



**City Planning & Sustainability
Development Services**

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Dedicated to a better Brisbane

3 April 2019

Village Retirement Group
c/- Saunders Havill Group
9 Thompson Street
BOWEN HILLS QLD 4006

Attention: Nikki Christmas
Application Reference: A004942635
Address of Site: 162 OCEANA TCE LOTA QLD 4179

Dear Nikki

RE: Decision notice pursuant to section 63 of the *Planning Act 2016*

I regret to inform you that your development application has been refused. Attached is a copy of the decision notice that includes the reasons for the refusal.

Included is a table of appeal rights under the *Planning Act 2016* advising you of appeal rights to the Planning and Environment Court or a tribunal.

Please phone me on telephone number below during normal business hours if you have any queries regarding this matter.

Yours sincerely

Helen Danalis
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Development Services
Brisbane City Council

Decision Notice

(Section 63 (Notice of decision) of the *Planning Act 2016*)

INTRODUCTION

This is a decision notice given pursuant to section 63 of the *Planning Act 2016*. The decision to refuse the application on **3 April 2019** was made by the Principal Urban Planner as the delegate appointed by Council to determine the application.

APPLICATION DETAILS

Application Reference Number: A004942635
Application Made Date: 02 July 2018
Properly Made Date: 02 July 2018

DESCRIPTION OF THE DEVELOPMENT

Aspect of Development: DA - PA - Building Work (ref DABW359359218)
Nature Application: Development Permit
Activity: Retirement Facility and Heritage Place (QHP)
Description of Proposal: Retirement facility (103 units) and building work on a Queensland heritage place
Stage: Stage 1 - 51 units

Aspect of Development: DA - PA - Material Change of Use (ref DAMC359359318)
Nature Application: Development Permit
Activity: Retirement Facility
Description of Proposal: Retirement facility (103 units) and building work on a Queensland heritage place
Stage: Stage 1 - 51 units

Aspect of Development: DA - PA - Building Work (ref DABW360026518)
Nature Application: Development Permit
Activity: Retirement Facility and Heritage Place (QHP)
Description of Proposal: Retirement facility (103 units) and building work on a Queensland heritage place
Stage: Stage 2 - 52 units

Aspect of Development: DA - PA - Material Change of Use (ref DAMC360026618)
Nature Application: Development Permit
Activity: Retirement Facility
Description of Proposal: Retirement facility (103 units) and building work on a Queensland heritage place
Stage: Stage 2 - 52 units

APPLICANT DETAILS

Name of Applicant: Village Retirement Group
Applicant Address: Village Retirement Group
c/- Saunders Havill Group
9 Thompson Street
BOWEN HILLS QLD 4006

SITE DETAILS

Address of Site: 162 OCEANA TCE LOTA QLD 4179
Real Property Description: L62 RP.839534
City Plan Area Classification: CP-LR,QPP-CF7
Owner: The Corporation of the Synod of the Diocese of Brisbane
Ward: Wynnum-Manly

REASONS FOR THE REFUSAL

The Delegate/Council refused the application for the following reasons:

- A. The proposal conflicts with OO(4)(i)(iv) of the **Community facilities zone code** as the 5 and 6 storey retirement facility is not consistent with the 1 and 2 storey low density residential character of the area
- B. The proposal conflicts with OO(2)(j) of the **Community facilities code** in that the proposed 5 and 6 storey development does not complement the prevailing 1 and 2 storey low density residential scale, built form and streetscape of the surrounding area
- C. The proposal conflicts with PO14 of the **Community facilities code** in that the proposed 5 and 6 storey height of the buildings is not consistent with the reasonable expectations for the built form of development as surrounding land is characterised as small scale, 1 and 2 storey low density residential development, in a landscaped setting
- D. The proposal conflicts with OO(2)(e)(i) and OO(2)(j) of the **Multiple dwelling code** in that the bulk, scale, form and intensity of the development does not integrate with and is not consistent with the street context and low density residential character of the surrounding area
- E. The proposal conflicts with PO5 and PO6 of the **Multiple dwelling code** in that the height is not consistent with the streetscape local context of the area where the predominant height of existing and approved buildings in the street is 1 and 2 storeys
- F. The development cannot be conditioned to comply with all of the current assessment benchmarks

Additionally, the proposal conflicts with PO8 of the draft **Retirement and residential care facility code** in that the height is greater than 2 storeys above the predominant 1 and 2 storey height of the local street context and the height is not sensitively reduced towards the site boundaries to a scale that is compatible with the 1 and 2 storey low density residential buildings on the opposite side of the street; is visually dominant; and, disrupts the low density residential character and rhythm of the streetscape and the development cannot be conditioned to comply with all of the draft assessment benchmarks.

REFERRAL AGENCIES

The following referral agencies were identified for this application:

Department of State Development, Manufacturing, Infrastructure and Planning
PO Box 15009
CITY EAST QLD 4002

SUBMISSIONS

Submissions were received for this application. For code assessable applications, submitters are not entitled to appeal this decision.

APPEAL RIGHTS

In accordance with the *Planning Act 2016*, the rights of appeal must be stated for the applicant and any submitters. Attached is a table of appeal rights under the *Planning Act 2016* that details your appeal rights and the appeal rights of any submitters.