



URBAN ADVISORY

23 October 2024

Darren Scott  
Chief Executive Officer  
Logan City Council  
PO Box 3226  
LOGAN CITY DC QLD 4114

MCUI/41/2024 - DEVELOPMENT APPLICATION FOR A MATERIAL CHANGE OF USE (RENOVATION / EXTENSION TO AN EXISTING COMMUNITY CARE CENTRE) AND RECONFIGURATION OF A LOT (ACCESS EASEMENT) - 35A AND 35 NORTH ROAD AND 16 HAGUE STREET, WOODRIDGE, QLD 4114 - LOTS 3 AND 4 RP 126257 AND LOT 62 RP 111108

Dear Mr Scott

On behalf of the Vincent Fairfax Family Foundation (VFFF), Urban Advisory has prepared a response to the information request dated 21 August 2024 relating to development application MCUI/41/2024.

The following sections respond to each of the matters raised in the information request and are supported by the following attachments:

1. Updated Form 1
2. Hames Sharley Plans
3. Arboricultural Impact Assessment, prepared by Independent Arboricultural Services, dated 5 April 2024 (Revision 2)
4. Hames Sharley Memorandum (CPTED), dated 11 September 2024
5. WGA Technical Memorandum (WGA231281), dated 3 September 2024

## 1 Planning

- 1.1 *Provide amended Plans of Development which notate and dimension the required access easement over Lot 62 on RP 111108 facilitating access to Lot 3 and Lot 4 on RP 126257.*

Response:

Refer to Drawing Number SD100 Site Plan Revision D, prepared by Hames Sharley, which identifies the proposed access easement for The Family Place (Lot 3 and 4 RP 126257) burdening Albert Part (Lot 62 RP 111108). The extent of the easement is as agreed with Council officers.

An updated Form 1 is also provided to change the development application to include a Reconfiguration of a Lot (Access Easement) component.

This amendment directly responds to Item 1.1 of the Information Request and will not impact the current assessment process (per section 26.1 of the DA Rules). We will commence public notification upon receipt of a revised Confirmation Notice.

## 2 Environment

- 2.1 *Outline the maximum number of children proposed to attend each session.*
- 2.3 *Outline the maximum number of community events that will occur onsite per calendar month.*
- 2.4 *Outline the anticipated total number of attendees (adults, children, and staff) for community events.*

Response:

Recognising the long-term existing use rights associated with the site, and in collaboration with Council officers, the following conditions are proposed to be included in a decision notice to resolve any outstanding concerns about the potential impact on the amenity of surrounding residential development.

Note that the proposed hours of operation reflect the time period as established by Table 3.2.1.1 in the Environmental Management Planning Scheme Policy to provide The Family Place with flexibility in day-to-day operations throughout the year. Saturday has been included to allow for irregular events held throughout the year (for example, four events were held on a Saturday over the last twelve months).

**Amenity - General**

1. Undertake the use so that there is no environmental nuisance by reason of the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, waste water, waste products, grit, oil or otherwise.

**Hours of Operation - Operation**

2. Undertake all activities associated with the operation of the use only between the hours of 7:00am to 6:00pm Monday to Saturday unless stated otherwise in another condition of this approval.

**Acoustics - Fence**

3. Construct a 1.8 metre high acoustic fence along the western and southern boundaries adjacent to the buildings on the site, as shown on the Landscape

Intent Plan SD110 Revision C, prepared by Hames Sharley. Where not a solid metal construction, the acoustic fence must achieve the following basic specifications, unless otherwise agreed to in writing by Council:

- a. a minimum surface mass density of  $12.5\text{kg/m}^2$ ;
  - b. be free from holes, gaps and rattle; and
  - c. is generally in accordance with the design specifications outlined in Section 3.4.13 Planning Scheme Policy 5; and
4. Maintain the acoustic fencing at all times.

#### **Acoustics - General**

5. Conduct the activity in a manner that achieves the noise emission standards outlined in the planning scheme and the acoustic quality objectives outlined in Schedule 1 of the Environmental Protection (Noise) Policy 2008 (EP Noise Policy).
6. In the event of a noise complaint regarding the operation of the activity, conduct an appropriate investigation to determine whether the operation of the activity has exceeded the noise emission standards outlined in the planning scheme and the acoustic quality objectives outlined in Schedule 1 of the EP Noise Policy. An investigation report must be submitted with the Council within 20 business days to demonstrate whether or not the operation of the activity has exceeded the noise emission standards outlined in the planning scheme and the acoustic quality objectives outlined in Schedule 1 of the EP Noise Policy.

*Note: In the event there is a non-compliance with Condition 1.6 (Link to Conduct activity condition), Council has the ability to require a person to submit an application for a transitional environmental program under Chapter 7, Division 2 of the Environmental Protection Act 1994 (see s.332(2)(d)).*

2.2 *Amend the development plans to show the locations of the existing solid metal fences.*

Response:

Section 4.3 of the Planning Report noted an intent to maintain solid metal fencing along the western and southern boundary adjacent to the main building, extension and quiet space.

Noting the Council comments, updates have been made to the Site Analysis Plan (SD020 Revision B) and Landscape Intent Plan (SD110 Revision C) prepared by Hames Sharley.

These plans confirm that new solid fencing will be provided along the southern half of the western boundary and the western half of the southern boundary to the site (shown in yellow on the Landscape Intent Plan).

This ensures solid fencing for the full extent of the common boundaries adjacent to the main building, extension, and quiet space (which is the focus of this development application).

A standard condition can be included in a development approval to ensure the new fencing is metal in construction or meets the required design/density requirements.



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*Existing metal fencing along the northern end of the western boundary of the site*



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*Fencing along the southern end of the western boundary, to be replaced with new solid fencing (note: shipping container in adjoining lot)*

The Family Place is cognisant of its residential setting, and this has informed these fencing design considerations and future management actions to ensure that operations do not adversely impact neighbourhood amenity because of this development.

It is not considered necessary (or reasonable) to require upgrades to the remaining fencing given:

- the site's long-term use since the early 1970s
- there is no tangible increase to the intensity of the site's use/operation
- the focus of development is a modernisation update to ensure The Family Place can continue to provide services to the community. It ensures the premises are fit for purpose and consistent with modern regulatory requirements
- strong neighbour and community relations, noting there has been no complaints to Council.

Further Comments:

It is considered that the information provided in the Planning Report, supplemented by this Information Request response, is appropriate for the Council to confirm that the proposed development will continue to comply with the requirements of PO5/AO5 of the Low Density Zone Code, noting:

- the site was historically approved as a community kindergarten and has operated since the early 1970s
- The Family Place has been operating as a Community Care Use at the site for the last 10 years and the scale and intensity of the use are commensurate with that of the community kindergarten
- the development is a modernisation update to ensure The Family Place can continue providing community services and it does not increase the scale or intensity of the site's use/operation
- service delivery post-development will be commensurate with current activities and programs



- The Family Place have identified a range of design and management actions to ensure that operations do not adversely impact neighbourhood amenity.

## 2.5 Works Impacting Vegetation

*Provide an Arborist Report (prepared by a minimum AQF Level 5 Arborist in accordance with AS 4970-2009 and Part 2, s2.2.8 of Planning Scheme Policy 5 - Infrastructure), including the following:*

*2.5.1 Provide details of the tree proposed to be removed within the parkland, including but not limited to species (scientific name and common name), diameter at breast height (DBH), height, radial canopy spread and presence of fauna habitat features (e.g. hollows, arboreal termitaria, nests etc).*

*2.5.2 For all trees on the site and within Albert Park which are proposed to be retained, and in which works will result in disturbance to Tree Protection Zones, provide an assessment that demonstrates that these trees can safely and viably be retained in accordance with AS 4970-2009, including details of all trees assessed - including but not limited to species (scientific name and common name), diameter at breast height (DBH), height, radial canopy spread and presence of fauna habitat features (e.g. hollows, arboreal termitaria, nests etc).*

### Response:

Refer to the Arboricultural Impact Assessment, prepared by Independent Arboricultural Services, dated 5 April 2024 (Revision 2).



Revision 2 of this report has been prepared to provide specific responses to Information Request items 2.5.1 and 2.5.2.

Refer to p. 18-23 of the report which maps, identifies and provides details of the trees adjacent to The Family Place, located in Albert Park (in addition to those located within The Family Place).

Tree 53 (Cadaghi) is the tree in Albert Park that is proposed to be removed to provide vehicle access to The Family Place. The report notes that the tree is in fair health, has broken limbs, co-dominant limbs, deadwood under 50mm, and decay, contributing to a medium risk rating. It is also noted as a weed species.

In relation to Trees 23, 24, 70, 71 and 72 which are located in Albert Park and to be retained, the report includes specific recommendations at p. 24-29 to ensure long-term health of the trees.

It is anticipated that the Council could include a condition to ensure that all relevant recommendations (related to trees within Albert Park) are undertaken as part of the development.

## 2.6 Landscape Plans

*Provide updated concept landscape plans prepared in accordance with Section 2.2 of Council's Planning Scheme Policy - PSP5 (Infrastructure), and demonstrate compliance with the Landscape code, in particular:*

*2.6.1 Demonstrate how the proposal uses landscaping to improve visual amenity and wayfinding and protects the movement network by maintaining pedestrian*



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*accessibility for people of all abilities (and not obstructing sightlines for pedestrians, cyclists and motorists), to find and access the site from the North Road frontage.*

Response:

The Family Place has been operating at the site for 10 years, and before that, it was used as a community kindergarten since the early 1970s. There is a high-level of awareness of The Family Place in the local community.

There is clear signage on North Road frontage of Albert Park that provides clear wayfinding for visitors to The Family Place by private vehicle or active transport. This directs them to the access driveway and car parks or the pedestrian pathways through Albert Park.

Further, proposed improvements to the driveway crossover provide an improved functional outcome with better outcomes for vehicle access to the car park, pedestrians on North Road, and users of the adjacent bus stop.

The existing signage, new driveway crossover, and pedestrian pathway infrastructure within Albert Park provide the desired wayfinding and connectivity sought through Section 2.2 of the Planning Scheme Policy 5 (Infrastructure).



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*Existing signage on North Road (LHS of driveway)*



*Existing signage on North Road (RHS of driveway)*



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*Existing pedestrian path network in Albert Park from the signed entry point on North Road*

*2.6.2 Demonstrate how the proposal defines the common boundary and prevents encroachment of existing and future uses into public open space, and alternatively prevents the public encroaching onto the site after-hours.*

Response:

Refer to the memorandum prepared by Hames Sharley Architects in response to Item 2.6.2. It concludes by noting that,

with a fencing/gate location change, the proposed design is consistent with the intent of Planning Scheme Policy 1 (Crime prevention through environmental design and community engagement).

### 3. Engineering

#### Stormwater

3.1 *Provide further information to quantify the increase in runoff from the site, to demonstrate how the development will achieve the principle of 'no worsening', in accordance with Section 3.6 of Council's Planning Scheme Policy 5 - Infrastructure.*

Response:

Refer to section 6 and Appendix C of the WGA Technical Memorandum, which provides information that supports the conclusion that the impact of the proposed development on downstream properties is considered to be insignificant.

3.2 *Provide further information to demonstrate how stormwater flows within the site are to be captured and conveyed to a lawful point of discharge.*

Response:

Refer to section 6 of the WGA Technical Memorandum, which confirms existing points of lawful discharge.

3.3 *Provide further information to demonstrate how the development proposes to provide for piped connection points for external upstream catchment flows for the adjoining properties to the west.*

Response:

The following condition is proposed to be included in the decision notice to provide certainty that a future stormwater connection can be provided to 33 North Road, Woodridge, at the time of development (should it be developed):

1. Provide consent to 33 North Road, Woodridge, to construct a 150mm UPVC stormwater connection along the southern boundary of 35B North Road, Woodridge, through to the Hague Street road reserve, if and when 33 North Road, Woodridge, is developed and requires a downstream stormwater connection.
2. The land owner of 33 North Road, Woodridge, is responsible for all construction and reinstatement costs associated with the stormwater infrastructure.

Being a development approval for a Material Change of Use, the condition would remain relevant in perpetuity and bind successive owners of The Family Place.

This is a preferred outcome as it provides certainty for the Council and optimises the development funding available to The Family Place for infrastructure that directly supports its mission.

There is no need to provide a connection for 35 North Road as it has a lawful point of discharge to Albert Park.



## Access

- 3.4 *Amend the proposed plans to notate that the existing crossover to North Road is to be upgraded to a minimum of 6m wide and in accordance with RS-051 (heavy duty).*

*Note: In subsequent correspondence, Council officers revised the specification from RS-051 (heavy duty) to RSD-102 IPWEA.*

### Response:

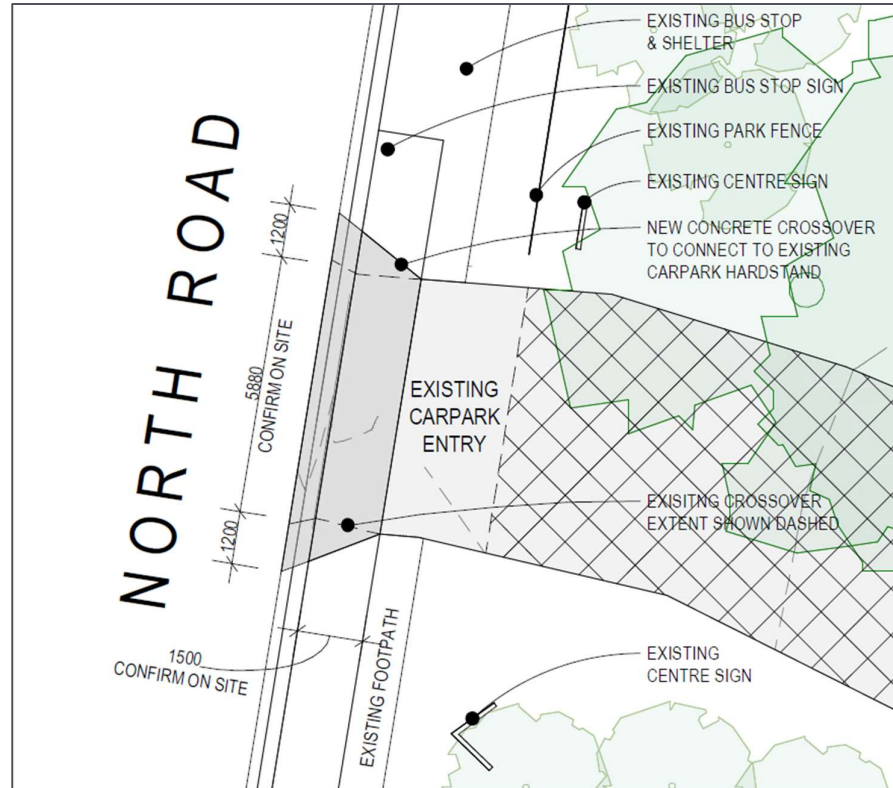
Refer to the updated Site Plan (SD100 Revision D) prepared by Hames Sharley Architects. The plan shows a new crossover to North Road, largely based on the RSD-102 IPWEA specification (advised as preferred by the Council) but adapted for the site specific circumstances:

- location and width of the existing access driveway
- proximity of the crossover to the existing bus stop
- location of pedestrian footpath
- location of adjoining property boundary.

The width of the proposed crossover is 5.88m with 2 x 1.2m splays.



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*Proposed crossover arrangements*

Recognising the constraints of the existing built environment, the proposed crossover is considered an appropriate outcome and a significant improvement over the current infrastructure, satisfying the intent of Item 3.4.



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I trust that the information provided is to your satisfaction.

It is respectfully advised that Logan City Council proceed with assessing the Development Application in accordance with Section 13.3 of the Development Assessment Rules. The Applicant will now proceed with public notification upon receipt of the revised Confirmation Notice.

Should you wish to discuss this matter further, please do not hesitate to contact me on 0434 098 597.

Yours sincerely

A handwritten signature in black ink, appearing to read 'A Jones'.

Anthony Jones  
Director

encl.