

Enquiry Phone: Customer Service (07) 3412 5269
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Please Quote: MCUI/10/2022
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1 April 2022

LE VELE PTY LTD
C/- AXICOM PTY LTD
Level 1
110 Pacific Hwy
ST LEONARDS NSW 2065

Dear Sir/Madam

INFORMATION REQUEST

APPLICATION NO: MCUI/10/2022
PROPERTY ADDRESS: BEENLEIGH MALL, 21 TANSEY STREET, BEENLEIGH QLD 4207, BEENLEIGH MALL, ALAMEIN STREET, BEENLEIGH QLD 4207
PROPERTY DESCRIPTION: LOT 26 SP 186286, LOT 23 SP 114769
APPLICATION DESCRIPTION: MATERIAL CHANGE OF USE - TELECOMMUNICATIONS FACILITY

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.

Critical Concerns

Council officers have critical concerns the proposed 32-metre-high Telecommunications facility (tower) structure within a leased fenced area is not consistent with the site's zoning or local plan character or intent.

A telecommunications tower is not generally envisaged in the sites Beenleigh principal centre zone or Beenleigh local plan Bellow Street precinct, which is instead for buildings, up to 60m in height containing a mix of principle centre activities at ground level with office or accommodation activities above that generate high levels of pedestrian engagement and activity. The proposed location on the subject site is also not supported by Council officers given it would compromise the ability to achieve the intended built form outcomes of Figure 7.2.1.4.2 - Beenleigh place making and movement network, Figures 7.2.1.4.6 and 7.2.1.4.23 of the Beenleigh Local Plan Code.

On that basis Council officers do not intend to support the proposal in its current format and request the following additional items are addressed:

1. PLANNING

Land Use location & zoning

- 1.1. Provide a detailed assessment of the proposed Telecommunications facility (tower) against all relevant outcomes of the Strategic framework of the *Logan Planning Scheme 2015 Version 8.1*.

- 1.1.1. Provide an assessment of any Relevant Matters under Section 45(5)(b) of the *Planning Act 2016* if the proposed development is unable to achieve compliance with the strategic framework.

Further Advice:

A Telecommunications Tower is not an accepted land use within the Bellew Street precinct of the Beenleigh Local Plan Code. More specifically, a Telecommunications Facility is not a Principal centre activity, Office, or Accommodation activity. Therefore, compliance cannot be achieved with AO1/PO1, PO20 and the Purpose of the Beenleigh Local Plan Code. Therefore, an assessment against the relevant outcomes of the Strategic Framework is required and any Relevant Matters are required to be established to support the proposal.

Co - location

- 1.2. Provide further evidence that clearly outlines that all reasonable and practical solutions to co-locate with facilities nearby or to other areas within the intended coverage area that have a suitable zoning that can accommodate the intended use.

Further Advice:

Overwhelming justification is required to demonstrate that the proposed Telecommunications Tower cannot be co-located on another facility or located elsewhere

The submitted planning report references a co-location opportunity approximately 425 metres from the subject site at the 'Beenleigh Marketplace' 114-118 George Street and 620m from the subject site at the corner of George and Reisers Road adjoining Hume Muntz Park. Both potential co-location sites appear close enough to the Beenleigh local centre to achieve the intended coverage and therefore would not warrant an additional Telecommunications Facility at the proposed location.

Amenity

- 1.3. Provide further justification to address PO1 and the purpose of the Telecommunications Facility Code.

Further Advice:

The proposed Telecommunications Facility is located approximately 39m from the closest adjoining residential lot, on the southern side of Alamein Street. Provide further information demonstrating how the tower design and separation distance is not visually obtrusive (including perspective photos from the closest residential vantage point) and does not adversely impact residential zoned land within 150m of the development.

- 1.4. Provide further justification to address PO2 and the purpose of the Telecommunications Facility Code. More specifically, demonstrate how the proposed Telecommunications Facility behind wire fencing will not compromise the intended built form/streetscape of the Bellew Street precinct.

Further Advice:

Council has critical concerns with the proposed Telecommunications Facility demonstrating compliance with PO2 and the purpose of the Telecommunications Facility Code. The proposed Telecommunication Facility is considered to be visually obtrusive and does not adequately integrate with the existing built environment. Additionally, the proposal will not be consistent with the intended built form and streetscape of the Bellew Street precinct of the Beenleigh Local Plan and as noted above, Council officers do not intend to support the currently proposed location on the subject site given it would compromise the ability to achieve the intended built form outcomes of Figure 7.2.1.4.2 - Beenleigh place making and movement network, Figures 7.2.1.4.6 and 7.2.1.4.23 of the Beenleigh Local Plan Code. As such should the applicant be able to adequately address the above items, the applicant will be required to relocate of the proposed Telecommunications Facility elsewhere on the Shopping Centre site that does not adversely impact on the amenity of nearby residential

premises and will not jeopardise the intended streetscape/built form of the Bellew Street precinct.

Shopping Centre parking removed - MCUC/97/2014

- 1.5. Clarify and show on the proposed plans the total number and location of carparks, light poles or other existing approved shopping centre carpark infrastructure proposed to be removed to make way for the lease area and tower.

Further Advice:

The existing Shopping centre onsite was established following development approval MCUC/97/2014 issued 3 July 2014, including 373 carparks on the approved plans and conditions to 'provide a minimum of 369' parking spaces. If the development is removing more than 4 existing parking spaces, the tower intent onsite will require amendment to the existing Shopping centre development approval.

2. ENGINEERING

Flooding

- 2.1. Provide amended plans with the proposed development located outside of the Flood Hazard Overlay mapped area.
- 2.2. If the development is to remain in or partially within the Flood Hazard Overlay, undertake a flood study in accordance with Planning Scheme Policy 5 s2.6 to demonstrate development will comply with the Flood Hazard Overlay Code.
- 2.3. Ensure the Flood Study/Engineering Report certified by an RPEQ specialising in Hydrology and Hydraulics.

Further Advice:

Logan City Council is currently in the process of re-modelling flood hazard across the city. The purpose of re-modelling flood hazard enables Council to get a better understanding of flood risk to the community, Council infrastructure and for disaster preparedness. Council will also apply State policies and National standards on flooding to the modelling. The extent of the flood hazard overlay shown on the Logan Planning Scheme Flood hazard overlay map OM-05.00 is likely to change substantially as a result of this re-modelling, namely additional areas that are not currently mapped as affected by flood hazard will be mapped as affected by flood hazard, and areas currently mapped as being subject to flood hazard may be the subject of greater flood hazard. Once endorsed Council will use this new flood modelling to update the Logan Planning Scheme flood hazard overlay and update the Defined Flood Levels for development. In the meantime, all persons planning to undertake development in the city are strongly encouraged to contact Council's Rivers and Catchment Engineering Program (phone 07 3412 3412) to establish the status of the re-modelling and to determine how it may impact their land.

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.

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.

COPIES OF RESPONSES TO REFERRAL AGENCIES

Please also 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 Assessment manager Tim Walker at Council on (07) 3412 5269 or via email on development@logan.qld.gov.au.

Yours faithfully

Daniel Wilson
A/Senior Planning Officer
Planning Assessment and Technical Services
Strategy and Sustainability