

Your reference: 11196  
Enquiry Phone: Customer Service (07) 3412 5269  
Property Key: 203382  
Document Number: 16002048  
Please Quote: MCUI/51/2022  
File Number: 1292116-1



8 September 2022

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ROBINSON SDA PROJECTS NO.2 PTY LTD  
C/- Norris Clarke & O'Brien Pty Ltd  
PO Box 3448  
NEWMARKET QLD 4051

**Attn: John Creagan**

Dear Sir

#### **INFORMATION REQUEST**

**APPLICATION NO:** MCUI/51/2022  
**PROPERTY ADDRESS:** 70-72 STATION ROAD, LOGANLEA QLD 4131  
**PROPERTY DESCRIPTION:** LOT 2 RP 99638  
**APPLICATION DESCRIPTION:**  
**MATERIAL CHANGE OF USE IMPACT - COMMUNITY RESIDENCE**

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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.

Council officers have critical concerns with the proposed design and operation of the proposed development. The new flood information, specifically the 1% Annual Exceedance Probability (AEP) event, will impact the design and operation of the proposed development. **It is therefore recommended the application be withdrawn as the proposed development will not be supported.**

The key considerations for not supporting the proposal include:

- The internal roads and finished habitable floor levels are below the revised 1% AEP level and as such, the proposal has not demonstrated that it will not increase the level of risk of injury to life or risk of damage to property or adversely affect flood evacuation procedures, including adding to the emergency management or evacuation burden during and after a flood event.
- Flood storage balance will not be achieved for the defined flood event level.
- The flooding along the Station Road frontage of the site is hazardous and does not comply with the Flood hazard overlay code.
- Access to the greater road network will be hazardous during the defined flood event and low flood hazard access cannot be achieved in accordance with the Flood hazard overlay code.

The new flood level must be considered as part of ensuring the proposed development does not cause injury, loss of life or damage to premises and property due to flooding, in addition to not adding to the emergency management or evacuation burden during and after a flood event. Council's flood information is a relevant matter to the assessment of this application. Consideration should also be given to other local creek or overland flow flooding. For development to gain approval, it must meet the requirements of the Flood hazard overlay code, Filling and excavation code and Infrastructure code, which necessitates consideration of this

new information. The current plans show finished habitable floor levels, earthworks, roads and infrastructure below the revised 1% AEP level, which are unable to comply with the relevant assessment benchmarks and therefore **the application will not be supported. It is recommended that the application be withdrawn on these grounds.**

Should the applicant wish to proceed with the proposed development, despite the above advice from Council officers, the following information must be provided for consideration by Council officers and to satisfy the requirements of the planning scheme.

## 1. FLOODING

### Notification of Availability of Flood Hazard Information

- 1.1. The purpose of this item is to notify the applicant that Logan City Council has re-modelled flood hazard across the city and continues to undertake re-modelling of the flood hazard. The site is subject to new flood information including a 1% Annual Exceedance Probability (AEP) event as identified in the table below. The purpose of re-modelling flood hazard enables Council to get a better understanding of flood risk to the community, Council infrastructure and for disaster preparedness.

<b>1% Annual Exceedance Probability (AEP) level on-site</b> <i>Note this level is current at the date of this advice and is subject to ongoing review by Council</i>	10.9m AHD – including a climate change allowance
<b>Study source of data</b>	Logan and Albert Rivers Flood Study 2021
<p style="text-align: center;"><b>Important Warning – Updated Flood Hazard</b></p> <ul style="list-style-type: none"> <li>• <b>Flood hazard is being remodelled across the city</b> <i>Logan City Council is remodelling flood hazard across the city in accordance with the endorsed Flood Studies Review Program.</i></li> <li>• <b>Logan Planning Scheme Flood hazard overlay does not reflect the updated flood hazard</b> <i>The Logan Planning Scheme 2015 Flood hazard overlay map OM-05.00 does not reflect the updated flood hazard and should not be relied upon as accurately reflecting the current extent of properties affected by flood hazard.</i></li> <li>• <b>Existing approvals do not reflect the updated flood hazard</b> <i>Any existing approvals may not be based on the updated extent of flood hazard likely to affect a property.</i></li> <li>• <b>There are substantial changes to the extent of properties affected by flood hazard and increases in flood level heights</b> <i>Based on updated flood data it is expected there will be substantial changes to the extent and flood levels of properties affected by a flood hazard.</i></li> <li>• <b>You must obtain the latest flood information from Council</b> <i>Any person undertaking development, including building work, must contact Council's River and Catchment Engineering Program (phone: 07 3412 3412) to find out the status of the flood hazard remodelling affecting their property. For information on how it may impact development or building work, please contact the Development Assessment Branch on 07 3412 5269 or by emailing <a href="mailto:council@logan.qld.gov.au">council@logan.qld.gov.au</a></i></li> </ul> <p><i>As flood studies are completed the updated extent of flood hazard and the updated flood levels will be included in the online flood report available on Council's PDHub. Completed flood studies [and the progress status of others] are available from Council's River and Catchment Engineering Program.</i></p> <p><i>The Planning Scheme will be amended once all the flood studies are completed to reflect the State Planning Policy and in line with best practice in flood risk management for the City of Logan.</i></p> <ul style="list-style-type: none"> <li>• <b>You must take responsibility for ensuring your development avoids serious harm to persons and property from the updated flood hazard</b> <i>Any person undertaking development is responsible for ensuring they obtain the latest information on flood hazard affecting the property and that the development is located and designed based on the updated flood hazard. This is important to ensure that the risks associated with flood hazard are avoided or mitigated to protect people and property.</i></li> </ul>	

**Flooding Generally**

- 1.2. Display habitable floor levels/building pad levels to metres AHD and 500mm above the defined flood level (DFL).
- 1.3. Demonstrate that the car parking is compliant with the Acceptable and Performance outcomes of the Flood hazard overlay code.
- 1.4. Demonstrate the access/road/footpath is subject to low flood hazard in compliance with PO15 of the Flood hazard overlay code.
- 1.5. Demonstrate that the proposed stormwater system is compliant with PO12 and PO13 of the Flood hazard overlay code.

**Flood Study/Hydraulic Assessment**

- 1.6. The site is subject to local/regional flooding. Provide a Flood Study in accordance with Planning Scheme Policy 5 – Infrastructure (PSP5), s2.6, demonstrating the proposed development complies with the Flood hazard overlay code.
- 1.7. Provide flood maps depicting flood extent, depth, velocity and afflux for the full range of flood events modelled for the pre-developed and developed case incorporating the development site and properties upstream and downstream.
- 1.8. The Flood Study/Engineering Report is to be certified by an RPEQ specialising in Hydrology and Hydraulics.
- 1.9. Include the 1% AEP depth on all channel cross sections on preliminary earthworks sections.
- 1.10. Provide cross sections of the overland flow path upstream and downstream of the site.
- 1.11. Confirm that the high flow outlet of detention basins is above the AEP 2% defined flood level and the high flow outlet of the stormwater quality systems is above the 5% AEP defined flood level.
- 1.12. Demonstrate the overland flow path has sufficient scour protection during flood events.
- 1.13. Demonstrate the stormwater management device will not result in ponding of stormwater during the DFE.

**Earthworks in the Floodplain**

- 1.14. Submit a scaled preliminary Bulk Earthworks plan clearly displaying areas of proposed cut and fill (maximum batter slope of 1:4) and the full extents of any proposed retaining walls. Submit typical scaled cross sections of the retaining walls displaying the existing topography, proposed finished levels, maximum height of the retaining walls, batter slopes, clearances to services, property boundaries, and demonstrating the retaining walls and footing are contained wholly within the subject site.

**Compensatory Earthworks**

- 1.15. Proposed earthworks must comply with all Flood hazard overlay code requirements. Provide further information to Council demonstrating the development will:
  - 1.15.1. Protect and maintain the existing floodway ensuring there are no losses of conveyance capacity of and storage so as not to adversely affect other premises, infrastructure and the environment; and
  - 1.15.2. Result in no loss of floodplain storage up to the Defined Flood Event.
- 1.16. Provide to Council for assessment, details of volume calculations for cut and fill below the defined flood level. Include notations of cut and fill areas marked on a detailed site plan

with cross sections indicating existing and finished surface level with volume calculations for any compensatory earthworks. Compensatory areas of cut must be free draining with a cut/fill batter no steeper than 1V:4H.

Advice Note:

*Filling or excavation is not permitted below the 10% AEP flood level.*

## 2. PLANNING

### Land Use

- 2.1. Provide clarification as to how the proposed land use complies with the Community residence definition under the Schedule 1 of the Logan Planning Scheme 2015 (version 8) or lodge an Other change to the existing application to include the correct land use for the development proposed.

Advice Note:

*Council officers do not consider the proposed development to meet the definition of a Community residence, which is defined as 'the use of a premises for residential accommodation for:*

- i. no more than 6 persons requiring assistance or support with daily living needs; and*
- ii. no more than 1 support worker.'*

*The proposed development provides for a total of 14 persons requiring assistance or support and provides accommodation for 2 overnight workers on site, which is inconsistent with the definition for Community residence as outlined above. The proposed development is more in line with the definition of a Multiple dwelling. An Other change is therefore required to the proposed development to identify and apply for a land use that more correctly aligns with the intended use of the site.*

### Site Cover

- 2.2. Confirm the proposed site cover of the entire development is a maximum of 60% in accordance with AO21 of the Low density residential zone code.

### Design

- 2.3. Provide amended plans of development which provide an attractive and well-articulated façade in accordance with PO8 of the Low density residential zone code.

Advice Note:

*Council officers do not consider the proposed development to provide a well-articulated façade, due to the lack of variation in building materials and colours, architectural detailing, and roof projections.*

- 2.4. Provide amended elevations that identify the proposed building height from natural ground level.
- 2.5. Provide further clarification as to whether the proposed building setbacks are in accordance with AO3 and Table 6.2.5.3.3 of the Low density residential zone code.

Advice Note:

*It is unclear whether the proposed side and rear building setbacks are compliant with Table 6.2.5.3.3, as the proposed building height is not displayed on the elevations. It appears as though the building height is above 4.5m and therefore, a minimum 2m side boundary setback is required.*

### 3. LANDSCAPING

- 3.1. Provide a landscape concept landscape plan prepared in accordance with Section 2.2 of PSP5. The plan must be prepared by a person who satisfies section 1.7 (b) of PSP5 and must include:
- 3.1.1. a planting palette and quantity listing prepared in accordance with Section 2.2.4;
  - 3.1.2. any fencing required along the property boundary to 66 Station Road; and
  - 3.1.3. provision of street trees to the Loganlea Road frontage in accordance with Table 6.3.3.1 – Street tree setback requirements in Part 9, Standard specification No. 2 (Landscaping) 2015, Section 6.3.3 of PSP5.

### 4. STORMWATER

- 4.1. Amend the Stormwater Management Plan in accordance with Council's Planning Scheme and policies, and QUDM, as follows:
- 4.1.1. Demonstrate the southern portion of the site currently slopes to Station Road and display the extent based on ground survey.  
*Advice Note:*  
*Refer to Section 4 Lawful point of discharge, and extend the survey given in Appendix A to include all of the site and clearly indicate the extent of the site that currently slopes to Station Road.*
  - 4.1.2. If the southern portion of the site currently slopes to Station Road, clarify why all of the site has been modelled as a single catchment for the existing case.  
*Advice Note:*  
*Refer to Section 5.3 Catchment Definition.*
  - 4.1.3. Clarify for Council consideration for no worsening purposes why all of the stormwater detention volume cannot be provided within the detention basin, rather than a combination of detention basin and above ground tanks.  
*Advice Note:*  
*Refer to Table 5.5 Detention System Design Parameters.*
  - 4.1.4. Amend Drawing Number DA07/01 to display the internal stormwater pipe drainage system extending from the proposed dwellings and hardstand areas to the detention basin.
  - 4.1.5. With reference to Table 5.6, clarify if the post development 5% AEP peak flow estimate of 0.111 m<sup>3</sup>/s is correct (i.e. increase in peak flow rate) or if this an error.  
*Advice Note:*  
*If this represents an increase in peak flow rates, then amend the design to achieve no worsening.*
  - 4.1.6. Demonstrate the detention basin will achieve a high level outlet that is at or above the 2% AEP local or river flood level.  
*Advice Note:*  
*Refer to PSP5, Section 3.6.6.2 (1).*

## 5. ACCESS

- 5.1. Amend the Site Plan (Drawing Number DA-001) to display and dimension for the proposed access driveway a 5.5 metres wide passing bay, approximately 30 metres from the Station Road frontage, in accordance with Council's PSP5, Figure 3.4.5.1.3 - Passing bay dimensions.
- 5.2. Display turning manoeuvres for a B85 passenger car demonstrating the vehicle can access all of the visitor parking spaces and enter and exit the site in a forward direction.

## 6. LOGAN WATER

### Water

- 6.1. Amend the Sewer and Water Services Plan Drawing No. DA08-Issue 01, to indicate Council's existing water main located at the southern verge of Station Road and specify the proposed water infrastructure crossing the road, either to be a DICL pipe or PVC conduit, according to the hydraulic engineering design of the proposed development.
- 6.2. The plan shall also indicate the existing water service connection and state on the drawing if the existing service/meter is to be made redundant.

### Sewer

- 6.3. Amend the Sewer and Water Services Plan Drawing No. DA08-Issue 01, to indicate the required sewerage easement over Council's existing sewerage infrastructure in accordance with South East Queensland Water Supply and Sewerage Design and Construction Code (SEQ WS&S D&C Code).
- 6.4. Indicate the clearance to be maintained between any proposed building/structure and existing Council sewerage infrastructure and ensure that no proposed building/structure shall be constructed within/encroach into the required sewerage easement.
- 6.5. Provide retaining wall critical section details crossing over Council's existing sewerage pipe and demonstrate that there will be no adverse loading imposed onto the sewerage infrastructure.
- 6.6. Indicate the existing sewerage property connection and state on the drawing if the existing connection is to be made redundant.

*For enquiries in relation to the water and wastewater items above please contact Water Development Services on 07 3412 4004. Alternatively, you may send an email enquiry to [waterda@logan.qld.gov.au](mailto:waterda@logan.qld.gov.au). In order to facilitate efficient customer service please quote the application number and address of the property concerned to the customer service officer or within the subject line of the email. Water Development Services will respond to your enquiry within 48 hours.*

## 7. 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.

## 8. 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.

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**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.

#### **9. COPIES OF RESPONSES TO REFERRAL AGENCIES**

Please also 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 the assessment manager, Angus Watson-Brown, on (07) 3412 3456 or via email on [development@logan.qld.gov.au](mailto:development@logan.qld.gov.au).

Yours faithfully

Jessica Binch  
Acting Planning Assessment Coordinator  
Strategy and Sustainability