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26 May 2025

Attn: John Merrick

Ruby Property Development Pty Ltd
C/- Somerville Consultants Pty Ltd
PO Box 1198
SPRINGWOOD QLD 4127

Dear Sir

FURTHER INFORMATION REQUEST / OUTSTANDING MATTERS

APPLICATION NO: MCUI/54/2024
PROPERTY ADDRESS: 210 PARK RIDGE ROAD, PARK RIDGE QLD 4125
PROPERTY DESCRIPTION: LOT 9 RP 97339
APPLICATION DESCRIPTION:
• **MATERIAL CHANGE OF USE - VARIATION REQUEST**

Reference is made to the above mentioned development application, received on 17 September 2024.

In accordance with Part 7 (Miscellaneous) of the Development Assessment Rules, Council in the role of the Assessment Manager may, at any time before the development application is decided, give further advice about a development application to the applicant.

The applicant is advised that the Variation Request application lacks sufficient justification to warrant support for the request to vary the effect of the *Logan Planning Scheme 2015* ('the planning scheme') from Recreation and open space zone to the Mixed use zone (Warehouse and/or Place of worship).

To allow Council officers to undertake a thorough assessment of the application, the following matters remain outstanding in relation to Council's Information Request dated 9 October 2024.

- **Site suitability – Item 1.2**

The proposed development seeks Preliminary Approval for two (2) specific land uses being Warehouse and/or Place of Worship. Information on the scale and intensity of these proposed uses has not been provided by the Applicant. Given that a relatively large site area is proposed i.e. 1.318 hectares, these uses have the potential to result in adverse impacts on the amenity of surrounding and future residential uses.

Somerville Consultant's response dated 5 November 2024, states that *both potential uses will be code assessable under the conditions of the preliminary approval and as such will need to adhere to the requirements of emissions of the planning scheme*. Pursuant to Table 5.5.10.1 – Mixed use zone of the planning scheme, for future development to be code assessable, a Place of Worship is required to comply with the separation distance specified as follows:

The distance between the Place of worship and land in the residential zone category is more than 100 metres measured in a straight line.

Note - The place of worship separation distance is measured from the closest point of the land on which the place of worship is located to the land in the residential zone category.

The intent of the required separation distance is to minimise potential amenity impacts in relation to residential uses. The subject site is located opposite to land included in the Emerging community zone to the south which is expected to be developed for residential purposes in the future. Whilst this land is not currently within a residential zone category, Council officers are concerned that the establishment of a Place of worship in the southern portion of the proposed mixed use area (approximately 30 metres from the Emerging community zoned land to the south) may result in reverse amenity impacts. Further justification is therefore requested as outlined in item 1.2 of Council's Information Request dated 9 October 2024 to demonstrate the site's suitability for the proposed uses.

Alternatively, it is requested that a 100 metre exclusion zone from the Emerging development zoned land to the south be nominated on the Proposed Plan of Development from the boundary of any future lot where a Place of worship is proposed to be established.

- **Structure Plan – Item 1.3**

The immediate surrounding area is subject to a number of development approvals and applications that have the potential to impact on servicing, road network planning and sequencing of the proposed development including Council reference: RL/102/2024, RL/75/2024/1 and RL/149/2023. A structure plan is required as part of the Preliminary Approval to demonstrate that a cohesive and connected road layout and servicing strategy can be provided within the locality to service to the subject site given that the proposal seeks to intensify the land use through conversion of Park and recreation zoned land to Mixed use (Warehouse and/or Place of worship). The proposed future road and infrastructure network planning needs to consider potential impacts of applicable overlays given that the subject site and surrounds are subject to a number of key overlays including flood hazard, waterway and biodiversity areas to ensure these areas can be protected and/or managed. Structure planning is important in achieving good urban design outcomes for the community.

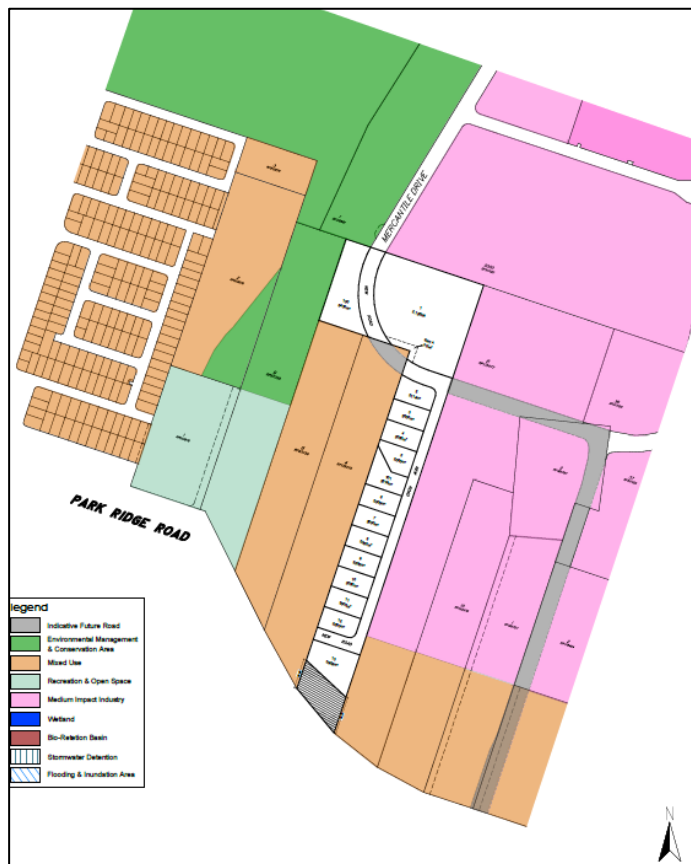
As such, and in accordance with item 1.3 of Council's Information Request dated 9 October 2024, it is requested that a Structure Plan be submitted which demonstrates how the proposal will integrate with the existing and intended strategic intent for the surrounding area.

It is noted that as part of the proposed development located on 234-242 Park Ridge Road, Park Ridge (RL/102/2024), Council has requested that the Structure Plan provide a road connection to the subject site. Furthermore, where proposed future road or infrastructure networks have the potential to impact on environmental values, Council officers may require additional information to demonstrate how these impacts can be mitigated.

- **Road planning – Item 1.4 and 1.5**

Given the assessment being carried out in relation to RL/102/2024, Council officers will be able to support an alignment for the IC3 which extends into the High flood risk area and waterway area. This is on the basis that the flow regime of this area will be changed by RL/102/2024, which is upstream and development to the east. Mercantile Drive is currently with RID for design and realignment and the structure plan for RL/102/2024 has been accepted by Council for the IC3 alignment.

Figure 1: Extract of IC3 alignment regarding RL/102/2024



The subject site will ultimately be required to access the development site via the internal road and temporarily via Park Ridge Road. This means any structure plan provided will need to show an internal road network that can be delivered extending from adjoining sites to the east.

- **Biodiversity Areas – Item 2**

Ensure the proposal to vary the Planning Scheme has adequately demonstrated how the proposed variation to the planning scheme will comply with PO1 of the Biodiversity areas overlay code.

Ensure a minimum functional corridor width of 100 metres is required to facilitate adequate wildlife movement opportunities. Council's Technical Services officers have reviewed the information response dated 5 November 2024 and require further information to adequately complete their assessment of the development proposal.

Further advice

The information response provided has not adequately demonstrated how the proposed variation to the planning scheme will comply with PO1 of the Biodiversity areas overlay code.

The response has focused on wildlife movement and the degraded nature of areas currently mapped Biodiversity corridor and proposed to be varied to be Mixed use zoning. PO1 of the Biodiversity areas overlay code requires any development to demonstrate not only how habitat links are provided and wildlife movement is facilitated, but also how the development will facilitate wildlife refuge, enhance habitat values, and rehabilitate degraded areas with native vegetation.

The Information Response appears to be considering that the Biodiversity corridor has “limited” ecological value and therefore the encroachment into the corridor is justified. This provides a fundamental misinterpretation of the strategic function of the mapped Biodiversity corridor overlay at a city-wide scale. The Biodiversity corridor mapping seeks to achieve a strategic function that ensures habitat values can be protected and enhanced through rehabilitation or natural regeneration. This function can only be achieved where adequate width is provided (including buffers, etc.) to ensure edge effects do not undermine the ecological values of the core habitat within the Biodiversity corridor.

To highlight the importance of ensuring adequate wildlife refuge and enhancing habitat values within the this stretch of the Biodiversity corridor on this site, the EAR submitted reported that during the site survey there were sightings of multiple native wildlife, including amphibians, avian species and macropods. There was also koala scat found on site demonstrating that koalas are present on the site and surrounding areas. The EAR acknowledges the impacts of edge effects on habitat values within the Biodiversity corridor, yet the development has not proposed mitigation strategies. The prevailing scientific literature suggests that for both koalas and a multi-species corridor, a minimum functional corridor width of 100 metres is required to facilitate adequate wildlife movement opportunities.

The proposed variation has not demonstrated how the variation will facilitate wildlife refuge, enhance habitat values or rehabilitate degraded areas with native vegetation, and therefore has not demonstrated compliance with PO1 or the purpose of the Biodiversity areas overlay code.

Some ways to facilitate wildlife refuge and enhance habitat values within the Biodiversity corridor include:

- Demonstrate how a buffer between future land uses within the Mixed use zone can be achieved. The information response states a road reserve is not the only way to provide a buffer yet does not propose an alternative strategy to achieve a buffer. To confirm that any proposed buffer mechanism can be viably achieved, a structure plan is required that shows the location and type/s of proposed buffer mechanism/s.*
- For the area proposed to be zoned as Environmental management and conservation (EMC) zone, that will also be retained as Biodiversity corridor, provide an amended plan that shows a width that is adequate to ensure edge effects are considered to allow strategic corridor function as intended, including intact core habitat and buffers attenuate edge effects. This is also consistent with PointCorp and other applications north of the site that have provided minimum 100 metre corridor widths consistent with ecological reporting that has demonstrated a core habitat area can be maintained.*
- Demonstrate rehabilitation within the area proposed to be EMC (and Biodiversity corridor) can be achieved. Rehabilitation of the Biodiversity corridor is required to demonstrate compliance with PO1 of the Biodiversity area overlay code. There is an opportunity to use restoration offsets within the corridor area to supplement rehabilitation of the corridor area. Where site based restoration offsets are proposed, a concept Site Based Rehabilitation Plan (SBRP) will need to demonstrate that proposed offset can be accommodated within the Biodiversity corridor. It is noted that as this is only a variation request, a concept Site Based Rehabilitation Plan would be able to demonstrate compliance with PO1 of the Biodiversity area overlay code, and where future applications that propose clearing vegetation will be required to address rehabilitation in detail.*

Currently, the proposed development has not adequately addressed PO1 of the Biodiversity areas overlay code, as the proposal has not demonstrated how the development will facilitate wildlife refuge, enhance habitat values and rehabilitate degraded areas with native vegetation. The above information will hopefully assist the applicant in demonstrating compliance.

3. Water Development Services – Item 3

Ensure a water supply analysis is provided and liaise with Logan Water for a Sewerage Detailed Planning Study to be carried out and ensure the consistency with the surrounding developments. Confirm how any future developments are able to connect to water and sewer,

Further advice

Logan Water engineers have reviewed the response provided by Somerville Consultants in relation to items 3.1 and 3.2 of Council's information request stating that provision of a water supply analysis report and sewerage analysis report is not relevant to the preliminary approval and will be undertaken at the development permit stage. This is not accepted by Logan Water and a response to item 3.1 and 3.2 of Council's information request dated 9 October 2024 remains outstanding.

To provide further understanding as to why this information is requested at the preliminary approval stage, Logan Water engineers have advised that the future servicing alignment may potentially impact on the mapped biodiversity corridor if the applicant proposes a connection from the north. This connection would need to traverse 234-242 Park Ridge Road which is land that is in different ownership and currently subject to a DA (RL/102/2024). If the applicant proposes this alignment, then further assessment will be required regarding any impact on biodiversity/waterway. An alternative alignment from the east is required to be compatible with the road hierarchy and may rely on third party consent at the development permit stage.

For further information about this application please contact Leah Bagnall on (07) 3412 5269 or via email on development@logan.qld.gov.au

Yours faithfully

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