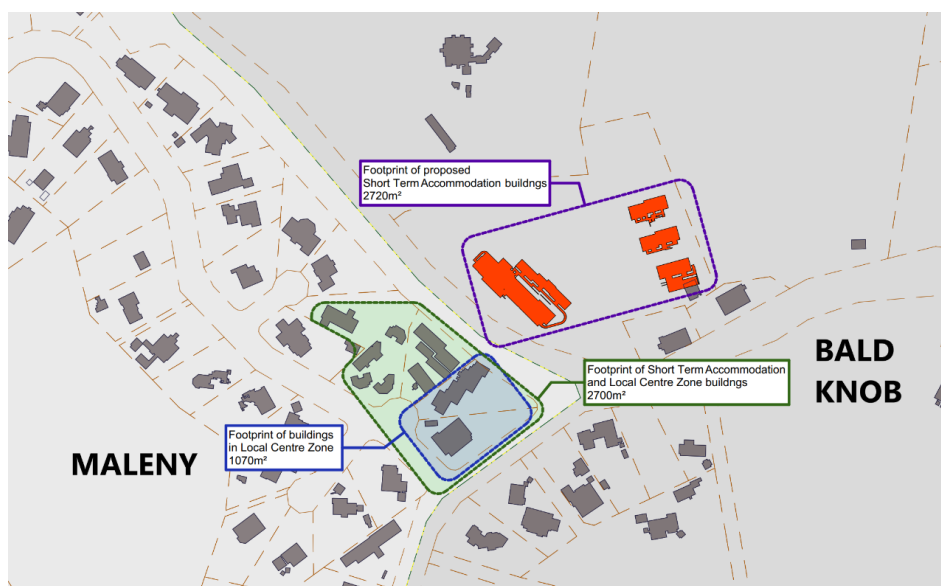


Figure 40 Comparison of building footprints of proposal and commercial buildings opposite the site

- All carparking, service vehicle parking and associated driveways are located in front of the building adjacent to the road frontage. As discussed above, this will have minimal screening landscaping.

- The length of driveway and carpark area located directly adjacent the road frontage is approximately 120m. The length and size of the carpark is comparable to the scale of the carpark for Mary Cairncross Reserve and to that of a commercial operation.
- While a new dwelling house could be constructed on the site and associated boundary fencing could be constructed, the scale and impacts of the proposal far exceed that of a dwelling house. It is important to note that the Dwelling House Code requires any new dwelling house be set back a minimum of 50m from the frontage (as an acceptable outcome). Any new dwelling house proposed on the site with a setback less than 50m to the frontage will require an application to Council where an assessment of visual impacts will be required. Furthermore, any new dwelling house proposed on the site would necessitate the demolition of the existing uninhabited dwelling house in order to address the requirements of the planning scheme.

While there is architectural merit to the proposal, the location, scale and intensity of the proposed short-term accommodation is inconsistent with what the planning scheme intends for development in the Rural zone, as well as the provisions relating to scenic amenity and character. The proposed 38 room short-term accommodation facility (with associated managers residence, dining, meeting rooms and reception facilities) does not represent a *“less intensive scale and form of development”* and will have significant detrimental visual amenity impacts including impacts upon significant viewlines from an identified Scenic Route.

Further, Council's external visual amenity expert has reviewed the proposal and considers that any approval of the proposal would *“have a significant impact on the views available across the site from Landsborough-Maleny Road and will severely detract from the landscape values of the site and the visual amenity of a scenic route”*.

Having regard to the above, the proposal is considered to be inconsistent with Specific outcomes 3.8.2.1(a), 3.8.2.1(d), 3.8.2.1(e) and 3.8.2.1(g) of the Strategic Framework.

Planning Scheme Codes

The application has been found to conflict with one or more elements of the applicable codes of the planning scheme and cannot be conditioned to comply. The pertinent issues arising out of the assessment are discussed below.

Scenic Amenity Overlay Code

The purpose of the *Scenic amenity overlay code* is to ensure that development does not adversely affect scenic amenity and landscape values within the Sunshine Coast. As previously discussed in the Strategic Framework section, the subject site is located on the Landsborough Maleny Road Scenic Route. Due to the location of the proposed buildings and associated car parking adjacent to the route and the absence of screening vegetation, the proposal would be highly visible and dominant in the landscape, and would neither protect nor enhance scenic amenity of the Scenic Route and the landscape values of the surrounding rural area. In addition to the proposal being inconsistent with Specific outcomes 3.8.2.1(a) and 3.8.2.1(d) of the Strategic Framework, the proposal would therefore also be inconsistent with the following Overall Outcomes and Performance Outcomes of the *Scenic amenity overlay code*.

Overall outcome (a) - development protects the significant landscape elements and features which contribute to the unique character and identity of the Sunshine Coast, including:-

- (i) the scenic amenity values visible from scenic routes.*
- (iv) significant views and vistas*

Performance outcome PO1 - Development does not detract from the visual amenity of a scenic route and:-

- (a) is visually unobtrusive, relative to its urban or nonurban setting and surroundings, when viewed from the scenic route;*
- (b) maintains or enhances important view corridors or distance views from the scenic route to significant landscape features; and*
- (c) is low key, both visually and in scale, so as not to detract from the scenic amenity offered from the scenic route.*

With respect to the abovementioned overall outcome and performance outcome, it is considered that the proposed Short Term Accommodation building and associated car parking would be visually obtrusive relative to its setting, which is considered to be predominantly rural in character, particularly along the northern side of Landsborough-Maleny Road.

The proposed development is located directly adjacent to the Scenic Route and the proposed landscape planting will not effectively screen the 70m long built form or the proposed extensive carparking area (which is over 120m long). Further, as discussed above, based on an analysis from Council's 3D model, the proposal is located so as it would obstruct an important view corridor and distant views from the Scenic Route to numerous significant landscape features such as Mt Coolum, Mt Ninderry, Mt Cooroy (among others) and the broader coastline. These views have been longstanding, and it is noted that Google Streetview images show these views existing in 2008. The applicant has stated that due to the clearing of vegetation, other viewlines may become apparent. As stated by Council's external visual amenity expert this has not been substantiated but in any event, it is not considered a reasonable contention that development should be permitted to have detrimental impacts on an existing significant view corridors on the proviso it be made good by clearing vegetation in other parts of the site.

In addition, there are significant mature trees which currently contribute to the scenic amenity of the area that would be highly unlikely to survive as a result of the proposal, noting the extent of proposed earthworks, effluent tanks, road widening and other infrastructure proposed in very close proximity to these trees. The below image show three large trees, in particular a large gum tree on the right, which would appear to be compromised by the proposed earthworks and infrastructure.



Figure 41 Streetview image of Mature trees on the site visible from the Scenic Route

Furthermore, as discussed above, the proposal is not considered “low key” either visually or in scale in the context of its rural surroundings. It is therefore considered that the proposed Short Term Accommodation buildings and associated infrastructure would detract from the existing scenic amenity offered from the Scenic Route, and would be inconsistent with the abovementioned purpose, overall outcomes and performance outcomes of the *Scenic amenity overlay code*.

Landslide Hazard and Steep Land Overlay Code

The purpose of the *Landslide hazard and steep land overlay code* is to ensure:-

- (a) *development avoids or mitigates the potential adverse impacts of landslide hazard on people, property, economic activity and the environment; and*
- (b) *development on steep land is avoided or otherwise limited in scale and intensity, and is sensitively located and designed to minimise adverse impacts on scenic amenity, the environment and public safety.*

Performance Outcome PO4 of Table 8.2.10.3.2 is considered particularly pertinent requiring:-

- “Development is sensitively designed, sited and erected to respect and be visually integrated into the streetscape and the natural surroundings by ensuring:-*
- (a) adequate screening of the underneath of buildings;*
 - (b) retention, where possible, of natural landforms, drainage lines and vegetation; and*
 - (c) buildings and structures are not visually intrusive, particularly from ridge lines, public open spaces, scenic routes and other critical vantage points, outside of the site.”*

The site is highly constrained by slope with almost the entire site having a slope greater than 25%. The proposed built form is located on the escarpment which in places has slopes up to 60%. While a Geotechnical Assessment has been provided by the applicant, which states that it would be possible to undertake the proposed development with a low risk of slope instability, the application has not demonstrated compliance with the scale, intensity and visual amenity requirements of this code.

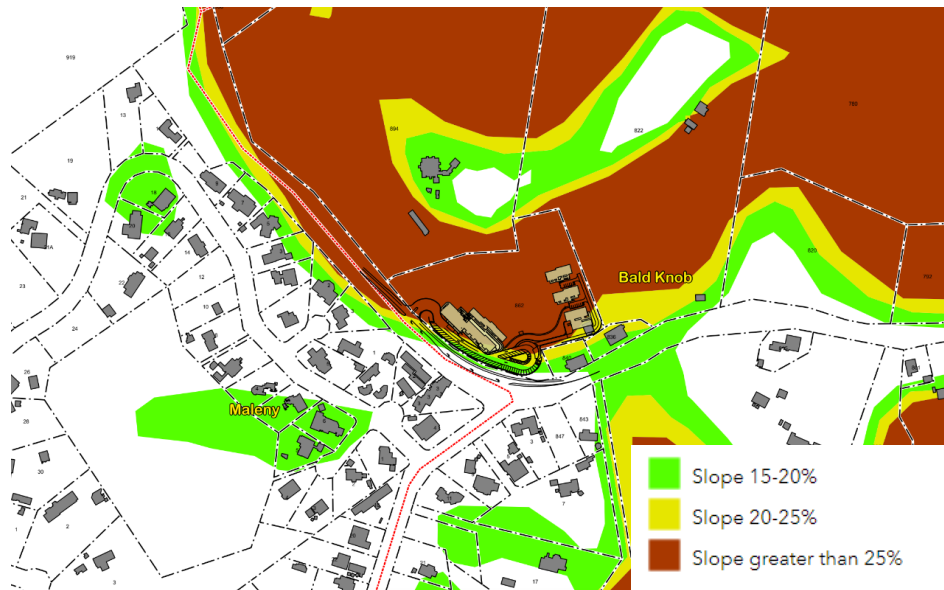


Figure 42 Proposal in relation to Steep Slopes

It is noted that the proposal has utilised a lightweight building design but the size of the development it is not limited in scale or intensity, nor has it been sensitively located to minimise adverse impacts on the steep slopes or scenic amenity (discussed in detail above). The proposal involves extensive earthworks (cut and fill) and retaining walls which will have significant impacts on the natural landform and to the detriment of the landscape character of the site and surrounding area. Below is a proposed earthworks plan submitted with the applicant's engineering material showing depths and extent of cut and fill.

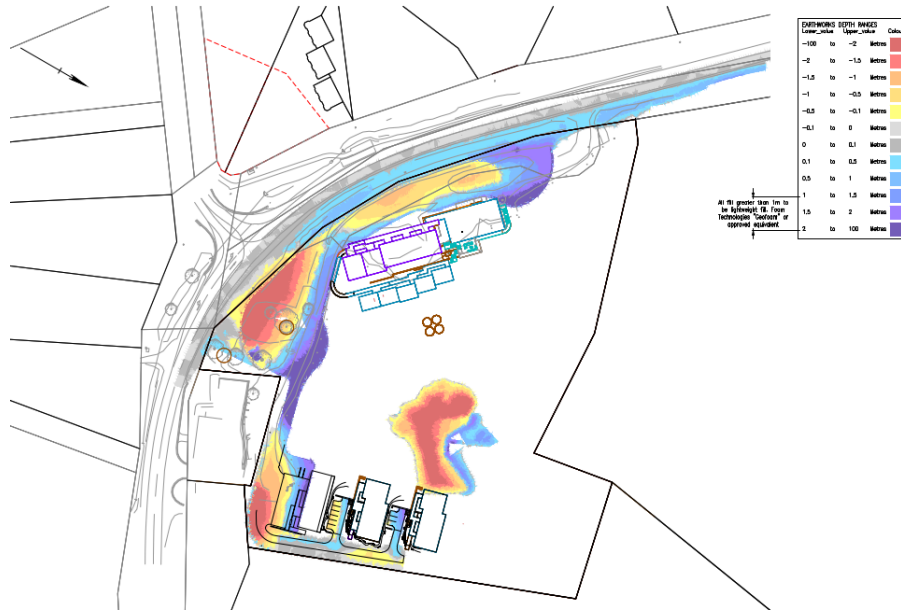


Figure 43 Applicant's Earthworks Plan - Cut and Fill

It is therefore considered that the proposed Short Term Accommodation buildings and associated infrastructure would be inconsistent with the abovementioned purpose and performance outcome of the *Landslide hazard and steep land overlay code*.

Rural Zone Code

The purpose of the *Rural zone code* is:-

"to provide for a wide range of rural activities and a limited range of non-rural activities which complement, value add or provide a service to rural areas. (Emphasis added)

Activities in rural areas maintain and enhance the character, visual amenity and rural production capability of the area. (Emphasis added)

The following overall outcomes are considered particularly pertinent to the proposal:-

(c) permanent residential accommodation is limited to dwelling houses on existing lots. Temporary residential accommodation which complements rural uses and promotes the sustainable use of rural land or the appreciation of the natural environment may also be established in the zone;

(l) the built form of development integrates with and complements the predominant rural character intended for the zone and sensitively responds to the environmental and topographic features of the landscape;

(n) development maintains and enhances the significant scenic and landscape values of the area;

(s) development provides for infrastructure and services that are commensurate with the nature and scale of development that is expected to occur in the area;

The *Rural zone code* explicitly notes (in Overall Outcome (v)(ii)) that a use listed as a potentially consistent use in column 2 of Table 6.2.19.2.1 (Short-term accommodation is listed as a potentially consistent use in the table) may occur in the Rural zone only where further assessment has determined that the use is appropriate in the zone having regard to such matters as its location, nature, scale and intensity.

The proposed Short Term Accommodation does not comply with the Purpose and Overall Outcomes of the *Rural zone code* for the reasons outlined below:

- The scale and intensity of the use being 38 short term accommodation units, a managers residence and associated facilities with potential for up to 82 guests per day (at 100% occupancy) is of an intensity and scale that is expected in urban precincts (it is noted that code assessable short term accommodation proposals are limited to just 8 holiday cabins)
- A facility of this scale/nature is urban in nature and normally located in the appropriate urban zones where there is access to services (water and sewer) and convenient access to urban amenities such as shops, public transport and restaurants.
- Overall Outcome (l) requires that the built form of development integrates with and complements the predominant rural character intended for the zone and sensitively responds to the environmental and topographic features of the landscape. The built form is not integrated or complementary to the rural character noting the bulk and scale of the main building is approximately 70m long and having a total footprint of approximately 2,700m².
- The proposed buildings will be highly prominent from the surrounding road network and the proposed built form (bulk and scale) remains inconsistent with the desired character and amenity of the Rural zone, which is for a built form that is much smaller in scale and that is compatible and subservient to the natural setting (cabins, houses, rural buildings).
- The development generates the need for 48 car parking spaces (proposed within a consolidated car park area) which are located directly adjacent to an identified Scenic Route and highly prominent Landsborough-Maleny Rd. Such a large expanse of hardstand (extending along the frontage for over 120m in length) is not consistent with a desired rural character.
- Overall Outcome (c) provides that temporary residential accommodation which complements rural uses and promotes the sustainable use of rural land or the appreciation of the natural environment may be established in the zone. The proposal being urban in nature (with guest dining facilities, offices and meeting rooms) does not appear to promote visitors engaging with the natural environment or sustainable use of rural land.
- Overall Outcome (s) requires that development provides for infrastructure and services that are commensurate with the nature and scale of development that is expected to occur in the area. The site is not connected to reticulated water or sewer. On site sewerage treatment is proposed and the applicant has submitted an Onsite Wastewater Report, however, there are concerns that the applicant is proposing on site holding tanks for blackwater. While the greywater is proposed to be treated on site, the blackwater is proposed to be pumped out from a storage tank for disposal at a municipal sewerage treatment facility. As such, it has not

been demonstrated that the site can accommodate the necessary large scale on-site effluent treatment areas needed for such an intense urban scale use. This is also supported by the *Works, services and infrastructure code*, which requires development in non-urban zones be provided with an on-site treatment and disposal system. It is considered that this is not a sustainable solution as the costs associated with continual weekly tank pump out would not be sustainable in the long term, given the size and scale of the system and expected peak flows. The best practice approach for this type of development is to make provision for a full onsite treatment (greywater and blackwater from the accommodation building) and disposal system which does not rely on regular tank pump out. Further, an effluent treatment system of this size would trigger the need for an Environmental licence from the Department & Environment & Heritage Protection. While the applicant was not requested to address this issue due to the fundamental visual amenity and character issues discussed above, it may be possible that an on-site solution could be achieved through the provision of an updated effluent disposal report and if the application was approved, the imposing of reasonable and relevant conditions.

It is therefore concluded that the development proposal is inconsistent and in conflict with the Purpose and Overall Outcomes of the *Rural zone code*.

Nature and Rural Based Tourism Code

The purpose of the code is to:-

“ensure nature and rural based tourism activities are appropriately located and designed in a manner which meets visitor needs, protects environmental and landscape values and protects the amenity of surrounding premises.”

Performance Outcome PO5 and PO7 of this code are considered particularly pertinent requiring:-

*“PO5 A nature or rural based tourism use incorporates site landscapes that:-
(a) provide an attractive landscape setting for the enjoyment and appreciation of visitors;
(b) visually screen and soften built form elements and integrate the development into the surrounding landscape”*

*“PO7 The size, scale and density of accommodation facilities:-
(a) is appropriate to its environmental or rural location and setting; and
(b) does not detract from the environmental or rural character and amenity of the local area.”*

It is important to note that the proposed short term accommodation is not consistent with the defined use of 'Nature-based tourism', which takes the form of lodges, cabins, huts and tents. Nonetheless the code is relevant to the proposal as involves a short term accommodation use within a Rural zone.

The proposed Short Term Accommodation does not comply with the Purpose and Overall Outcomes of the *Nature and rural based tourism code* for the reasons outlined below:

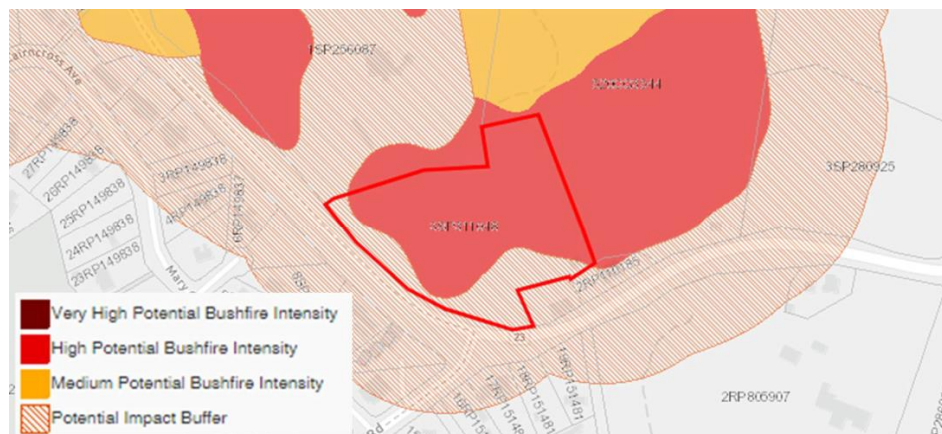
- The scale and intensity is not commensurate with the rural or natural setting or preferred character of the local area.

- The size, scale and density of accommodation facilities detracts from the environmental and rural character and amenity of the local area, which is not consistent with PO7 of the code.
- The proposed 38 room facility having a footprint of over 2,700m² in a highly prominent location is not consistent with the desired rural character and amenity of the area.
- As discussed above, the proposed mitigating landscape outcomes are not considered realistic or feasible noting the various infrastructure requirements of the proposal and the conditions imposed by the State Concurrence Agency. Due to a combination of the scale, layout and site constraints, the proposal will not be able deliver a landscape outcome which will visually screen the built form or associated carparking or integrate with the surrounding rural landscape.

It is therefore concluded that the development proposal is inconsistent and in conflict with the Purpose and Overall Outcomes of the *Nature and rural based tourism code*.

Bushfire Hazard Overlay Code

The site is identified to contain High Potential Bushfire Intensity Areas and associated buffers identified by the State Planning Policy mapping as illustrated in the figure below.



Development Codes

Transport and parking code

The Purpose and the key Overall Outcomes of the *Transport and parking code* are as follows.

- (1) *The purpose of the Transport and parking code is to ensure that transport infrastructure including pathways, public transport infrastructure, roads, parking and service areas, are provided in a manner which meets the needs of the development, whilst promoting active and public transport use and preserving the character and amenity of the Sunshine Coast.*
- (2) *The purpose of the Transport and parking code will be achieved through the following overall outcomes:-*
 - (a) *development is consistent with the objectives of the strategic transport network, which are to:-*
 - (i) *provide for a highly permeable and integrated movement network;*
 - (ii) *improve coordination between land use and transport so as to maximise the potential for walking, cycling and public transport use and reduce reliance on private motor vehicle travel;*
 - (iii) *achieve acceptable levels of access, convenience, efficiency and legibility for all transport users, with the needs of pedestrians considered in the first instance, then cyclists, public transport and then motorists;*
 - (iv) *preserve the amenity of sensitive land uses;*
 - (v) *limit road construction to the minimum necessary to meet the endorsed levels of service for ultimate development of the Sunshine Coast; and*
 - (vi) *provide for staging of Council's limited trunk road construction program to maximise sustainability.*
 - (c) *transport infrastructure is designed and constructed to acceptable standards and operates in a safe and efficient manner that meets community expectations, prevents unacceptable off-site impacts and reduces whole of life cycle costs, including reduced ongoing maintenance costs.*

As Landsborough Maleny Road is a State-controlled road, the transport implications of the proposed development have been considered by the Department of Transport and Main Road (DTMR) who have imposed conditions should the application be approved (issued by the State Assessment and Referral Agency, SARA). Their requirements are discussed in detail in the 'Referral Agencies' section below.

With regards to on-site parking requirements, the proposal of 45 car parking spaces satisfies the requirements of the *Transport and parking code*, which requires 42 spaces. However, there is a shortfall of 1 motorcycle space proposed with only 3 motorcycle spaces, whereas the code nominates 4 motorcycle spaces as an Acceptable Outcome for achieving compliance. It is noted that there is an excess of car parks proposed which could accommodate motorcycles should the 3 proposed spaces be occupied. As such, the proposal had demonstrated compliance with Performance Outcome PO14 of the code which requires "sufficient on-site parking for motorcycles and scooters to encourage their use and support the demand anticipated to be generated by the development."

The proposal therefore can comply (subject to conditions) with the Purpose and Overall Outcomes of the *Transport and parking code*.

Planning Scheme Assessment Conclusion

As discussed in this report, due to the visual dominance and location of the proposed Short Term Accommodation Building and associated infrastructure when viewed from the Landsborough-Maleny Road Scenic Route, the proposal is considered to be inconsistent with the following outcomes of the Strategic Framework and the planning scheme codes:-

- Strategic outcomes in section 3.8.1 (c), 3.8.1 (d), 3.8.1 (f) of the Strategic Framework.
- Specific outcomes 3.3.1 (d), 3.4.6.1 (a), 3.8.2.1(a), 3.8.2.1(d) and 3.8.2.1(g) of the Strategic Framework.
- The purpose, Overall Outcome (a) and Performance Outcome PO1 of the *Scenic amenity overlay code*.
- The purpose and Performance Outcome PO4 of the *Landslide hazard and steep land overlay code*
- The purpose and Overall Outcomes (c), (l), (n) and (s) of the *Rural zone code*, and
- The purpose and Performance Outcome PO5 and PO7 of the *Nature and rural based tourism code*.

In light of these conflicts, and in accordance with the *Planning Act 2016*, Council needs to consider if there are other relevant matters (such as an overriding need in the community interest) that would justify an approval of the application. As part of the Information Request, the applicant was requested to provide any other relevant matters relied upon to support the proposal as well as an economic impact assessment. The applicant declined to provide relevant matters or an economic impact assessment as they submitted that in their opinion, there is no conflict with the Planning Scheme. However, as part of their response, the applicant provided a survey report conducted by Maleny Manor wedding venue, which had the following findings:

- 98.28% of all attendees at a Maleny Manor wedding or function require accommodation.
- On average 10,001 Maleny Manor guests per year require accommodation.
- Maleny Manor generates 5,000 required room nights per calendar year based on 2 people per accommodation room.
- 70% of Manor guests are currently able to stay in the local area, however, an additional 16% are required to stay within the coastal region due to lack of availability in peak times or unsuitable accommodation types.
- On average, the Manor hosts 158 weddings per calendar year which equates to 3 per week.
- The current number of weddings booked for 2024 is 119, which is down on previous years. Where excluding 2024, the average number of weddings per year is 172 which equates to 3.3 per week.
- In 2022 there were 179 weddings which equates to an average ~3.5 weddings per week. On average the number of guests per wedding is 77 people with 63 guests requiring accommodation.

While there is likely to be a need for hotel accommodation, both within the hinterland and across the region, this need must be satisfied in appropriate locations and in a manner which is consistent with the character and amenity of the locality. The outcomes in the planning scheme about protecting the scenic and visual amenity of scenic routes are important to Council in a policy context as evidenced by these outcomes being repeated

in multiple parts of the planning scheme that are relevant to the assessment, including the Strategic Framework, the *Scenic amenity overlay code*, *Landslide hazard and steep land overlay code* and the *Rural zone code*.

It is noted that there has been a recent adoption of a Strategic Policy for Accommodation Hotel Incentives in August 2024. This application was lodged in May 2023 and has been subject to ongoing discussions due to inconsistencies with the Planning Scheme. Upon review of the Strategic Policy, it is apparent that the proposal would not be eligible for this incentive program as it is located in a Rural Zone (hotels must be located in urban zones to be eligible in accordance with the policy). Further, no information has been provided in relation to whether the design/operation will be consistent with the nominated criteria outlined in the policy (being at least a 4.0-star hotel category or intended to be managed by an international or national hotel band/operator). In addition, the Governance and accountability considerations section of the policy makes it clear that the policy does not “*alter the normal assessment rules applicable to development and does not remove or diminish the importance of achieving compliance with the planning scheme*”. It is understood that the applicant has not made any application for incentives under this policy.

With regards to whether the proposal would satisfy a planning, economic or community need the following points are noted:

- It is noted that there are aspects of the proposal which would not conflict with the visual amenity requirements such as proposed units 21-38 which are located further down the slope and are well set back from the road frontage.
- There are other locations on the site (including within the Maleny Manor lot), where the proposal could be accommodated without having the detrimental visual amenity impacts (well set back from the Scenic Route).
- There is appropriately zoned land within the Maleny Town Centre (which is approximately 5km from the site) which can accommodate short term accommodation uses. An urban style hotel use can occur within the town centre, without having the visual amenity impacts and would mean guests would have convenient access to urban services and facilities (restaurants, shops and other amenities).

With the applicant failing to provide an economic impact assessment, Council undertook a desktop review of existing short term accommodation operations in the immediate locality. This investigation involved research of short term accommodation operations within a 10-minute drive of the site located in the Maleny and Montville areas including hotels, motels, cabins, cottages, apartments, villas/studios with a minimum of 1 bedroom. In total, approximately 47 accommodation operations were identified in the locality, which provide a range of accommodation options from 1 bedroom up to 7 bedrooms offerings.

A Sunshine Coast Hotel Market: 10-year outlook Summary Report was prepared for Economic Development Branch in 2023 to determine the role of hotels in the region and how many are required to meet the visitor market now and until 2032 Olympic Games. As part of this report, approximately 60 rooms were identified as being required for the hinterland region over the next 10 years. This proposal would represent more than half of this quota and as mentioned in this report, not represent the rural amenity or character envisaged for hinterland accommodation. Existing forms of short term accommodation in the rural hinterland area are generally small scale ranging from 4 to 8 cabins.

Accordingly, it is considered that there are alternative sites and locations that could satisfactorily address the planning scheme outcomes and that would address any need

for short term accommodation within the locality without the detrimental impacts on the scenic amenity.

On balance it is considered that the application has not clearly demonstrated that there is an economic need, planning need or overriding community interest to justify approval of the proposal despite the conflicts with various planning scheme outcomes relating to the protection of the scenic and visual amenity of scenic routes.

Assessment Benchmarks Related to a Variation Approval

Not applicable.

Assessment Benchmarks Related to a Temporary Local Planning Instrument

Not applicable.

Other Assessment Matters

In addition to the assessment benchmarks referred to above, the *Planning Regulation 2017* requires that impact assessment must be carried out having regard to:

- the regional plan for a region; and
- the State Planning Policy, to the extent the State Planning Policy is not identified in the planning scheme as being appropriately integrated in the planning scheme.

South East Queensland Regional Plan (SEQRP)

The development is located within the Regional Landscape and Rural Production Area designation of the SEQRP. The provisions of the SEQRP relating to scenic amenity are reflected in the Planning Scheme. In particular, the SEQRP has specific outcomes in relation to protecting regionally scenic amenity areas from development that would compromise their value. The Blackall Range and broader hinterland area is identified as having Regionally significant scenic amenity.

State Planning Policy (SPP)

Since the time the *Sunshine Coast Planning Scheme* commenced on 21 May 2014, a new SPP came into effect on 3 July 2017 and must be considered for development assessment to the extent the SPP is inconsistent with the planning scheme. The proposal is consistent with the policy intent of the SPP and does not conflict with any of the identified state interests.

CONSULTATION:

Referral Agencies

The application was referred to the following referral agencies in accordance with the *Planning Act 2016* and the *Planning Regulation 2017*:

Department of State Development, Infrastructure, Local Government and Planning (SARA)

The department is a concurrence agency for state controlled road matters. The department responded on 26 July 2023 by including conditions for any approval requiring the following:

- A new rural driveway with a throat width a minimum of 12m.
- Upgrading Landsborough Maleny Road to provide a Basic Left Turn (BAL) and a short Channelised Right Turn (CHR(s)).
- Provision of road widening to accommodate the turn treatments and curve widening.
- Provision for on-road cyclists.
- Provision of pedestrian fencing or barrier for the extent of the property boundary fronting Landsborough Maleny Road.
- Restricting the height of landscaping, at establishment and maturity, to not obstruct visibility within the sight distance area (as discussed in earlier sections of the report).
- Dedication of land to road corridor where necessary to accommodate the road works with a verge width sufficient for service provision.

Internal Referrals

The application was referred to Council's Economic Development branch for comment. Detailed comments are provided below.

Economic Development Branch

"Council engaged an independent consultant, Tourism and Hospitality Services Australia (THSA), to investigate the need for hotels on the Sunshine Coast. The research highlighted a significant shortfall in international branded hotels, with the last luxury hotel being completed more than 30 years ago. The research estimated a need for 2,150 new hotel rooms and a further 300 boutique hotel rooms across the region to address the current shortfall in serviced visitor accommodation and to satisfy the forecasted demand from overnight visitors between now and the Brisbane 2032 Olympic and Paralympic Games.

The development of full-service hotel accommodation (as opposed to self-catering apartment accommodation which is already plentiful across the region) will play an important role in addressing the high levels of demand from the business, education and health visitor markets that we do not currently capture. The tourism sector is vital to the Sunshine Coast economy, employing almost 10 percent of Sunshine Coast residents and providing billions in spend each year into local business. In August, Sunshine Coast Council adopted the Accommodation Hotel Incentives Policy, providing a suite of incentives for appropriate developments that meet the specific, targeted criteria, along with abiding by all the necessary planning requirements."

As discussed above, the proposal does not meet the eligibility criteria of the Accommodation Hotel Incentives Policy and is not consistent with a number of Planning Scheme requirements.

Public Notification

The application was publicly notified for 15 business days between 11 December 2023 and 18 January 2024 in accordance with the requirements of the *Planning Act 2016*. A total of 7 submissions were received, of which 2 were determined to be 'properly made' in accordance with the *Planning Act 2016*. Further supporting documentation was provided by submitters outside of the notification timeframes and the issues raised in this documentation have been considered below.

Six of the seven submissions, properly made and not properly made, opposed the development, with one submission being neutral.

The following table provides a description of the matters raised in submissions received about the application, together with a statement of how those matters were dealt with in reaching a decision:

ISSUES	COMMENTS
<u>Visual Impacts</u> <ul style="list-style-type: none"> The proposal will obstruct views from various vantage points around the site. The proposal, if approved, will seriously impact the existing scenic amenity of a highly prominent location. The proposal will have impacts on businesses on the opposite side of Landsborough-Maleny Road particularly in relation to impacts on their viewlines across the site, which is a key attractor of customers. 	<p>Noted and agreed. Council's assessment of the proposal's likely impact on scenic amenity and obstruct significant view lines is outlined in this report.</p> <p>The modelling undertaken by Council demonstrates the proposal will have significant impacts on the Scenic Route as well as from properties on the opposite side of Landsborough-Maleny Road.</p>
<u>Bulk and Scale</u> The built form and development footprint generally is of a size and scale that is out of character with other development on the largely undeveloped rural land north of Landsborough-Maleny Road.	<p>Noted and agreed. Council's assessment of the proposal's bulk and scale being inconsistent with the rural character is outlined in this report.</p>
<u>Steep Slopes</u> The development has not been designed or sited to sensitively respond to the site's physical characteristics which include steep slopes that are proposed to be substantially altered to accommodate the proposal.	<p>Noted and agreed. Council's assessment has found the proposed development has not been sensitively designed in consideration of the exceedingly steep slopes and is having significant visual impacts on the streetscape and natural surroundings.</p>
<u>Traffic and Parking</u> Traffic and parking impacts on surrounding area and businesses.	<p>As part of the application process, the State Government, via the State Assessment and Referral Agency (SARA), was required to assess the application as it relates to particular matters of State interest. SARA has</p>

	provided their response and conditions for the development application should it be approved by Council. This relates to impacts on the State-controlled road network and includes conditions requiring external road upgrades to meet their operational and safety requirements. With regards to car parking, the applicant has provided a complying number of car spaces on site for the number of units proposed.
<u>Flora and Fauna</u> Impacts to the local flora and fauna.	The ecological assessment submitted with the application has found the site has a relatively low habitat value due to low vegetation cover, high level of weed incursion and historical land uses. The proposal includes rehabilitation of the northern parts of the site including a stream order 1-2 waterway. It is considered that the proposed development is capable of addressing the Purpose and Overall Outcomes of the <i>Biodiversity, waterways and wetlands overlay code</i> , subject to the imposition of conditions on any approval (which would include rehabilitation of all waterways).
<u>Services</u> Impacts on existing services such as water.	The development is not proposed to be connected to reticulated water or sewer and telecommunications and power are available to the site. Potable water, electricity and telecommunications services can be provided to the site in a manner which it will not have any adverse impacts upon existing surrounding uses.
<u>Public Notification</u> Concerns that public notification was not undertaken correctly by the applicant.	It is the applicant's responsibility to comply with the public notification requirements of the Planning Act. The applicant has submitted a notice of compliance outlining how they have complied all necessary notification requirements including placing a notice in a newspaper, placing sign on the premises and notifying all adjoining landowners. No evidence was provided to demonstrate non-compliance with public notification requirements.

CONCLUSION:

The proposed development is in clear and substantial conflict with the Planning Scheme, particularly in relation to the *Strategic Framework*, *Rural zone code*, *Scenic amenity overlay code*, *Landslide hazard and steep land overlay code* and the *Nature and rural based tourism code*.

Upon detailed review of the application material and 3D modelling it has been found that the proposal would have significant detrimental impacts on the views available across the site from Landsborough-Maleny Road, an identified Scenic Route, and will severely detract from the landscape values of the site and the visual amenity of a Scenic Route. The proposal is positioned in a highly prominent location and is of a bulk and scale which is more urban in nature which is incongruent with its rural setting.

Further, the site is highly constrained with very steep slopes which form part of the Blackall Range Escarpment, and the development has not been sensitively designed or sited to minimise impacts on the regionally significant landscape feature.

The mitigating features of the proposal have been considered, but these have been found to not be sufficient to overcome the significant visual amenity impacts the proposal would have. Additionally, the applicant's visual impact assessment has been peer reviewed by an external visual amenity expert. Both internal specialists and the external peer reviewer agree that the proposal would have significant detrimental visual impacts and conflicts with the Planning Scheme.

On balance it is considered that the application has not clearly demonstrated that there is a compelling economic need, planning need or overriding community interest to justify approval of the proposal despite the conflicts with various planning scheme outcomes relating to the protection of the scenic and visual amenity values of scenic routes and development of steep land.

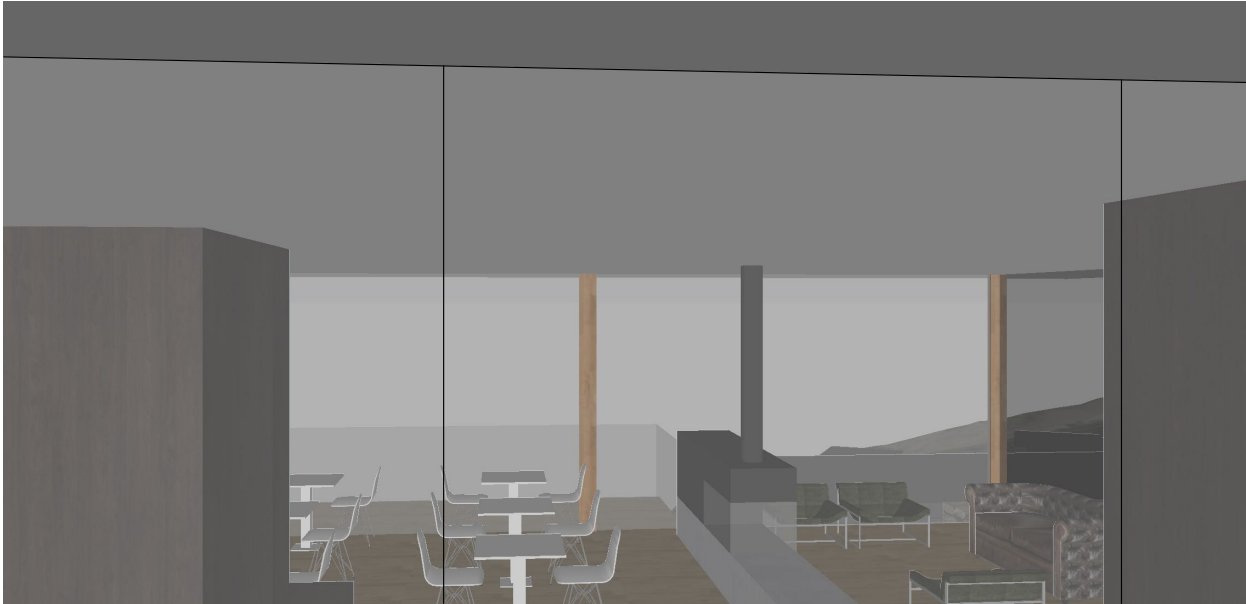
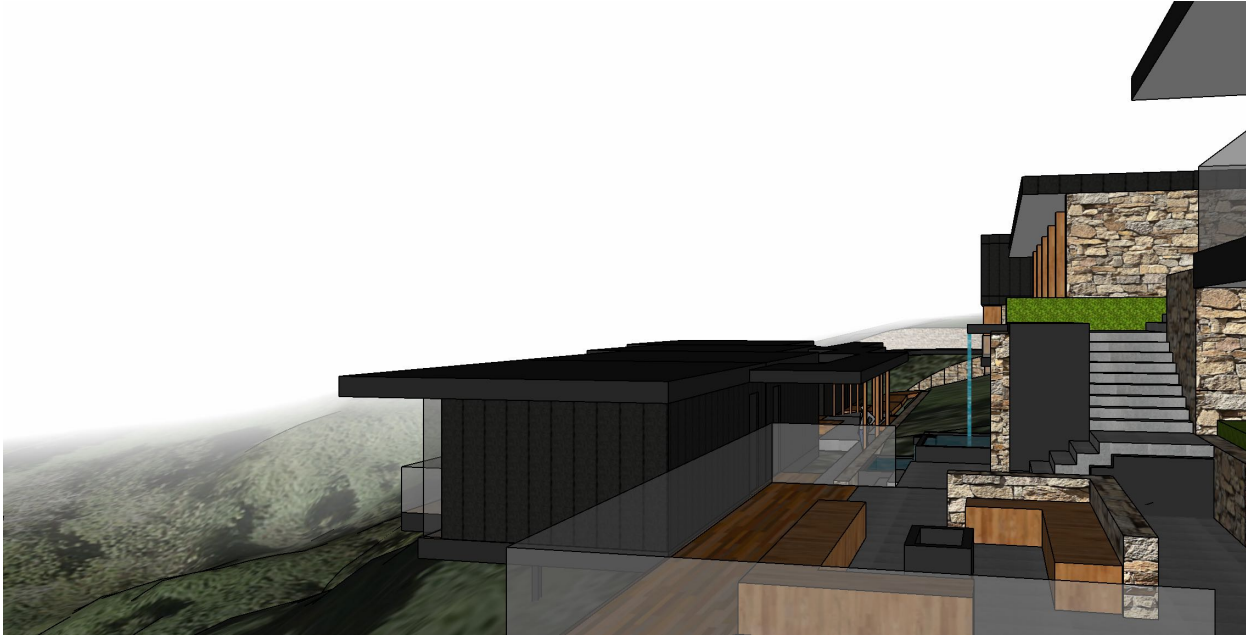
The non-compliances with the planning scheme cannot be overcome through reasonable and relevant conditions and there are no other relevant matters applicable to the application that justify approving the proposed development despite the non-compliances described in this report.

As such, the application is recommended for refusal for the following reasons:

- i. The proposal has not demonstrated achievement of strategic outcome 3.3.1 (d) of the Strategic Framework of the *Sunshine Coast Planning Scheme 2014*, because:
 - a. The subject site is located outside of the local growth management boundary and the proposed scale and intensity of the short-term accommodation use conflicts with the strategic outcomes relating to settlement patterns, as it does not contribute to a compact, efficient and functional urban form.
- ii. The proposal has not demonstrated achievement of Strategic Outcomes 3.8.1 (c), 3.8.1 (d), 3.8.1 (f) of the Strategic Framework and the Specific Outcomes 3.3.1 (d), 3.4.6.1 (a), 3.8.2.1(a), 3.8.2.1(d) and 3.8.2.1(g) of the Strategic Framework of the *Sunshine Coast Planning Scheme 2014*.

- a. The proposal will detract from the visual amenity of the Landsborough Maleny Road scenic route and will be visually obtrusive relative to its non-urban setting and surroundings when viewed from the scenic route.
 - b. The proposal does not protect and enhance the Landsborough Maleny Road scenic route as a major transport route providing a high level of scenic and visual amenity to travellers.
 - c. The development it is not limited in scale or intensity, nor has it been sensitively located to minimise adverse impacts on the steep slopes or scenic amenity.
- iii. The proposal departs from the Purpose and Overall Outcome (a) and Performance Outcome PO1 of the Scenic amenity overlay code, the Purpose and Overall Outcomes (l) and (n) of the Rural zone code and Purpose and Performance Outcomes PO5 and PO7 of the Nature and rural based tourism code of the *Sunshine Coast Planning Scheme 2014*, because:
 - a. The proposal does not protect views from the Landsborough Maleny Road scenic route to numerous significant landscape features such as Mt Coolum, Mt Ninderry, Mt Cooroy (among others) and the broader coastline which are important in a local context.
 - b. The proposal has not been designed to minimise community impacts.
 - c. The proposal has not been integrated in a sustainable and attractive manner and therefore would unduly impact upon the amenity and landscape values of the area.
 - d. The built form of the proposal does not integrate with or complement the predominant rural character intended for the zone.
 - e. The bulk and scale of the built form and associated car parking area is urban in nature and is of an intensity and scale that is not expected in a rural precinct.
 - f. The proposed development does not contribute to the retention of the preferred built form character for the Sunshine Coast, which at this location, is for low scale, low-rise and small scale built form in a rural area.
 - g. The proposal is not integrated with its natural and rural setting.
 - h. The short-term accommodation is of a scale and intensity which is urban in form and nature and has not demonstrated any emphasis on nature or hinterland/rural based tourism experience.
- iv. The proposal has not demonstrated achievement of the purpose and Performance Outcome PO4 of the Landslide hazard and steep land overlay code, because:
 - a. The proposal requires extensive earthworks (cut and fill) and retaining walls which will have significant impacts on the natural landform to the detriment of the landscape character of the site and surrounding area.
- v. The proposal departs from the Purpose and Overall Outcome (s) of the *Rural zone code and the Purpose and Performance Outcome PO8 of the Works, services and infrastructure code*, because:

- a. It has not been demonstrated that the site can accommodate the necessary large scale on-site effluent treatment areas needed for such an intense urban use.
- vi. The proposed development cannot be conditioned to comply with the assessment benchmarks.
- vii. The application has not demonstrated that there is an overriding need in the community interest sufficient to justify approval of the proposal despite the conflicts with planning scheme.
- viii. There are no discretionary matters which warrant approval of the proposed development.



DRAWING SCHEDULE

DWG No. DESCRIPTION		DWG No. DESCRIPTION	
01	COVER SHEET	30	ELEVATION D
02	GENERAL NOTES	31	ELEVATION E1
03	LOCALITY PLAN	32	ELEVATION E2
04	SITE PLAN SOUTH	33	ELEVATION F1
05	SITE PLAN NORTH	34	ELEVATION F2
06	SITE LAYOUT SOUTH	35	ELEVATION G & H
07	SITE LAYOUT NORTH A	36	ELEVATION I & J
08	SITE LAYOUT NORTH B	37	ELEVATION K & L
09	RECEPTION UPPER PLAN	38	ELEVATION M & N
10	RECEPTION LOWER PLAN	39	ELEVATION O & P
11	FLOOR PLAN UNITS 1-6	40	ELEVATION Q & R
12	FLOOR PLAN UNITS 7-10	41	SITE SECTION A
13	FLOOR PLAN UNITS 11-14	42	SITE SECTION B
14	FLOOR PLAN UNITS 15-17	43	SECTION B
15	FLOOR PLAN UNITS 18-20	44	SECTION C
16	FLOOR PLAN UNITS 21-24	45	SECTION D
17	FLOOR PLAN MANAGER RESIDENCE	46	VIEW RECEPTION
18	FLOOR PLAN UNITS 25-31	47	VIEW RECREATION TERRACE
19	FLOOR PLAN UNITS 32-35		
20	FLOOR PLAN UNITS 36-38		
21	OVERALL ELEVATION SOUTH		
22	ELEVATION SOUTH 1:200		
23	ELEVATION NORTH 1:200		
24	ELEVATION A1		
25	ELEVATION A2		
26	ELEVATION B1		
27	ELEVATION B2		
28	ELEVATION C1		
29	ELEVATION C2		

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Title	COVER SHEET
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AS NOTED	NR
31/05/2024	Date
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Document Stage	
DEVELOPMENT APPROVAL	

DESIGN CERTIFICATE

I, Norman Richards, being a suitably qualified and licensed Building Designer in the state of Queensland, and a competent person within the meaning of the Building Regulation 2006, hereby certify that Norman Richards is responsible for producing the documents listed in the drawing register. They have been inspected to reasonably ensure that the proposed construction work complies with the National Construction Code, the Standards Association of Australia codes adopted by reference therein, the Building Act 1975, as amended, Design Manuals and Manufacturers publications and details. Copyright licence is restricted to the particular site only. An original signature in red pen appears below to verify that the documents were issued free of alteration or erasure and are valid for the stage noted under "Document Stage" in the title block.

Signed
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DOCUMENT STANDARD:

Building Contract (1):By others.

Specifications (2): A specification maybe annexed to the Building Design drawings. The undeveloped issues of method, sequence, extent of work, and tolerance, noted in the Building Design drawings below may be documented in the Specifications (Spec). The specifications may have been prepared by the builder or the client/s. If so, no assessment has been made of the spec. by the designer to ensure compatibility with the Building Design drawings and no responsibility for suitability or use is accepted or implied by the designer.

Referenced Documents (3):The following documents form part of this project :
The National Construction Code (NCC), Australian Standards (A.S. "as noted"),
Standard Building Regulations. (2006)
The above documents must be available at all times on site during construction along with a clear and accurate copy of the certifier approved plans and specifications. Construction must not vary from this documentation, including the recommendations of all manuals listed above.

Associate Consultant Documents (4-) Aspects of the works may require particular or specialised counselling and documentation from associated consultants who have expertise in specialised areas not held by the designer (Engineers, Quantity Surveyors, Specialist consultants etc.) Assessment of any such documentation may not have been undertaken by the designer. The Client is responsible for the standard, accuracy and completeness of all such particulars, specialised counselling, or documents.

Building Design Drawings (5) : Unless otherwise stated, the drawings have been prepared by Norman Richards building design + interiors for assessment against the Building Code of Australia by private certification. The drawings that comprise the document "set" listed in the Drawing Register (sheet 1) are technically, orthographic drawings sufficient in detail and precision to document the overall dimensions and nature of the work/s.
Some aspects of these drawings are indicative only of the structure generally. (For example stair work, cabinetwork and fixed fittings may not show dimensions or detail at a scale sufficient to enable the correct construction or fitting of the item exactly in accordance with the clients requirements. Refer to Workshop drawings.)

The Building Design drawings should allow a development permit (consistent with the document stage) to be issued on the assumption that a reasonably competent builder would be able to interpret the same along with other decisions made by the builder, together with input from the client, to produce a resulting building. These drawings require a performance based application on the part of the builder, AND the client/s, to resolve the many undeveloped issues of fixtures, fittings, finishes, and method, sequence, extent of work, and tolerance.

Schedule of Fittings, Fixtures and Finishes (6): A Schedule of Fixtures, Fittings and Finishes (FFF) may be annexed to the Building Design drawings to resolve the undeveloped issues of manufacturer, brand, type, model, profile, colour, etc. The FFF may have been prepared initially by the designer but may have been altered by the client without review of suitability by the designer. The builder is required to ensure that all FFF's are suitable for their intended use prior to any construction.

Manufacturer's Specifications (8): The Building Design drawings may reference Manufacturer's specifications. Manufacturer's specification means a current written specification approved by the Licensed Certifier for use under conditions applicable to this building.

DOCUMENTATION HIERARCHY:

Should any discrepancies, errors or conflict arise between the drawings, timber framing manuals, standards, codes, or any other documentation the author is to be notified immediately the error becomes apparent and prior to proceeding with the works. In all cases the higher standard shall be deemed to apply. Generally the hierarchy of documentation assumes the following where 1. is the most reliable and 8. the least.:
1. the Building Contract.
2. the Specifications.
3. the Referenced Documents, (manuals, standards and codes)
4. the Associate Consultants Documents, (drawings and recommendations).
5. the certifier approved Architectural Drawings. (refer also to Document Stage above)
6. the Schedule of Fittings, Fixtures and Finishes.
7. the Workshop Drawings
8. the Manufacturers Specifications, (written or published literature etc).

REDUNDANT DETAILING:

It is assumed that a reasonably competent builder will be familiar with good building practice, Australian Standards and the requirements of the Building Code of Australia. No responsibility will be accepted by Norman Richards to supply further construction detailing or drawings for work that would normally be associated with the type of construction outlined in the Architectural drawings, and should be familiar to, or accessible by, a reasonably competent builder.

DOCUMENT TERMINOLOGY AND ABBREVIATIONS:

The terminology of components and members used in the documents, have the same meaning as the definitions given in the relevant Australian Standard pertinent to that aspect of construction. Generally where an item is commonly referred to on site by a trade name the documents will reference the "manufacturer" followed by the manufacturers' brand or system name. Text in italics (italics) is meant as explanatory or assistance only.

The following abbreviations have been adopted in the documents:

Unless Noted Otherwise - UNO
Finished Floor Level - FFL
Finished Ground Level - FGL
Millimetre - mm
Natural Ground Level - NGL
Metre - M
Maximum - max
Down Pipe - dp
Minimum - min
Centre to Centre - CL
Underside - U/S

PRIOR TO CONSTRUCTION:

Prior to commencement of any building work the builder is required to visit the site with the client/s and the Local Authority and/or the Licensed Private certifier to verify that all drawings and documents are correct. The author accepts no responsibility for errors or omissions notified after commencement of any building work.

CONSTRUCTION:

The designer's commission in relation to this project is limited only to production of the plans and drawings referenced in the "drawing Register". The designer is not responsible for construction work. The Builder or Construction manager is responsible for construction means, methods, techniques and sequences including site safety, and all OWH&S requirements.

CHANGES DURING CONSTRUCTION:

Under no circumstances may the drawings, and specifications, (if prepared by the designer), be departed from. The author accepts no responsibility for any part of the building or structure if changes or alterations are made prior to, or during, construction without the written approval of the designer and the licensed certifier.

FUTURE MAINTENANCE:

The designer assumes that the owners, and subsequent owners in succession, will maintain the building in a reasonable state of repair. The designer is not responsible for any failure or loss due to the owners' lack of maintenance. Consideration has been made in the design for Workplace Health and Safety issues associated with maintenance. All maintenance which must be carried out by scaffold, crane, cherry picker or the like, must be by trained maintenance personnel. If the client/s considers these proposed methods of maintenance unacceptable then the client/s is to consult with a WH&S officer, prior to construction. The client/s undertake to incorporate the recommendations of the WH&S officer into the works. If the client/s noted on the drawings, is not the long-term future owner, then it is the client/s responsibility to provide a full, authorised, set of the drawings to the long term owner.

ENERGY EFFICIENT LIGHT FITTINGS:

(Refer to the FFF for types of fixtures and fittings.)
In a new Class 1 building or a sole-occupancy unit of a new Class 2 building, energy efficient lamps are to be used in 80% of the total area of all rooms. The total area is to include the floor area of the garage, where the garage is associated with the Class 1 building or sole occupancy unit. In accordance with the QDC the electrician must provide a certificate of compliance on completion.

PLUMBING ITEMS:

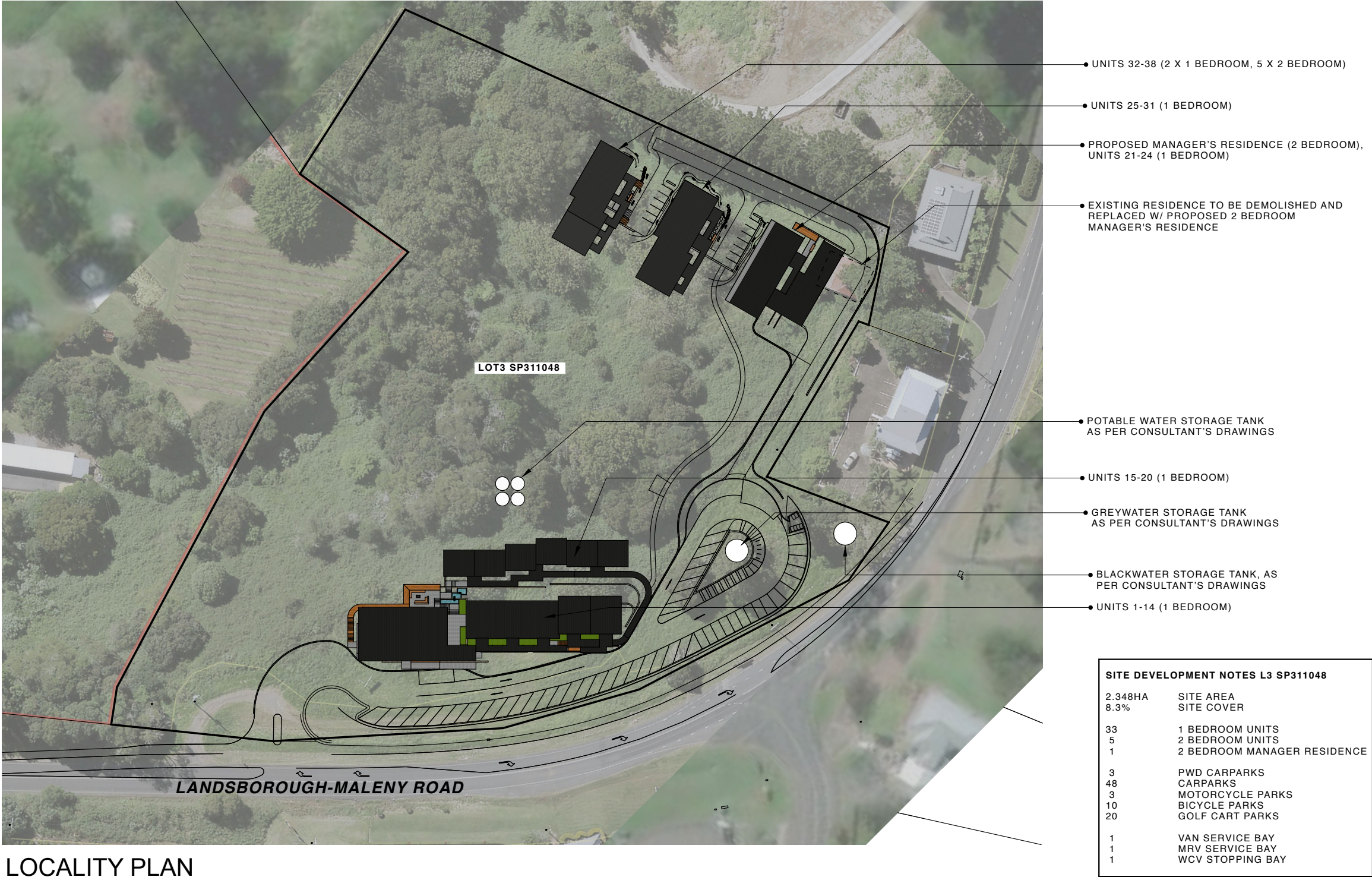
Refer to the FFF for Hot Water Unit, Waste Disposal Unit.

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LOCALITY PLAN

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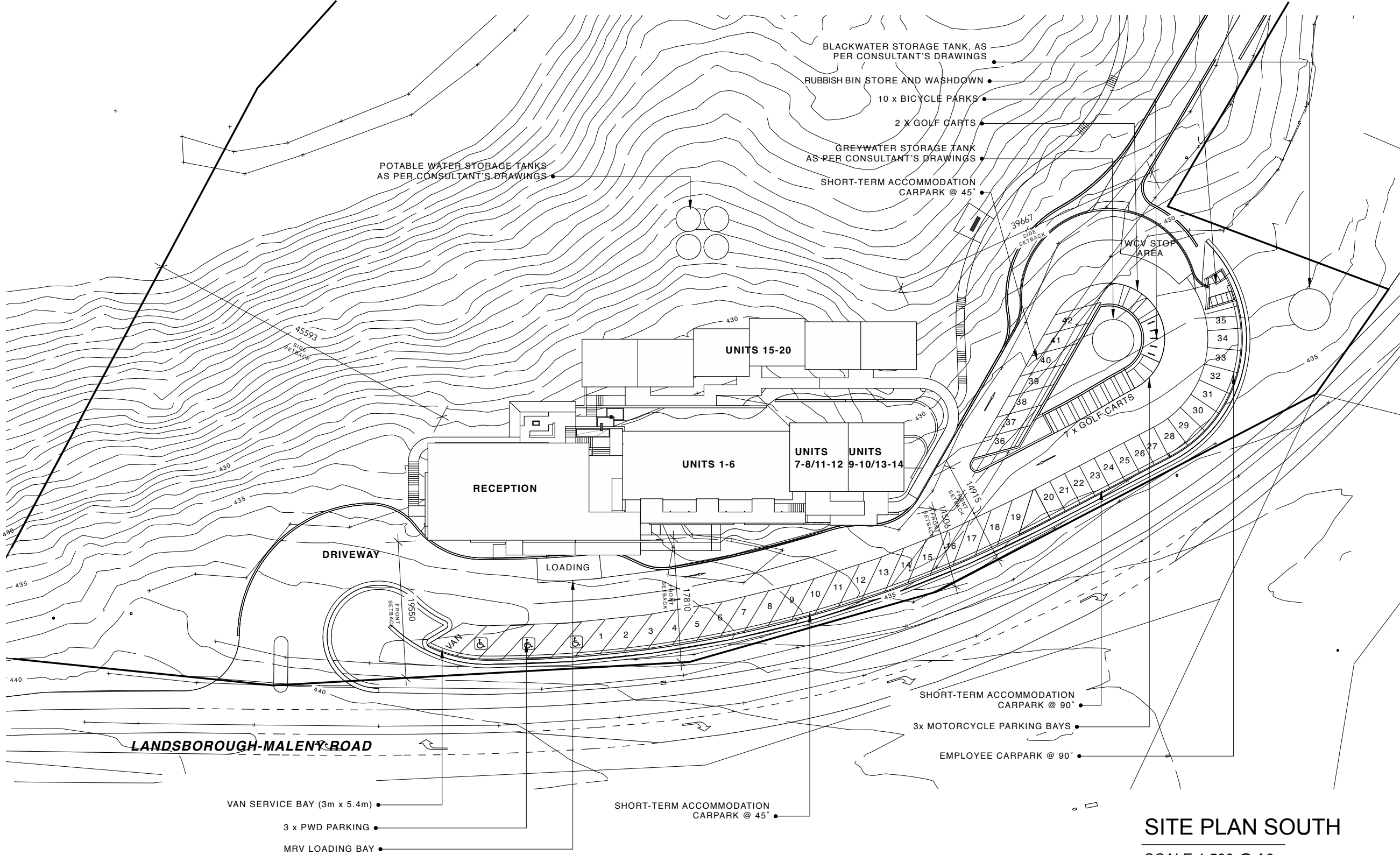
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Scale	Drawn	Date
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Drawing No.	DA03	Revision B
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SITE PLAN SOUTH
SCALE 1:500 @ A3

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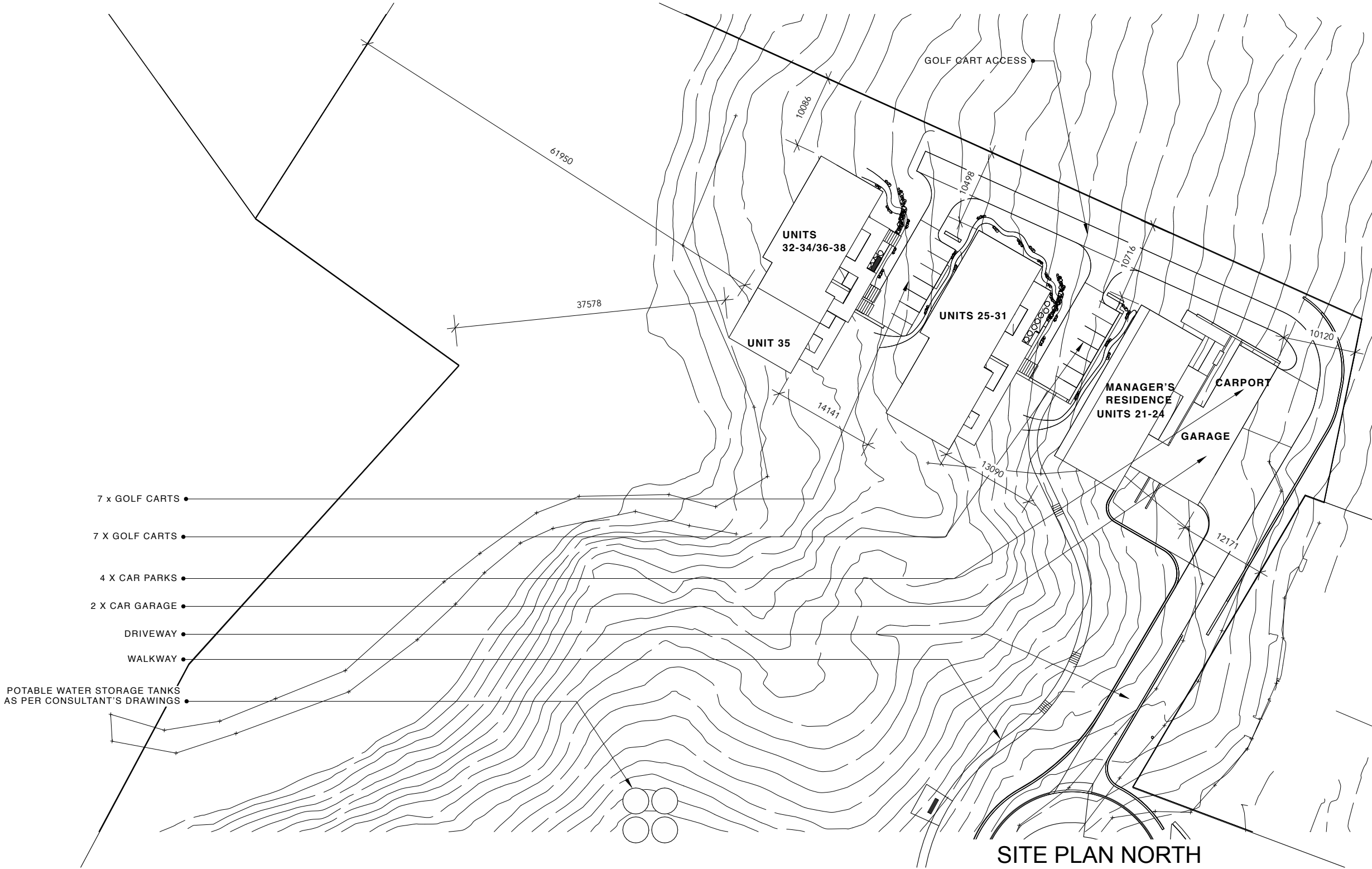
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Title	SITE PLAN SOUTH	
Scale	Drawn	Date
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Drawing No.	DA04	Revision B
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Document Stage	DEVELOPMENT APPROVAL	



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PROPOSED SHORT-TERM

ACCOMMODATION

at 862 LANDSBOROUGH-MALENY RD

BALD KNOB, QLD, 4552

for GEOFFREY THOMAS FAMILY TRUST

Title

SITE PLAN NORTH

Scale

Drawn

Date

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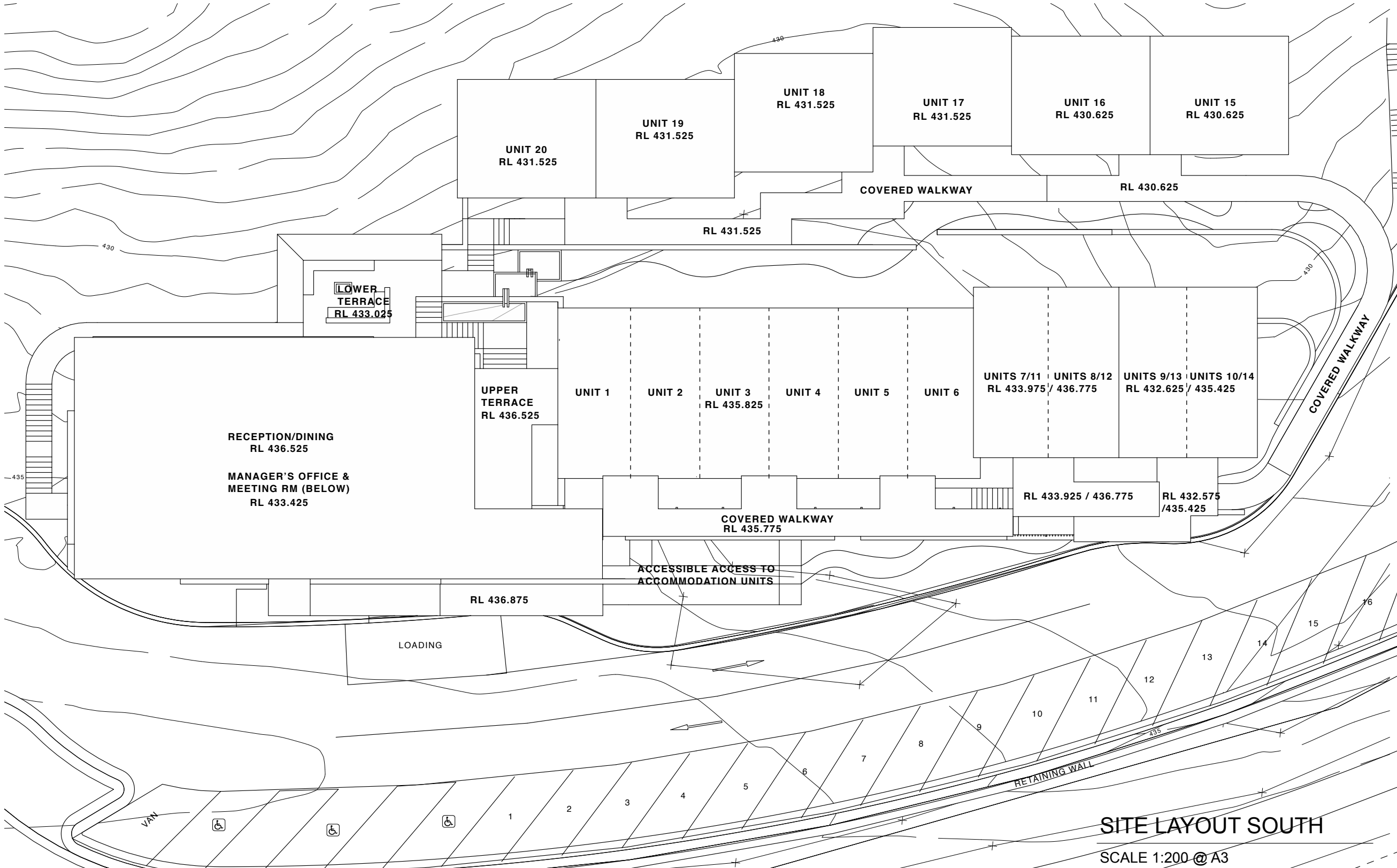
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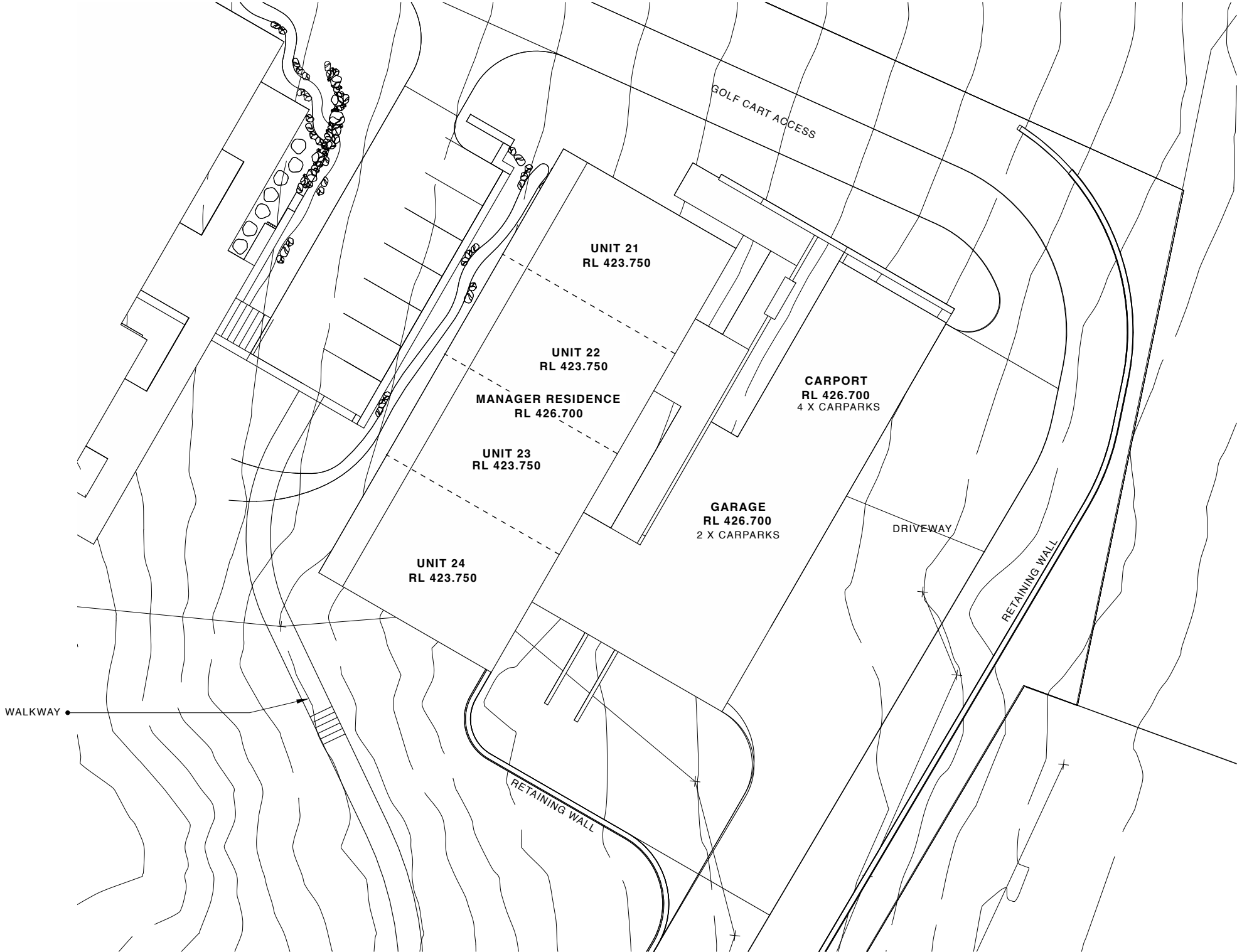
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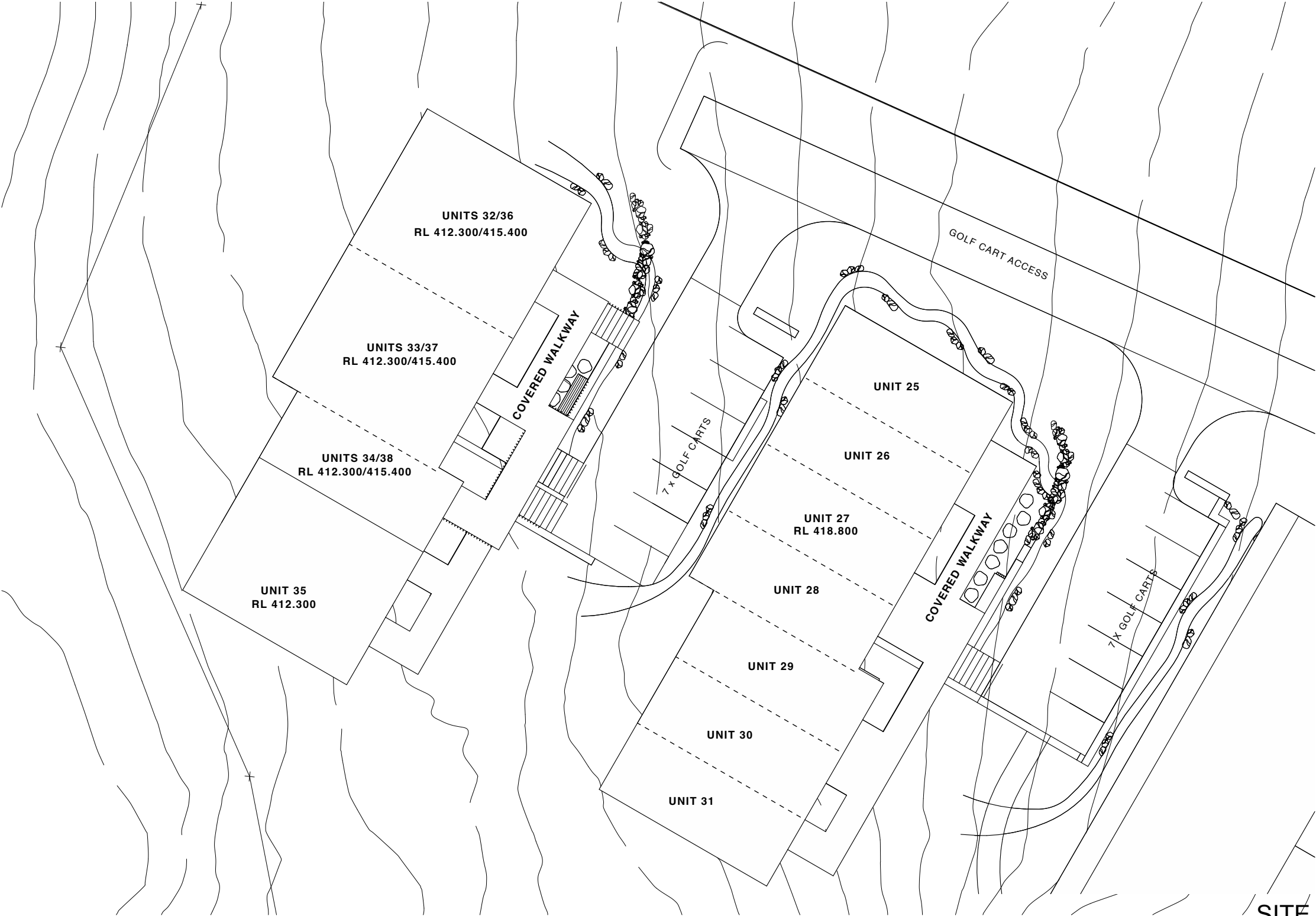
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Title
SITE LAYOUT SOUTH
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AS NOTED NR 31/05/2024
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Document Stage
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SITE LAYOUT NORTH A
SCALE 1:200 @ A3

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SITE LAYOUT NORTH B
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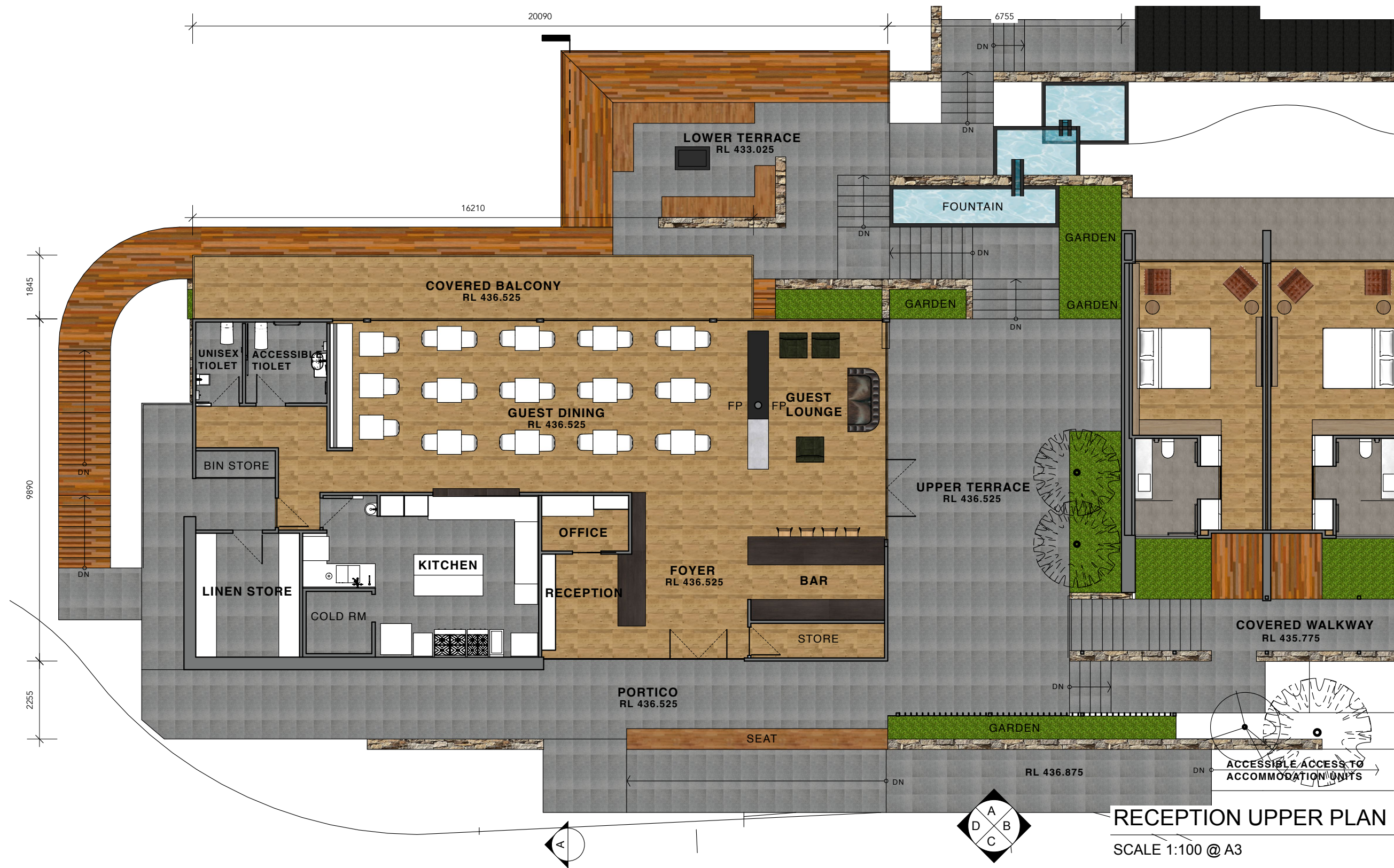
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PROPOSED SHORT-TERM ACCOMMODATION
at 862 LANDSBOROUGH-MALENY RD
BALD KNOB, QLD, 4552
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Title SITE LAYOUT NORTH B		
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RECEPTION UPPER PLAN

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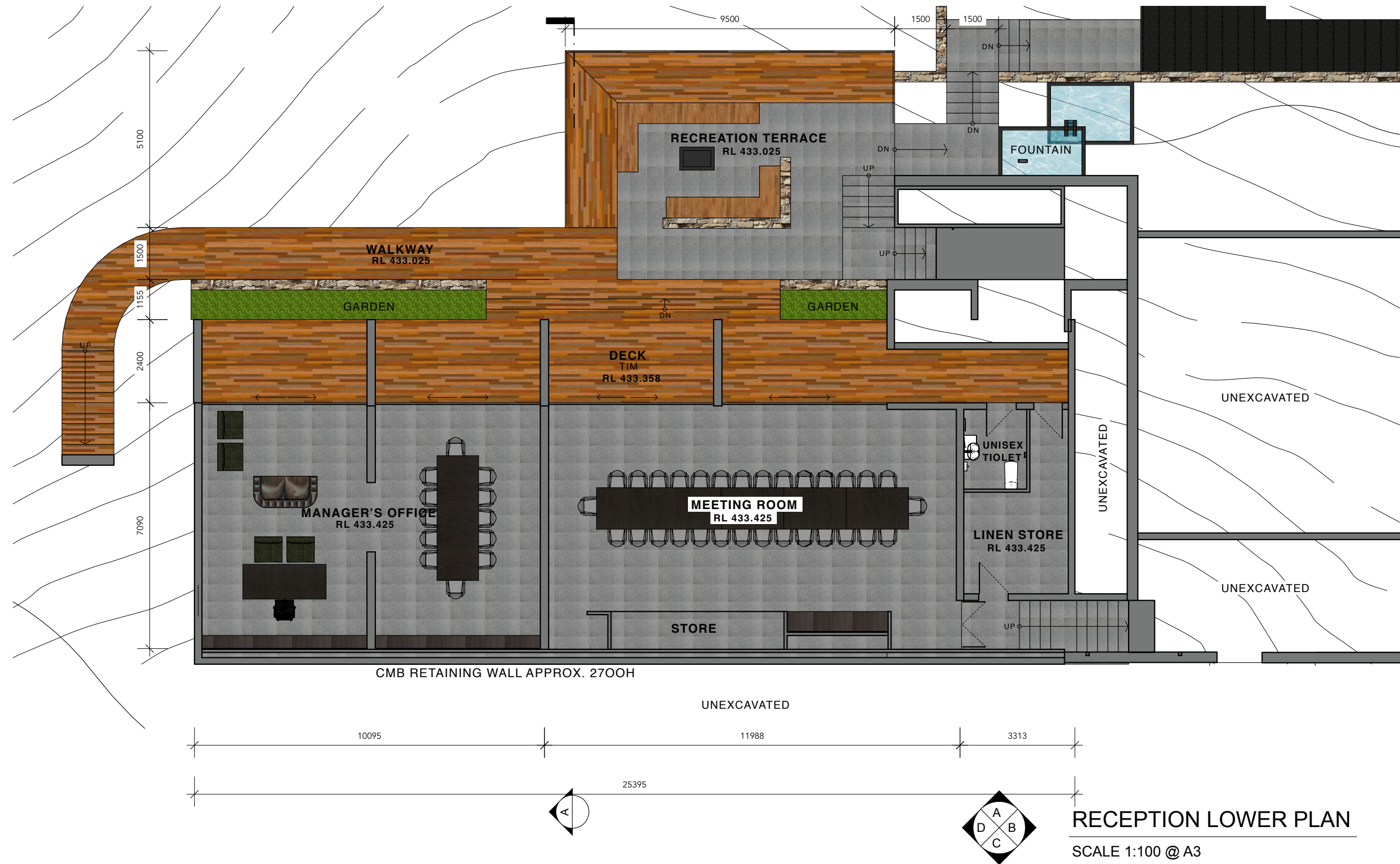
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Drawing No. DA09 Revision B
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Document Stage
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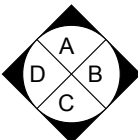
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FLOOR PLAN UNITS 7-10

SCALE 1:100 @ A3

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FLOOR PLAN UNITS 11-14
SCALE 1:100 @ A3

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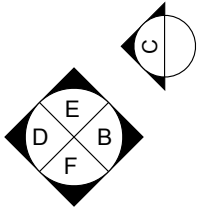
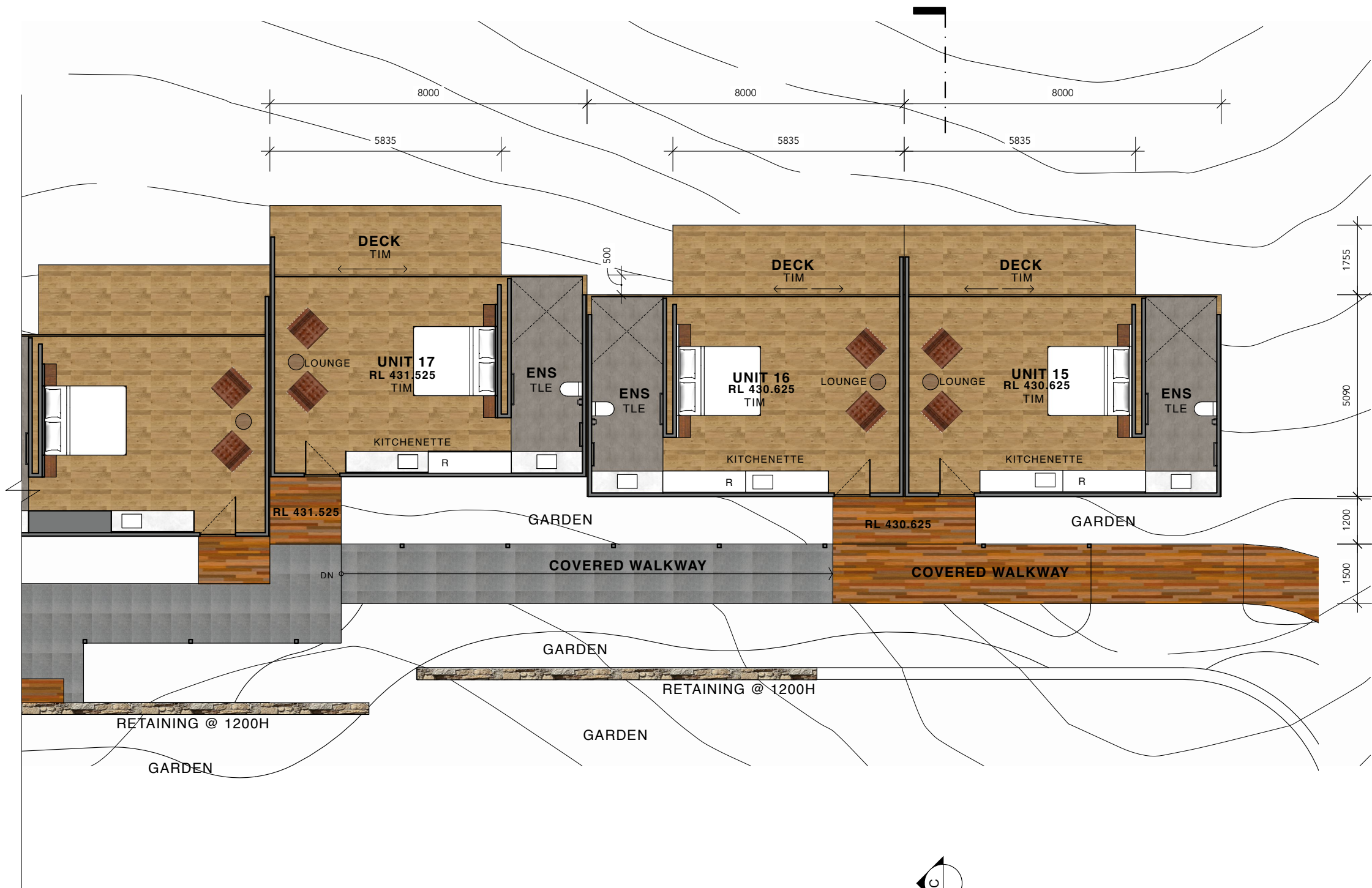
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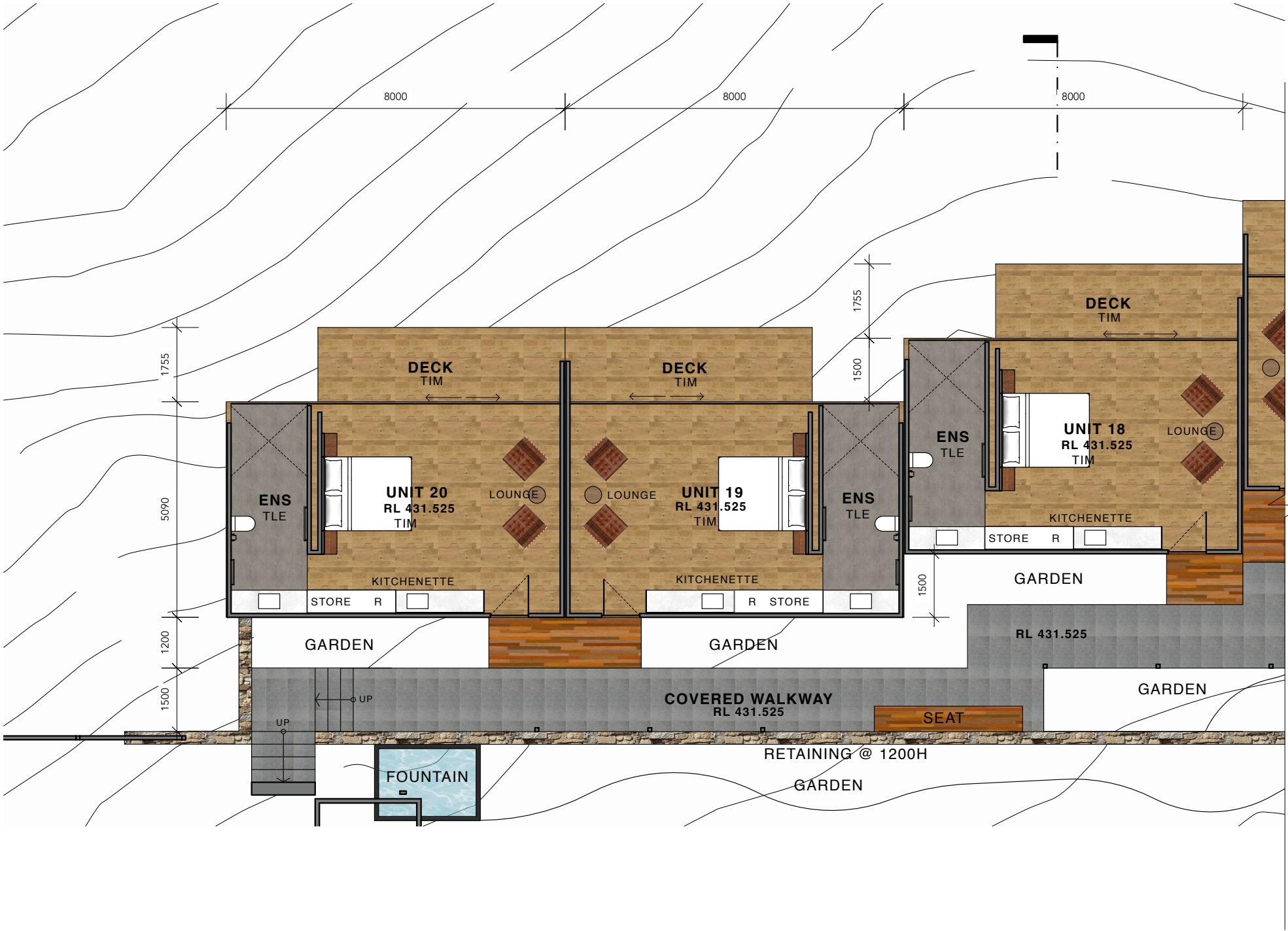
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FLOOR PLAN UNITS 15-17

SCALE 1:100 @ A3

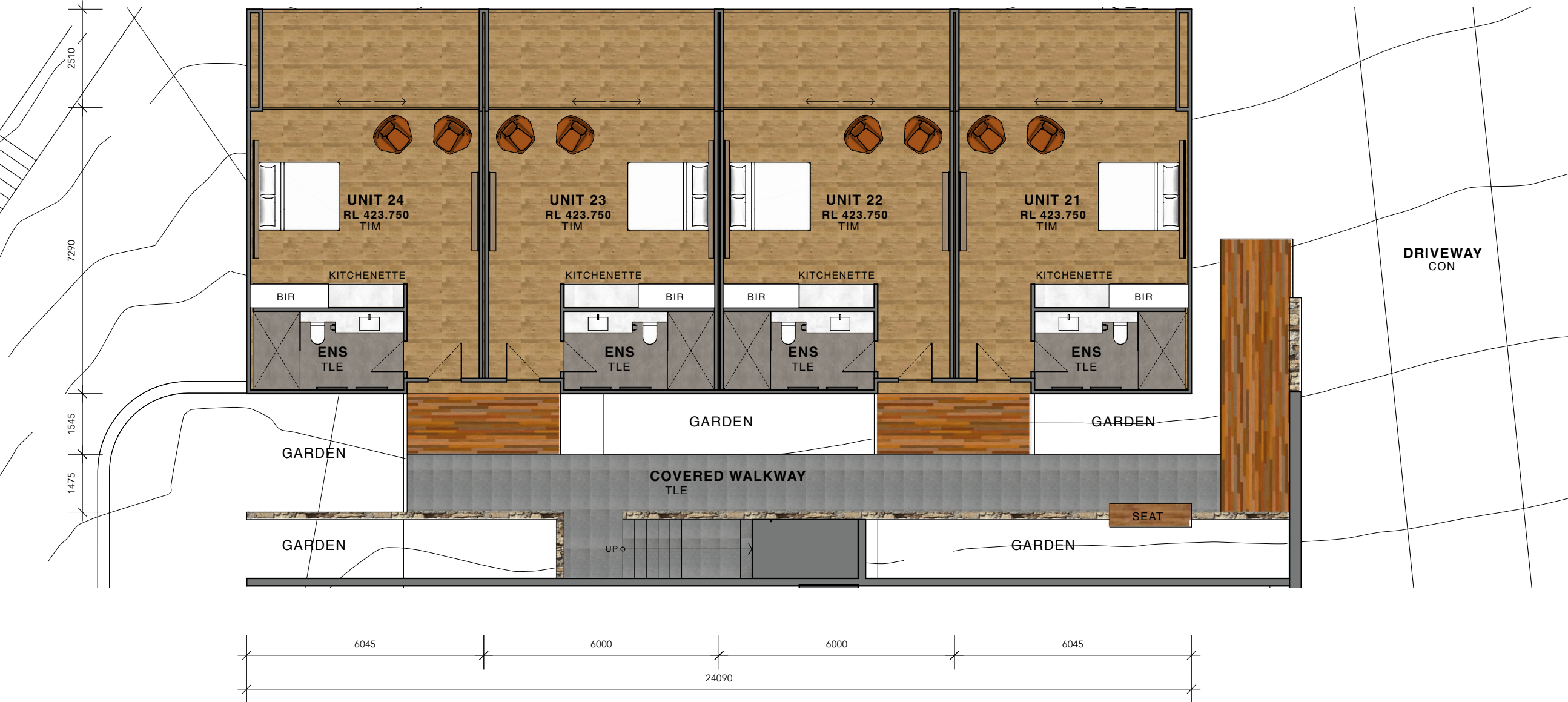
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FLOOR PLAN UNITS 18-20

SCALE 1:100 @ A3

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FLOOR PLAN UNITS 21-24

SCALE 1:100 @ A3

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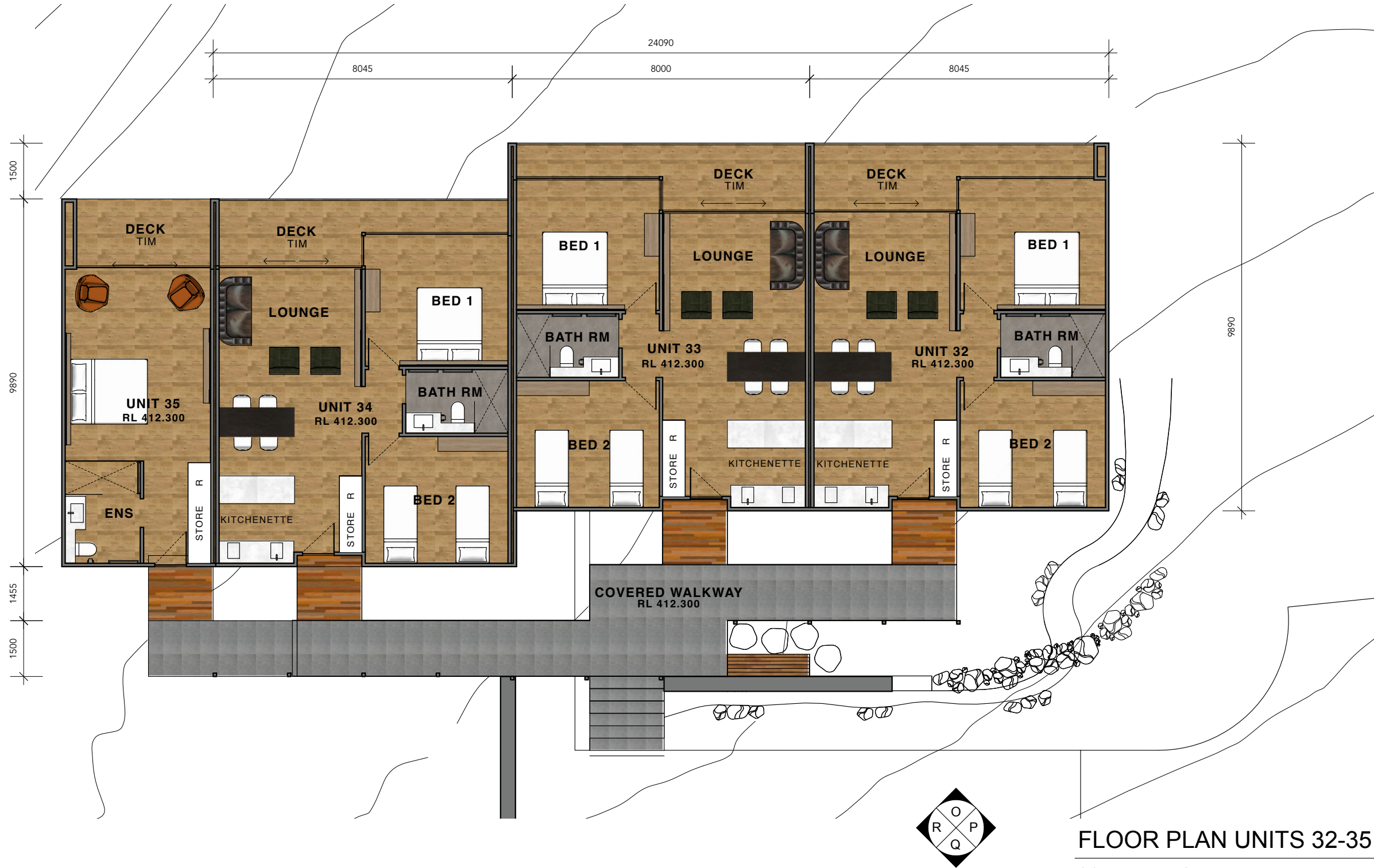
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FLOOR PLAN UNITS 32-35
SCALE 1:100 @ A3

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FLOOR PLAN UNITS 36-38
SCALE 1:100 @ A3

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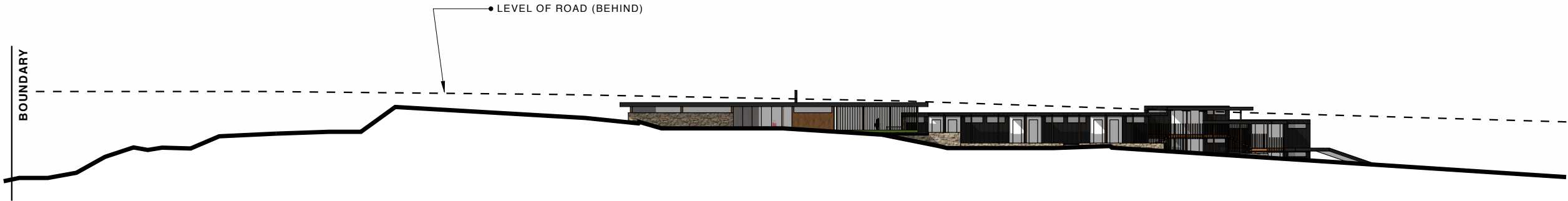
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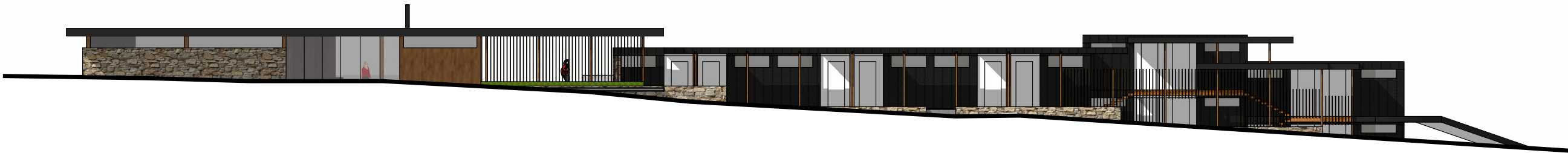
Title
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OVERALL ELEVATION SOUTH

SCALE 1:400 @ A3

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ELEVATION SOUTH 1:200

SCALE 1:200 @ A3

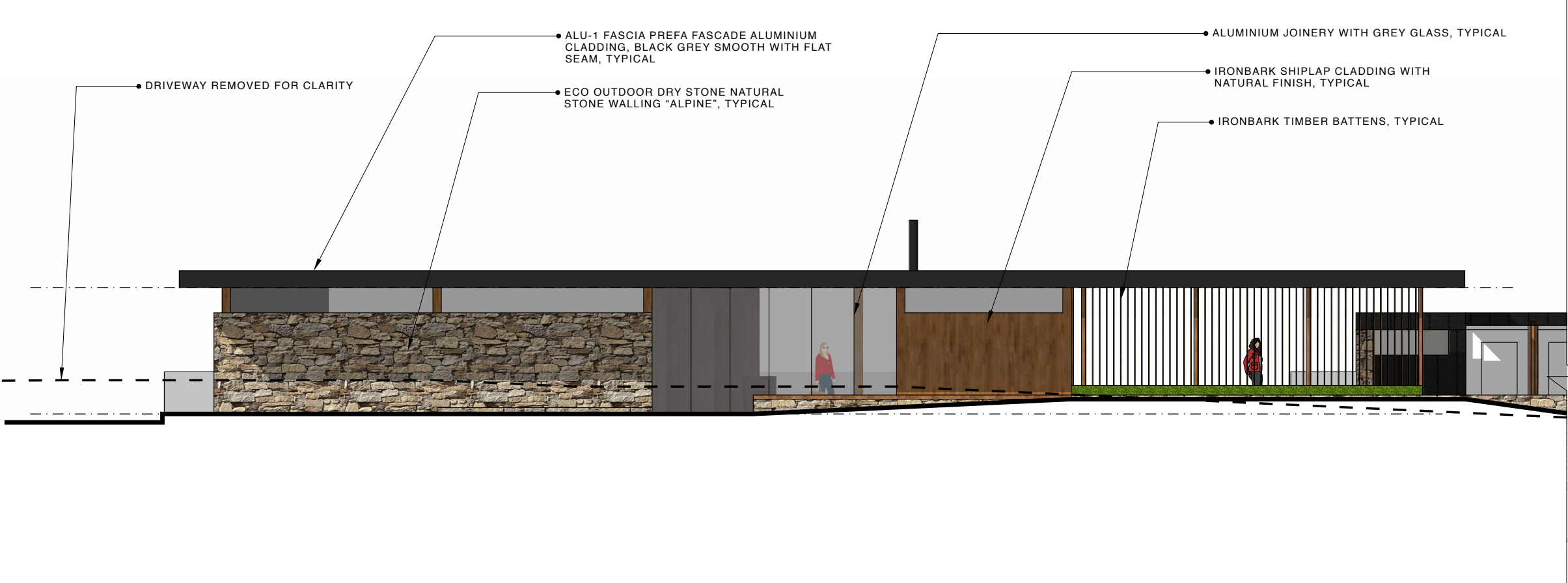
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ELEVATION NORTH 1:200

SCALE 1:200 @ A3

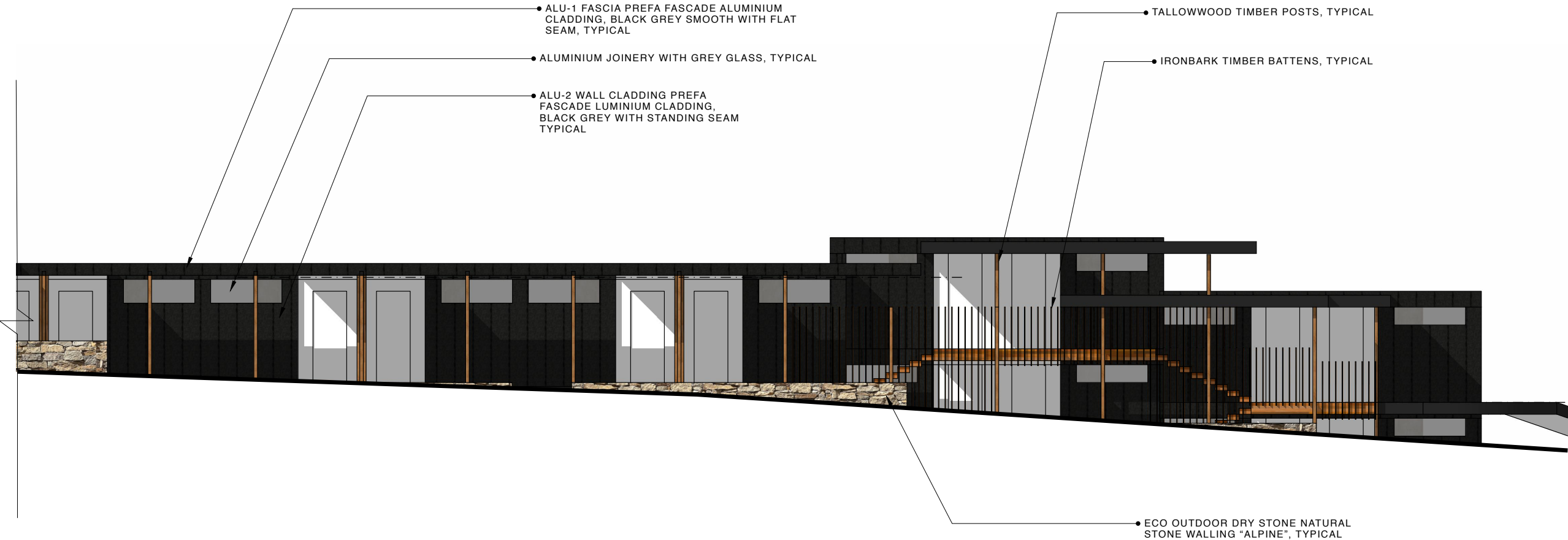
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Scale	Drawn	Date								
AS NOTED	NR	31/05/2024								
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ELEVATION A1

SCALE 1:100 @ A3

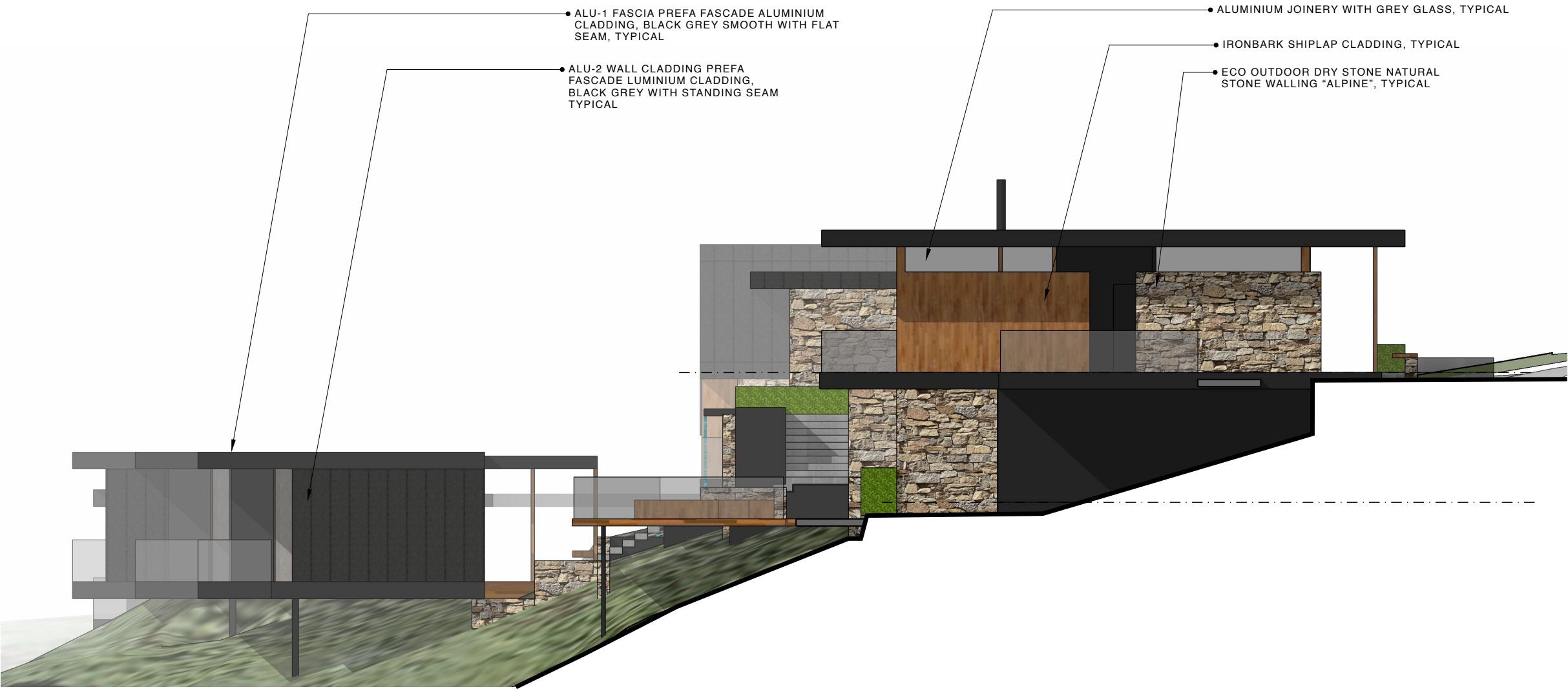
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ELEVATION A2

SCALE 1:100 @ A3

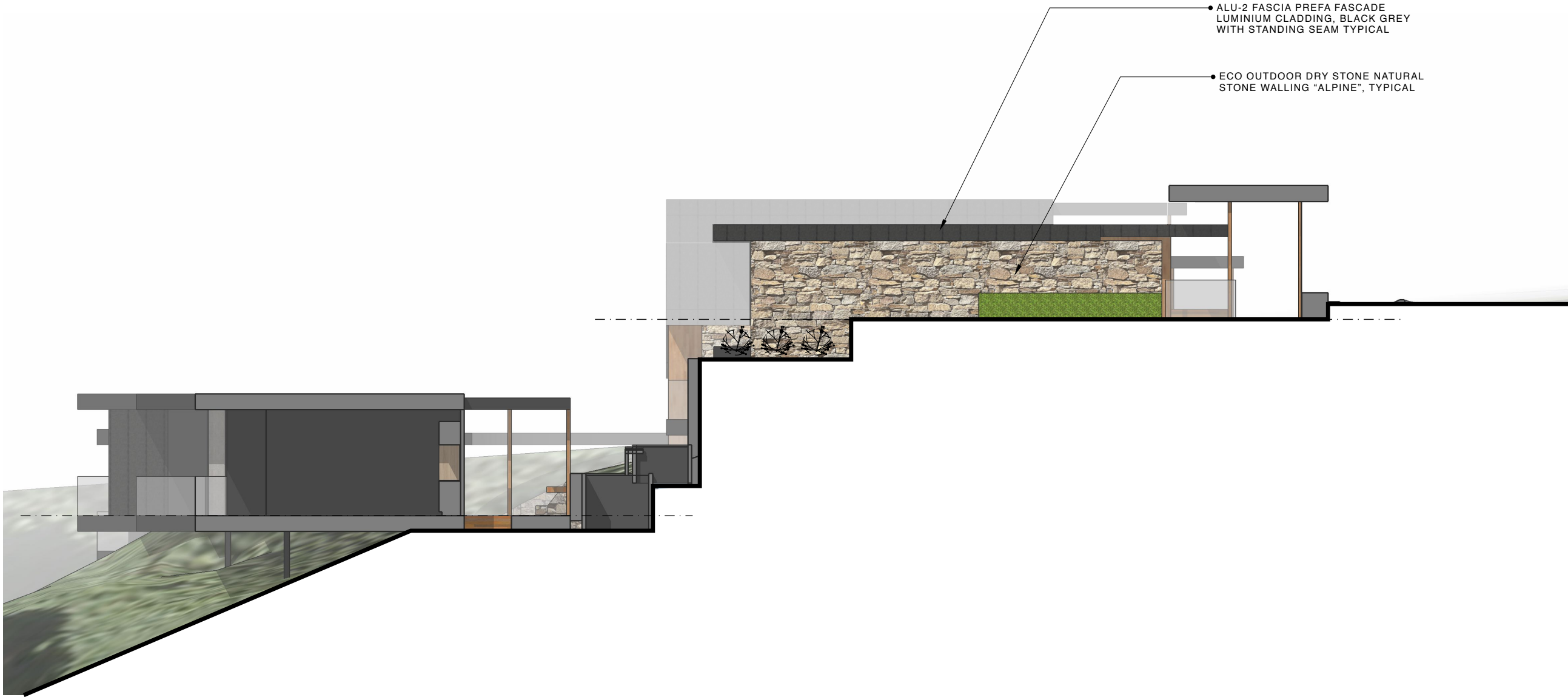
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ELEVATION B1

SCALE 1:100 @ A3

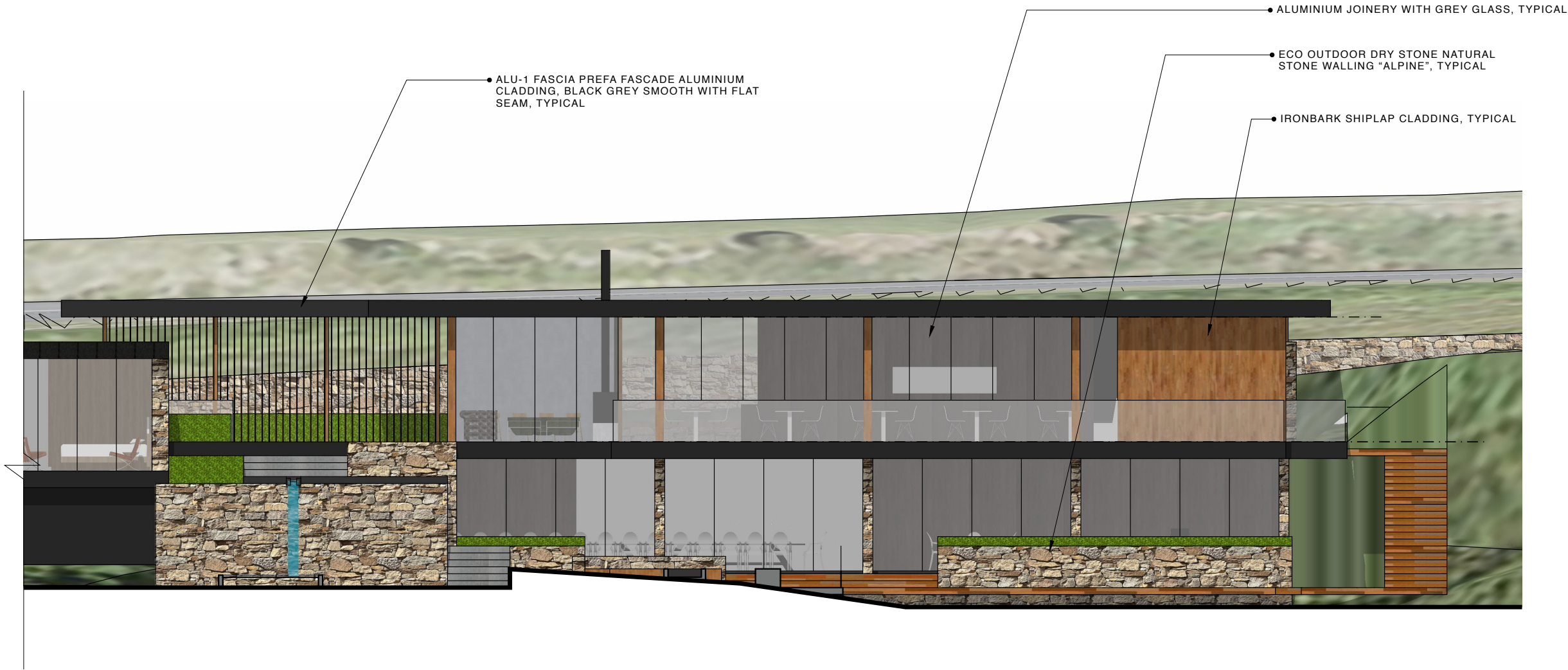
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ELEVATION B2

SCALE 1:100 @ A3

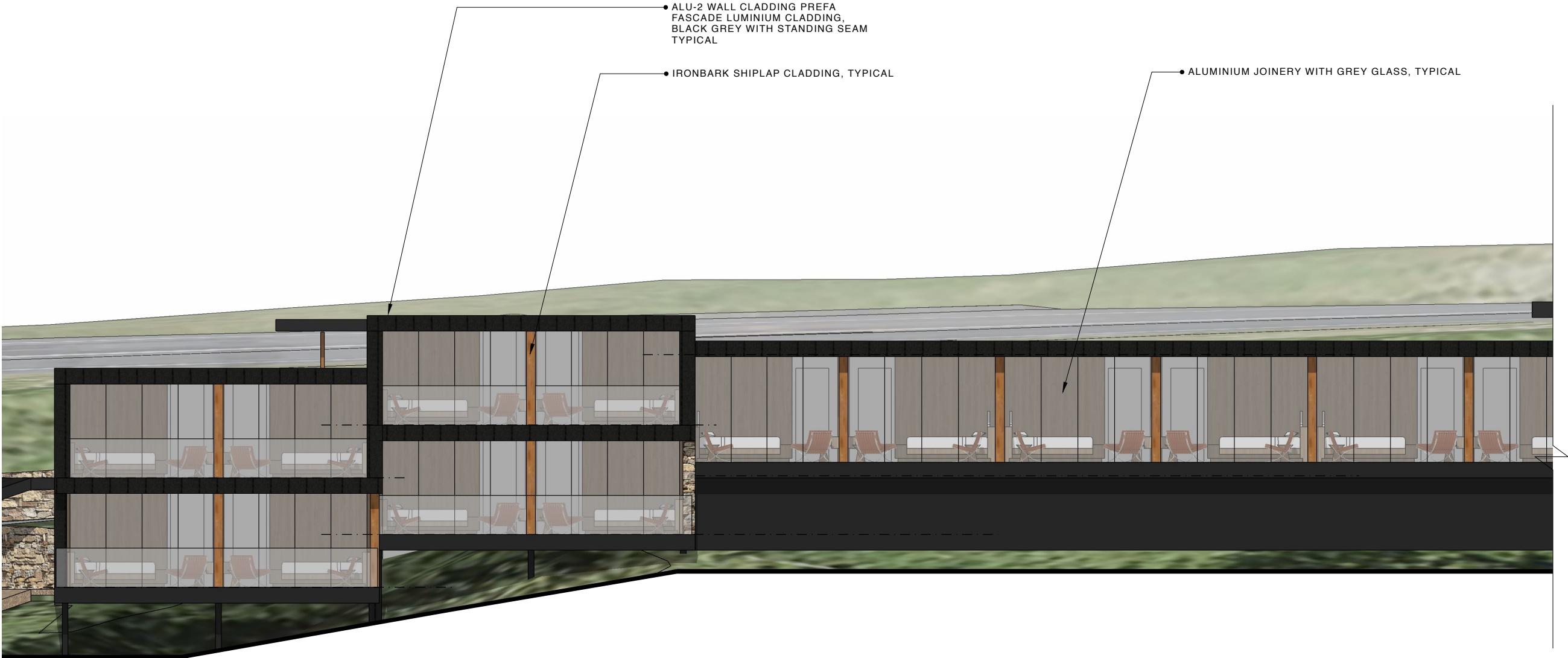
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ELEVATION C1

SCALE 1:100 @ A3

31.05.2024 DEVELOPMENT APPROVAL RFI ISSUE REV B, RECEPTION LOWERED, UPPER LEVEL UNITS ALTERED 18.04.2024 DEVELOPMENT APPROVAL RFI ISSUE, UPPER LEVEL UNITS ALTERED 05.05.2023 DEVELOPMENT APPROVAL ISSUE	Engineer's drawings and recommendations shall take precedence over architectural drawings. The Author is to be notified immediately should any errors, discrepancies or conflict become apparent and prior to proceeding with the works. Dimensions shown have precedence over scaled measurements. DO NOT SCALE DRAWINGS	Norman Richards building design + interiors Norman Richards, BArch BES BDAQ QBCC Lic: 1093419 ABN: 89 477 914 675 731 Maleny-Stanley Rv Rd, Maleny, QLD 4552 T 0409558729 norman@normanrichards.com	Project PROPOSED SHORT-TERM ACCOMMODATION at 862 LANDSBOROUGH-MALENY RD BALD KNOB, QLD, 4552 for GEOFFREY THOMAS FAMILY TRUST	Title ELEVATION C1 Scale Drawn Date AS NOTED NR 31/05/2024 Drawing No. DA28 Revision B Checked Document Stage DEVELOPMENT APPROVAL
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ELEVATION C2

SCALE 1:100 @ A3

<div>31.05.2024 DEVELOPMENT APPROVAL RFI ISSUE REV B, RECEPTION LOWERED, UPPER LEVEL UNITS ALTERED</div> <div>18.04.2024 DEVELOPMENT APPROVAL RFI ISSUE, UPPER LEVEL UNITS ALTERED</div> <div>05.05.2023 DEVELOPMENT APPROVAL ISSUE</div>	<div>Engineer's drawings and recommendations shall take precedence over architectural drawings.</div> <div>The Author is to be notified immediately should any errors, discrepancies or conflict become apparent and prior to proceeding with the works.</div> <div>Dimensions shown have precedence over scaled measurements.</div> <div>DO NOT SCALE DRAWINGS</div>	<div>Norman Richards</div> <div>building design + interiors</div> <div>Norman Richards, BArch BES BDAQ</div> <div>QBCC Lic: 1093419 ABN: 89 477 914 675</div> <div>731 Maleny-Stanley Rv Rd, Maleny, QLD 4552</div> <div>T 0409558729</div> <div>norman@normanrichards.com</div>	<div>Project</div> <div>PROPOSED SHORT-TERM</div> <div>ACCOMMODATION</div> <div>at 862 LANDSBOROUGH-MALENY RD</div> <div>BALD KNOB, QLD, 4552</div> <div>for GEOFFREY THOMAS FAMILY TRUST</div>	<table><tr><td colspan="3">Title</td></tr><tr><td colspan="3">ELEVATION C2</td></tr><tr><td>Scale</td><td>Drawn</td><td>Date</td></tr><tr><td>AS NOTED</td><td>NR</td><td>31/05/2024</td></tr><tr><td>Drawing No. DA29</td><td colspan="2">Revision B</td></tr><tr><td>Checked</td><td colspan="2" rowspan="2">Document Stage</td></tr><tr><td colspan="3">DEVELOPMENT APPROVAL</td></tr></table>	Title			ELEVATION C2			Scale	Drawn	Date	AS NOTED	NR	31/05/2024	Drawing No. DA29	Revision B		Checked	Document Stage		DEVELOPMENT APPROVAL		
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ELEVATION D

SCALE 1:100 @ A3

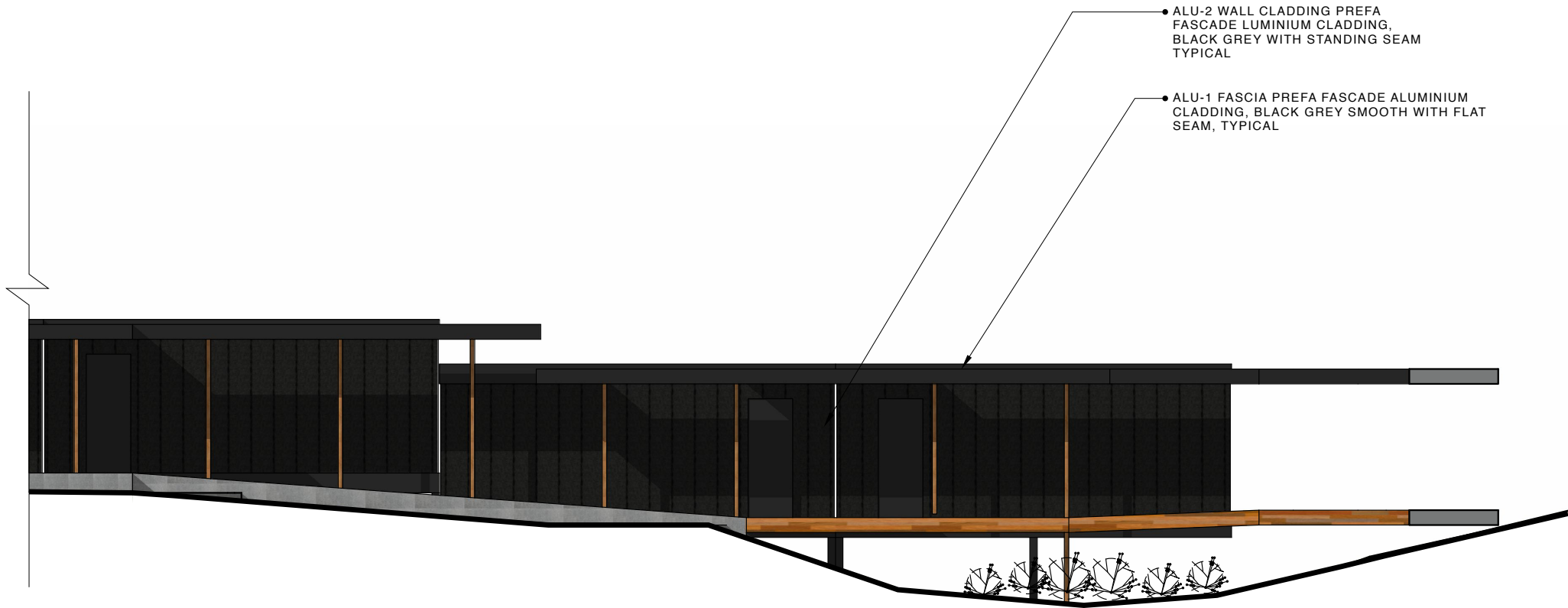
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ELEVATION E1

SCALE 1:100 @ A3

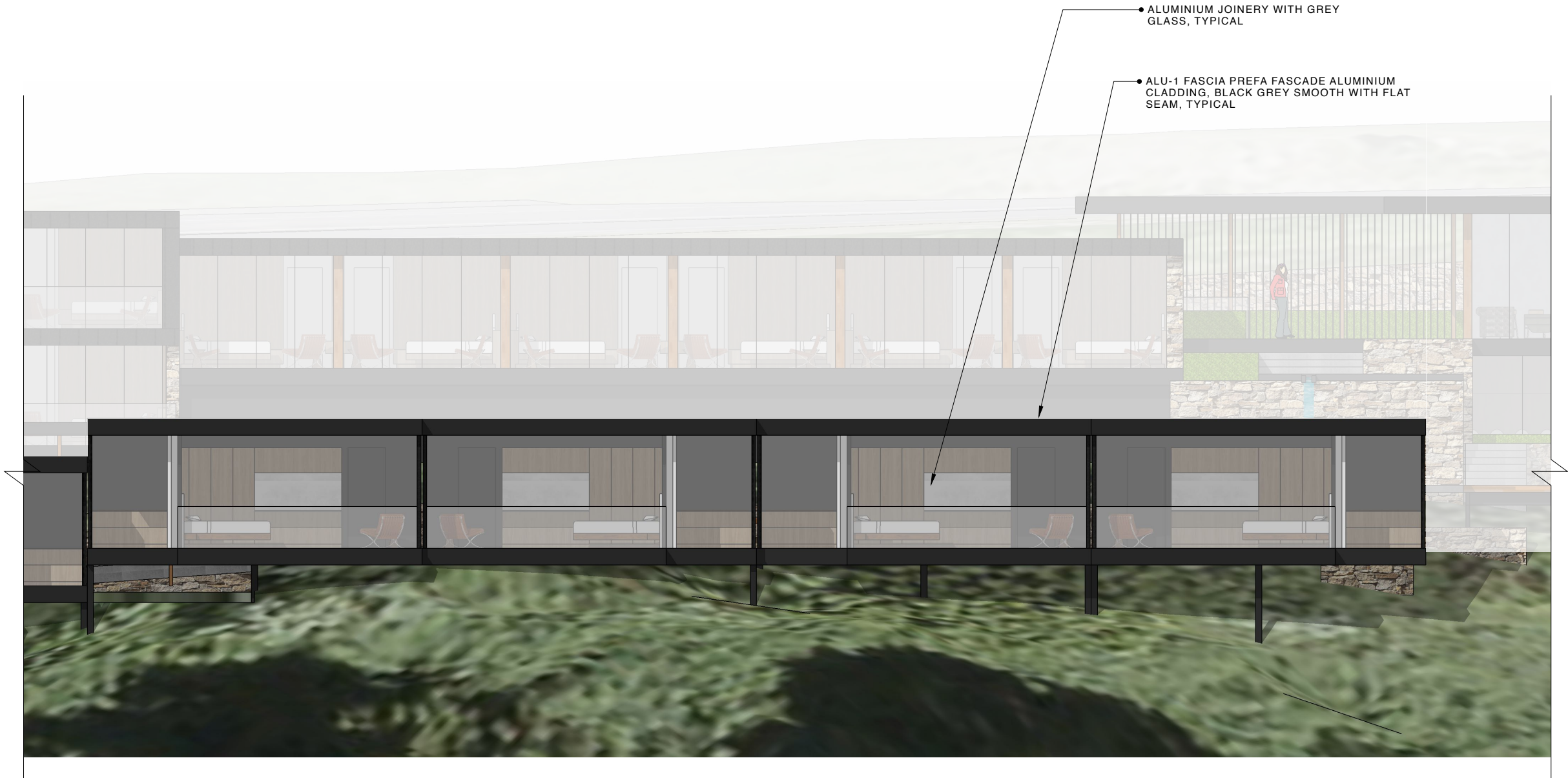
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ELEVATION E2

SCALE 1:100 @ A3

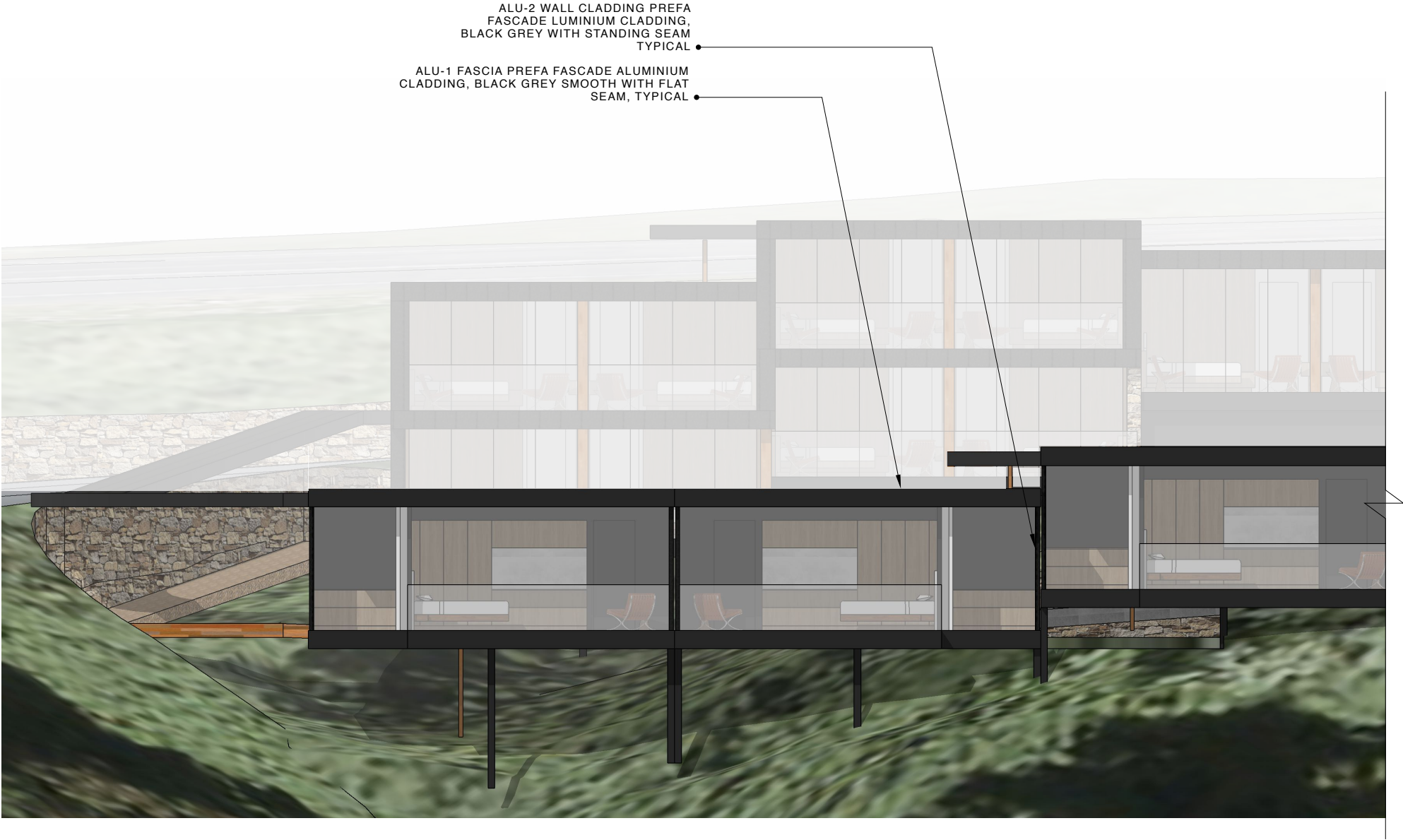
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ELEVATION F1

SCALE 1:100 @ A3

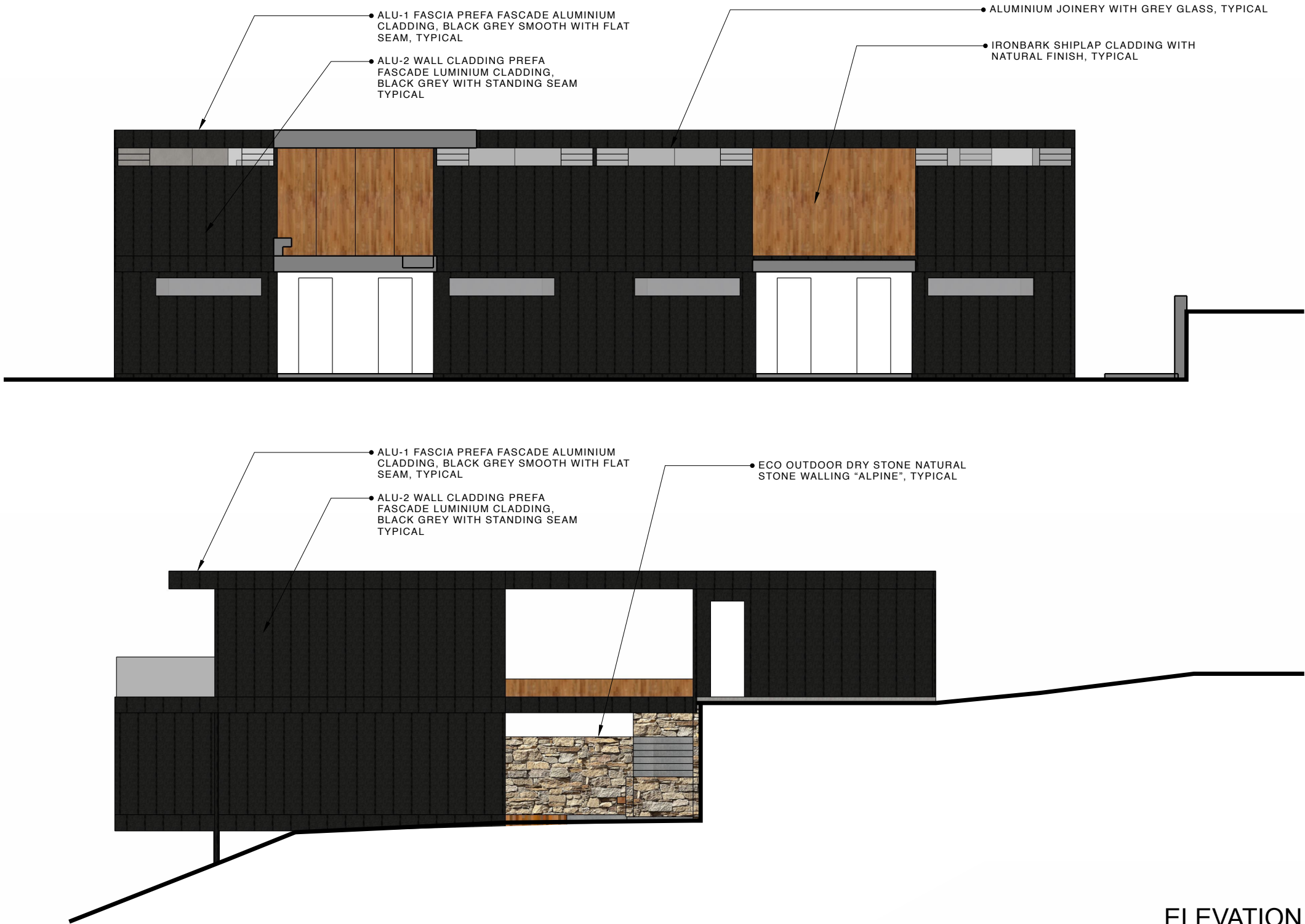
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ELEVATION F2

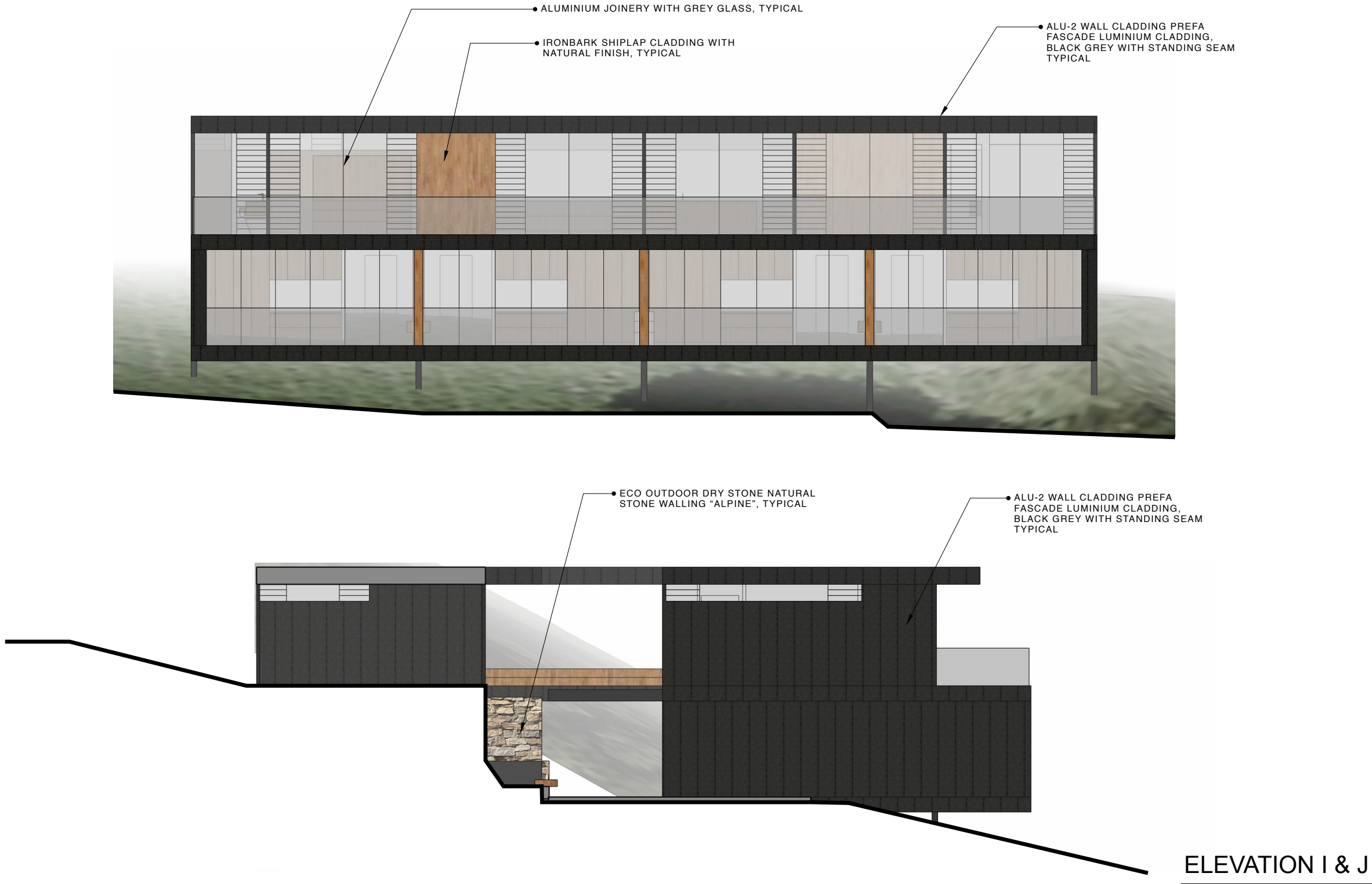
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ELEVATION G & H
 SCALE 1:100 @ A3

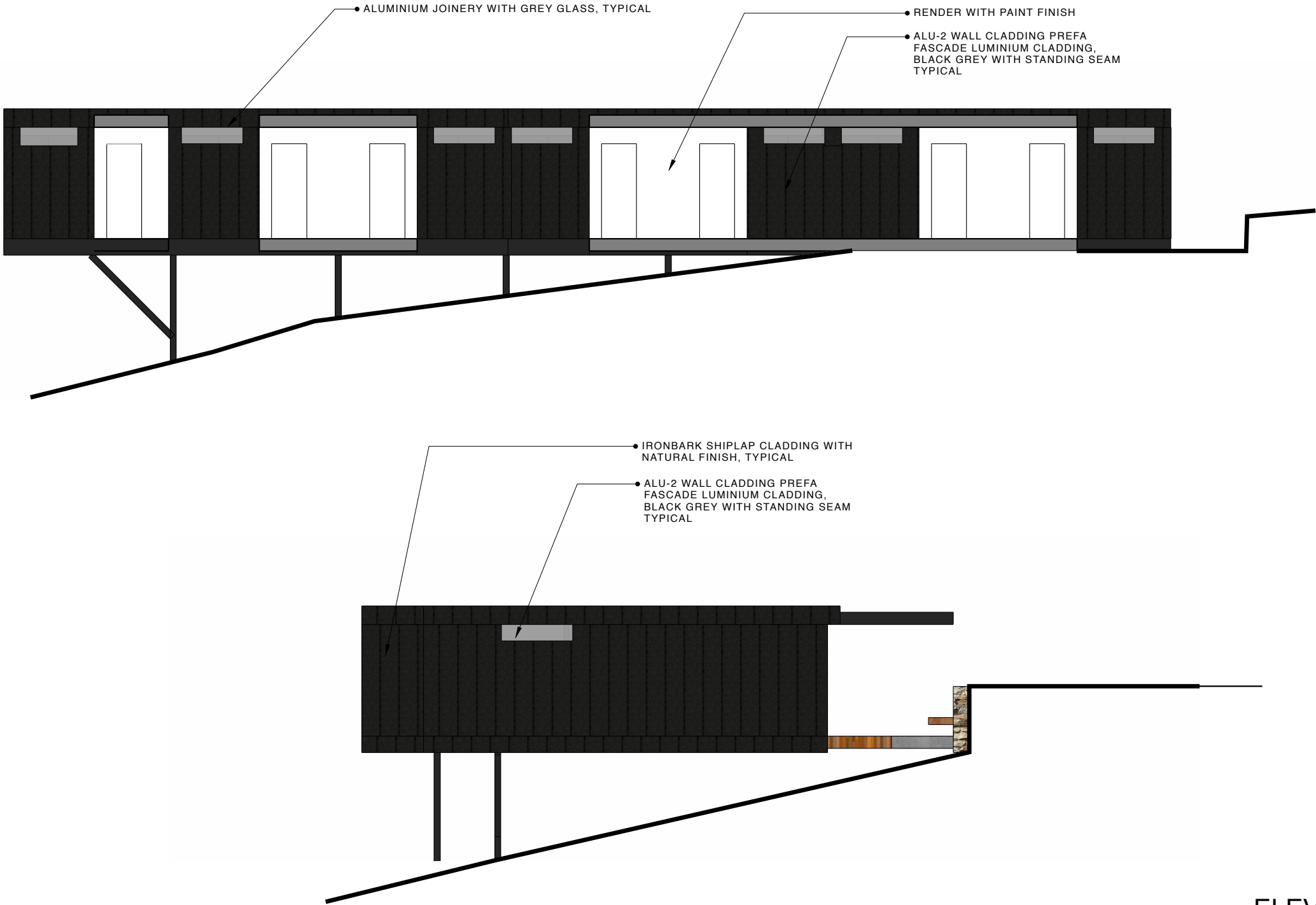
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ELEVATION I & J

SCALE 1:100 @ A3

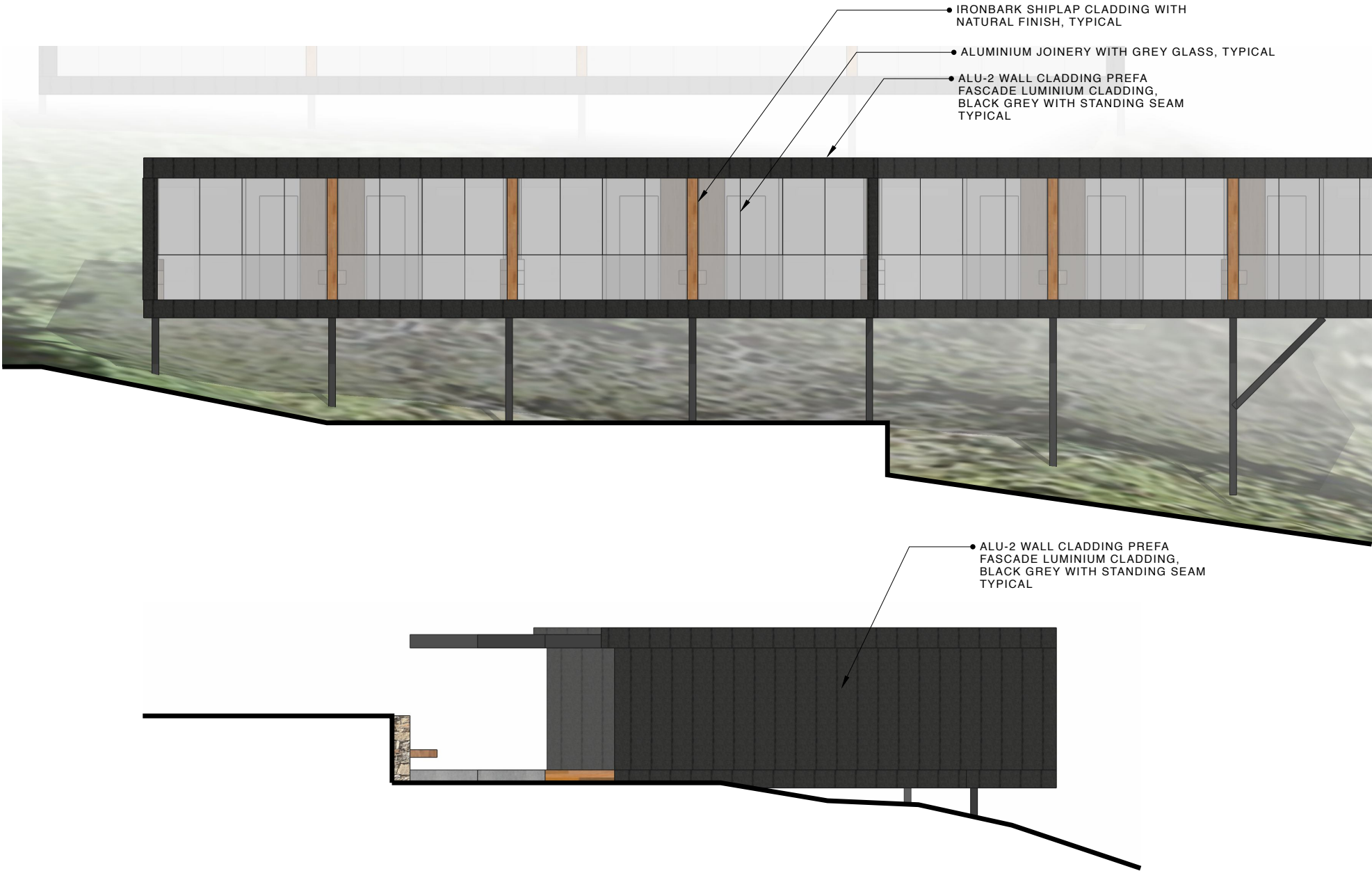
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ELEVATION K & L

SCALE 1:100 @ A3

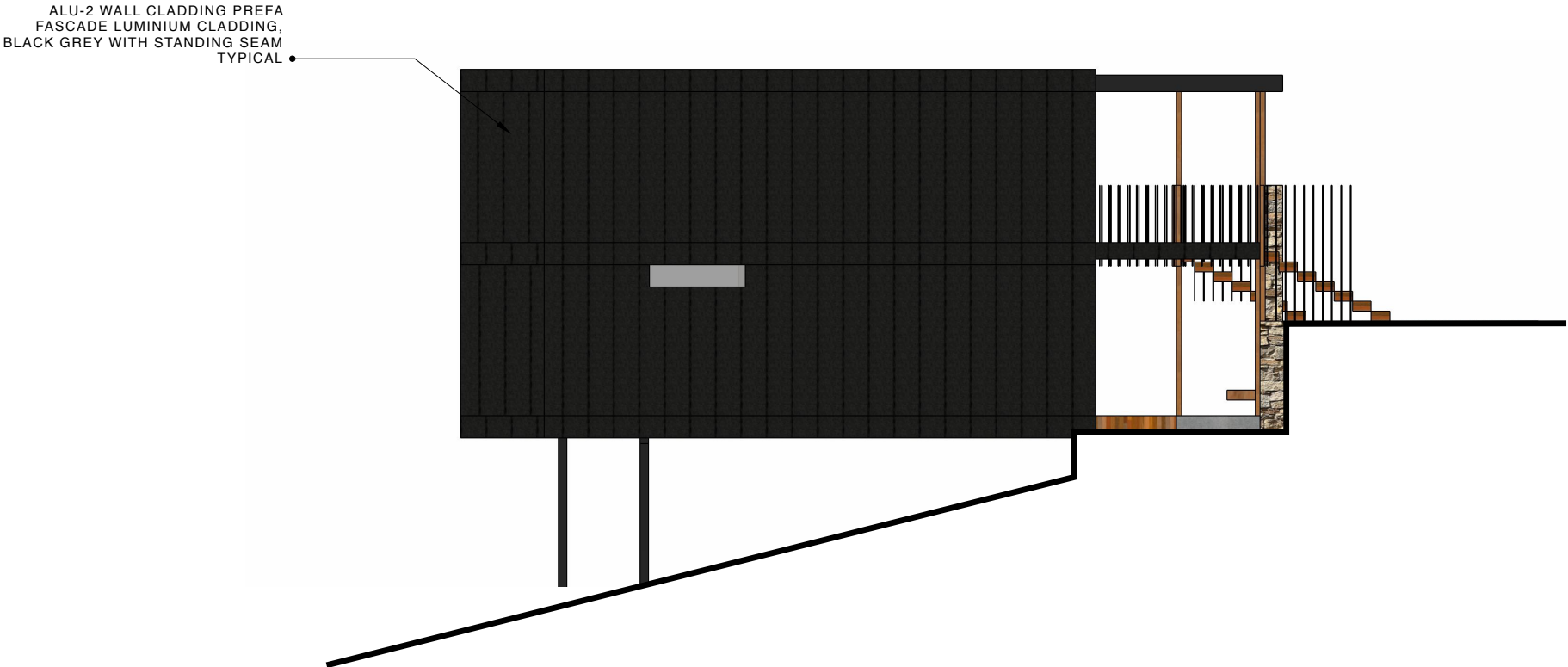
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ELEVATION M & N

SCALE 1:100 @ A3

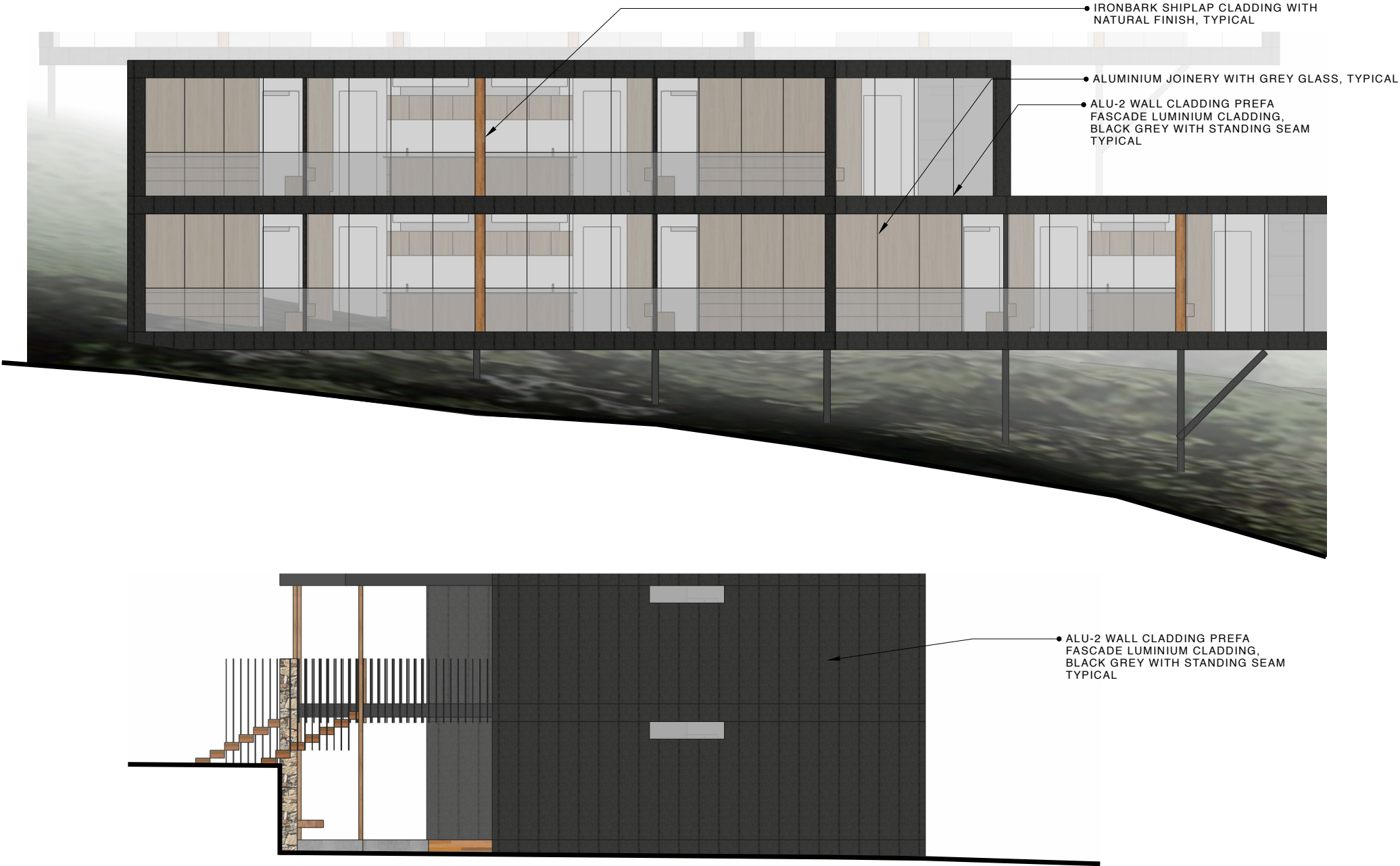
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ELEVATION O & P

SCALE 1:100 @ A3

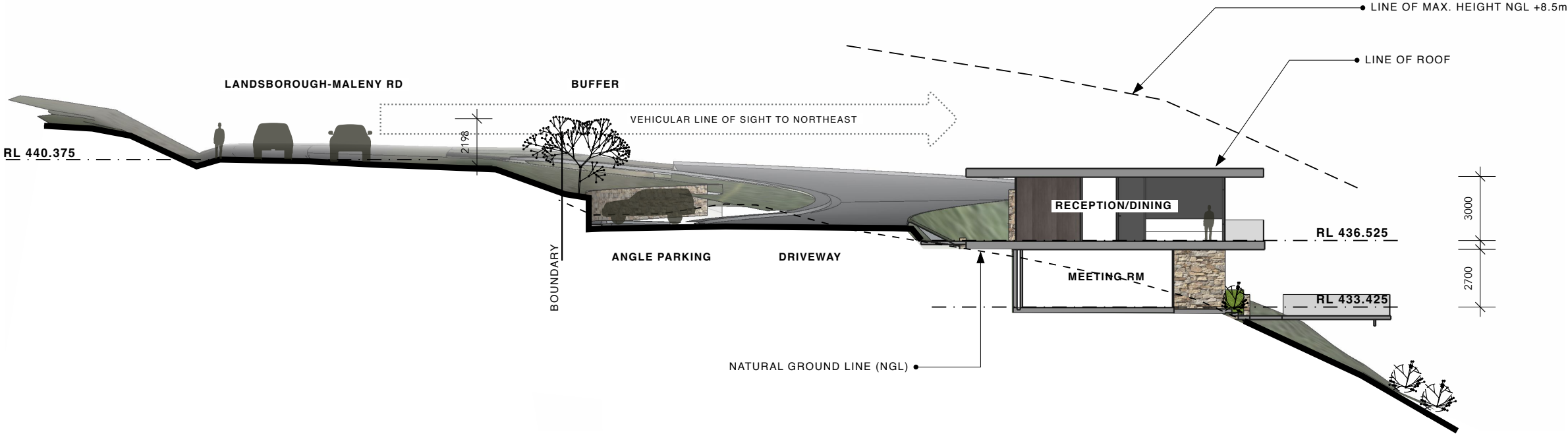
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ELEVATION Q & R

SCALE 1:100 @ A3

<div>31.05.2024 DEVELOPMENT APPROVAL RFI ISSUE REV B, RECEPTION LOWERED, UPPER LEVEL UNITS ALTERED</div> <div>18.04.2024 DEVELOPMENT APPROVAL RFI ISSUE, UPPER LEVEL UNITS ALTERED</div> <div>05.05.2023 DEVELOPMENT APPROVAL ISSUE</div>	<div>Engineer's drawings and recommendations shall take precedence over architectural drawings.</div> <div>The Author is to be notified immediately should any errors, discrepancies or conflict become apparent and prior to proceeding with the works.</div> <div>Dimensions shown have precedence over scaled measurements.</div> <div>DO NOT SCALE DRAWINGS</div>		<div>Norman Richards</div> <div>building design + interiors</div> <div>Norman Richards, BArch BES BDAQ</div> <div>QBCC Lic: 1093419 ABN: 89 477 914 675</div> <div>731 Maleny-Stanley Rv Rd, Maleny, QLD 4552</div> <div>T 0409558729</div> <div>norman@normanrichards.com</div>	<div>Project</div> <div>PROPOSED SHORT-TERM</div> <div>ACCOMMODATION</div> <div>at 862 LANDSBOROUGH-MALENY RD</div> <div>BALD KNOB, QLD, 4552</div> <div>for GEOFFREY THOMAS FAMILY TRUST</div>	<table><tr><td colspan="3">Title</td></tr><tr><td colspan="3">ELEVATION Q & R</td></tr><tr><td>Scale</td><td>Drawn</td><td>Date</td></tr><tr><td>AS NOTED</td><td>NR</td><td>31/05/2024</td></tr><tr><td colspan="2">Drawing No. DA40</td><td>Revision B</td></tr><tr><td colspan="3">Checked</td></tr><tr><td colspan="3">Document Stage</td></tr><tr><td colspan="3">DEVELOPMENT APPROVAL</td></tr></table>	Title			ELEVATION Q & R			Scale	Drawn	Date	AS NOTED	NR	31/05/2024	Drawing No. DA40		Revision B	Checked			Document Stage			DEVELOPMENT APPROVAL		
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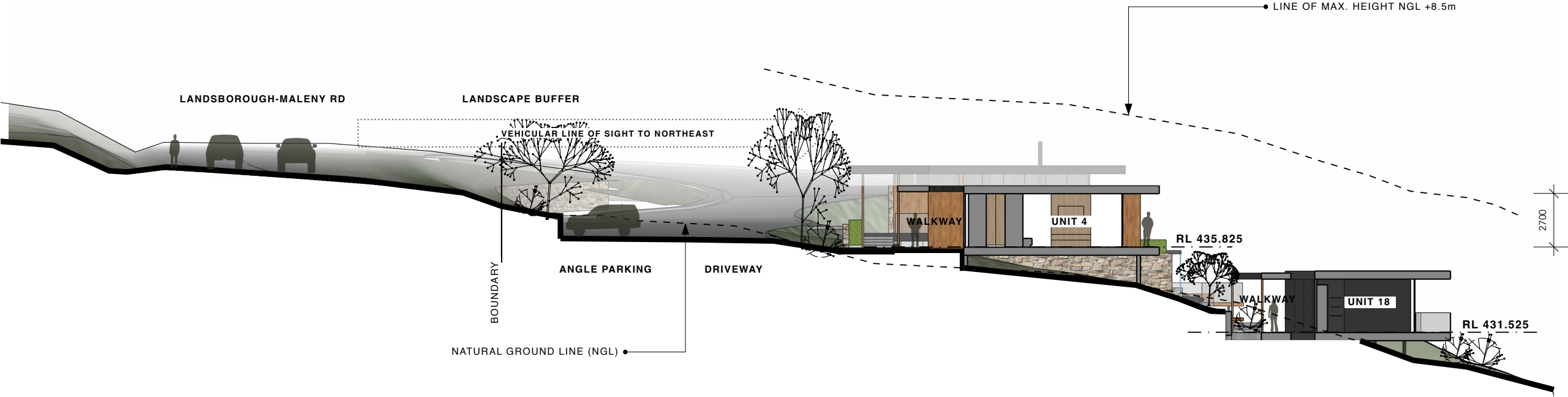


SITE SECTION A

SCALE 1:200 @ A3

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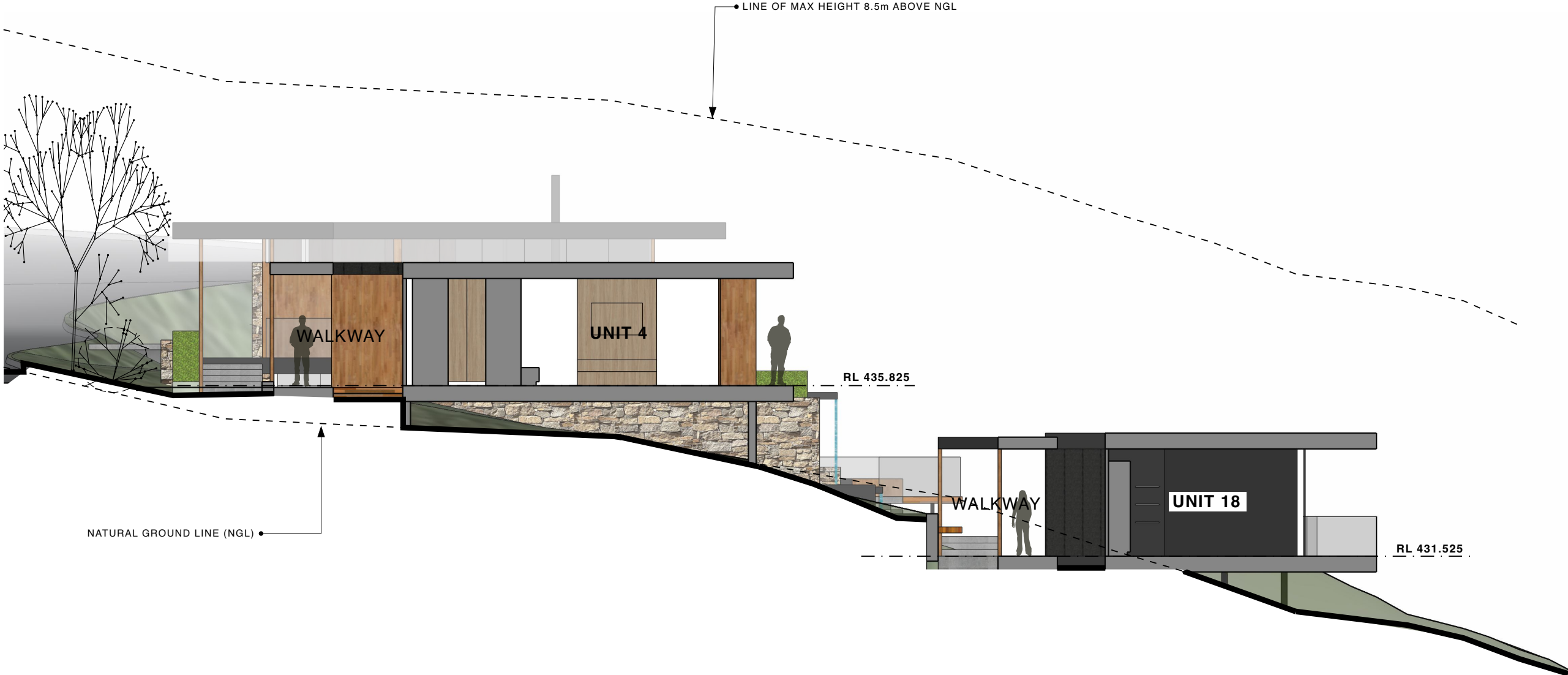
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SITE SECTION B

SCALE 1:200 @ A3

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SECTION B

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31.05.2024 DEVELOPMENT APPROVAL RFI ISSUE REV B, RECEPTION LOWERED, UPPER LEVEL UNITS ALTERED
18.04.2024 DEVELOPMENT APPROVAL RFI ISSUE, UPPER LEVEL UNITS ALTERED
05.05.2023 DEVELOPMENT APPROVAL ISSUE

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Engineer's drawings and recommendations shall take precedence over architectural drawings.

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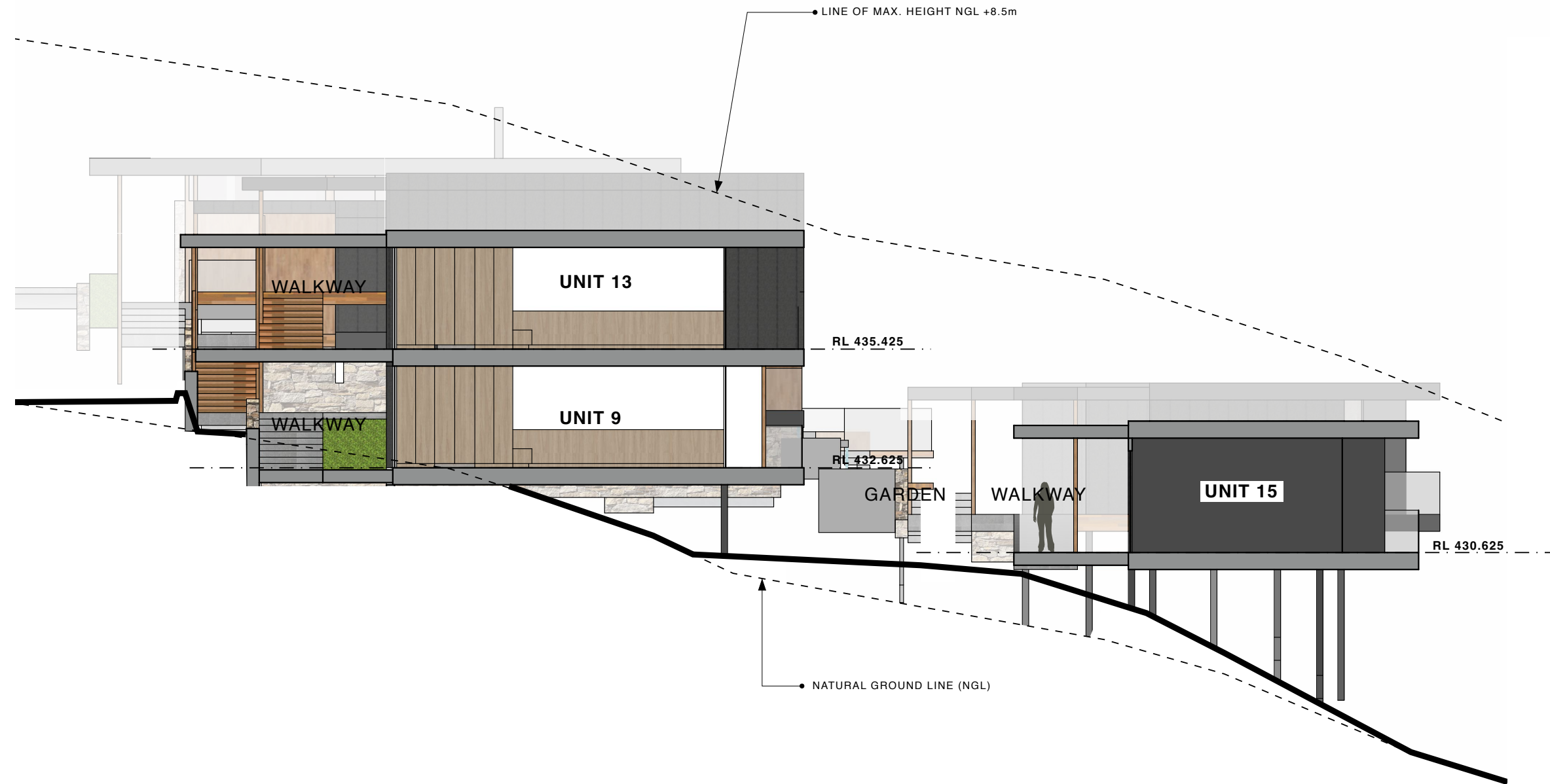
Dimensions shown have precedence over scaled measurements.

DO NOT SCALE DRAWINGS

Norman Richards
building design + interiors
Norman Richards, BArch BES BDAQ
QBCC Lic: 1093419 ABN: 89 477 914 675
731 Maleny-Stanley Rv Rd, Maleny, QLD 4552
T 0409558729
norman@normanrichards.com

Project
PROPOSED SHORT-TERM
ACCOMMODATION
at 862 LANDSBOROUGH-MALENY RD
BALD KNOB, QLD, 4552
for GEOFFREY THOMAS FAMILY TRUST

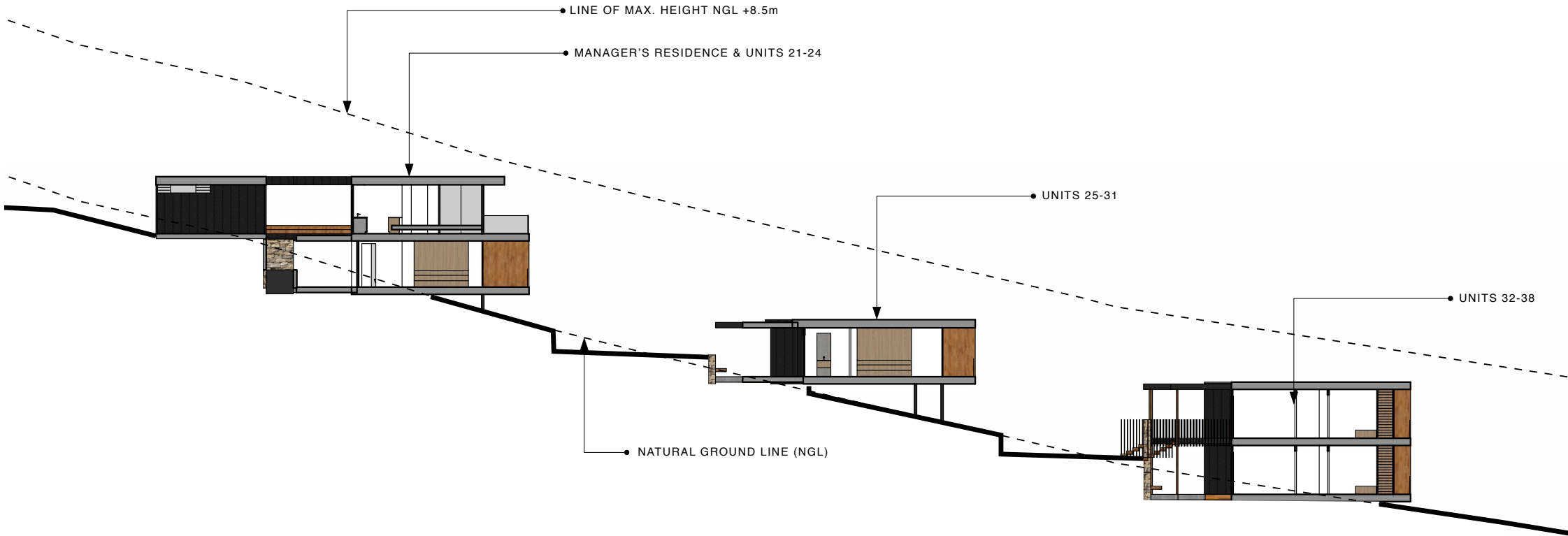
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Document Stage	DEVELOPMENT APPROVAL



SECTION C

SCALE 1:100 @ A3

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SECTION D

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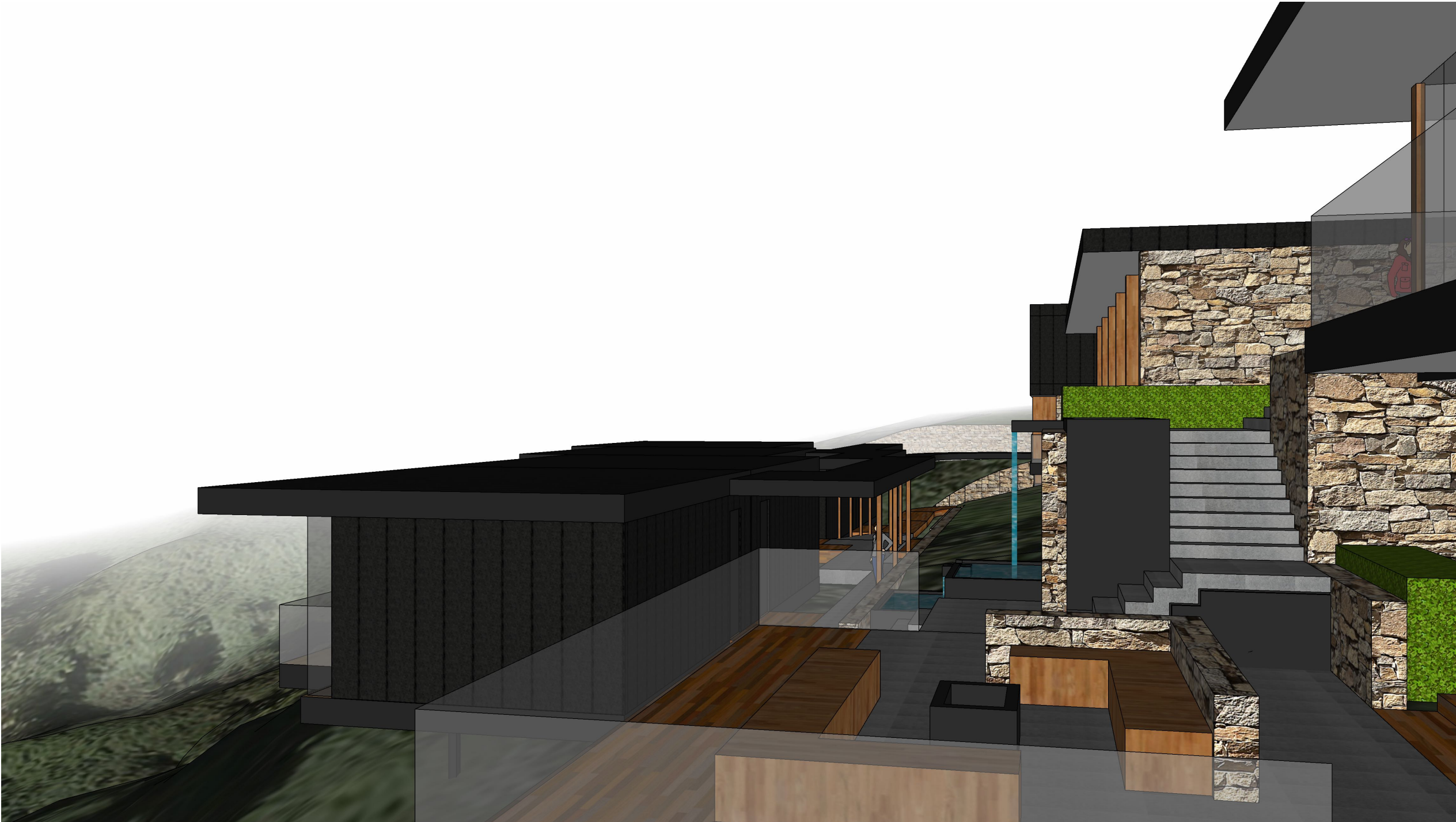
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VIEW RECEPTION

NTS

<div>31.05.2024 DEVELOPMENT APPROVAL RFI ISSUE REV B, RECEPTION LOWERED, UPPER LEVEL UNITS ALTERED</div> <div>18.04.2024 DEVELOPMENT APPROVAL RFI ISSUE, UPPER LEVEL UNITS ALTERED</div> <div>05.05.2023 DEVELOPMENT APPROVAL ISSUE</div>	<div>Engineer's drawings and recommendations shall take precedence over architectural drawings.</div> <div>The Author is to be notified immediately should any errors, discrepancies or conflict become apparent and prior to proceeding with the works.</div> <div>Dimensions shown have precedence over scaled measurements.</div> <div>DO NOT SCALE DRAWINGS</div>	<div>Norman Richards</div> <div>building design + interiors</div> <div>Norman Richards, BArch BES BDAQ</div> <div>QBCC Lic: 1093419 ABN: 89 477 914 675</div> <div>731 Maleny-Stanley Rv Rd, Maleny, QLD 4552</div> <div>T 0409558729</div> <div>norman@normanrichards.com</div>	<div>Project</div> <div>PROPOSED SHORT-TERM ACCOMMODATION</div> <div>at 862 LANDSBOROUGH-MALENY RD</div> <div>BALD KNOB, QLD, 4552</div> <div>for GEOFFREY THOMAS FAMILY TRUST</div>	<div>Title</div> <div>VIEW RECEPTION</div> <div>Scale Drawn Date</div> <div>AS NOTED NR 31/05/2024</div> <div>Drawing No. DA46 Revision B</div> <div>Checked</div> <div>Document Stage</div> <div>DEVELOPMENT APPROVAL</div>
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VIEW RECREATION TERRACE

NTS

31.05.2024 DEVELOPMENT APPROVAL RFI ISSUE REV B, RECEPTION LOWERED, UPPER LEVEL UNITS ALTERED 18.04.2024 DEVELOPMENT APPROVAL RFI ISSUE, UPPER LEVEL UNITS ALTERED 05.05.2023 DEVELOPMENT APPROVAL ISSUE	<small>Engineer's drawings and recommendations shall take precedence over architectural drawings.</small> <small>The Author is to be notified immediately should any errors, discrepancies or conflict become apparent and prior to proceeding with the works.</small> <small>Dimensions shown have precedence over scaled measurements.</small> <small>DO NOT SCALE DRAWINGS</small>		Norman Richards building design + interiors Norman Richards, BArch BES BDAQ QBCC Lic: 1093419 ABN: 89 477 914 675 731 Maleny-Stanley Rv Rd, Maleny, QLD 4552 T 0409558729 norman@normanrichards.com	Project PROPOSED SHORT-TERM ACCOMMODATION at 862 LANDSBOROUGH-MALENY RD BALD KNOB, QLD, 4552 for GEOFFREY THOMAS FAMILY TRUST	Title VIEW RECREATION TERRACE Scale Drawn Date AS NOTED NR 31/05/2024 Drawing No. DA47 Revision B Checked Document Stage DEVELOPMENT APPROVAL
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RA6-N



SARA reference: 2306-35061 SRA
Council reference: MCU23/0125
Applicant reference: 210905

26 July 2023

Sunshine Coast Regional Council
Locked Bag 72
Sunshine Coast Mail Centre QLD 4560
mail@sunshinecoast.qld.gov.au

Attention: Mr John Alderson

Dear Mr Alderson

SARA referral agency response—862-894 Landsborough Maleny Rd Road, Bald Knob

(Referral agency response given under section 56 of the *Planning Act 2016*)

The development application described below was confirmed as properly referred by the State Assessment and Referral Agency (SARA) on 16 June 2023.

Response

Outcome:	Referral agency response – with conditions
Date of response:	26 July 2023
Conditions:	The conditions in Attachment 1 must be attached to any development approval
Advice:	Advice to the applicant is in Attachment 2
Reasons:	The reasons for the referral agency response are in Attachment 3

2306-35061 SRA

Development details

Description:	Development permit	Material Change of Use for short term accommodation (38 units and manager's residence)
SARA role:	Referral agency	
SARA trigger:	Schedule 10, Part 9, Division 4, Subdivision 2, Table 4 (Planning Regulation 2017)	
	Development application for a material change of use within 25m of a State transport corridor	
SARA reference:	2306-35061 SRA	
Assessment manager:	Sunshine Coast Regional Council	
Street address:	862-894 Landsborough Maleny Rd Road, Bald Knob	
Real property description:	Lot 1 on SP256087, Lot 3 on SP311048	
Applicant name:	Geoffrey Thomas Family Trust	
Applicant contact details:	C/- ADAMS + SPARKS Town Planning PO Box 1000 BUDDINA QLD 4575 admin@astpd.com.au	
State-controlled road access permit:	<p>This referral included an application for a road access location, under section 62A(2) of <i>Transport Infrastructure Act 1994</i>. Below are the details of the decision:</p> <ul style="list-style-type: none"> • Approved • Reference: TMR23-039620 • Date: 20 July 2023 <p>If you are seeking further information on the road access permit, please contact the Department of Transport and Main Roads at North.Coast.IDAS@tmr.qld.gov.au</p>	
Human Rights Act 2019 considerations:	<p>Section 58 of the <i>Human Rights Act 2019</i> specifies required conduct for public entities when acting or making a decision. Sections 15 – 37 of the <i>Human Rights Act 2019</i> identifies the human rights a public entity must consider in making a decision. This decision does not limit the above identified human rights.</p>	

Representations

An applicant may make representations to a concurrence agency, at any time before the application is decided, about changing a matter in the referral agency response (s.30 Development Assessment Rules). Copies of the relevant provisions are in **Attachment 4**.

A copy of this response has been sent to the applicant for their information.

2306-35061 SRA

For further information please contact Matthew Holznagel, Principal Planning Officer, on 3452 7546 or via email SEQNorthSARA@dsdilgp.qld.gov.au who will be pleased to assist.

Yours sincerely



Garth Nolan
Manager (Planning)

cc Geoffrey Thomas Family Trust, C/- ADAMS + SPARKS Town Planning, admin@astpd.com.au

enc Attachment 1 - Referral agency conditions
Attachment 2 - Advice to the applicant
Attachment 3 - Reasons for referral agency response
Attachment 4 - Representations about a referral agency response provisions

2306-35061 SRA

Attachment 1—Referral agency conditions

(Under section 56(1)(b)(i) of the *Planning Act 2016* the following conditions must be attached to any development approval relating to this application)

No.	Conditions	Condition timing
Material change of use for short term accommodation (38 units and manager's residence)		
10.9.4.2.4.1 – Material change of use with 25m of State transport corridor—The chief executive administering the <i>Planning Act 2016</i> nominates the Director-General of the Department of Transport and Main Roads to be the enforcement authority for the development to which this development approval relates for the administration and enforcement of any matter relating to the following condition(s):		
Vehicular access to state-controlled road		
1.	<p>(a) The road access location is to be located generally in accordance with General Arrangement with Available Sight Distance Plan prepared by Projex Partners, dated 18/10/2022, reference 569-001-SK002 and revision 1, as amended in red.</p> <p>(b) Road access works at the road access location must be provided generally in accordance with General Arrangement with Available Sight Distance Plan prepared by Projex Partners, dated 18/10/2022, reference 569-001-SK002 and revision 1, as amended in red, comprising:</p> <ul style="list-style-type: none"> (i) a rural driveway with a throat width a minimum of 12m (ii) a Basic Left Turn (BAL) and a short Channelised Right Turn (CHR(s)) (iii) provision of road widening to accommodate the turn treatments and curve widening (iv) provision for on-road cyclists (v) provision of pedestrian fencing or barrier for the extent of the property boundary fronting Landsborough Maleny Road (vi) dedication of land to road corridor where necessary to accommodate the road works with a verge width sufficient for service provision and boundary tapering to match the current boundary fronting Landsborough Maleny Road. <p>(c) The road access works must be designed and constructed in accordance with the:</p> <ul style="list-style-type: none"> (i) Department of Transport and Main Roads' Standard Drawing SD1807, Type A, Issue B (ii) Department of Transport and Main Roads' Road Planning and Design Manual 2nd Edition (iii) Department of Transport and Main Roads' Road Safety Policy (iv) Queensland Manual of Uniform Traffic Control Devices (v) Austroads Guide to Road Design 2023, Part 4A – Unsignalised and Signalised Intersection, Figure 7.5 – <i>Rural left Right Staggered T with back-to-back turn on</i> 	<p>(a) At all times</p> <p>(b) Prior to the commencement of use</p> <p>(c) Prior to the commencement of use</p>

2306-35061 SRA

	<p><i>two lane road</i></p> <p>(vi) Austroads Guide to Road Design 2023, Part 3 – Geometric Design, Table 7.13.</p>	
2.	<p>(a) The existing vehicular property access located between Lot 3 on SP311048 and Landsborough Maleny Road must be permanently closed and removed.</p> <p>(b) The verge and any table drain between the pavement edge and the property boundary must be reinstated in accordance with Department of Transport and Main Roads' Road Planning and Design Manual 2nd Edition at no cost to the Department of Transport and Main Roads'.</p>	Prior to the commencement of use
Road works		
3.	<p>(a) Road works comprising a channelised right turn treatment at the intersection of Landsborough Maleny Road and Mountain View Road, must be provided generally in accordance with General Arrangement with Available Sight Distance Plan prepared by Projex Partners, dated 18/10/2022, reference 569-001-SK002 and revision 1, as amended in red.</p> <p>(b) The road works must be designed and constructed in accordance with:</p> <ul style="list-style-type: none"> (i) Department of Transport and Main Roads' Road Planning and Design Manual 2nd Edition (ii) Department of Transport and Main Roads' Road Safety Policy (iii) Queensland Manual of Uniform Traffic Control Devices (iv) Austroads Guide to Road Design 2023, Part 4A – Unsignalised and Signalised Intersection, Figure 7.5 – <i>Rural left Right Staggered T with back-to-back turn on two lane road</i> (v) Austroads Guide to Road Design 2023, Part 3 – Geometric Design, Table 7.13. 	Prior to the commencement of use and to be maintained at all times
Landscaping		
4.	The landscaping must be provided generally in accordance with the General Arrangement with Available Sight Distance Plan prepared by Projex Partners, dated 18/10/2022, reference 569-001-SK002 and revision 1, as amended in red to require the height of landscaping, at establishment and maturity, must not obstruct visibility within the sight distance area.	Prior to the commencement of use and to be maintained at all times
Filling and excavation		
5.	Any excavation, filling/backfilling/compaction, retaining structures stormwater management measures, batters and other works involving ground disturbance must not encroach or de-stabilise the state-controlled road including all transport infrastructure or the land supporting this infrastructure, or cause similar adverse impacts.	At all times

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Stormwater management		
6.	<p>(a) Stormwater management of the development must not cause worsening to the operating performance of the state-controlled road, such that any works on the land must not:</p> <ul style="list-style-type: none"> (i) interfere with and/or cause damage to the existing stormwater drainage on the state-controlled road (ii) surcharge any existing culvert or drain on the state-controlled road (iii) impede or interfere with any overland flow or hydraulic conveyance from the state-controlled road. 	At all times

Attachment 2—Advice to the applicant

General advice	
1.	Terms and phrases used in this document are defined in the <i>Planning Act 2016</i> , its regulation or the State Development Assessment Provisions (SDAP) (version 3.0). If a word remains undefined it has its ordinary meaning.
2.	<p>Construction management – bus stop interference</p> <p>The existing urban bus stop at Landsborough Maleny Rd at Mountain View Rd, Bald Knob (Stop ID: 83007) must be able to function during the construction of the development and any associated roadworks. Accordingly, if any temporary arrangements are required, the applicant must reach agreement on suitable arrangements with the Department of Transport and Mains' TransLink Division (bus_stops@translink.com.au or on 3851 8700) prior to any construction or works commencing.</p>
Further development permits required	
3.	<p>Road works approval</p> <p>Under section 33 of the <i>Transport Infrastructure Act 1994</i>, written approval is required from the Department of Transport and Main Roads (TMR's) to carry out road works on a state-controlled road prior to the works commencing. Please contact TMR on North.Coast.IDAS@tmr.qld.gov.au with the completed application form and supporting information to make an application for road works approval. As part of the application process detailed engineering designs the proposed works, certified by a Registered Professional Engineer of Queensland will be required. The detailed design must demonstrate how the proposed works will comply with TMR's Road Planning and Design Manual, 2nd Edition (RPDM), technical standards and policies. TMR advises that any design submitted through the development application process is conceptual in nature and has not been reviewed in detail to confirm that all aspects of the design, including (but not limited to) provision for vulnerable road users, signals, lighting, and pavement design, meets TMR requirements.</p> <p>To ensure that gaining approval does not delay construction please contact TMR as soon as possible. Further information on applying for road works approval is available here: www.tmr.qld.gov.au/Community-and-environment/Planning-and-development/Other-matters-requiring-approval#roadworks.</p>
4.	<p>Road Corridor Permit</p> <p>An application for a Road Corridor Permit is required for any ancillary works and encroachments on the state-controlled road under section 50(2) and Schedule 6 of the <i>Transport Infrastructure Act 1994</i> and Part 5 and Schedule 1 of the Transport Infrastructure (State-Controlled Roads) Regulation 2006. An application for a Road Corridor Permit can be made via rcp.tmr.qld.gov.au. Ancillary works and encroachments include but are not limited to advertising signs or other advertising devices, paths or bikeways, buildings/shelters, vegetation clearing, landscaping and planting.</p>
5.	<p>Public utility works and connection approval</p> <p>The applicant is advised that if any works and/or connections are required to public utility services within a State-controlled road reserve, approval must be given by the Department of Transport and Main Roads under the relevant public utility legislation (electricity, water/sewer, telecommunication), and in accordance with TMR technical standards (TN163). Approvals must be obtained prior to commencing any utility works within the state-controlled road reserve. Please contact the public utility team via northcoast@tmr.qld.gov.au for further information on the application and approval process.</p>

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Attachment 3—Reasons for referral agency response

(Given under section 56(7) of the *Planning Act 2016*)

The reasons for the SARA's decision are:

- The proposal is for a development permit for a material change of use for short term accommodation (38 units and manager's residence). The development will incorporate additional ancillary activities, including dining, meeting and recreation facilities, for guest use.
- The subject site is located within 25m of a state-controlled road, Landsborough-Maleny Road. The proposed development will involve a changed access to Landsborough-Maleny Road.
- The proposed development will incorporate new turn treatments to ensure safe vehicle movements into the site and road works to ensure the safety and efficiency of the state controlled road network.
- Subject to the imposition of conditions to manage potential impacts, the proposed development is unlikely to impact on the operation or function of the state-controlled road network.

Material used in the assessment of the application:

- the development application material and submitted plans
- *Planning Act 2016*
- Planning Regulation 2017
- the SDAP (version 3.0), as published by SARA
- the Development Assessment Rules
- SARA DA Mapping system
- section 58 of the *Human Rights Act 2019*

Attachment 4—Representations about a referral agency response provisions

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Attachment 5—Documents referenced in conditions

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