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Please Quote: MCUI/22/2025  
File Number: 1429617-1



28 May 2025

K Dewan and H Dewan  
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PO Box 6258  
FAIRFIELD QLD 4103

Dear Sir/Madam

### **INFORMATION REQUEST**

**APPLICATION NO:** MCUI/22/2025  
**PROPERTY ADDRESS:** 39-45 HOMESTEAD DRIVE, FLAGSTONE QLD 4280  
**PROPERTY DESCRIPTION:** LOT 160 RP 848031  
**APPLICATION DESCRIPTION:**  
• **MATERIAL CHANGE OF USE - HEALTH CARE SERVICE**

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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 ISSUES**

Council Officers have critical concerns with the proposal and do not support the proposed development. The Applicant is requested to address the following issues however, Officers have concerns that the following issues are insurmountable. It is highly recommended that these matters be addressed, prior to incurring further costs in responding to other items in this Information Request. The Critical Issues are as follows:

##### **Rural residential zone code – Strategic Framework 3.5 Centres Theme**

1.1. The proposed development of a Health care services is inconsistent with the land uses envisaged to occur within the Rural residential zone. The proposed development does not meet the purpose of the Rural residential zone code which is to provide for residential uses and activities on large lots. Further, Council officers have concerns with the development's compliance with the abovementioned Overall outcomes, in particular the development's potential impact on the rural residential character and amenity which is required to be protected.

Council officers acknowledge that the use is proposed within the existing Dwelling house on the premises; however, officers consider that the car parking area, associated extent of pavement and the associated operation of the proposal would not be consistent with the intended bushland setting. Whilst landscaping may aid in addressing the required bushland setting, it cannot be exclusively relied upon to demonstrate compliance considering the impacts on residential amenity from increased traffic patronage and type of vehicle access.

1.2. Council officers maintain concerns regarding the proposals ability to demonstrate the proposed use is not able to be located in a principal centre, major centre, district centre,

local centre or neighbourhood centre. Concerns are also expressed regarding the main service area nominated not considering the existing Jimboomba Centre. Ultimately, Council officers do not consider that there is additional need for a Health care service at the subject site considering existing uses and current approvals in the surrounding area.

Further to the above, Council officers note that there is suitably zoned Centre land in Jimboomba which could accommodate the proposed Health care service. As noted in the report, the existing Flagstone Shopping Centre opposite the site already accommodates other Health care services. Council officers could not see justification as to why the proposal could not be located in a tenancy in the Shopping Centre. The report states that the use could not be located in the PDA as 'ownership of this land is tightly held'. Council officers do not consider that this prejudices the PDA from being able to accommodate a Health care service to cater for forecasted demand in the area.

## 2. PLANNING

### Economic/Planning Need

- 2.1. Council officers will provide a further information request regarding the submitted Needs Assessment under a separate cover.

Advice Note:

*As per Overall outcome 3 f) i) - a Health Care Service is not considered an expected land use within the zone. Further, Specific outcome 3.5.8.1 stipulates that a Health Care Service (centre activity) is to be located in a centre unless there is a community need and economic need for the use. The development is to demonstrate that it does not have unacceptable adverse effects on any existing or planned centre. The supporting material is also required to demonstrate that the use cannot be located in a principal centre, major centre, district centre, local centre or neighbourhood centre and has a specific locational need.*

*The provided economic needs analysis identifies a current shortfall. It will need to be confirmed that the future delivered Health Care Service provided in the PDA area of Greater Flagstone does not appropriately accommodate for demand.*

*Where the Economic and Planning need does not demonstrate the required information, Council Officers maintain **critical concerns** regarding the proposed development.*

*The needs analysis submitted with the application is being peer reviewed on this basis. Further information may be requested in relation to the Needs Assessment prepared by Foresight Partners.*

### Land Use

- 2.2. Provide further clarification surrounding the dedication of the two domestic outbuildings (shed) and existing pool and how they are intended to contribute to the proposed Health Care Service.
- 2.3. Provide amended plans of development clearly dimensioning and identifying components of the Health Care Service contributing to the total Gross Floor Area calculation.

Advice Note:

*The provided planning compliance codes state that the gross floor area is less than 200 m<sup>2</sup>. The proposed plans of development provide nomination for existing and proposed area but do not differentiate what is proposed to be retained to service the proposed use. Providing plans clearly nominating area to be dedicated to the health care service and further information on what is proposed to be demolished/retained will aid Council Officers in their assessment.*

### Amenity

- 2.4. Provide further justification as to how the use protects the natural and scenic amenity values of **adjoining** premises in the Environmental management and conservation zone

Advice Note:

*PO12 of the Rural residential zone code requires a use protects the natural and scenic amenity values of adjoining premises in the Environmental management and conservation zone. Council Officers have concerns regarding the proposals ability to maintain the existing and protect natural and scenic amenity values of the adjoining site (L952 RP889968) zoned within the Environmental Management and Conservation Zone. Further justification as to how the commercial operation of the site and conversion of the existing access way to provide for the Health Care Service use is required.*

- 2.5. Provide amended plans of development to achieve compliance with PO24 as well as the Overall Outcomes of the Rural residential zone – Park living precinct.

Advice Note:

*While it is acknowledged that the proposed Health care service will be located within the existing dwelling, the commercial appearance of the accessway is considered to detract from the landscape or bushland setting. Further, the provided carparking area is considered substantial and inconsistent with the requirements of the Overall Outcomes items 3 (a)(i-iii) and 3 (f)(ii) in that the carparking area dominates the streetscape and does not produce a built form compatible with the semi-rural, landscaped or bushland setting.*

- 2.6. Provide landscape screening/ planting to the southern Homestead Drive road boundary and eastern side boundary of the subject site to comprise large trees and shrubs to soften the appearance of the proposed development when viewed from neighbouring properties and the street frontage in order to comply with PO24 of the Code of the Rural Residential zone code.

Advice Note:

*The contemplated character of the site is for Dwelling Houses on larger lots in a semi-rural, landscaped or bushland setting residential character. Proposed landscaping is considered a key aspect to achieving the desired character consistent with the zone and precinct*

- 2.7. Provide further justification as to how the carparking area and health care service ensures that carparking areas do not detract from residential amenity and the residential streetscape and landscaping contributes positively to the streetscape and amenity of adjoining premises.

Advice Note:

*The planning compliance code response suggests that the car parking area is shielded from the road and adjacent sites with a vegetation buffer. Further information is required to demonstrate that this has been achieved through the provision of Landscape Concept Plans (detailed in later items) and elevations identifying that the proposed carparking and use will be appropriately screened. As the proposed development and the scale at which it is operating exceeds the contemplated character for the area, Council Officers have critical concerns regarding the ability of the large carparking area and how the use is operated can comply with the contemplated character for the area. Any information regarding the expected utilisation of the Ambulance Bay is also requested on the basis that daily ambulance visits is not consistent with the expected character of the area.*

### **3. TRAFFIC/TRANSPORT**

- 3.1. Given the road hierarchy and existing conditions along Homestead Drive, the access arrangement is to be restricted to left-in/left out only.

Ensure the access arrangement is located with sufficient separation from the adjacent Homestead Drive/Bushman Drive roundabout. The separation requirements should be included within the Traffic Impact Assessment.

- 3.2. Provide a Traffic Impact Statement (TIS) which includes the following:

- 3.2.1. The traffic generation of the proposal and its impact on the road network from the year of opening and 10 years after the year opening of the final stage of development.
- 3.2.2. A brief description of the existing operational conditions of the road network in the immediate vicinity of the development
- 3.2.3. Analysis of the operation of the accesses to the development including a turn warrant assessment.
- 3.2.4. Analysis of the operation of the first intersection, as a minimum, on either side of the accesses.
- 3.2.5. A conceptual geometric layout of the access arrangements.
- 3.2.6. Provide information on all modes of people and goods movement, including, but not limited to, cars, pedestrians, bicycles, service vehicles and public transport.
- 3.2.7. Detail the parking requirements (according to the LPS 2015 requirements) within the development and include turning templates for the largest vehicle movements into, out of and within the site.
- 3.2.8. All vehicles shall enter and exit the site in the forward direction. Servicing includes waste removal and furniture and goods loading/unloading and the TIS needs to demonstrate how such servicing is undertaken.
- 3.2.9. Provide details of the sight distance provided at the site entrance(s) in accordance with AS2890.1 – Off Street Parking and Austroads Guide to Road Design – Part 4A – Unsignalised and Signalised Intersections.
- 3.2.10. Professional opinion on the expected traffic impact based on a site observation during the expected critical peak hour and the analysis conducted.

Advice Note:

- *The traffic impact statement submitted to Council must be certified by a suitably qualified Registered Professional Engineer of Queensland (RPEQ) specialising in traffic engineering.*
  - *Refer to Austroads Guide to Traffic Management Part 12: Traffic Impacts of development (2016).*
- 3.3. Homestead Drive is classified as an Urban Arterial Dual Carriageway Road. The minimum reserve width required for an Urban Arterial Dual Carriageway Road is 34m. The existing road reserve width is approximately 30m. A 2m wide land dedication along the site frontage is required to achieve Council's ultimate standard.

#### **4. STORMWATER**

- 4.1. Provide a conceptual site-based Stormwater Management Plan in accordance with Logan City Council Planning Scheme requirements which demonstrates the development is able to meet the principle of no worsening.

#### **5. ACCESS AND SERVICING**

- 5.1. Provide an amended conceptual plan that nominates pavement surfacing as either a concrete pavement or a gravel pavement with asphalt concrete surfacing.
- 5.2. Provide details and dimensions of the parking requirements (according to Australian Standard 2890.1 requirements) within the development.
- 5.3. Provide RPEQ certified turning templates for design vehicle movements into, out of and within the site.
- 5.4. Demonstrate how servicing is undertaken including waste removal and furniture and goods loading/unloading. Evidence all vehicles enter and exit the site in the forward direction.

#### **6. EARTHWORKS**

- 6.1. Provide Earthworks Plans to demonstrate compliance with section 3.3 of Planning Scheme Policy 5 – Infrastructure. The plan is to include:
- 6.1.1. The location of any proposed cut and fill.
  - 6.1.2. Proposed batter slopes, with a maximum gradient of 1:4.
  - 6.1.3. The location and height of any proposed retaining structures, with a maximum height of 3 metres, including a 1-metre terrace for every 1.5 metres in height.

Advice Note:

*Consideration must be given to any existing retaining walls (if any) on external boundaries to ensure they are not adversely impacted.*

*Cross sections, where applicable, are to be provided to demonstrate the total height of the proposed earthworks and retaining structures.*

## **7. CONCEPT LANDSCAPE PLAN**

- 7.1. Provide a 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.

Advice Note:

*The development cannot demonstrate compliance with PO1 of the Landscape code through development conditions. A concept landscape plan should include landscape treatments including, but not limited to; species and pot sizes, boundary fencing, fencing, bollards or any other treatments between private and public space interfaces, street tree plantings, treatments related to the temporary drainage reserve. The plan should also show that all landscaping is consistent with proposed stormwater and sewer infrastructure.*

Further Advice Note:

*Concept Landscape Plans should demonstrate compliance with AO5 of the Health care service code. Landscape buffering will need to be established between the proposed development and adjoining residential property which contributes positively to the amenity of adjoining premises. It should demonstrate how the considerable car parking area does not detract from residential amenity and residential streetscape.*

## **8. ENVIRONMENT**

### **Biodiversity Management Area**

- 8.1. Provide a site plan identifying native trees/native habitat trees proposed to be removed.
- 8.2. Provide an ecological assessment report prepared in accordance with Planning Scheme Policy 3 – Environmental Management of the Logan Planning Scheme 2015. This report must consider how the development will:
- 8.2.1. achieve a net gain of native vegetation/native trees/native habitat trees
  - 8.2.2. provide for habitat links;
  - 8.2.3. facilitate safe wildlife movement;
  - 8.2.4. facilitate wildlife refuge;
  - 8.2.5. enhance habitat values; and
  - 8.2.6. rehabilitate degraded areas with native vegetation.

Advice Note:

*The proposed development is mapped within the Biodiversity Corridor, the Secondary Vegetation Management Area, and partially within the Primary Vegetation Management Area. Any required clearing must address Performance Outcomes PO1 and PO3, and PO2 if applicable. A financial offset is not required for clearing within the Biodiversity Corridor.*

*However, restoration offsets required under PO2 and PO3 should be co-located to enhance the mapped Biodiversity Corridor.*

### **Bushfire Hazard Area**

- 8.3. The proposed development is 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.
- 8.4. 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.*

## **9. FLOODING**

In the interests of providing applicants information requests in a timely manner, your information request has been issued without information request items for flooding. This does not mean that additional items will not be required. We will endeavour to provide any additional items in respect to flooding within 5-7 Business Days via email. Thank you for your understanding.

## **10. 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.

## **11. 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.

## **12. 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.

*Further advice:*

*Fees may be payable for the preparation of any required Infrastructure Agreements related to the payment of infrastructure charges, delivery of infrastructure (excluding vegetation clearing and stormwater quality offset infrastructure agreements), and for the amendment of existing Infrastructure Agreements in accordance with Council's Register of Cost-Recovery Fees and Schedule of Commercial and Other Charges.*

For further information about this application please contact the Assessment Manager Scott Robertson on (07) 3412 5982 or via email on [ScottRobertson@logan.qld.gov.au](mailto:ScottRobertson@logan.qld.gov.au).

Yours faithfully

Tonnia Plail  
A/Principal Planning Officer  
Planning Assessment & Technical Services