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YOUR REF RL/79/2019

OUR REF 10646

DATE 19 May. 20

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

Attention: Planning Assessment Team
Planning Officer
Mr Will Hardy

Via email: development@logan.qld.gov.au

Permit Type: Request for a Development Permit for Reconfiguring A Lot
Description of Proposal: 1 Lot into 2 Lots
Address of Site: 81-83 Winnetts Road, Daisy Hill QLD 4172
Real Property Description: Lot 59 on SP268614
Application Reference: RL/79/2019

**RE: REPLY TO INFORMATION REQUEST FOR APPLICATION FOR A
RECONFIGURING A LOT – ONE LOT INTO TWO LOTS AT 81-83 WINNETTS
ROAD, DAISY HILL QLD 4272**

Dear Will,

On behalf of our client D G Shah (client) under the provisions of the *Development Assessment Rules 2017*, we now supply in full (a) all of the information requested, in Council's correspondence dated 22 November 2019 and note that we have included an amended DA Form 1 as per Council's Information request.

Under section 52(1) of PA2016 we are applying to change the application to include an MCU component.

The Referral agency response from the State Development, Manufacturing, Infrastructure and Planning had no requirements.

We seek approval for a Combined MCU (Dwelling house with proposed building envelope) and Reconfiguring A Lot (1 lot into 2 Lots) Development Application referenced above, subject to reasonable and relevant conditions.

Information requested:

1. Planning Assessment

Advice Note: Council Officers have critical concerns with the proposal based on the potential built form of the resulting development in contrast to the intended character of the area. Proposed Lot 62 will likely be encumbered by easements and infrastructure, resulting in limited useable space for the purposes of residential development. As such, further justification against the provisions of the planning scheme is required.

- 1.1. As the proposed allotment will be significantly constrained by infrastructure and easement, a Material Change of Use (MCU) component is requested to be included to facilitate a Building Envelope and Stormwater Detention location within the proposed plan.

The provision of a Building Envelope will ensure that any future Dwelling House can be effectively situated on site and align with the intended character of the area in accordance with the Overall Outcomes of the Reconfiguring a Lot Code.

Under section 52(1) of PA2016 you may change the application to include an MCU component. An amended DA Form 1 will need to be submitted which makes reference to both the MCU and RL components in conjunction with the relevant MCU (Dwelling House) application fee.

Applicant's response:

An amended DA Form 1 has been filled in and is enclosed with this correspondence. The proposal plan has been revised to show proposed easements over the existing sewer line and the proposed connection to the sewer line, A proposed building envelope area has also been added to the proposal plan.

- The Development Application, will now be a **Combined MCU (Dwelling house with proposed building envelope) and Reconfiguring a Lot by Subdivision - One (1) lot into Two (2) lots.**

Our Client will pay the additional fee of \$1,587.00 for the MCU component.

The stormwater design has been investigated by Formation Civil and a Conceptual Site Based Stormwater Management Plan dated April 2020, is included with this reply to the Council information request.

A detention area is proposed on the site outside of the proposed building envelope area, within proposed Lot 62.

The character of the area will be maintained with the building envelope having a minimum 2m setback from the eastern boundary and 6m from the rear boundary and 1.5m from the western boundary. A minimum 3m building setback to Winnetts Road is proposed so the

building is closer to the road mirroring the setback of the adjoining new house on Lot 61, whilst away from the existing sewer and adjoining neighbouring dwellings.

2. Development Engineering

Stormwater Quantity

2.1. Submit to Council a conceptual site-based stormwater management plan prepared in accordance with Section 2.5.1.1 & 2.5.1.2 Sc6.2.5 Planning Scheme Policy 5 – Infrastructure. The report must, at a minimum, provide details on the following elements:

2.1.1. The lawful point of discharge and how flows will be conveyed to this point;

2.1.2. Proposed measures to achieve ‘no worsening’ of peak discharge from the site for the full range of design storms up to and including the 100-year ARI;

2.1.3. The pre and post development stormwater quantity characteristics and calculations for the site and any external catchments;

2.1.4. All proposed stormwater and overland flow management measures.

Applicant’s response:

As mentioned above Formation Civil have reviewed the site constraints and developed a conceptual site-based stormwater management plan dated April 2020.

In summary:

2.1.1. The lawful point of discharge is proposed to be an existing maintenance structure located within Winnetts Road. A pumped system is proposed to be adopted for the management of the stormwater discharge from the development site.

2.1.2. An on-site stormwater detention system, with a pumped to the street system is proposed to be adopted.

2.1.3. The Rational Method was used to calculate the pre-development and post development runoff.

2.1.4. Formation Civil have included in their report all proposed stormwater and overland flow management measures.

From the report “The landform of the proposed lot currently falls away from the street frontage and does not have a suitable lawful point of discharge at the rear of the lot.

Furthermore, the downstream neighbour has not provided their permission to construct infrastructure within their property to allow for a piped connection to the proposed development.

Filling the rear of the property for the purpose of obtaining a lawful point of discharge to the kerb and channel and constructing large retaining walls at approximately 2.5m high would be an inappropriate and costly outcome.

As a gravity solution is unattainable, it is appropriate that a pumped solution be adopted to manage the discharge of stormwater from the property.

Pump Systems shall discharge directly to a gully, maintenance structure, or drainage line. It is not recommended to discharge directly to the kerb and channel. Where the kerb and channel is the only lawful point of discharge, the outlet from the pump must feed to a storage maintenance hole which then drains by gravity to the kerb and channel.

The discharge of stormwater from the pumped system will be to an existing manhole within Winnetts Road.”

“There is an increase in post-development stormwater discharge. This increase in post-development discharge will adversely affect surrounding properties and existing infrastructure.”

“As the proposed development incorporates a material change of use application with Logan City Council, a pumped solution has been adopted as a gravity solution is unavailable.”

Please refer to the enclosed SBSWMP which is included with this reply to the Council information request.

- 2.2 Obtain a lawful point of discharge in accordance with Section 3.6.2.3 of Sc6.2.5 Planning Scheme Policy 5 – Infrastructure. The lawful point of discharge must pass the lawful point of discharge test stipulated in Section 3.9.1 of the Queensland Urban Drainage Manual 2016.

Advice Note: It is noted that the submitted Town Planning Report nominates Winnetts Road as the lawful point of discharge for the development. It is unclear how this will be obtained given that the existing site level is approximately 2.5 metres below the level of the kerb and channel within Winnetts Road and the site grades naturally to the rear. Without significant levels of fill (which is unlikely to be supported by Council), a stormwater easement and owner’s consent will likely need to be obtained through downstream properties to facilitate stormwater discharge. Please also note that soakage or rubble pits are not permitted in urban residential areas in accordance with Section 3.6.2.8 of Sc6.2.5 Planning Scheme Policy 5 – Infrastructure.

Applicant’s response:

Formation Civil have reviewed the site constraints and developed a conceptual site-based stormwater management plan dated April 2020.

The nominated lawful point of discharge, is proposed to be an existing maintenance structure located within Winnetts Road. A pumped system is proposed to be adopted for the management of the stormwater discharge from the development site.

Please refer to the enclosed Conceptual SBSWMP from Formation Civil, which is included with this reply to the Council information request. In particular, section 4.1.5 titled Lawful Point of Discharge.

- 2.3 Demonstrate to Council that the principle of 'no worsening' can be achieved in accordance with Section 3.6.2.10 of Sc6.2.5 Planning Scheme Policy 5 – Infrastructure. Please ensure details of any proposed mitigation measures are provided.

Applicant's response:

Formation Civil have reviewed the site constraints and developed a conceptual site-based stormwater management plan dated April 2020.

The nominated lawful point of discharge, is proposed to be an existing maintenance structure located within Winnetts Road. A pumped system is proposed to be adopted for the management of the stormwater discharge from the development site.

Please refer to the enclosed Conceptual SBSWMP from Formation Civil, which is included with this reply to the Council information request. In particular, section 4.1.5 titled Lawful Point of Discharge and section 4.2 Stormwater Discharge (calculated using the Rational Method).

Section 5. of the report details the Pump System Design requirements. The minimum tank size is to be 19,000L and the maximum discharge rate to be 7l/s or 25m³/hr.

- 2.4 Provide a concept stormwater layout showing the locations of any proposed piped stormwater drainage infrastructure and associated easements. The layout must also demonstrate how the flows from the existing overland flow swale along the eastern boundary of proposed lot 2 will be conveyed.

Advice Note: Detail the proposed measures in the stormwater management plan. As part of the design, adequate freeboard from the major storm flow levels within the swale to the proposed finished floor level of a dwelling to be constructed on proposed Lot 62 must be provided. An analysis of the catchment for the existing swale will be required.

Applicant's response:

Formation Civil have reviewed the site constraints and developed a conceptual site-based stormwater management plan dated April 2020.

As stated above, the nominated lawful point of discharge, is proposed to be an existing maintenance structure located within Winnetts Road. A pumped system is proposed to be adopted for the management of the stormwater discharge from the development site.

Please refer to the enclosed Conceptual SBSWMP from Formation Civil, which is included with this reply to the Council information request. In particular, section 4.1.5 titled Lawful Point of Discharge and section 4.2 Stormwater Discharge (calculated using the Rational Method).

Section 5. of the report details the Pump System Design requirements. The minimum tank size is to be 19,000L and the maximum discharge rate to be 7l/s or 25m³/hr.

Appendix D and Appendix E of the Conceptual SBSWMP, detail the concept civil services sketch plan and the retention of the existing soakage pit.

Earthworks

- 2.5 Submit a concept earthworks plan, clearly showing the existing and proposed site levels, proposed cut and fill areas, and preliminary details of any proposed retaining walls including heights and locations, to confirm the extent of any proposed earthworks and retaining wall works.

Applicant's response:

Formation Civil have reviewed the site constraints and developed a conceptual site-based stormwater management plan dated April 2020.

From the report "The landform of the proposed lot currently falls away from the street frontage and does not have a suitable lawful point of discharge at the rear of the lot.

Furthermore, the downstream neighbour has not provided their permission to construct infrastructure within their property to allow for a piped connection to the proposed development.

Filling the rear of the property for the purpose of obtaining a lawful point of discharge to the kerb and channel and constructing large retaining walls at approximately 2.5m high would be an inappropriate and costly outcome.

As a gravity solution is unattainable, it is appropriate that a pumped solution be adopted to manage the discharge of stormwater from the property."

A building envelope has been nominated for proposed Lot 62. The design of a future dwelling will be within the nominated building envelope.

The works shown on the Concept Civil Services Layout Plan project C20-007 Drawing C01 Rev A dated 27 April 2020 from Formation Civil is submitted to satisfy the ROL/MCU

requirements. The future building designer would likely do a cut/fill plan with the building design.

As the existing natural ground level is higher for proposed Lot 62 than proposed Lot 61, the new residence will have a floor level higher than the existing dwelling on proposed Lot 61 (Slab level 19.800 AHD).

Please refer to Appendix D of the Conceptual SBSWMP, which details the concept civil services sketch plan and the retention of the existing soakage pit.

Landslide Hazard and Steep Slope Area Overlay

2.6 The development site is impacted by the Landslide Hazard and Steep Slope Area overlay. Provide detailed justification that assessment of the Landslide Hazard and Steep Slope Area overlay code is not required under Table 5.10.8.1 of the Logan Planning Scheme 2015 or alternatively provide an assessment against the code, including the provision of a site- specific geotechnical report.

Applicant's response:

The proposed development is for a Reconfiguring A Lot (1 Lot into 2 Lots) and a Dwelling House on proposed Lot 62.

Approximately, 20% of the site is affected by Overlay OM – 08.01 – Landslide $\geq 15\%$ slope. An existing dwelling has already been constructed on proposed Lot 61 and assessment of the overlay was undertaken with that application (Council reference number MCUC -20/2018).

The proposal complies as stated in Sections 3.2 & 3.3 of the Conceptual Site Based Stormwater Management Plan from Formation Civil dated April 2020.

In summary, the site is sloping from the Winnetts Road frontage to the rear of the development. There is approximately 2m fall from the south to north.

A geotechnical investigation is not available at the time of preparing this report; however, one will be undertaken prior to commencement of site works and building works.

Soil conditions are expected to reflect existing classifications in the area and have a potential for erosion. Specific Erosion and Sediment control measures will be put in place during construction and will be monitored by the supervising engineer.

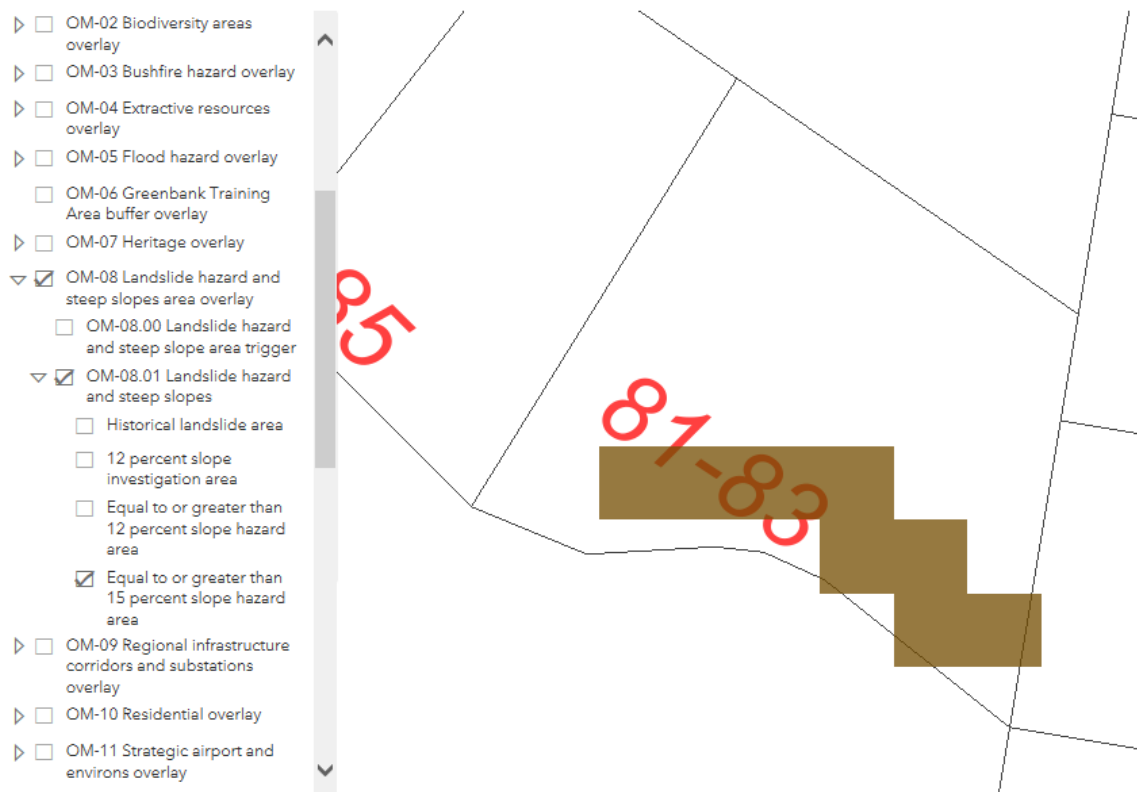


Figure 1 – screenshot from Logan City Council PD Hub – Development Enquiry

3. Water Development Services

Water and Sewer

- 3.1 Provide a concept schematic plan demonstrating the intended servicing for proposed Lot 62 within the development including the following information:
 - 3.1.1. Nominated connection point to water supply and sewerage infrastructure;
 - 3.1.2. Provision of a suitably sized service conduit for proposed Lot 62 where the water main is in the opposite side of the road;
 - 3.1.3. The accurate location of all existing Council water supply and sewerage infrastructure relevant to the site and any required extension to the sewer line to service Lot 62;
 - 3.1.4. Any easements required over any sewerage infrastructure within private property in accordance with the South East Queensland Water Supply and Sewerage Design and Construction Code (SEQ D&C Code);
 - 3.1.5. Ensuring all lot servicing requirements are met; and

4. Regional Infrastructure Corridor

4.1 Demonstrate compliance with Performance Outcome of the Regional Infrastructure Corridors and Substations Overlay Code;

or

4.2 Seek written advice from SEQ Water and provide details demonstrating that development protects bulk water infrastructure identified on site.

Note: In this instance, Council Officers are able to condition this written advice request as part of the development approval. The written advice sought will need to provide details ensuring that the Regional Infrastructure is protected as part of the development. This written advice will need to be provided to Council prior to plan sealing of the new allotment.

Applicant's response:

In reply to 4.2, written advice has been received from Seqwater on 28 November 2019 regarding their infrastructure and they advised that it is located well clear of the boundaries of the subject properties.

We trust that all materials that have been provided are in order for Council to assess and issue the requested Approval.

If after reviewing this information, further clarification is required, please call me on (07) 3012 0000.

Yours faithfully,

NORRIS CLARKE & O'BRIEN PTY LTD



JOHN CREAGAN

Principal Town Planner

Encl:

1. Amended DA Form 1;
2. Amended proposal plan with BLE included;
3. Completed Dual Occupancy and Dwelling House Code;

4. Conceptual SBSWMP from Formation Civil, including a concept civil services sketch plan; and
5. Written advice from Seqwater.