



SARA reference: 2107-23765 SRA  
Council reference: 11756/2021/MCU

19 April 2022

Chief Executive Officer  
Ipswich City Council  
PO Box 1559  
IPSWICH QLD 4305  
development@ipswich.qld.gov.au

Attention: Mr Sean Dickson

Dear Mr Dickson

## SARA response—107 Bertha Street, Goodna

(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 22 July 2021.

### Response

Outcome:	Referral agency response – with conditions
Date of response:	19 April 2022
Conditions:	The conditions in <b>Attachment 1</b> must be attached to any development approval
Advice:	Advice to the applicant is in <b>Attachment 2</b>
Reasons:	The reasons for the referral agency response are in <b>Attachment 3</b>

### Development details

Description:	Development permit	Material change of use for Multiple Residential (retirement community 189 units and aged care/dementia 81 beds and specialist disability accommodation 15 units)
SARA role:	Referral agency	
SARA trigger:	Schedule 10, part 9, division 4, subdivision 1, table 1, item 1 (Planning Regulation 2017)	Development application for a material change of use impacting state transport infrastructure
	Schedule 10, part 10, division 3, subdivision 3, table 1, item 1	

(Planning Regulation 2017)

Development application for a material change of use involving interfering with koala habitat within a koala habitat area

SARA reference: 2107-23765 SRA  
 Assessment Manager: Ipswich City Council  
 Street address: 107 Bertha Street, Goodna  
 Real property description: Lot 372 on SP104177  
 Applicant name: PGS Invest Pty Ltd  
 Applicant contact details: C/- Precinct Urban Planning, PO Box 2251, North Ipswich QLD 4305

## 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 (section 30 of the 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.

For further information please contact Kieran Hanna, Principal Planning Officer, on 3432 2404 or via email [IpswichSARA@dsdilgp.qld.gov.au](mailto:IpswichSARA@dsdilgp.qld.gov.au) who will be pleased to assist.

Yours sincerely



Alison Stevens  
A/Manager

enc    Attachment 1 - Referral agency conditions  
        Attachment 2 - Advice to the applicant  
        Attachment 3 - Reasons for referral agency response  
        Attachment 4 - Representations provisions  
        Attachment 5 - Approved plans and specifications

cc      PGS Invest Pty Ltd c/- Precinct Urban Planning, [scott@precinctplan.com.au](mailto:scott@precinctplan.com.au)

## 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) (Copies of the plans and specifications referenced below are found at **Attachment 5**)

No.	Conditions	Condition timing
<b>Development permit for a material change of use for Multiple Residential (retirement community 189 units and aged care/dementia 81 beds and specialised disability accommodation facility 15 units)</b>		
Schedule 10, part 9, division 4, subdivision 1, table 1, item 1 of the Planning Regulation 2017 — State transport infrastructure – The chief executive administering the <i>Planning Act 2016</i> nominates the Director-General of 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:		
1.	The development must provide internal pedestrian access generally in accordance with the Circulation Network, prepared by LEAD, dated 31 May 2021, as amended in red by SARA on 19 April 2022.	Prior to the commencement of use and to be maintained at all times
2.	(a) The development must provide the ‘mini bus loading bays’ shown on the Mini Bus and Ride Share Loading Bays, prepared by Bitzios Consulting, dated 24 February 2022, project number P4841, sheet number 1, issue 001, as amended in red by SARA on 19 April 2022.  (b) The ‘mini bus loading bays’ required in part (a) of this condition must be in accordance with the Disability Standards for Accessible Public Transport 2002 made under subsection 31(1) of the <i>Disability Discrimination Act 1992</i> and include the following components: <ul style="list-style-type: none"> <li>• a bus zone with capacity to accommodate the set-down of one 22-seater bus</li> <li>• bus zone line marking and bus zone signage at either end of the bus zone in accordance with AS1742.11 – Manual of uniform traffic control devices, Part 11: Parking controls.</li> </ul>	(a) and (b) Prior to the commencement of use and to be maintained at all times
3.	(a) The development must provide the ‘taxi/ ride share loading bays’ shown on the Mini Bus and Ride Share Loading Bays, prepared by Bitzios Consulting, dated 24 February 2022, project number P4841, sheet number 1, issue 001, as amended in red by SARA on 19 April 2022.  (b) The ‘taxi/ ride share loading bays’ required in part (a) of this condition must be designed and constructed to accommodate a taxi suitable for use by people with disabilities in accordance with the following: <ul style="list-style-type: none"> <li>• Disability Standards for Accessible Public Transport 2002 - subsection 31(1) of the <i>Disability Discrimination Act 1992</i>;</li> <li>• AS1428.1 – Design for Access and Mobility;</li> <li>• AS2890.6 – Parking Facilities, Part 6: Off-street parking for people with disabilities; and</li> </ul>	(a) and (b) Prior to the commencement of use and to be maintained at all times

No.	Conditions	Condition timing
	<ul style="list-style-type: none"> <li>R5-23 loading zone signage (passengers – 15 minutes) in accordance with AS1742.11 – Manual of uniform traffic control devices, Part 11: Parking controls.</li> </ul>	
4.	<p>(a) The development must provide one person with disability (PWD) parking space in front of the aged care/dementia centre and one PWD parking space in front of the specialist disability accommodation generally in accordance with the Circulation Network, prepared by LEAD, dated 31 May 2021; as amended in red by SARA on 19 April 2022.</p> <p>(b) The parking spaces required in part (a) of this condition must be designed and constructed to accommodate a taxi suitable for use by people with disabilities in accordance with the following:</p> <ul style="list-style-type: none"> <li>Disability Standards for Accessible Public Transport 2002 - subsection 31(1) of the <i>Disability Discrimination Act 1992</i></li> <li>AS1428.1 – Design for Access and Mobility</li> <li>AS2890.6 – Parking Facilities, Part 6: Off-street parking for people with disabilities</li> <li>R5-23 loading zone signage (passengers – 15 minutes) in accordance with AS1742.11 – Manual of uniform traffic control devices, Part 11: Parking controls.</li> </ul>	(a) and (b) Prior to the commencement of use and to be maintained at all times
Schedule 10, part 10, division 3, subdivision 3, table 1, item 1 of the Planning Regulation 2017—Koala habitat in SEQ—The chief executive administering the <i>Planning Act 2016</i> nominates the Director-General of Department of Environment and Science 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 conditions:		
5.	Clearing is limited to the Vegetation Clearing Extent as shown on Vegetation Clearing Extents Plan, prepared by NewGround, dated 8 March 2022, sheet no. 1, project 2556, version A, as amended in red by SARA on 19 April 2022.	At all times
6.	<p>(a) Retain the Bushland Conservation Area as shown on Conservation Area and Corridor Widths – Lot 372 SP104177, dated 14 October 2021, sheet no. 1, project 2556, version 0, as amended in red by SARA on 19 April 2022.</p> <p>(b) Development must not occur within the areas identified in part (a) of this condition.</p>	(a) and (b) At all times
7.	Any fencing required in the area identified as ‘enclosed dog exercise area’ on the Koala Management Plan, prepared by NewGround, dated 9 October 2021, sheet no. 1, project 2556, version 0, must be constructed and maintained as koala-exclusion fencing in accordance with the Koala Sensitive Design Guideline (Version 2), prepared by the Department of Environment and Science and dated 1 February 2020.	At all times

No.	Conditions	Condition timing
8.	Any boundary fencing must be constructed and maintained as koala-friendly fencing in accordance with the Koala Sensitive Design Guideline (Version 2), prepared by the Department of Environment and Science and dated 1 February 2020.	At all times
9.	<p>(a) Undertake rehabilitation of the following areas identified on the Conceptual Rehabilitation Plan Lot 372 SP104177, prepared by NewGround, dated 9 October 2021, sheet no. 1, project 2556, version 0, as amended in red by SARA on 19 April 2022:</p> <ul style="list-style-type: none"> <li>• Bushland Vegetation Retention and Rehabilitation Area</li> <li>• Koala Habitat Street Tree Planting Area</li> <li>• Riparian Corridor Restoration Area</li> <li>• Landscape Treatments Areas with Koala Habitat Tree Dominated Canopy and Sub-canopy.</li> </ul> <p>(b) The rehabilitation must be undertaken in accordance with the Conceptual Rehabilitation Plan Lot 372 SP104177, prepared by NewGround, dated 9 October 2021, sheet no's. 2 to 5, project 2556, version 0, as amended in red by SARA on 19 April 2022.</p> <p>(c) Maintain the rehabilitation work for three years generally in accordance with Table 7, Phase 4 of the Rehabilitation Plan and as required in parts (a) and (b) of this condition.</p> <p>(d) Provide certification by a suitably qualified ecologist that rehabilitation has been maintained in accordance with part (c) of this condition to Koala.Compliance@des.qld.gov.au OR Koala Assessment and Compliance, Department of Environment and Science, GPO Box 2454 Brisbane Queensland 4001.</p>	<p>(a) and (b) To commence within 30 days after the completion of clearing works</p> <p>(c) As stated in the condition</p> <p>(d) Within three months from the completion of the rehabilitation works</p>
10.	Maintain the development to protect the welfare of koalas in accordance with section 6.7 of the Abadi Gaia Adult Residential Village & Aged Care & Dementia Facility Operational Environmental Management Plan, prepared by A.K. Slijderink, dated 21 October 2021, version 3, as amended in red by SARA on 19 April 2022.	At all times
11.	All clearing activities must be carried out in accordance with the Koala Management Plan, prepared by NewGround, dated 9 October 2021, sheet no's. 1 to 3, project 2556, version 0.	During all clearing works
12.	<p>(a) Prepare a Koala Protection Plan (KPP). The KPP must:</p> <ol style="list-style-type: none"> <li>Identify all clearing, building works and construction activities that may increase the risk of stress, injury or death of koalas</li> <li>Detail the management measures that will be implemented during clearing, building works and construction activities to prevent the risks identified in part (a)(i) of this condition, this includes but is not limited to all of the following: <ul style="list-style-type: none"> <li>• Details of pre-clearing inspections of the vegetation to be cleared</li> <li>• Measures required under the Nature Conservation (Koala) Conservation Plan 2017, including the staging</li> </ul> </li> </ol>	<p>(a) and (b) Prior to any building work or operational work being undertaken</p> <p>(c) At all times during the construction of the development</p>

No.	Conditions	Condition timing
	<p>and sequencing of clearing and provisions for a koala spotter during clearing operations</p> <ul style="list-style-type: none"> <li>• Procedures for the recovery of koalas</li> <li>• Measures for dealing with trapped, injured and deceased koalas</li> <li>• Contact details for the contractor for reports of at risk or injured koalas</li> <li>• Procedures for checking machinery for koalas</li> <li>• Measures to protect retained koala habitat and vegetation (including open land) in accordance with Australian Standard AS4970-2009.</li> </ul> <p>(iii) Be certified by a suitably qualified and experienced person.</p> <p>(b) Submit the KPP required by part (a) of this condition to the Department of Environment and Science at palm@des.qld.gov.au.</p> <p>(c) Implement the management measures contained in the KPP in accordance with part (a) of this condition.</p>	
13.	<p>Deliver an environmental offset in accordance with the <i>Environmental Offsets Act 2014</i> to counterbalance the significant residual impacts on the matter of state environmental significance being clearing of 1,729 non-juvenile koala habitat trees.</p>	<p>Prior to commencing any clearing works</p>

## 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 v2.6 (SDAP). If a word remains undefined it has its ordinary meaning.
2.	<p>Prior to the commencement of clearing activities, notify the Department of Environment and Science at <a href="mailto:koala.compliance@des.qld.gov.au">koala.compliance@des.qld.gov.au</a> of:</p> <ul style="list-style-type: none"> <li>• the expected date the clearing activity will commence;</li> <li>• the expected duration of the clearing activity;</li> <li>• the name and contact details of the koala spotter that has been contracted for the clearing activity; and</li> <li>• the name, contact details and authority number of the spotter catcher that has been contracted for the clearing activity.</li> </ul>
3.	<p>The Nature Conservation (Koala) Conservation Plan 2017 includes mandatory requirements that applies to all persons undertaking the clearing of koala habitat trees, including that clearing be undertaken sequentially and in the presence of a koala spotter. Penalties for non-compliance apply. For further information please contact the Department of Environment and Science at <a href="mailto:koala.compliance@des.qld.gov.au">koala.compliance@des.qld.gov.au</a>.</p>
4.	Despite this development approval, other permits or approvals may be required for the clearing of koala habitat. To determine if the proposed clearing requires other approvals under other local, State or federal laws go to <a href="http://www.qld.gov.au">www.qld.gov.au</a> (search 'vegetation clearing requirements').
5.	The development contains areas mapped as containing a high risk area on the protected plant flora survey trigger map. Where clearing is proposed within a high risk area, it is a requirement under the <i>Nature Conservation Act 1992</i> to conduct a flora survey in accordance with the Flora Survey Guidelines to determine if there are any protected plants on the clearing site. If protected plants are found on the clearing site, a clearing permit under the <i>Nature Conservation Act 1992</i> may be required.

## Attachment 3—Reasons for referral agency response

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

### The reasons for the SARA decision are:

- With conditions, the proposal complies with the purpose and outcomes of State code 6: Protection of state transport networks of the State Development Assessment Provisions; in particular:
  - o does not create a safety hazard for users of state transport infrastructure
  - o does not result in a worsening of the physical condition or operating performance of the state transport network
  - o does not compromise the state's ability to construct, or significantly increase the cost to construct, operate and maintain state transport infrastructure
  - o provides public passenger transport infrastructure to enable servicing by public passenger transport by providing on-site infrastructure and services
  - o provides safe and direct access to public passenger transport infrastructure by providing an on-site pedestrian network.
- With conditions, the development application for the proposal complies with the purpose and performance outcomes of State code 25: Development in South-East Queensland koala habitat areas of the State Development Assessment Provisions; in particular:
  - o results in no net loss of koala habitat area by reasonably minimising and mitigating the extent of interfering with koala habitat on the site; providing 6.02ha of conservation area and corridors; ensuring works occur in accordance with a clearing extent plan, rehabilitation plan and an operational management plan; and requiring an environmental offset to be provided
  - o does not contribute to fragmentation of koala habitat areas by providing 6.02ha of conservation area and ensuring works occur in accordance with a rehabilitation plan and operational management plan
  - o maintains or improves connectivity within and between koala habitat areas to ensure safe koala movement by providing 6.02ha of conservation area and north-south and east-west corridors
  - o can be constructed and undertaken in such a way that does not increase the risk of injury to, or death of koalas by ensuring works occur in accordance with a koala management plan
  - o has minimised and mitigated impact to matters of state environmental significance because avoidance is not reasonably possible and requiring an environmental offset to be provided.

### Material used in the assessment of the application:

- The development application material and submitted plans
- *Planning Act 2016*
- Planning Regulation 2017
- The State Development Assessment Provisions (version 2.6)
- The Development Assessment Rules
- SARA DA Mapping system.



## **Attachment 4—Change representation provisions**

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## **Attachment 5—Approved plans and specifications**

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