

Our Ref: BNE230151

5<sup>th</sup> April 2024

The Chief Executive Officer  
Logan City Council  
PO Box 3226  
Logan City DC QLD 4114

**Attention: Leah Bagnall/Leanne Morgan – Planning Assessment and Technical Services**

Dear Leah/Leanne,

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<b>Council Reference:</b>	RL/136/2023
<b>Property Location:</b>	130 Bahrs Scrub Road, Bahrs Scrub QLD 4207
<b>Property Description:</b>	Lot 12 on SP317949
<b>Development:</b>	Development Permit for Reconfiguring a Lot (1 into 2 Lots)
<b>Client:</b>	Jitendra Ahlawat

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We refer to Council's Information Request dated 1 December 2023 as well as subsequent email Information Request dated 18 December 2023 (as an addendum), made under clause 12.1 of the *Development Assessment Rules* ("DA Rules"). We note the response period has been extended to 1<sup>st</sup> June 2024 by agreement.

On behalf of our client, and pursuant to clause 13.2(b), we provide the following as a **partial** response to the "flooding" matters raised by Council. Our intention is to seek Council's review and response to this specific matter prior to providing a formal response to the balance items.

In support of this response, please find attached:

- Flood Risk Assessment prepared by Downs Roadside Engineering (refer **Attachment A**)

Information Request Response:

## 1. FLOODING

1. *Demonstrate compliance with the Temporary Local Planning Instrument (TLPI) Flood, by submitting a Flood Risk Assessment report, prepared in accordance with Section 2.2.1 - Localised flood risk assessment report (FRA) of Planning Scheme Policy 10 - Flood.*

**Advice Note:** Council's Temporary Local Planning Instrument TLPI No. 1/23 commenced on 30 October 2023 and applies to this development application. The proposed plan of development involves the creation of one additional lot, intended for further residential development, associated with a site mapped within the Flood Investigation Area identified on Flood hazard overlay map OM-05.01.

The FRA is required to determine the flood risk for the site and demonstrate the proposed development complies with the applicable assessment benchmarks of the TLPI. The proposal must comply with AO5/PO5 and AO7/PO7 of the Flood overlay code and include a building envelope.

*It should also be noted the FRA will need to extend beyond the property to demonstrate flood free or low flood hazard access is available to a suitable flood-free area that contains local goods and services in accordance with AO17/PO17 and AO18/PO18 of the code.*

**Response:**

A Flood Risk Assessment (FRA) has been prepared by Downs Roadside Engineering specifically in relation to the subject proposal and Council's Information Request (refer **Attachment A**). The Flood Risk Assessment demonstrates compliance with the *Temporary Local Planning Instrument (TLPI) Flood* as summarised below:

1. The flood modelling clearly demonstrates that both proposed Lots 200 and 300 have large developable footprints "outside of the low flood hazard category for events up to the 1% AEP including climate change" and are therefore suitable for the proposed Management Subdivision.
2. Section 5.1 of the FRA demonstrates that Lot 200 (Eastern Lot) has a developable footprint of 4,250m<sup>2</sup> (including the retained house) and Lot 300 (Western Lot) accommodates a developable footprint of 8,030m<sup>2</sup>, which satisfies **AO5/PO5** and **AO7/PO7** of the Flood Overlay Code.
3. Furthermore, whilst not part of the proposed Management Subdivision, Council have noted there is an intention to further develop the additional Lot being created into further residential development in future. The FRA demonstrates there is clearly sufficient flood free land within Lot 300 to achieve a residential subdivision, the detail of which is to be subject to future development assessment (NB. It is intended to provide a "structure plan" showing the future intended layout as part of a further full response once the subject FRA has been accepted by Council).
4. Sections 5.1 and 5.2 of the FRA demonstrates that both proposed Lots have flood free access, including for the 1% AEP plus climate change hazard mapping as provided under **Figure 8** of the report, which satisfies **AO18/PO18** of the Flood Overlay Code.
5. The FRA has been extended beyond the property in order to assess the requirements of **AO17/PO17**. Section 5.3 of the FRA discusses the potential route options to the nearest local goods store. The report identifies two potential road options to the local goods store, being via Bahrs Scrub Road and Prangley Road, both of which have some minor level of flood influence. In order to understand this implication in depth, the FRA has also determined "time of closure" for each of the two routes (Refer **Figure 12** and **Figure 13**).

The FRA has determined the Time of Closure for Bahrs Scrub Road (to gain access to the Local Goods Store) is **7.5 hrs** in a 1% AEP event, whilst the Time of Closure for Prangley Road is **6.5hrs** for the same event. These short periods have been attributed to the relatively small upstream catchment sizes, meaning both roads are not expected to be severed for long periods. The FRA further notes that grocery stores are typically closed for up to 11 hours a day, which can be even longer during certain public holidays (or completely shut). Given this, it is not uncommon for people to be within access to a local goods store for up to 24 hours. It is also worth noting that people will typically have several days of supplies available at any given time and invariably if they live in a flood-prone locality, will likely increase their stocks ahead of a potential impending flood event occurring in the locality.

**Given the above circumstances, the Applicant strongly feels that a potential short-term loss of access to a local good store for up to 6.5hrs or 7.5hrs is negligible in the great scheme. More importantly, the FRA demonstrates that the subject site is capable of achieving appropriate flood immunity within the property and immediate road frontage and is therefore considered appropriate for development.**

The proposal constitutes a Management Subdivision (1 into 2 Lots) and is located in the vicinity of recently established low density residential developments which share the same local flood influences. It is noted that the proposed development underwent a Prelodgement Meeting with Council and access to local good stores were not raised at this time. Whilst the underlying intent behind this provision is understood, the attached Flood Risk Assessment clearly demonstrates the subject development achieves immunity and any influence from the flooding of surrounding roads in the ability to access local goods stores is limited to only 6.5-7.5hrs, well within the reasonable expectations of

any resident. Through the assessment carried out under the Flood Risk Assessment, the proposed development is considered to have derived an acceptable Performance Outcome. We believe the relatively minor creek systems and small upstream catchments have contributed to the FRA been able to demonstrate minor impact within reason. It is considered the provisions of AO17/PO17 should only apply where an FRA deems the development to lose access to local good and services for lengthy periods of time, which has a tendency to start impacting on household stocks typically held by an average resident at any given time.

We advise that this Response to Council's Information Request is being made under clause 13 of the DA Rules, and constitutes a **partial response** responding only to the "flooding" component of Council's Information Request. We seek Council's review and response to this partial response and intend to provide a full formal response to the balance of the Information Request, after Council's support for the subject response component is received.

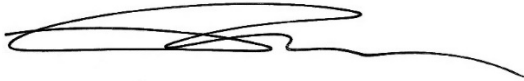
Given the above, we note the subject response **does not** constitute the "*End of the applicant's response period*" stated under clause 14.1 of a DA Rules and hence, the application will not yet proceed to the next stage being public notification.

We note the Response Period has previously been extended to 1<sup>st</sup> June 2024, and we will continue to monitor this period and seek further extension where necessary.

We trust that this application will be given the utmost attention and consideration.

Should you require any further information, we would be pleased to assist.

Yours sincerely,



**Janesh Gunaratne – Senior Urban Planner**  
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