

DELEGATED ASSESSMENT REPORT

REFER TO:	Council's Delegate	
REPORT BY:	Jonty Ryan	
DECISION DUE BY:	12 April 2021	Doc ID: 14151262 File No: 1199268-1

APPLICATION DETAILS

Application Number & Proposed Development:	MCUI/13/2020 - Childcare Centre
Lodgement Date:	7 October 2020
Type of Approval sought:	Development Permit
Site Address:	11 Daisy Hill Road, DAISY HILL QLD 4127
Real Property Description:	Lot 36 RP 113835
Site Area:	2,529.00m ²
Owner Details:	J M Simon and T Simon
Applicant Details:	JIROMA PTY LTD
Submissions closed:	16/12/2020
Number of Properly Made Submissions:	1 (objection)

PLANNING CONSIDERATIONS

Regional Plan:	South East Queensland Regional Plan 2017
Planning Scheme:	Logan Planning Scheme 2015 v7
Zone (Precinct):	Low Density Residential - Suburban
Assessment Benchmarks:	<p>Strategic Framework</p> <p><i>Overlay codes:</i></p> <p>8.2.1 Acid sulfate soils overlay code; 8.2.2 Biodiversity areas overlay code; 8.2.5 Flood hazard overlay code; 8.2.9 Regional infrastructure corridors and substations overlay code; and 8.2.12 Waterway corridors and wetlands overlay code.</p> <p><i>Zone codes:</i></p> <p>6.2.5 Low density residential zone code.</p> <p><i>Development codes:</i></p> <p>9.4.2 Filling and excavation code; 9.4.3 Infrastructure code; 9.4.4 Landscape code; and 9.4.7 Servicing, access and parking code.</p>
Overlays:	0101B - ACID SULFATE ABOVE 5-20 METRES AHD

	Acid Sulfate Soils <hr/> 0201A (BIODIV) PRIMARY VEGETATION MANAGEMENT AREA Biodiversity (Vegetation Management Area) <hr/> 0204B (BIODIV) MATTERS OF LOCAL ENVIRONMENTAL SIGNIFICANCE Biodiversity Matters of Environmental Significance <hr/> 0500A (FLOOD) INUNDATION AREAS Flooding & Inundation Areas <hr/> 0801D (LH/SS) 15 PERCENT OR GREATER SLOPE HAZARD AREA Landslide Hazard & Steep Slope <hr/> 0901G (REG INF) WATER PIPELINE CORRIDOR Regional Infrastructure Corridors & Substations <hr/> 1000A RESIDENTIAL AREA Residential Area <hr/> 1201A - STATE ROAD TRANSPORT NOISE CORRIDOR Transport Noise Corridor <hr/> 1201B - LOCAL ROAD TRANSPORT NOISE CORRIDOR Transport Noise Corridor
Applicable Preliminary Approval:	Not Applicable
Category of Assessment:	Impact

REPORT OVERVIEW

EXECUTIVE SUMMARY

Council is in receipt of an impact assessable application for a Development Permit for a **Material Change of Use** to establish a Childcare centre at Lot 36 RP 113835, 11 Daisy Hill Road, DAISY HILL QLD 4127.

The subject site is located within the Suburban precinct of the Low density residential zone and has been lodged under the Logan Planning Scheme 2015 v7 and triggers impact assessment. The proposal has been assessed against the relevant provisions of the Logan Planning Scheme 2015 v7 and largely complies with the relevant provisions. Where necessary, conditions of approval have been imposed to maintain compliance with the relevant provisions.

The primary matter for consideration for the proposed development relates whether there is a need for the proposed Childcare centre on the subject site. The applicant has provided a Needs Assessment, prepared by urban economics which adequately demonstrates that there is a sufficient need for the proposed Childcare centre on the subject site, whilst also ensuring that a balanced and competitive market is maintained.

One submission objecting to the proposal was received for this application, with the primary concern raised being a lack of need for another Childcare centre within the catchment. As discussed above, the applicant has demonstrated that there is a sufficient need and this is further discussed within this report.

There were no Referral Agencies for this application.

Accordingly, it is recommended that this application be approved with conditions.

Chronology of Application

- On 7 October 2020, the application was properly made.
- On 14 October 2020, the Confirmation Notice was issued.
- On 20 October 2020, the Information Request was issued. The primary matters raised related to the provisions of an economic needs report, provisions of a traffic impact statement, amendments to the acoustic report, additional stormwater and flood information.
- On 23 November 2020, the Information Response was received.
- On 25 November 2020, the Public Notification period started.
- On 16 November 2020, the Public Notification period ended.
- On 18 November 2020, the Considering Submissions period commenced.
- On 4 December 2020, further information was requested from the applicant in relation to Traffic and Acoustic.
- On 08 January 2021, the Considering Submissions period ended.
- On 11 January 2021, the Decision Period commenced.
- On 11 January 2021, further information was requested from the applicant in relation to the Needs Assessment submitted.
- On 27 January 2021, the applicant requested to 'Stop the Current Period' for the Decision Stage until 9 March 2021. Council officers agreed to the applicant's request.
- On 1 March 2021, the applicant requested that the 'Stop the Current Period' for the Decision Stage in effect be withdrawn.
- On 1 March 2021, the applicant provided a response to the request for further information issued on 4 December 2020 and 11 January 2021.
- On 2 March 2021, the Decision Stage recommenced.
- On 17 March 2021, a further request for information was issued in relation to Traffic.
- On 22 March 2021, the applicant provided a response to the request for further information issued on 17 March 2021.
- On 25 March 2021, the applicant requested an extension to the Decision Period until 12 April 2021.
- On 25 March 2021, Council officers agreed to the applicant's request to extend the Decision Period until 12 April 2021.
- On 6 April 2021, the Draft Development Conditions were issued to the applicant for review.

SITE DESCRIPTION

The subject site is described as Lot 36 RP 113835 with an area of 2,529.00m².

The subject site is rectangular in shape and has a width of 25 metres and a length of 100 metres, with a frontage to Daisy Hill Road and two existing crossovers (Refer **Figure 1: Subject Site**).

The site currently has an existing two storey dwelling and associated outbuildings. The subject site has a high point of 10.5 metres Australian Height Datum (AHD) where the existing house is located and a low point of 8 metres AHD along the southern boundary. There is also an existing easement (C on RP838892) traversing the rear of the property over existing stormwater infrastructure.

The subject site is located within a suburban residential area, with a mix of one and two storey dwellings surrounding. The area also includes a Local centre approximately 100 metres to the north. Daisy Hill Park is located directly opposite the site, with Daisy Hill State School located approximately 75 metres to the north-west of the subject site (Refer **Figure 2: Surrounding Development Context**).

The subject site is located in the Low density residential – Suburban precinct. The surrounding area includes sites located in the Low-medium density residential – Townhouse precinct, Local Centre zone, Recreation and Open Space – Recreation Parks precinct and the Community Facilities – Education precinct (Refer **Figure 3: Zoning**).

There is an existing DN225 trunk sewer main and DN150 sewer main that traverse the site. There is also DN200 water main and DN600 trunk water main located along the western side of Daisy Hill Road. Stormwater infrastructure is located traversing the site at the rear of the property located within Easement C on RP838892.

The subject site is also mapped as being affected by the following overlays:

- Biodiversity areas overlay: the subject site is mapped as being affected by primary vegetation management areas and matters of State and Local environmental significance (Refer to **Figure 4: Vegetation management areas** and **Figure 5: Matters of State and Local environmental significance**);
- Flood hazard overlay: the subject site includes areas of flood inundation areas (refer to **Figure 6: Flood hazard overlay**);
- Landslide hazard and steep slope areas overlay: the subject site includes two small areas of identified Landslide slide hazard, isolated to a small area on the northern boundary and at the rear of the property adjoining the eastern boundary (refer to **Figure 7: Landslide hazard and steep slope area overlay**).
- Regional infrastructure corridors and substations overlay: the subject site includes a water pipeline corridor (refer to **Figure 8: Water pipeline corridor**); and
- Waterway corridors and wetlands overlay: the subject site includes a mapped waterway corridor (refer to **Figure 9: Waterway corridor**).

Figure 1: Subject Site



Figure 2: Surrounding Development Context



Figure 3: Zoning

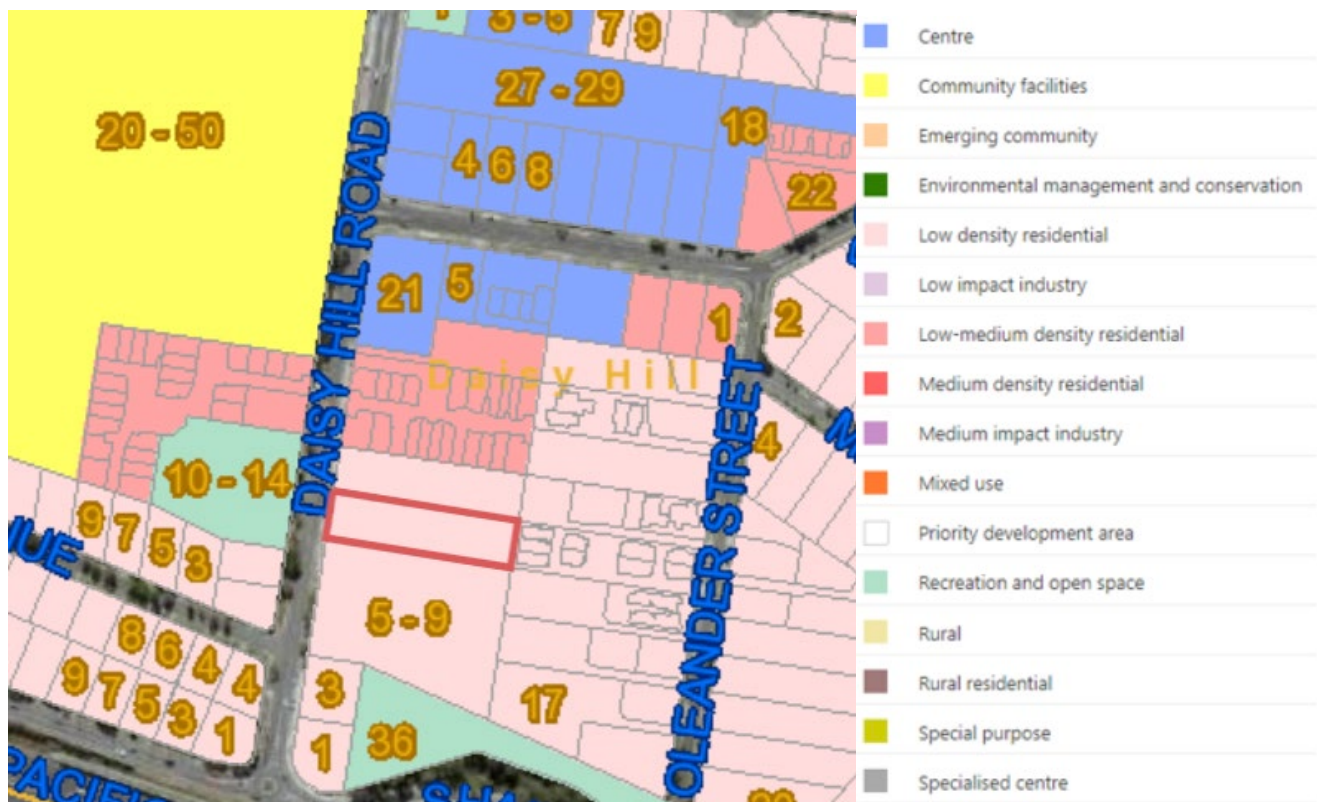


Figure 4: Vegetation management areas



Figure 5: Matters of State and Local environmental significance



Figure 6: Flood hazard overlay

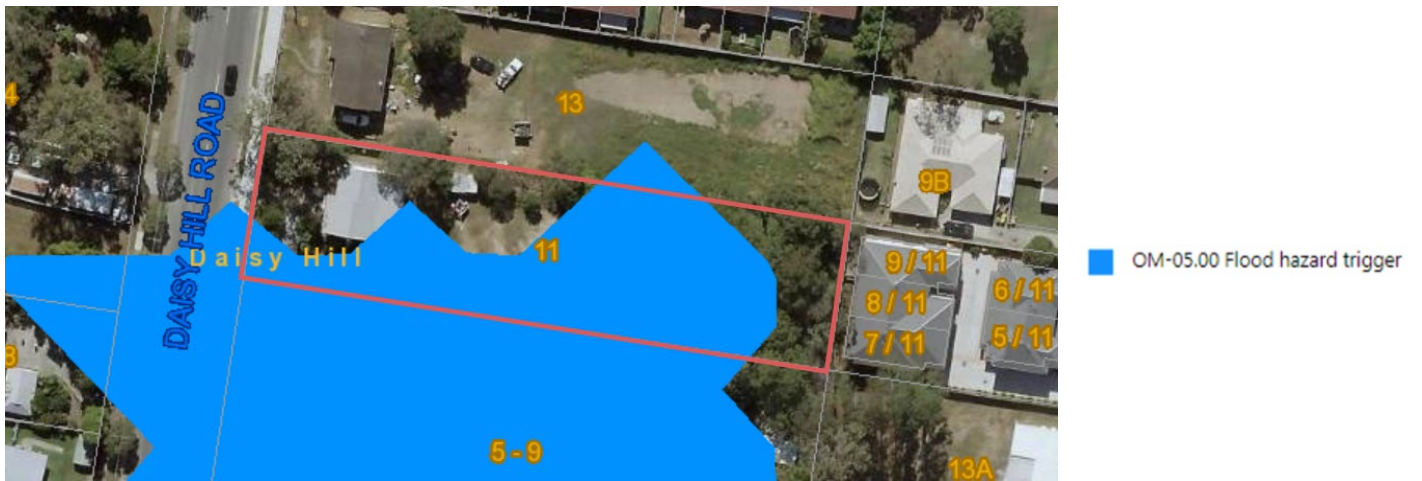


Figure 7: Landslide hazard and steep slope area overlay



Figure 8: Water pipeline corridor



Figure 9: Waterway corridor



DESCRIPTION OF PROPOSAL

The development application is seeking a development permit for a Material change of use to establish a Childcare centre use.

The Childcare centre is proposed to be constructed to accommodate a 90 place long day care centre and 11 staff as part of the development (Refer **Figure 10: Proposed Plan of Development (Ground Floor)**, **Figure 11: Proposed Plan of Development (Ground Floor) cont**, **Figure 12: Proposed Plan of Development (First Floor)** and **Figure 13: Proposed Perspective (Street view)**).

The total gross floor area (GFA) for the proposal is 860m² for the internal area (ground floor and first floor) and an additional 500m² of outdoor play area (covered and uncovered). The proposal also includes a total of 20 car parking spaces.

Access is proposed to be obtained from Daisy Hill Road, restricted to left in/left out only, with a separate pedestrian access from Daisy Hill Road also proposed. The development is proposing to connect into the existing water infrastructure in Daisy Hill Road and the existing sewer infrastructure traversing the site. The development proposes to realign the DN150 sewer main that traverses the site around the building footprint as shown in **Figure 10**.

Stormwater quantity management is proposed by capturing flows on site via a detention tank and discharging stormwater flows to the existing waterway on site via a level spreader. The applicant has proposed to pay a monetary contribution for Stormwater quality.

Figure 10: Proposed Plan of Development

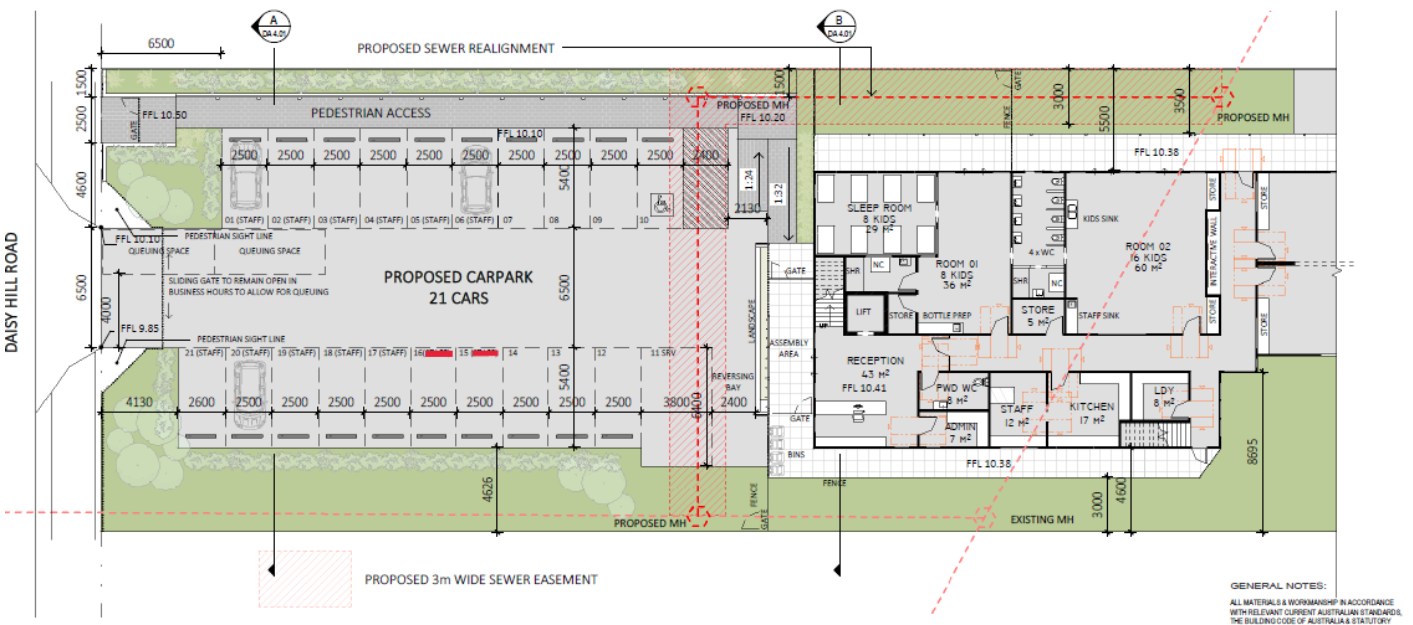


Figure 11: Proposed Plan of Development cont

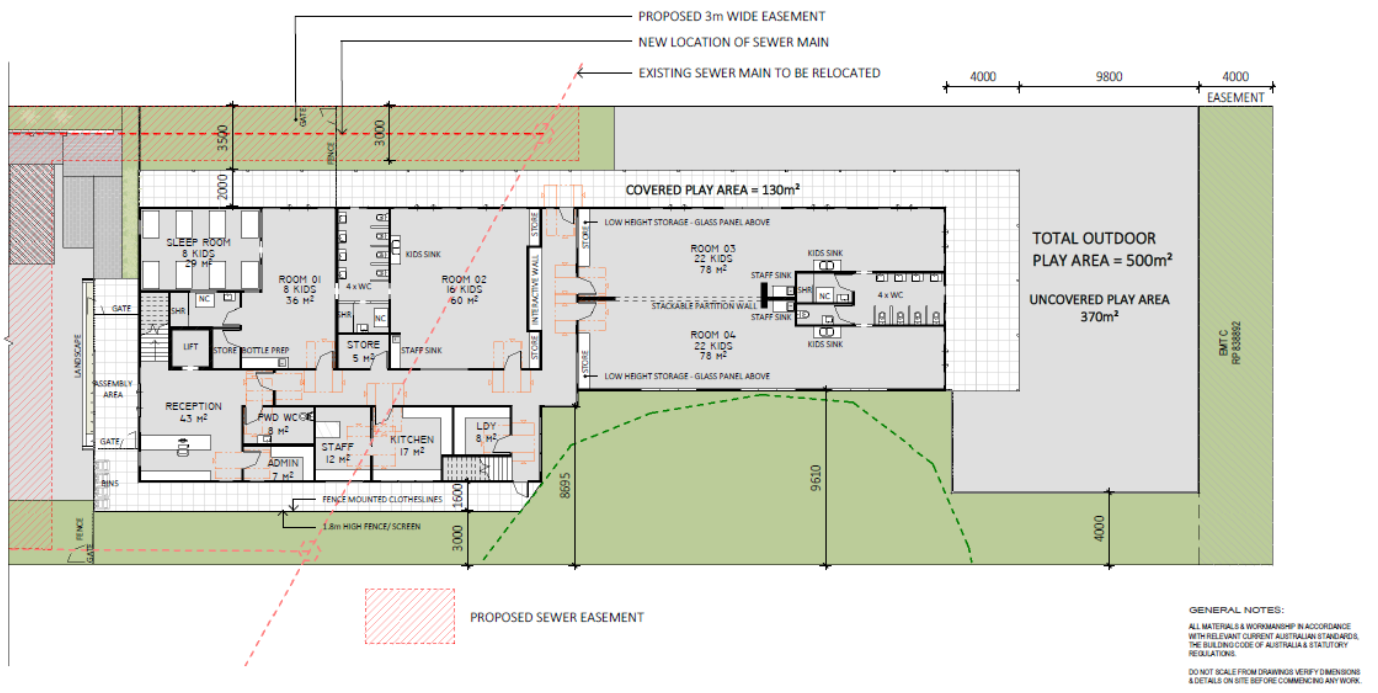


Figure 12: Proposed Plan of Development (First Floor)

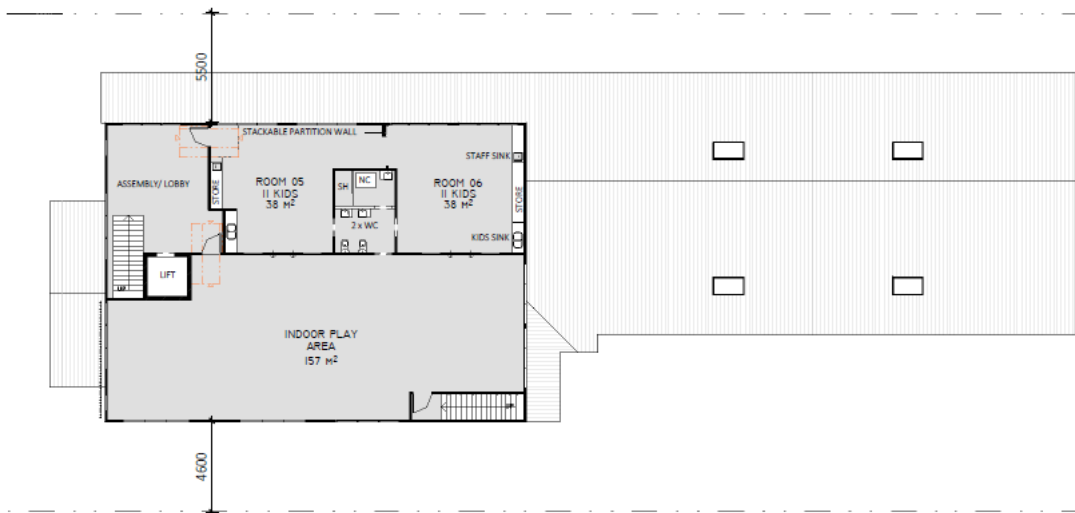


Figure 13: Proposed Perspective (Street view)

STREET VIEW



PLANNING CONSIDERATIONS

This application is Impact Assessable and has been assessed, in accordance with s45 of the *Planning Act 2016* against the following:

- the Planning Regulation;
- the South East Queensland Regional Plan 2017;
- the State Planning Policy, part E, to the extent part E is not identified in the planning scheme;
- all relevant structure plans and master plans;
- all relevant temporary local planning instrument;
- all relevant variation approvals;
- the Logan Planning Scheme 2015 v7; and
- the Local Government Infrastructure Plan.

South East Queensland Regional Plan 2017

The subject site is located within the "Urban Footprint" of the *South East Queensland Regional Plan 2017*.

The intent of the Urban Footprint is to identify "... land within which the region's urban development needs to 2041 can be accommodated in a way consistent with the goals, elements and strategies of ShapingSEQ". This proposal is consistent with same.

State Planning Policy

All State Planning Policy provisions are currently reflected within the Logan Planning Scheme 2015, with the exception of the following:

- Strategic ports;
- Strategic airports and aviation facilities;
- Infrastructure integration;
- Mining and extractive resources, relating to key resource areas; and
- Water quality, relating to South East Queensland (SEQ) Water water resource catchments, pipelines and channels.

Strategic ports and Strategic airports and aviation facilities

Those matters relating to Strategic ports and Strategic airports and aviation facilities are not impacted by this application.

Infrastructure integration

The State Planning Policy states that the following state interest policies for Infrastructure integration must be appropriately integrated in planning and development outcomes:

- (1) The outcomes of significant infrastructure plans and initiatives by all levels of government are considered and reflected, where relevant.
- (2) Development achieves a high level of integration with infrastructure planning to:
 - (a) promote the most efficient, effective and flexible use of existing and planned infrastructure;
 - (b) realise multiple economic, social and environmental benefits from infrastructure investment;
 - (c) ensure consideration of future infrastructure needed to support infill and greenfield growth areas; and
 - (d) optimise the location of future infrastructure within communities to provide greater access to facilities and services and enable productivity improvements.
- (3) Development occurs:
 - (a) in areas currently serviced by state and/or local infrastructure and associated services; or
 - (b) in a logical and orderly location, form and sequence to enable the cost effective delivery of state and local infrastructure to service development.
- (4) Existing and planned infrastructure is protected from development that would compromise the ability of infrastructure and associated services to operate safely and efficiently.

These policies are considered to be adequately incorporated into the Infrastructure code of the Logan Planning Scheme 2015 and have been addressed in the below assessment of the proposed development against the Infrastructure code.

Mining and extractive resources

The site is not located within a key resource area and therefore, those aspects of Mining and extractive resources do not apply to the assessment of the proposed development.

Water quality

The site is not located within a South East Queensland (SEQ) Water water resource catchment and is not affected by SEQ Water pipelines and/or channels. Water quality has been adequately addressed through an assessment of the proposed development against the Infrastructure code, as per the below assessment.

A temporary local planning instrument

Not Applicable.

Variation Approval

Not Applicable.

Logan Planning Scheme 2015 v7

The following is an assessment of the application against the assessment benchmarks of the Logan Planning Scheme 2015 v7. The relevant assessment benchmarks are listed in the table below:

Zone Code	Development Codes	Overlays
6.2.5 Low density residential zone code.	9.4.2 Filling and excavation code; 9.4.3 Infrastructure code; 9.4.4 Landscape code; and	8.2.1 Acid sulfate soils overlay code; 8.2.2 Biodiversity areas overlay code;

	9.4.7 Servicing, access and parking code.	8.2.5 Flood hazard overlay code; 8.2.9 Regional infrastructure corridors and substations overlay code; and 8.2.12 Waterway corridors and wetlands overlay code.
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Low density residential zone code

The development has been assessed against all of the applicable Acceptable Outcomes (AO) and Performance Outcomes (PO) of the Low density residential zone code and is considered to comply, with further discussion provided below regarding the proposed land use, amenity issues, built form and the streetscape.

Land use

AO1 of the Low density residential zone code requires development to be in accordance with the uses identified for the Suburban precinct located in the purpose of the code. A Childcare centre is listed in the purpose of the code as an intended non-residential use in the Suburban lot, provided that it caters for the local residents. The applicant has provided a Needs Assessment, prepared by urban economics to demonstrate this. The report provides a locality and demographic assessment of the primary trade area, which identifies that there is a need for improved access to early childhood facilities as the catchment area continues to grow.

The report identifies that by 2026, the occupancy rate across all Childcare centres within the catchment will be approximately 77% (incl of the proposal), which is considered to be a balanced and competitive market that provides a wide variety of childcare options.

It is therefore considered that there is a sufficient need for the proposed Childcare centre on the subject site, underpinned by the increasing growth within the catchment area and the need for a diverse range of childcare and early learning places to cater for the needs of local residents, incoming workers and school communities.

It is recommended that a condition be imposed stating that no more than 90 long day care centre places can be provided, and 11 staff are permitted to attend on site at any one time to ensure that an oversupply is avoided and compliance with AO1 is achieved.

Amenity

AO5 of the Low density residential zone code requires development to comply with the emissions standards located in Planning Scheme Policy 3 – Environmental management. The applicant has provided a Noise Assessment Report (NAR), prepared by Noise Measurement Services, to address the Noise emission standards for the protection of residential amenity where adjoining a residential zone category identified in PSP3. The NAR proposes:

- 1.8 metre acoustic fencing along the northern and southern boundaries of the site adjoining the car parking area;
- 1.8 metre acoustic fencing around the outdoor play areas (excl the eastern side); and
- 2 metre high acoustic fence with a 1.5 metre cantilever on the eastern side of the outdoor play area.

The NAR also recommends limiting hours of operation (with the exception of outdoor play area) to 6:30am to 6:30pm Monday to Friday and limiting hours of use of the outdoor play area to 7:00am and 6:00pm Monday to Friday, to ensure compliance with PSP3.

Council's Technical Services Team have reviewed the applicant's proposal and consider the proposed attenuation measures to comply with the Noise emission standards for the protection of residential amenity where adjoining a residential zone category identified in PSP3. It is recommended that condition are imposed requiring the applicant to implement the noise attenuation measures identified in the NAR to ensure compliance with AO5. It is also recommended that the NAR be stamped as an approved document.

Built form and Streetscape

PO8, PO9 and PO22 of the Low density residential zone code require development to contribute to the character of the Suburban precinct through articulated buildings and orientation to the primary street frontage and to provide a consistent and cohesive streetscape which creates visual interest, a sense of place, a safe pedestrian environment and a built form which is characterised by Dwelling houses.

The development is proposing a modern building design and layout that is orientated to Daisy Hill Road. The development design is limited to two storeys, which is consistent with the surrounding residential character, with the outdoor play areas located at the rear of the property and screened from view of Daisy Hill Road. The proposal also includes a range of architectural features, façade treatments and landscaping features to improve the quality of the streetscape and reduce the bulk and scale of the development. The development contributes to a safe pedestrian environment by providing a separate pedestrian entrance from Daisy Hill Road to the development. It is considered that all of the design features above will contribute to the Low density residential – Suburban character identified and positively enhance the amenity and quality of the streetscape.

It is therefore considered that the proposal has demonstrated compliance with PO8, PO9 and PO22.

Development codes

The development has been assessed against all of the applicable AO's and PO's of the identified Development codes as follows:

Landscape code

The purpose of the Landscape code is to enhance visual amenity of the built and natural environment. Council's Technical Services Team have reviewed the applicant's Concept Landscape Plan, prepared by Mayhill, and consider it to be acceptable to be approved in concept. It is recommended that conditions are imposed requiring further detailed designs to be provided as part of a subsequent operational works application to ensure compliance with the Landscape code is achieved.

Infrastructure code

The purpose of the Infrastructure code is to ensure that infrastructure is provided to service development. The proposed development has been assessed against the AOs and POs of the Infrastructure code and complies with all of these requirements. A summary of the assessment for each network is provided below:

Traffic:

The applicant has provided a Traffic Letter, prepared by Milanovic Neale Consulting Engineers, stating that no upgrades to Daisy Hill Road are required to service the development, however, it is recommended that signage is included to ensure left in/left out access to the development site only. Council's Technical Services Team have reviewed the proposal and advised that the proposal to provide signage restricting access to left in/left out is acceptable and will not compromise the safety and efficiency of Daisy Hill Road. Council's Technical Services Team also confirmed that the proposed impacts on nearby intersections from the proposal is considered to be minimal and further assessment of these intersections is not required. It is recommended that conditions are imposed requiring an operational works application for access to the site to ensure that appropriate signage to restrict access to left in/left out movements is provided and compliance with the Infrastructure code in relation to Traffic is achieved.

Water:

Council's Water Development Services Engineers have reviewed the applicant's proposal to connect to the DN200 water main located in Daisy Hill Road and consider this to be acceptable. It is recommended that conditions are imposed requiring detailed designs of the connection to be provided as part of an operational works application. This will ensure connection to Council's water network in accordance with Council's standards and compliance with the Infrastructure code is achieved in relation to water.

Sewer:

Council's Water Development Services Engineers have reviewed the applicant's proposal to realign the existing DN150 sewer main traversing the site around the building footprint, as well as the proposal to connect

to this main to service the development and consider it to be acceptable. It is recommended that conditions are imposed requiring detailed designs of the proposed realignment and construction of the sewer main traversing the site, as well as the proposed connection, to be provided as part of an operational works application. This will ensure connection to Council's sewer network in accordance with Council's standards and compliance with the Infrastructure code is achieved in relation to sewer.

Stormwater Quantity and Quality:

Council's Development Engineers have reviewed the applicant's submitted Site Based Stormwater Management Plan, prepared by Milanovic Neale Consulting Engineers, and the proposal to capture flows on site via a detention tank and discharge stormwater flows to the existing waterway on site via a level spreader is considered to be acceptable. It is recommended that conditions are imposed requiring 'no worsening' to be achieved and stormwater infrastructure to be provided in accordance with Council's standards in Planning Scheme Policy 5 – Infrastructure (PSP5). It is also recommended that a condition be imposed requiring detailed designs to be provided as part of an operational works application to ensure compliance with the Infrastructure code is achieved in relation to Stormwater Quantity.

Council's Technical Services Officers have advised that as the proposal is for the redevelopment of a site located in an existing urban area, a monetary contribution can be accepted to address Stormwater Quality requirements. The offsets collected are used by Council to enhance and maintain the City wide network of waterways and environmental areas. The applicant has entered into an Infrastructure Agreement 'MCUI/13/2020 – 11 Daisy Hill Road, DAISY HILL QLD 4127 Infrastructure Agreement (Stormwater Quality) 2020' to provide a monetary contribution for Stormwater Quality. It is therefore considered that compliance with the Infrastructure code in relation to Stormwater Quality has been addressed.

Servicing, access and parking code

The purpose of the Servicing, access and parking code is to ensure that development satisfies the demand for parking and provides safe, functional and legible parking, access and servicing.

AO1 of the code requires a Childcare centre to provide parking on site at a rate of 1 space per equivalent full-time employee and 1 space per 10 places for children. The development proposes to provide 20 car parks to accommodate 90 places for children and 11 full time staff, which is compliant with the requirements of AO1. It is recommended that a condition be included requiring a minimum of 20 car parking spaces to be provided on site to ensure compliance with AO1 is maintained.

Council's Development Engineers have reviewed the development proposal and the 'Vehicular Swept Path Sketch', prepared by Milanovic Neale Consulting Engineers, in relation to servicing and have confirmed that an SRV can adequately service the proposal for deliveries and enter and exit the site in forward gear. Furthermore, the proposal for kerb side pickup of refuse bins by a HRV is also considered acceptable.

The applicant has also proposed signage to be provided to identify that access to the site from Daisy Hill Road is left in/left out only to ensure the safety and efficiency of Daisy Hill Road is not compromised. Council's Technical Services Team have reviewed the proposal, as well as the Traffic Letter prepared by Milanovic Neale Consulting Engineers, and consider that the proposed signage is appropriate and will ensure that the safety and efficiency of Daisy Hill Road is preserved. It is recommended that conditions are imposed requiring an operational works application for access to the site to ensure that appropriate signage to restrict access to left in/left out movements is provided to ensure compliance with the Servicing, access and parking code.

Filling and excavation code

The purpose of the Filling and excavation code is to protect premises, people and natural processes from adverse impacts associated with filling or excavation.

Council's Development Engineers have reviewed the proposal and consider that the proposal can be conditioned to comply with the Filling and excavation code. It is recommended that a condition be included requiring detailed earthworks designs to be provided as part of a subsequent operational works application. It is also recommended that conditions requiring compliance with the requirements of PSP5 in relation to earthworks and retaining walls are imposed to ensure compliance with Council's standards.

It is therefore considered that the proposal has been conditioned to comply with the Filling and excavation code.

Overlay codes

The development has been assessed against all of the applicable AO's and PO's of the identified Overlay codes as follows:

Acid sulfate soils overlay code

The purpose of the Acid sulfate soils overlay code is to ensure that acid sulfate soils do not adversely affect the natural and built environment and human health and safety.

Council's Technical Services Team have reviewed the current proposal and have confirmed that it does not propose any earthworks below 5 metres AHD and therefore, compliance with the Acid sulfate soils overlay code has been achieved.

Biodiversity areas overlay code

The purpose of the Biodiversity areas overlay code is to connect biodiversity corridors, protect and enhance habitat values and ecosystem functions and protect scenic amenity values.

As discussed in the **Site Description** section above, there is an area of mapped primary vegetation on site. The applicant has advised that they do not propose to clear any native vegetation. Council's Technical Services Team have accepted this response and propose that a condition stating that no clearing of native vegetation is permitted be imposed to ensure compliance with the Biodiversity areas overlay code is achieved.

If the applicant seeks to clear any native vegetation in future, a separate operational works application for vegetation clearing will be required to address the Biodiversity areas overlay code.

Flood hazard overlay code

The purpose of the Flood hazard overlay code is to ensure development is compatible with the nature of the natural flood hazard, does not cause injury, loss of life or damage to premises and property due to flooding or storm tide inundation and does not increase the emergency management burden on neighbours, the community or the local government.

Council's Technical Services Team have reviewed the proposal and advised that the development will result in a total loss of floodplain storage of approximately 3m³. This is considered a minor loss in floodplain storage that can be compensated for as part of detailed earthworks designs at operational works stage to ensure no loss in flood plain storage occurs. It is recommended that conditions are imposed stating that an operational works application for earthworks is required to address the impacts on the flood plain and that the development must ensure:

- No loss in peak flow rates at the discharge outlet of the site;
- No increase in flood levels external to the subject site; and
- No modification of the overland flow path on the site in a way that alters the characteristics of the existing overland flow or creates an increase in flood damage on other properties.

It is therefore considered that the proposal has been conditioned to comply with the Flood hazard overlay code.

Regional infrastructure corridors and substations overlay code

The purpose of the Regional infrastructure corridors and substations overlay code is to protect the health, safety and amenity of the community and the existing and the future locations of regional infrastructure corridors, substations, bulk water supply facilities and wastewater facilities.

As discussed in the **Site Description**, there is a water pipeline corridor identified over the front of the subject site. AO4 requires development to be located outside of the mapped water pipeline corridor. The proposal will locate fencing, landscaping and car parks within this area and therefore, compliance with AO4 cannot be achieved.

PO4 requires development to protect bulk water infrastructure by being located outside an easement for the pipeline and having an adequate boundary clearance to protect its operation. The proposal is not located over any existing easement for water infrastructure and it is noted that no permanent building is located over the mapped corridor area. It is therefore considered that there is adequate access to the water pipeline corridor if required and the development will not impact on the ability for this infrastructure to operate.

It is therefore considered that compliance with the Regional infrastructure corridors and substations overlay code has been achieved.

Waterway corridors and wetlands overlay code

The purpose of the Waterway corridors and wetlands overlay code is to protect and enhance the ecological values, bank stability and scenic amenity of waterway corridors and wetlands and their riparian areas.

Council's Technical Services Team have reviewed the proposal and note that there is no development located within the mapped waterway area and only a minor area of mapped waterway is identified on site, which is the top of the catchment. It is considered that the proposal will have minimal effect on the mapped waterway corridor and it is recommended that conditions be included requiring stabilisation of surfaces and to ensure that runoff does not damage the waterway to ensure compliance with the code is achieved.

STRATEGIC FRAMEWORK

An assessment of the proposal has been undertaken against the Strategic Framework to determine if compliance with the planning scheme can be demonstrated. The Strategic Framework of the planning scheme identifies the policy direction and forms the basis for ensuring appropriate development occurs in the City. The strategic intent states:

By 2031, Logan reflects the spatial elements identified in Figure 3.1—Strategic intent and will accommodate over 420,000 people and 130,000 jobs.

The policy is structured over eleven (11) themes. Although each theme has its own section, the Strategic Framework is to be read in its entirety as the policy direction for the planning scheme. Comments for each theme have been provided below:

Settlement pattern

The strategic intent of the Settlement pattern theme is that *"The settlement pattern comprises the Urban footprint, the Future urban area, the Priority development area, the Regional landscape and rural production area and the Rural living area identified on SFM-01.00—Strategic framework map."*

The proposal is for urban development (Childcare centre) within the Urban footprint.

It is therefore considered that compliance with the Settlement pattern theme has been demonstrated.

Residential

The strategic intent of the Residential theme is that *"Over 70,000 new dwellings are built in Logan between 2009 and 2031. Residential development provides a range of housing sizes, types and tenures. Residential density is provided at an intensity that is compatible with the local context, public transport provision and infrastructure capacity. Specialised residential accommodation is provided to meet the needs of those with special accommodation needs. Rural residential development continues to provide a lifestyle housing choice in Logan."*

As discussed in the **Low density residential zone code** assessment section above, the subject site is located within the Suburban precinct of the Low density residential zone. Within this precinct, land uses typically include a range of Low density housing products, however, a Childcare centre can be considered an accepted land use, provided that it caters for the needs of the local residents. To demonstrate that the proposal will be satisfying a need for Childcare centre facilities in the area and not impacting the ability for residential dwellings to be provided, the applicant has provided a Needs Assessment, prepared by urban economics. The report identifies that by 2026, the occupancy rate across all Childcare centres within the catchment will be approximately 77% (incl of the proposal), which is considered to be a balanced and competitive market that provides a wide variety of childcare options.

It is therefore considered that there is a sufficient need for the proposed Childcare centre on the subject site, underpinned by the increasing growth within the catchment area and the need for a diverse range of childcare and early learning places to cater for the needs of local residents and future residential dwellings within the area.

It is recommended that a condition be imposed stating that no more than 90 long day care centre places can be provided, and 11 staff are permitted to attend on site at any one time to ensure that an oversupply is avoided.

It is therefore considered that compliance with the Residential theme has been demonstrated.

Centres

The strategic intent of the Centres theme is that *"Logan has a hierarchy and network of interrelated centres comprising principal centres, major centres, district centres, neighbourhood centres, and specialised centres. Centres are vibrant, accessible and integrated places."*

The subject site is not located in a centre zone. As discussed above, the applicant has demonstrated that there is a sufficient need for the proposed Childcare centre on the subject site.

Employment

The strategic intent of the Employment theme is that *"50,000 new jobs are provided in Logan between 2009 and 2031. Logan has a strong, resilient and diversified economy based on Logan's locational advantages to provide high levels of employment growth to achieve 65 percent employment self-containment by 2031. Employment areas facilitate business and industry in locations that provide employment close to where people live. Natural economic resources are protected and managed sustainably so they provide an ongoing social, environmental and economic benefit to the region."*

The proposal will provide a total of 11 jobs for staff to contribute to the creation of new jobs within the City of Logan.

The proposal is therefore considered to comply with the Employment theme.

Community

The strategic intent of the Community theme is that *"Logan's community is well serviced and supported by community infrastructure. Open space and recreation uses and facilities are provided throughout Logan to meet the needs of the community. Local culture, heritage, and character is protected and enhanced to reinforce local community identity. Logan is a highly liveable city where development supports the wellbeing of Logan's diverse, multicultural community."*

The proposal is for a Childcare centre and does not propose any community facilities or uses.

A Childcare centre is listed as a Community activity in Logan Planning Scheme 2015 v7. As discussed, earlier in this report, a Needs Assessment was undertaken that identified a demand for the proposed Childcare centre on the subject site to meet the demand for childcare places within the catchment. The proposal is therefore meeting the communities demand for additional childcare spaces in the catchment and therefore compliance with the Community theme.

Rural

The strategic intent of the Rural theme is that *"Rural land, including Agricultural Land Classification Class A and Class B land, continues to support sustainable rural production and the diverse activities associated with an active rural economy, providing social, economic and environmental benefits to the region. A range of rural enterprises complement rural production and provide employment, economic development and ancillary tourism opportunities on rural land."*

The proposal is not located on Rural zoned land and is not proposing rural uses.

Natural environment

The strategic intent of the Natural environment theme is that *"The natural environment is protected and enhanced. No net loss of biodiversity and ecological values is achieved by protecting and enhancing flora and fauna species, large viable areas of habitat and connecting corridors, vegetation, waterways, wetlands and ridgelines and a sustainable and viable population of koalas. The ecosystems of waterway corridors, wetlands, and their riparian areas are protected and enhanced."*

The subject site has mapped primary vegetation and a waterway corridor. Council's Technical Services Team have accepted the applicant's proposal to not clear any native vegetation and propose that a condition stating that no clearing of native vegetation is permitted be imposed.

Council's Technical Services Team have also reviewed the proposal and note that there is no development located within the mapped waterway area and only a minor area of mapped waterway is identified on site, which is the top of the catchment. It is considered that the proposal will have minimal effect on the mapped waterway corridor and it is

recommended that conditions be included requiring stabilisation of surfaces and to ensure that runoff does not damage the waterway.

It is therefore considered that compliance with the Natural environment theme has been achieved.

Natural hazards

The strategic intent of the Natural hazards theme is that *"People and premises are protected from and are resilient to the potential risks associated with natural hazards. Greenhouse gas emissions, and the community's reliance on greenhouse gas emitting energy sources, are reduced. Acid and metal contaminants do not adversely affect the natural and built environment, and human health and safety."*

The subject site has a mapped flood hazard area on site. Council's Technical Services Team have reviewed the proposal and advised that the proposal will result in a total loss of floodplain storage of approximately 3m³. This is considered a minor loss in floodplain storage that can be compensated for as part of detailed earthworks designs at operational works stage to ensure no loss in flood plain storage occurs. It is recommended that conditions are imposed stating that an operational works application for earthworks is required to address the impacts on the flood plain and that the development must ensure:

- No loss in peak flow rates at the discharge outlet of the site;
- No increase in flood levels external to the subject site; and
- No modification of the overland flow path on the site in a way that alters the characteristics of the existing overland flow or creates an increase in flood damage on other properties.

It is therefore considered that compliance with the Natural hazards theme has been achieved.

Design, place making and amenity

The strategic intent of the Design, place making and amenity theme is that *"Logan has a high quality, well designed built environment that provides places for people that are attractive, functional, safe and accessible. The built and natural environment provides people with a high level of amenity, where the qualities of the environment enhance the physical and social wellbeing of people."*

The development is proposing a modern building design and layout that is orientated to Daisy Hill Road. The development design is limited to two storeys, which is consistent with the surrounding residential character, with the outdoor play areas located at the rear of the property and screened from view of Daisy Hill Road. The proposal also includes a range of architectural features, façade treatments and landscaping features to improve the quality of the streetscape and reduce the bulk and scale of the development. The development contributes to a safe pedestrian environment by providing a separate pedestrian entrance from Daisy Hill Road to the development. It is considered that all of the design features above will contribute to the Low density residential – Suburban character identified and positively enhance the amenity and quality of the streetscape.

It is therefore considered that compliance with the Design, place making and amenity theme has been achieved.

Transport

The strategic intent of the Transport theme is that *"Development is designed to encourage walking, cycling and the use of public transport, and reduce reliance on private vehicles. High quality pedestrian and cycle infrastructure is provided in locations of good accessibility. An efficient public transport network is provided and integrated with development. An efficient road hierarchy and network is provided and integrated with development."*

The applicant has provided a Traffic Letter, prepared by Milanovic Neale Consulting Engineers, stating that no upgrades to Daisy Hill Road are required to service the development, however, it is recommended that signage is included to ensure left in/left out access to the development site only.

Council's Technical Services Team have reviewed the proposal and advised that the proposal to provide signage restricting access to left in/left out is acceptable and will not compromise the safety and efficiency of Daisy Hill Road. Council's Technical Services Team also confirmed that the proposed impacts on nearby intersections from the proposal is considered to be minimal and further assessment of these intersections is not required. It is recommended that conditions are imposed requiring an operational works application for access to the site to ensure that appropriate signage to restrict access to left in/left out movements is provided.

It is therefore considered that compliance with the Transport theme has been achieved.

Infrastructure

The strategic intent of the Infrastructure theme is that "Efficient, cost effective, functional and sustainable infrastructure networks are provided and integrated with development. Key infrastructure sites and corridors are protected. Stormwater is managed in accordance with total water cycle management and water sensitive urban design principles. Waste is reduced to the greatest extent practicable, and managed and disposed of sustainably."

As discussed in the Infrastructure code assessment section above, the proposal will be connected to and adequately serviced by Council's infrastructure networks.

It is therefore considered that compliance with the Infrastructure theme has been achieved.

Public Notification

In accordance with Part 4 (Public Notification) of the Development Assessment Rules, the applicant has informed Council that public notification was undertaken in accordance with s53 of the *Planning Act 2016*.

- Start Date:** 25/11/2020
- End Date:** 16/12/2020
- Date of Final Notice:** 17/12/2020
- Number of Submissions:** Properly made
0 (support)
1 (objection)

Figure 14 shows how the submitter's properties (red star) are located in relation to the proposed development site (yellow star). The issues raised in the submission are outlined below in **Table 1**.

Figure 14: Location of submitters in relation to development site

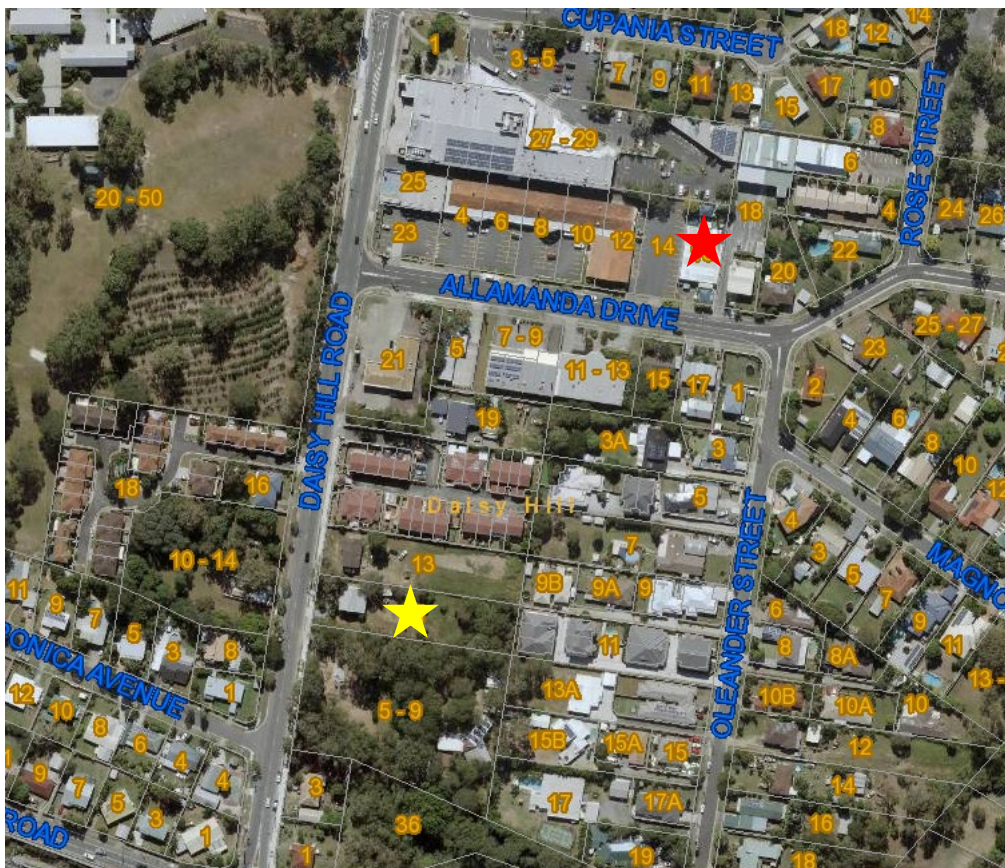


Table 1: Submitter Concerns and Comments

Submitter Concerns	Council Officer Comments
<p>Insufficient need for additional spaces in the catchment.</p>	<p>To demonstrate that the proposed Childcare centre caters for existing and future local residents, the applicant has provided a Needs Assessment, prepared by urban economics. The report provides a locality and demographic assessment of the primary trade area, which identifies that there is a need for improved access to early childhood facilities as the catchment area continues to grow.</p> <p>The report identifies that by 2026, the occupancy rate across all Childcare centres within the catchment will be approximately 77% (incl of the proposal), which is considered to be a balanced and competitive market that provides a wide variety of childcare options.</p> <p>It is therefore considered that there is a sufficient need for the proposed Childcare centre on the subject site, underpinned by the increasing growth within the catchment area and the need for a diverse range of childcare and early learning places to cater for the needs of local residents, incoming workers and school communities.</p> <p>It is recommended that a condition be imposed stating that no more than 90 long day care centre places can be provided, and 11 staff are permitted to attend on site at any one time to ensure that an oversupply is avoided.</p>

REFERRALS

Referral Agencies

The application did not require any external Referrals Agencies.

Internal Referrals

This application was referred to the following internal Council Branches/Units for consideration and approval conditions of development:

- Development Assessment (Engineering);
- Infrastructure Charges Unit;
- Technical Services (Hydraulics);
- Technical Services (Traffic/Transport);
- Technical Services (Environment);
- Technical Services (Parks/Landscaping); and
- Water Development Services.

CONCLUSION

After considering the development application against the applicable legislation, planning instruments, and submissions, it is recommended that the development application be approved, subject to conditions.

RECOMMENDATION

IT IS RECOMMENDED:-

That the Development Application be approved, subject to conditions and a Development Permit for a Childcare Centre at 11 Daisy Hill Road, DAISY HILL QLD 4127 more accurately described as Lot 36 RP 113835 be issued in accordance with the attached conditions.

DECISION

I am satisfied having considered the above application, matters set out in this submission and the recommendation of the officer, this application complies with the relevant standards and the *Planning Act 2016* (where applicable) and should be approved, subject to conditions for the reasons outlined in the decision notice.

Dated the 8th April 2021

Michelle McRoberts
Major Projects Co-ordinator
Strategy and Sustainability