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Our Ref: 001725A-T

20 March 2024

Planning Assessment and Technical Services
Logan City Council
PO Box 3226
LOGAN CITY DC QLD 4114

Attn: Leah Bagnall

Dear Leah,

RE: FURTHER INFORMATION RESPONSE (MCUI/33/2023) – PROPOSED WAREHOUSE ON LAND AT 24-28 CAIRNS STREET, LOGANHOLME QLD 4129, DESCRIBED AS LOT 31 ON RP88336

We are writing in response to Council's further information requests via email dated 4 January 2024 and 5 January 2024.

Please see attached the following for your information and further action:

- Appendix 1 – Amended Concept Plans;
- Appendix 2 – Acoustic report by Pamer Acoustics;
- Appendix 3 – Updated Flood Impact Assessment by Water Technology;
- Appendix 4 – Rehabilitation plan by Eco Solutions & Management.

1.0 SUMMARY OF BUILDING CHANGES
Alterations have been made to the design of the proposal. The change is to increase the height of the building to an overall height of 12.0m with a commensurate increase in wall heights. The overall height remains no more than the maximum of 12.0m in accepted outcome AO2 of the Environmental Management Zone code. No other changes have been made to the building design. As such the change remains compliant with the performance and overall outcomes of the code.

2.0 RESPONSE TO INFORMATION REQUEST
Council's information request has been addressed as follows:

2.1 Flooding
The applicant is advised that Council's Local Planning Instrument No. 1/2023 for flooding came into effect on the 30th October 2023. As this application is impact assessable, elements of Council's current Flood hazard overlay code (Version: 9 with TLPI No.1/2023) are relevant and must be addressed by this Development Application. Council requires the below critical issues relating to the current Flood hazard overlay code to be addressed.

PO8 – High Flow Area
High Flow Area mapping is present on the property. This mapping is defined as the area in which a building is vulnerable to structural damage or failure from floodwater classified as H5 or H6 in Figure 6, Table 1 and Table 2 of the Australian Institute of Disaster Resilience (AIDR) Guideline 7-3 during flood events up to and including the defined flood event.

Council has safety concerns for structures located within these areas. Guidance in addressing PO8 is outlined below:

The High flow area *may be subject to deep (greater than 2m) or fast flowing (greater than 2m/s) flood water under a 1% AEP (future climate) event. Buildings and structures located within these areas are vulnerable to failure. As such, they should not be located in this area.*

Demonstrate that the development envelope area is not subject to depths greater than 2 metres or velocities greater than 2m/s during the 1% AEP (future climate). Alternatively, amend the development design and layout to achieve this outcome.

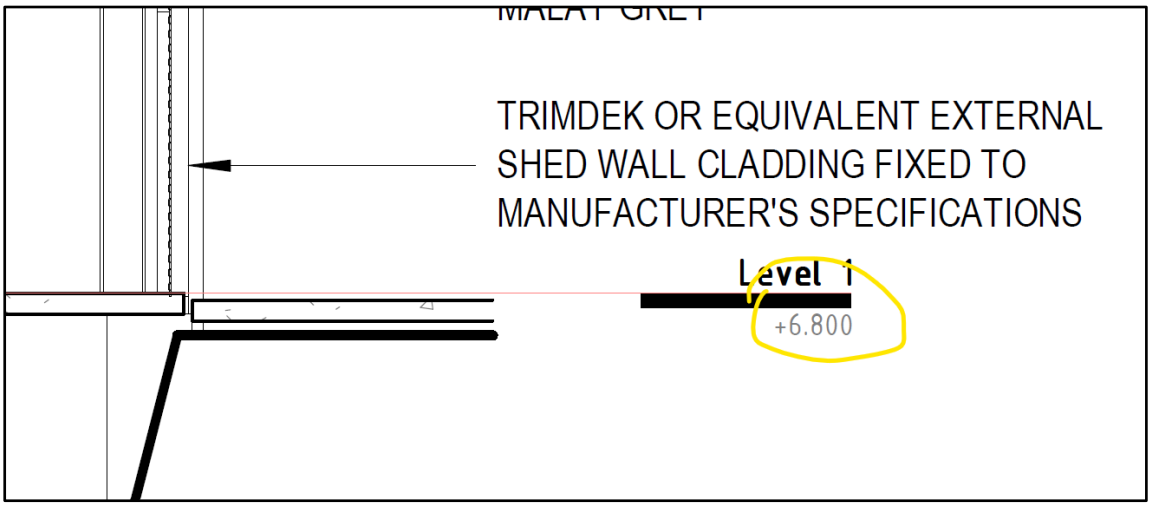
PO19:
PO19, similar to PO15 of the previous Flood hazard overlay code, PO19 requires development to have low flood hazard vehicular access to a road above the defined flood event. Sections of Cairns Street are above the level of the defined flood event. However, the access to 24-28 Cairns Street is subject to depths in excess of 300mm and thus there is no low flood hazard vehicular access is available. Raised verge and road areas in Cairns Street or H1 vehicular access through the adjoining allotment should be considered to address PO19.

PO10 – Building Floor Level
Amend the plans of development to show the minimum floor level at or above the DFE. Plans note a floor level of 6.5m AHD, however, the DFE is 6.7m AHD.

Response:
We note that original application included a flood impact report. We note that Council has now required additional responses to the changed code which reflects a new flood planning TLPI that has come into effect after the information request was issued.

See attached updated Flood Impact Assessment provided by Water Technologies.

We note that the plans submitted with the original application, and the response to the information request, clearly show that the floor level is 6.8mAHD and not 6.5mAHD as suggested. As such the proposal has and continues to comply with PO10 with respect the DFL and minimum floor level.



We note the Water Technologies responses with respect to access. It notes that pedestrian access is safe, however, the likelihood of any pedestrians accessing the site is so rare this is not a significant aspect for the assessment.

With respect to vehicle access the Water Technology report indicates that although a performance solution is required which can be managed through site procedures and design. It is reiterated that this is a business activity and occupiers are not resident on the site, therefore the risk of being trapped on the site is nil. Workers can leave if a flood event were to take place while at work, or not come to work if the site is not accessible. That is, they have the ability to not come to the site during the infrequent periods when there might be significant flooding event. In addition, the site is not in a location where flooding may occur rapidly or unexpectedly so occupiers have the opportunity to leave prior to any extreme event overtaking the site. As suggested in the Water Technology report a suitable management plan can be implanted together with visual warning devices. As such there is no good reason to refuse the proposal for the intended purpose being a industrial/warehoused type activity due to potential temporary access concerns.

2.2 Stormwater

Provide a concept drainage layout plan to demonstrate how the roof water, surface water from proposed hardstand areas and flows from the eastern external catchment are captured within the site and conveyed to the lawful point of discharge.

Response:

We note the response provided to the information request issued on 2 August 2023 by Hurley Consulting Engineers as below.

We understand that the subject site and the property immediately to the east are both owned by the applicant. On that basis there are various options available to capture flows from the east, including one of the following options:

- *Incorporate a narrow swale drain along the eastern edge of the hardstand area that*

- *accepts runoff across the property boundary without work outside the subject site.*
- *Minor regrading in the property to the east to redirect runoff and ensure no ponding.*
- *Incorporate a stormwater pit and pipe system at any low points in the property to the east*
- *of the site and an inter-allotment drainage connection to the waterway.*

Additional information can be provided at the operational works phase of the project.

We consider that this continues to be a reasonable response. We further note that it is not the responsibility of the occupiers of this site to provide a legal point of discharge to an adjoining lot. However suitable conditions can be applied to the approval to ensure that concentrated roof water flows that might be directed to the subject site can be conveyed onwards to a lawful point of discharge. This could include provision of suitable infrastructure and if necessary an easement.

2.3 Environment

The application has not demonstrated compliance with PO1 (d) & (e) of the Biodiversity areas overlay code in enhancing habitat values and the rehabilitation of degraded areas. The application has also not demonstrated the requirements within PO2(b) regarding the enhancement of the waterway/wetland buffer of the Waterway corridors and wetlands overlay code.

Provide a conceptual rehabilitation and enhancement plan that addresses the above-mentioned items.

Response:

A rehabilitation report is provided by Eco Solutions & Management in Appendix 4. The report concludes that it is not reasonable to rehabilitate the entire site and recommends that the area immediately adjacent to the area of disturbance only is rehabilitated.

We note the provisions of performance outcome PO1 and PO2. However, a condition of an approval must also be reasonable and must not impose an unreasonable burden on a development. That is if the cost to comply is excessive with respect to the proposal the condition should not be imposed.

We consider that rehabilitating the entire premise would be unreasonable given the size of the premise and the extent of disturbance involved in the proposal and the cost to rehabilitate the entire premise.

We note that the waterway contributes to the transportation of weeds into the site which are to an extent uncontrolled by upstream property owners (including Council). We also note that the accepted form of development would be a dwelling which does not require extensive rehabilitation work. The requirement should be one that an ordinary person would expect to carry out with respect to the maintenance and management of a property of this size and type considering the accepted form of development.

The rehabilitation plan notes the areas of disturbance and degradation of the premises and limits any rehabilitation work to that area. We consider that this is reasonable and sufficient to achieve the overall outcomes in the code with respect to the environmental function of the site within the landscape in which it sits.

2.4 Acoustics

Provide to Council a noise assessment report to demonstrate compliance with Planning scheme policy 3 - Environmental management 3.2 Emission and immission standards Logan Planning Scheme 2015.

Advice Note

As per AO6 of the Environmental Management and Conservation Zone Code, the proposed development is required to comply with the noise emissions standards regardless of whether adjoining premises are sensitive or not. Furthermore, the subject site adjoins properties located within Environmental management and conservation, Mixed-use, and ***Low-Density Residential*** *zones.*

Response:

An acoustic report is provided in Appendix 2. This report concludes the following:

- The background noise level between 6am-7am (throughout the noise logging period) is higher than the day time background. Therefore the daytime period below will include 6am starts for non-steady sound
- The loading area and driveway can comply with the Logan City Council – noise emission limits (Residential Amenity) at northern residences boundary. The loading activities be limited to 6am-7pm.
- The loading area and driveway can comply with the Logan City Council – noise emission limits (General Amenity) at eastern adjacent industry. A noise barrier is required on the eastern boundary.
- The loading noise from inside the Warehouse can comply with the Logan City Council noise limits at eastern adjacent industry. For Shed 2 open roller door is to be limited to max 15m2 opening. Shed 1 is further away from the eastern adjacent industry and loading noise from inside the Warehouse will comply with noise limts.

To ensure compliance with the LCC noise requirements, the following is recommended:

- Loading/unloading activities be limited to 6am to 7pm.
- All forklifts and pick-up/delivery vehicles have installed broadband or smart reverse beepers.
- The installation of a noise barrier on the eastern property boundary (refer to Figure 8). Height to be 2.1m above loading area RL.
- Mechanical plant noise (continuous noise) emissions be controlled to the limits expressed in Table 2 and with appropriate noise screening.

As such the proposal is capable of complying with the relevant benchmark.

3.0 CONCLUSION

We have provided a response to ALL of Council's matters in accordance with Section 13.2(a) of the Development Assessment Rules. We trust the information provided satisfies your concerns on the matter, however, please do not hesitate to contact us on 1300 275 266 should you require any additional information.

Regards,

Ken Burmeister
Senior Town Planner
B Planned & Surveyed Pty Ltd