

Enquiry Phone: Customer Service (07) 3412 5269
Property Key: 289400
Document Number: 18446083
Please Quote: MCUI/15/2025
File Number: 1422971-1



10 April 2025

Peninsula I Pty Ltd (Trustee)
C/- Building Approval South East Pty Ltd
10 Webber Pl
WYNNUM WEST QLD 4178

Dear Sir/Madam,

INFORMATION REQUEST

APPLICATION NO: MCUI/15/2025
PROPERTY ADDRESS: 42-46 VIOLET ROAD, GREENBANK QLD 4124
PROPERTY DESCRIPTION: LOT 18 RP 132777
APPLICATION DESCRIPTION:
• **MATERIAL CHANGE OF USE IMPACT - DUAL OCCUPANCY**

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 – LAND USE

Rural Residential Zone Code & Strategic Framework

Council officers have critical concerns with the proposed dual occupancy. Acceptable Outcome (AO)1 and Performance Outcome (PO)1 of the Rural residential zone code refers to the purpose of the code which outlines contemplated land uses in the Rural residential zone (Park living precinct). These comprise of a Caretaker's accommodation, Dual occupancy (auxiliary unit), Dwelling house, Emergency services, Home-based business or a Sales office. The proposed Dual occupancy therefore cannot comply with AO1/PO1 or the purpose of the Rural residential zone code as per Overall Outcome 6.2.13.2(3)(f)(i).

The proposed dual occupancy is also considered to be inconsistent with the Strategic Framework of the Logan Planning Scheme. As per s.3.3.6.1(1)(a), the Rural living area is to have a rural residential character defined by dwelling houses on large lots which is not consistent with proposed land use. Council officers have not been able to locate any Council approved proposals of a similar nature in the surrounding area.

As such, the proposal is not considered to be compatible with the intended character of the area. Due to these critical non-compliances with the Planning Scheme, the proposed dual occupancy is unable to be supported by Council officers and it is recommended this part of the application be withdrawn on these grounds.

***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, or should they wish to proceed with approval*

of domestic outbuildings only. Council officers recommend that this is taken into consideration before incurring further costs.

2. FLOODING

Flood Hazard Overlay Code

- 2.1. Provide an assessment against PO17 and PO18 of the Flood hazard overlay code. Access to the subject site is significantly impacted by Council's flood hazard overlay mapping and it does not appear there is a flood free route from the proposed dual occupancy to the road reserve or to a suitable flood-free area that contains essential goods. Council officers are currently finalising their review of the application material from a flooding perspective and further items relating to any flooding critical concerns will be provided upon the completion of assessment by Council's Technical Services team.

3. PLANNING

Domestic Outbuildings

- 3.1. Confirm the structures that are proposed as part of this development application.

Advice Note: There are inconsistencies between within the application material regarding what is proposed as part of this application. The proposed plans and report indicate that the associated domestic outbuildings are to be included in the application, however, the DA Form only states that a Dual occupancy is proposed. Additionally, the proposed plans show the structure near the northern side boundary as a carport, but elevations indicate that it is a shed or partially enclosed.

As such, it is requested that the Applicant confirms all proposed structures to be included within the application and includes any unenclosed sections on the site plan.

4. ENVIRONMENT

Bushfire Hazard Area

- 4.1. 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.
- 4.2. 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.

Further Advice Note: Any clearing of native trees or native habitat trees must additionally address AO/PO3 of the Biodiversity Areas Overlay Code. Any clearing will need to demonstrate a net gain in native trees or provide an environmental offset in accordance with Section 3.1 - Environmental Offset Standards in Planning Scheme Policy 3 - Environmental Management. Compliance with this performance outcome is to be demonstrated by a basic ecological assessment report.

Amenity

- 4.3. Confirm if the proposed dual occupancy complies with AO9 of the Rural residential zone code. An assessment will be required against PO9 if the proposal is unable to comply with AO9.

Advice Note: It appears the adjoining properties to the south and southwest may operate as intensive horticulture.

5. ENGINEERING

Landslide Hazard and Steep Slope Overlay

- 1.1. Submit to Council a site-specific geotechnical report prepared in accordance with section 2.2.6 of Planning Scheme Policy 5—Infrastructure that:
 - 1.1.1. assesses the suitability of the proposed development based on existing geotechnical conditions of the site;
 - 1.1.2. identifies all risk mitigation measures required to ensure the development remains geologically stable in the long term;
 - 1.1.3. includes a certification by a Registered Professional Engineer of Queensland specialising in geotechnical engineering that the development the subject of the report has a factor of safety greater than 1.5 against geotechnical failure.

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 5349 or via email on madisonterito@logan.qld.gov.au.

Yours faithfully,

Lisa Heanue
Principal Planning Officer
Planning Assessment and Technical Services