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Enquiry Phone: Customer Service (07) 3412 5269
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22 August 2024

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MWB Fund 31 PTY LTD (TRUSTEE)
C/- Saunders Havill Group
9 Thompson St
BOWEN HILLS QLD 4006

Dear Sir/Madam

INFORMATION REQUEST

APPLICATION NO: COM/44/2024
PROPERTY ADDRESS: 50-56 DERBY ROAD, LOGAN RESERVE QLD 4133
PROPERTY DESCRIPTION: LOT 37 RP 108311
APPLICATION DESCRIPTION:

• **COMBINED APPLICATION - PRELIMINARY APPROVAL FOR A MATERIAL CHANGE OF USE TO VARY THE EFFECT OF THE LOGAN PLANNING SCHEME 2015 (VARIATION REQUEST), RECONFIGURING A LOT (1 LOT INTO 36 LOTS + DRAINAGE RESERVE & NEW ROADS) AND OPERATIONAL WORKS (VEGETATION CLEARING)**

In accordance with Part 3 (Information Request) of the Development Assessment Rules, Council in the role of the Assessment Manager, requests the following further information to be submitted for the assessment of the abovementioned development application.

1. CRITICAL CONCERN – LOCAL GOVERNMENT INFRASTRUCTURE PLAN

Council officers have critical concerns with the proposed development. Version 1.3 of the Local Government Infrastructure Plan (LGIP) was adopted on 12 June 2024 and endorsed by Council on 19 June 2024, prior to lodgement of this application. LGIP v1.3 identifies the subject site as future park, specifically as the future Logan Reserve Metro Sports Park.

The proposed development would constitute as compromising the planned park network and therefore conflict with the Emerging community zone code, Infrastructure code, and the Strategic Framework of the Logan Planning Scheme 2015 (version 9). Furthermore, Council officers do not consider there to be any relevant matters that warrant approval of the proposal.

On this basis, Council officers intend to recommend the application for refusal if not withdrawn prior.

Advice Note: *The following information request items have been included for completeness of assessment only and should only be addressed if the Applicant decides to proceed with the proposal despite Council officers lack of support for the proposal. Council officers recommend that this is taken into consideration before incurring further costs.*

2. PLANNING

Lot Size, Shape and Diversity

- 2.1. Provide amended plans that comply with requirements of Acceptable Outcome (AO)3, AO9.1 and AO9.2 of the Reconfiguring a lot code for the Low density residential zone – Village precinct

Advice Note: *The subject site is identified within the Logan Reserve Land Use Area Plan (LUAP) as future Low density residential zone – Village precinct; however, Council officers consider that the proposal seeks to establish lots that are more consistent with the Suburban precinct.*

Approximately 52.77 percent of the proposed lots have a frontage width less than the prescribed minimum of 15 metres for normal lots and 18 metres for corner lots. Lots 5-9 and 30-35 also result in more than three (3) adjoining lots with the same frontage width or same lot size as per AO9.2 and section 2.3.3(1)(b) and (d) of Planning Scheme Policy (PSP) 8 – Urban design.

- 2.2. Provide an indicative building envelope for Lot 29 to demonstrate that a dwelling house can be reasonably accommodated.

Advice Note: *Council officers have concerns regarding the buildable area of Lot 29 due to the irregular shape, corner truncation, and proposed stormwater easement along the eastern boundary. Providing an indicative building envelope will aid in demonstrating that Lot 29 is of a size and shape consistent with its intended use as a residential allotment in accordance with Performance Outcome (PO)3 of the Reconfiguring a lot code.*

- 2.3. Provide amended plans that show Road MC02 constructed to an Urban Access Street (UAS) standard as prescribed by part 3.4 of Planning Scheme Policy (PSP) 5 - Infrastructure, including a minimum 15.5 metre wide road reserve.

Variation Request

- 2.4. **Advice Note:** *The submitted town planning report requests that the variation request component allow any future Reconfiguring a Lot applications over the subject site to be subject to the Category of Development and Assessment and the assessment benchmarks of the relevant zone and precinct specified in the Strategic framework mapping at the time of the future application. This was requested on the basis that the Park Ridge (East) and Logan Reserve Growth Area Plan within SFM-08.00 of the draft Logan Plan identifies the subject site as future Low density residential zone – Suburban precinct.*

Council officers are not supportive of a variation request that does not explicitly specify the relevant zone and precinct and do not support the proposed Suburban precinct designation. The current Logan Reserve LUAP designates the subject site as future Low density residential zone – Village precinct. Council officers cannot contemplate any changes under the draft Logan Plan as it has not been endorsed by the State government and has not been formally publicly notified. On this basis, Council officers do not support varying the subject site to any designation other than Low density residential zone – Village precinct.

3. ENVIRONMENT

Biodiversity Areas

- 3.1. Provide an environmental offset report in accordance with Planning Scheme Policy 3 Environmental Management of the Logan Planning Scheme 2015.
- 3.2. Provide a site plan identifying native vegetation/native trees/native habitat trees proposed to be removed.
- 3.3. Agree to the payment of a monetary contribution in accordance with Planning Scheme Policy 3 of the Logan Planning Scheme 2015. Contact the Development Assessment branch of Logan City Council (DATechServices@logan.qld.gov.au).
- 3.4. Provide a GIS shape file (emailed to DATechServices@logan.qld.gov.au) containing polygon object(s) projected as MGA2020 Zone 56 showing the extent of proposed clearing.

Further Advice: Should a financial offset be proposed, the following is required to allow Council officers to draft and prepare an Infrastructure Agreement for Vegetation Clearing:

- Name of proponent
- Name of landowner

Please note:

- Where the proponent is a company, provide a current ASIC search providing proof of the company's ACN
- Where the landowner is a company, provide a current ASIC search providing proof of the company's ACN
- Where the landowner providing consent for the Infrastructure Agreement is signing as a Trustee or under a Power of Attorney, a certified copy of the relevant authorising instrument (copy of Power of Attorney/ Deed) must be provided.

Bushfire Hazard Area

- 3.5. The proposed development is located in a mapped Bushfire Hazard Area as identified on overlay map OM-03.00 of the Logan Planning Scheme 2015. Provide a bushfire hazard assessment in accordance with Planning Scheme Policy 6 Management of Bushfire Hazard Part 1 of the Logan Planning Scheme 2015 to determine the actual level of bushfire hazard.
- 3.6. Should the assessment of the category of bushfire threat be identified greater than 'Low', submit to Council for approval a bushfire management plan in accordance Planning Scheme Policy 6 Management of Bushfire Hazard of the Logan Planning Scheme 2015.

Advice Note: A Bushfire hazard assessment should consider and be consistent with proposed rehabilitation of open space areas on site and should not be dependent on maintenance being undertaken by Council in any areas to be dedicated.

Landscape

- 3.7. Provide a landscape site analysis and concept landscape plan prepared in accordance with Section 2.2 of Council's Planning scheme policy – PSP5 (Infrastructure). The report must be prepared by a person who satisfies section 1.7(1)(b) of PSP5 and address PO1/AO1 of the Landscape code and PSP5 - Infrastructure. The plans must include proposed:
- 3.7.1. plant palette that includes species selection for all landscape treatments that include *planting street trees, feature trees, shrubs, groundcovers and turf*.
- 3.7.2. planting locations for street trees.
- 3.7.3. fencing types and locations to boundaries shared with road reserves, drainage reserves, and parkland, and between residential lots.
- Advice Note:** Metal fencing and bollards may be required to the basin subject to the basin depth and design, and fencing adjoining road reserves and public open space may require CPTED consideration and landscape treatments.
- 3.7.4. landscape treatment to the basin in accordance with Water by Design, Bioretention Design Guidelines, including plant densities.
- 3.7.5. location and design of vehicle access for maintenance of the basin.
- 3.7.6. location of footpaths for connectivity within and to surrounding development.

Advice Note: The plan should show that all landscaping is consistent with proposed stormwater and sewer infrastructure, and any conceptual engineering plans.

Reverse Amenity

- 3.8. The code response states that the poultry farm to the southwest has ceased operations; however, this could restart as the sheds are still on-site. Furthermore, the proposed subdivision appears to be surrounded by intensive horticultural uses. Provide a detailed contextual analysis of the surrounding uses as well as formal notification stating that the poultry farm use has ceased and will not operate again. Should *development* be located within the prescribed separation distances in Acceptable Outcome (AO)⁷ of the Emerging community zone code, justification of a reasonable performance outcome to achieve Performance Outcome (PO)⁹ must be provided. Noise and odour reporting may be required where a surrounding use is found to produce substantial emissions.

4. ENGINEERING

Stormwater Quality

- 4.1. Provide a copy of the MUSIC model via email to Development@logan.qld.gov.au.
- 4.2. Amend the drawings to provide perimeter maintenance access as per Table 10 of the Bioretention Technical Design Guidelines (Water by Design: October 2024).

Stormwater Quantity

- 4.3. In relation to the proposed lawful point of discharge, provide further evidence to quantify potential impacts on the downstream properties, or to demonstrate that there are no changes between existing and post-developed flow characteristics across the range of AEP events (including but not limited to depth, velocity and concentration of flows).
- 4.4. For the proposed swales conveying flows from the upstream catchment, provide 1% AEP design flow depths, depth-velocity products and freeboard.

Earthworks

- 4.5. Amend proposed plans development to show retaining walls compliant with Section 3.3.6.2 of Planning Scheme Policy 5 – Infrastructure. Single tier walls are to be a maximum of 1.5m and walls up to 3.0m are to be tiered and offset by 1.0m.
- 4.6. Amend proposed plans of development within the Site Based Stormwater Management Plan to show swale batters with a maximum grade of 1:4, consistent with Section 3.3.6.1 of Planning Scheme Policy 5 - Infrastructure.
- 4.7. Provide the following details with regards to the design along the interface of the existing dam/water body:
- 4.7.1. Confirm, by survey, the depth of the existing dam at the property boundary;
- 4.7.2. Provide further design details outlining the exact extent of works required for the proposed new dam wall and the proposed interface with Lot 38 on RP108311 in the location of the existing dam/water body. Show within cross sections the existing dam base levels, peak water levels in the remaining portion of dam, fill/battering extent, proposed dam wall, etc.;
- 4.7.3. Demonstrate how the remaining water in the adjoining dam will not encroach into any future road, drainage swales or proposed lots with particular regard to Lots 11 and 20;
- 4.7.4. Demonstrate how groundwater and peak water levels from the remaining dam will be managed to not impact on any future road, basin bunds, drainage swales or proposed lots with particular regard to Lots 11 and 20; and
- 4.7.5. Provide further details on how the dam is proposed to be part filled and a new dam wall constructed, without impacting the water quality of the existing water body and without works having to encroach into the adjoining property. Alternately, provide owner's consent to dewater the entire dam and carry out works along/within the boundary.

Advice Note:

- Council would not support the dam water encroaching into or impacting upon any future road, drainage reserve or adjoining proposed lots nor will Council support any retaining walls being subject to inundation.
- The proposal appears to result in the dam wall being shifted to the boundary, it is uncertain how this may be physically achieved without dewatering the entire dam and impacting upon adjoining property.
- Any proposed design options will need to take into consideration impacts to the adjoining property.
- Dewatering of the dam or works within the adjoining property will require the consent of the adjoining owner.
- Structural integrity of any earth bund, structures and the likes will need to be considered and documented, where they are proposed along the existing water body (consideration to ground water levels, water pressures, inundation, etc.).
- It is uncertain of how appropriate compaction of the earthworks within this area will be achieved, without dewatering the dam.

Roadworks

- 4.8. Amend proposed plans to provide a 1.5m wide footpath within a 10m wide pathway reserve to connect MC02 and the internal road proposed under COM/66/2017/A.

Advice Note: Council officers consider that the proposed layout may encourage pedestrian access through the Lot 900 basin, along the south-eastern boundary. The proposed plans should be amended to prevent illegitimate access through the basin or to formalise this pedestrian access to ensure safe pedestrian movement.

- 4.9. Amend proposed plans to show 3.0m of land dedication outside Lots 1 to 4 and Lot 900. COM/66/2017/A proposes the road in this location as having a 12.5m wide road reserve and 3.0m dedication would be required by the current application.
- 4.10. Provide concept designs for proposed internal roads including long sections and cross sections.

Access and Servicing

- 4.11. Amend proposed plans of development to show indicative driveway locations for each lot.

Advice Note: Conditions requiring construction of crossovers where lots have constrained access may be included with any future approval.

- 4.12. Amend the proposed plans of development to show:
- 4.12.1. temporary turnarounds for refuse collection vehicles in Stage 1; and
 - 4.12.2. temporary easements over the turnarounds.
- 4.13. Demonstrate by swept path diagrams that a Heavy Rigid Vehicle can utilise the proposed temporary turnarounds with no more than one reversing manoeuvre.

5. WATER DEVELOPMENT SERVICES

Water

- 5.1. Provide an amended concept schematic plan demonstrating the intended servicing for all allotments within the proposed development including the following information:
- 5.1.1. The nominated connection point for Lot 11; and
 - 5.1.2. The required location of any new fire hydrants required in accordance with the South East Queensland Water Supply and Sewerage Design and Construction Code (SEQ D&C Code).

Sewer

- 5.2. The following information is requested as per the SEQ Code guidelines:

- 5.2.1. Confirm control over the Lots within the proposed development area. Provide calculations demonstrating compliance with SEQ Codes 5.6.5.3 and 5.6.5.2.

Advice Note: *The above item has been requested as the point of connection to the adjoining development rises to the proposed sewer main aligned along Noffke Court.*

Further Advice Note: *A new sewer main to be aligned along Noffke Court. Logan Water Capital Works program has identified a 100mm sewer main for construction in the year 2036/37, aligned to the north of the proposed development property boundary. Logan Water would not support a tankering agreement for potentially 10 years, based on the delivery of the Capital Works program sewer main providing a connection point to the proposed development.*

Further Advice Note: *For enquiries in relation to the water and wastewater items above please contact Water Development Services on 07 3412 4004. Alternatively, you may send an email enquiry to waterda@logan.qld.gov.au. In order to facilitate efficient customer service please quote the application number and address of the property concerned to the customer service officer or within the subject line of the email. Water Development Services will respond to your enquiry within 48 hours.*

6. REQUEST FOR FURTHER ADVICE

In accordance with section 35 of the Development Assessment Rules, Council in the role of the Assessment Manager may, at any time before the application is decided, give further advice about the application to the applicant.

7. RESPONDING TO THIS INFORMATION REQUEST

This Information Request may be responded to by giving Council:

- (a) All of the information requested; or
- (b) Part of the information requested; or
- (c) A notice stating that none of the information will be provided.

Please indicate within your response if you have provided: all, part of or none of the required information.

If an Information Response is not provided within three (3) months of receiving this Information Request or such further period agreed with the Council, Council's assessment will continue without the benefit of this information.

8. COPIES OF RESPONSES TO REFERRAL AGENCIES

Please note that any referral agency for the application may make a separate Information Request. If responding to a referral agency Information Request, a copy of that response must also be given to Council in accordance with Part 3 of the Development Assessment Rules.

For further information about this application please contact Council on (07) 3412 5269 or via email on development@logan.qld.gov.au.

Yours faithfully

Lisa Heanue
Principal Planning Officer
Planning Assessment and Technical Services