



**City Planning & Sustainability
Development Services**

Brisbane Square, 266 George Street, Brisbane Qld 4000
GPO Box 1434 Brisbane QLD 4001
T 07 3403 8888
brisbane.qld.gov.au

Dedicated to a better Brisbane

17 January 2025

Jas & Nicky Singh Pty Ltd
C/- Arc Planning Pty Ltd
2/7 East Street
CABOOLTURE QLD 4510

ATTENTION: Samuele Graziano

Application Reference: A006647876
Address of Site: 79 LINKFIELD RD BALD HILLS QLD 4036

Dear Samuele

RE: Information request in accordance with the Development Assessment Rules

Council has carried out an initial review of the above application and has identified that the proposed development in its current form is not supported. The proposal conflicts with the Bald Hills precinct overall outcomes of the Bracken Ridge and district neighbourhood plan as it proposes urban development within areas of unserviced land in Bald Hills as indicated in Figure a whilst KRA 59 and 60 remain in the State Planning Policy (SPP) (overall outcome 12a) and flooding impacts, local infrastructure provision and biodiversity issues have not been sufficiently resolved through a comprehensive structure plan (overall outcome 12b). Until such time as more comprehensive precinct/master planning is conducted in the area as specified in the neighbourhood plan, only uses which are acceptable under the Rural zone code should be supported. Further strategic and infrastructure planning will need to occur as part of a comprehensive structure planning process for this area prior to development occurring to ensure future development will be adequately serviced.

The proposal additionally does not achieve the overall outcomes or strategic intent outlined in the Rural zone code. While the zone provides for some development outcomes including broad hectare and low intensity rural uses, large built form(s) and/or intensive land use such as industrial and warehouse uses which can detract significantly from the rural landscape character and primary production values of rural lands are not supported. In addition, no plans other than an aerial photo have been submitted detailing the proposal, and the documentation submitted with the application has not addressed many of the applicable assessment benchmarks.

Considering the above, it is recommended the current application is withdrawn. However, if you wish to pursue the proposed development, the following items are to be addressed through changes, additional information and robust justification that addresses and overcomes the conflicts identified.

Conflict with planning scheme

1. The proposal is in conflict with the planning scheme in that the proposed land use(s) are inconsistent with the intended strategic outcomes of the Rural zone and neighbourhood plan area. While the current proposal is in relation to an existing use on site, there was no relevant development permit granted for the existing use. The submitted application did not include sufficient justification to justify the proposed use(s) and has not demonstrated

how the proposal is having regard to other relevant matters under section 45(5) of the *Planning Act 2016*.

- a. Provide robust justification that addresses and overcomes the conflicts identified, while having regard to other relevant matters under section 45(5) of the *Planning Act 2016*. Please note, addressing this matter does not guarantee success of this application, however it will allow Council to complete a detailed assessment of the proposed development.
- b. The industrial uses applied for are low impact industry and warehouse. Details should be provided about the proposed activities and how they are in the planning threshold uses that have been applied for. Particularly, identify which Low Impact Industries are proposed, as none of the activities in Section 4.1 of the Applicant's Planning Report are low impact industries. Also, a transport depot is not a low impact industry or a warehouse, and is a separate Transport depot land use. The planning report also not does identify whether any hazardous materials are proposed to be stored to carry out the undefined industries, or whether any air emissions are associated with the use such as, exhausting to the air environment whether from point sources or fugitively.

Proposed land uses

2. Council has not granted any development approvals on the site. While it is acknowledged that the application seeks approval for the existing operation of the site which has been operating without the relevant development permits, this development application and the ultimate use of the site is required to be in accordance with the *Brisbane City Plan 2014* (v30.00/2024). The aerial photo labelled "proposal plan" shows a proposed wrecking yard, storage and transport depot, however the development application has not applied for land uses which correspond to these activities (e.g. Transport depot, Medium impact industry, etc.)
 - a. Provide amended DA Forms and Plans applying for land uses which reflect the proposed development.
 - b. Provide details about the types of industrial uses or other uses proposed as part of the application for an educational establishment use. Particularly indicate whether these activities involve any emissions such as air or noise emissions and the intensity of the uses involved (by describing throughputs or levels of manufacturing).
 - c. Provide information on how many staff and students will be anticipated on the site at any one time.

Note: Additional land uses and changes to the application that have not currently been assessed will constitute an 'other change' to the development assessment process under s 27.1 of the DA Rules and require the development assessment process to start again at the beginning of the assessment manager's confirmation period.

Plans

3. No plans have been provided of the proposed development, other than labels on an aerial photo.
 - a. Provide scaled and dimensioned site, floor, elevation and section drawings with all required details. Plans are to show the mapped overlays and detail any required landscaping, car parking and manoeuvring, designated storage areas and all structures.

Code assessment

4. The code assessment provided with the application has not correctly assessed the Bracken Ridge and district neighbourhood plan (site is located within the Bald Hills precinct but the code assessment says it's not), and no assessment has been provided against the Industry code, Community facilities code or majority of overlays applying to the site.

- a. Provide an amended code assessment demonstrating compliance with all assessment benchmarks applying to the site and proposed land uses.

5. The applicant has not addressed the Waterway corridors overlay code or Stormwater code. *Brisbane City Plan 2014* mapping indicates that there has been sequencing filling of the mapped waterway corridor on this site with vehicular access corridors which have bridged the mapped waterway corridor linking the adjacent properties, Lot 33 SP109619. From a flooding perspective, the area of the site outside of the mapped Waterway corridors overlay could be developed. However, no development would be permitted within the Waterway corridors overlay which correlates approximately with the 1%AEP flood level for the site.

The encroachment filling into the mapped waterway corridors must be assessed by providing supporting documentation in the Engineering Report and a Stormwater Management Report to address the requirements of: the Flood overlay code, the Waterway corridors overlay code, the Compensatory Earthworks Planning Scheme Policy, the Filling and excavation code and Stormwater code to provide an integrated stormwater management solutions to:

- a. Re-naturalise the waterway corridors; avoids fragmentation of the waterway; provides environmental connectivity along the waterway; protects water conveyance; protects water quality ecological health and habitat values, etc.
- b. Demonstrate that any filling does not directly, indirectly or cumulatively cause any material increase in flooding or flood hazard or involve significant redistribution of flood storage from high to lower areas in the floodplain.
- c. Provide a stormwater drainage system of sufficient capacity which does not direct stormwater run-off to adversely affect safety or cause nuisance to neighbouring properties, by providing a stormwater quantity and stormwater quality management system to a lawful point of discharge in compliance with the requirements and standards of the Infrastructure Design Planning Scheme Policy.
- d. Provides stormwater infrastructure which remains fit for purpose for the life of the development and maintains full functionality in the design flood event.
- e. Demonstrate that the release of an acid and associated metal contaminant is avoided by not disturbing acid sulfate soils when excavating, removing soil or extracting groundwater or filling land; and disturbed area are treated, include a soils investigation report to address the Potential and actual acid sulfate soils PSP.

Noise – Industrial Impacts

6. The proposed use and its location have the potential to impact on the noise amenity of nearby sensitive uses/zones. Submit further information demonstrating that the proposed use can comply with the separation distances as prescribed in AO2.1 – AO2.9 of the Industry code. Where compliance with the separation distances cannot be achieved, submit a Noise Impact Assessment Report prepared in accordance with the Noise impact assessment planning scheme policy, demonstrating compliance with PO2 of the Industry code and AO2/PO2 of the Community facilities code.

Stormwater Quality

7. The site is a high-risk site from a stormwater quality perspective as it is greater than 2,500m² as per Section B of the Stormwater code and needs to demonstrate compliance with AO16 and AO17 of the Stormwater code.
 - a. Submit an operational phase Site Based Stormwater Quality Management Plan in accordance with Section 7.9.3 “Permanent Methods of Water Quality Control” of the Infrastructure Design Planning Scheme Policy. The plan is to include pollutant export modelling using MUSIC (\geq Vers 6). (Note: A digital copy of the MUSIC modelling file is to be provided to support the proposed plan.) The plan must also contain specific details of the location, size, maintenance and operation of all proposed stormwater quality improvement devices. Furthermore, site plans must be presented that demonstrate all run-off will be directed to these proposed devices before discharge off-site.

Acid Sulfate Soils

8. The site is located within the Potential and Actual Acid Sulfate Soils Overlay and needs to demonstrate that the site is not affected by, or will not disturb, actual or potential acid sulfate soils.
 - a. Submit information on whether the development includes soil disturbance at or below 5m AHD and involving excavating or removing equal to or greater than 100m³ of soil, soil disturbance (including filling) greater than 500m³ or filling equal to or greater than 0.5m average depth. Where the above soil disturbance is involved, provide an Acid Sulfate Soils (ASS) Investigation Report and Management Plan prepared by an appropriately qualified and experienced person, and prepared in accordance with relevant policies/guidance materials and technical guidelines/manuals such as:
 - i. State Planning Policy and SPP Guidance Materials;
 - ii. Queensland Acid Sulfate Soil Guidelines: sampling guidelines; laboratory methods guidelines/manuals; and
 - iii. Queensland Acid Sulfate Soil Technical Manual: Soil Management Guidelines.

Hazardous Goods

9. Submit further information demonstrating that the proposed use can comply with the storage and handling provisions as prescribed in AO16/PO16 of the Flood overlay code. This can be demonstrated by the submission of a Chemical Hazards Flood Risk Report in accordance with PO16 of the Flood overlay code and the Management of Hazardous Chemicals in Flood Prone Areas Planning Scheme Policy.

Ecology

10. The site is mapped under both the Biodiversity areas overlay (High Ecological Significance Strategic sub-category) and the Waterway corridors overlay (Citywide waterway corridor sub-category). Aerial imagery suggests encroachment into both overlays, however no code assessment or detailed plans have been provided to confirm this. It is therefore unclear if any new structures are proposed, or how these and the intended use will impact upon mapped ecological values. As such, further information is required to ensure compliance with these overlay codes, and to ensure mapped values are protected, conserved and enhanced.
 - a. Provide an assessment against Section C of the Biodiversity areas overlay code and Sections A and C of the Waterway corridors overlay code including a Tree

Survey Plan in accordance with the Biodiversity Planning Scheme Policy. This plan must include the following:

- i. All trees 150 mm DBH or greater on site/external works area and within 6 m of site boundaries;
- ii. The proposed development plan (as an overlay) including all services/infrastructure on site and external to the site, which clearly shows the full extent of all earthworks (cut/fill) required during construction of the development.
- iii. A clear indication of which trees are to be retained and which trees are to be removed, including the following information:
 1. Scientific name;
 2. Height;
 3. Diameter of tree trunk at breast height (DBH);
 4. Crown diameter;
 5. Habitat features including hollows and scratch marks, nests etc.
 6. Tree Protection Zones (TPZs) (in accordance with AS4970); and
 7. General health assessment.
 8. Please note: If works encroach into the TPZs of any trees identified to be retained, a report from a qualified arborist (minimum AQF level 5 Arboriculture) is required to demonstrate no negative impacts on the long-term health of the trees.

Infrastructure design

11. The reliance on the current use over the site to demonstrate compliance with the City Plan is not accepted. The development application is required to be in accordance with the City Plan requirements and standards by providing the following supporting documentation:
 - a. An Engineering Report prepared by a Registered Professional Engineer of Queensland (RPEQ) in accordance with the Section 1.3 of Infrastructure Design Planning Scheme Policy, which demonstrates that all infrastructure and services can be provided in accordance with the Infrastructure Design Code, including safe access / verge design for all modes of transport, refuse and recycling collections, alterations to public utilities, effective drainage, street lighting, telecommunications, and energy supply, culverts etc.
 - b. The report is to also address the fact that the site is not serviced by Urban Utilities (UU) water and sewer networks, as shown on UU's Netserv mapping for wastewater and drinking water. Provide a UU Service Advice Note (SAN), to establish the requirements for a Water Approval for reticulated water and sewer.

Traffic Impact Assessment

12. The application report stated that no new access or parking areas are required and therefore the City Plan codes is not addressed. The reliance on the site's current use to demonstrate compliance with the City Plan is not accepted. The development application is required to be in accordance with the City Plan requirements and standards by providing the following supporting documentation:
 - a. A Traffic Impact Assessment (TIA) prepared by a Registered Professional Engineer of Queensland (RPEQ) in accordance with Section 2 of Transport, access, parking and servicing (TAPS) PSP, which is to address the traffic assessment and impacts, parking and servicing, waste controls, for each of the

tenancy uses, etc, and an assessment against the TAPS Code and Bicycle Network Overlay Code (the site has a mapped secondary cycle route).

Landscaping

13. The submitted plans identify structures to the site frontage however the plans do not indicate the provision of any landscaping to ameliorate the view of these buildings from the street. Council is concerned that the proposed buildings will dominate the view of the development from the street.
 - a. Submit revised drawings in accordance with PO12 of the Industry code which show:
 - i. A minimum 3m wide landscape strip to the length of the site frontage planted with large shade trees to ameliorate the view of the development from the street.
 - ii. Contextual photographs of the site frontage since the installation of the buildings.
 - iii. Elevations of the site frontage and the buildings to demonstrate the building height and height (if any) above the existing boundary wall.

Urban Utilities (UU)

Council does not undertake water and sewer assessment of any planning applications. Contact UU on (07) 3432 2200 to discuss any water and sewer issues and whether you are required to submit an application to UU for assessment.

Responding to this request

Your response should include a summary table which outlines any changes to performance outcomes and plans that have resulted from addressing the issues outlined above. The table should also include details of any supporting documentation.

If a response is not provided within the prescribed response period of three (3) months assessment of the application will continue from the day after the day on which the response period would have otherwise ended.

Email your response to DSPlanningSupport@brisbane.qld.gov.au quoting the application reference number A006647876.

Please phone me on telephone number below during normal business hours if you have any queries regarding this matter.

Yours sincerely



Chris Dixon
Senior Urban Planner
Planning Services North
Phone: 31787264
Email: chris.m.dixon@brisbane.qld.gov.au
Development Services
Brisbane City Council