

Department of Infrastructure, Local Government and Planning

Our reference: SDA-0815-022939 Your reference: MCUI/38/2015

17 December 2015

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

Dear Sir / Madam

# Concurrence agency response—preliminary approval only (with conditions)

Mount Elliot Road, Undullah, QLD 4285 (Lot 79 on SP312955, Lot 80 on SL1163, Lot 2 on RP896513, Lot 74 on S312820, Lot 42 on SL5873, Lot 32 on S311402, Lot 2 on S31878, Lot 3 on RP46302, Lot 1 on RP35158, Lot 2 on RP46303, Lot 19 on S311970, Lot 390 on SP133193, Lot 2 on RP46302 and Lot 1 on RP48606)

(Given under section 285 of the Sustainable Planning Act 2009)

The referral agency material for the development application described below was received by the Department of Infrastructure, Local Government and Planning under section 272 of the *Sustainable Planning Act 2009* on 11 August 2015.

### **Applicant details**

Applicant name: Pacific International Development Corporation

Applicant contact details: c/- Mortons Urban Solutions

PO Box 284

Southport Queensland 4215 gavinj@urbansolutions.net.au

### Site details

Street address: Mt Elliot Road, Undullah

Lot on plan: Lot 79 on SP312955, Lot 80 on SL1163, Lot 2 on

RP896513, Lot 74 on S312820, Lot 42 on SL5873, Lot 32 on S311402, Lot 2 on S31878, Lot 3 on RP46302, Lot 1 on RP35158, Lot 2 on RP46303, Lot 19 on S311970, Lot 390 on SP133193, Lot 2 on RP46302 and Lot 1 on RP48606

Local government area: Logan City

### **Application details**

Proposed development: Preliminary approval for material change of use under s242

of the Sustainable Planning Act 2009 (varying the effect of

the Logan Planning Scheme 2015)

### Aspects of development and type of approval being sought

Nature of	Approval Type	Brief Proposal of	Level of
Development		Description	Assessment
Material	Preliminary	Overriding the Logan	Impact
change of use	approval	Planning Scheme for "urban",	Assessment
		"centre" and "environmental	
		conservation and	
		management" purposes in	
		accordance with the Flinders	
		Development Scheme	

### Referral triggers

The development application was referred to the department under the following provisions of the *Sustainable Planning Regulation 2009*:

Referral trigger Schedule 7, Table 3, Item 2—Development impacting on State

transport infrastructure

Schedule 7, Table 3, Item 10—Clearing vegetation

Schedule 7, Table 3, Item 15—Railways

### Preliminary approval only

Under section 287(1)(c) of the Sustainable Planning Act 2009, any development approval given by the assessment manager for the application must be a preliminary approval only.

### **Conditions**

Under section 287(1)(a) of the *Sustainable Planning Act 2009*, the department requires that the conditions set out in Attachment 1 must be attached to any development approval.

### Reasons for decision to impose conditions

Under section 289(1) of the *Sustainable Planning Act 2009*, the department must set out the reasons for the decision to impose conditions. These reasons are set out in Attachment 2.

#### **Further advice**

Under section 287(6) of the *Sustainable Planning Act 2009*, the department offers advice about the application to the assessment manager—see Attachment 3.

A copy of this response has been sent to the applicant for their information.

For further information, please contact Lauren Dykes, Senior Planning Officer, SARA SEQ South-Gold Coast on (07) 5644 3217, or email GCSARA@dilgp.qld.gov.au who will be pleased to assist.

Yours sincerely

Amanda Tzannes

Manager - Planning

Pacific International Development Corporation , gavinj@urbansolutions.net.au cc:

enc:

Attachment 1—Conditions to be imposed
Attachment 2—Reasons for decision to impose conditions
Attachment 3—Further advice
Attachment 4—Approved plans and specifications

# Attachment 1—Conditions to be imposed

No.	Conditions	Condition timing
	ninary Approval for Material Change of Use (Urban, Centre and Envervation and Management)	ironmental
	A—Railways	
Pursuathe Ac	ant to section 255D of the Sustainable Planning Act 2009, the chief exect nominates the Director-General of Department of Transport and Main I sing authority for the development to which this development approval restration and enforcement of any matter relating to the following condition	Roads to be the elates for the
1.	<ul> <li>a) Stormwater management of the development must ensure no worsening or actionable nuisance to existing railways and future railway land.</li> <li>b) Any works on the land must not:         <ol> <li>create new discharge points for stormwater runoff onto existing railways and future railway land;</li> <li>ii. interfere with and/or cause damage to the existing stormwater drainage on the existing railways and future railway land;</li> <li>iii. surcharge any existing culvert or drain on the existing railways and future railway land; and</li> <li>iv. reduce the quality of stormwater discharge onto existing railways and future railway land.</li> </ol> </li> </ul>	At all times
Pursuathe Ac	—Clearing vegetation  ant to section 255D of the Sustainable Planning Act 2009, the chief execute nominates the Director-General of Department of Natural Resources a sing authority for the development to which this development approval reistration and enforcement of any matter relating to the following condition	nd Mines to be the elates for the
2.	Clearing must not occur in a Category B area containing endangered regional ecosystems as shown on the Vegetation Management Supporting Map on Lot 42 on Plan SL5873.	At all times
3.	Any new infrastructure other than fences, roads and underground services must not be located in or within 20 metres or 1.5 times the height of the tallest adjacent tree, whichever is greater, of a Category B area within the area identified within the Environmental Conservation and Management precinct (not including the Agricultural, Education and Tourism overlay area) on the FDS-01 Flinders Balance Land plan (Drawing Number 23303-DPS-PO2, Amendment C).	At all times

# Attachment 2—Reasons for decision to impose conditions

The reasons for this decision are:

- To ensure the impacts of stormwater events associated with the development are minimised and managed to avoid creating any adverse impacts on future railway land
- To ensure the development is carried out generally in accordance with the plans of development submitted with the application
- To ensure clearing of Category B Regulated Vegetation in the Environmental Conservation and Management precinct is avoided and minimised

## Attachment 3—Further advice

#### General advice

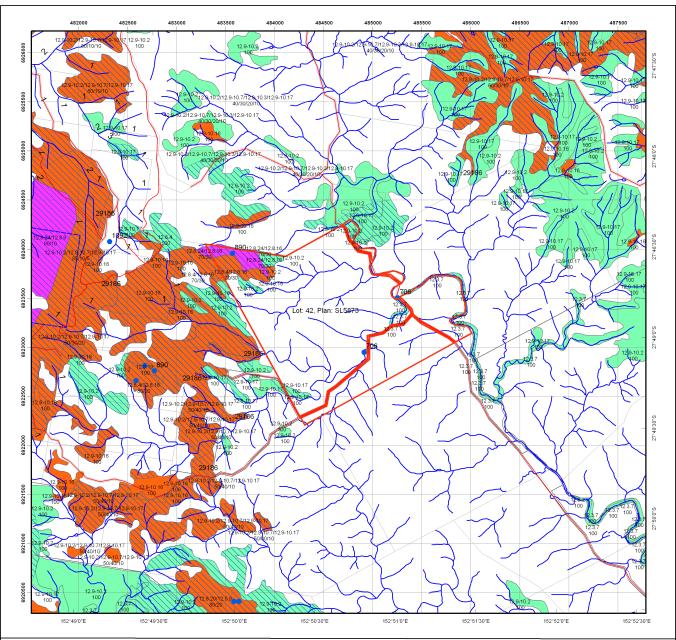
# 1. Works in or on a railway corridor

Pursuant to section 255 of the *Transport Infrastructure Act 1994*, the railway manager's written approval is required to carry out works in or on a railway corridor or otherwise interfere with the railway or its operations.

# 2. Vegetation clearing

Clearing in an endangered regional ecosystem must not occur unless it is non-assessable development as prescribed under Schedule 24, Parts 1 and 2 of the *Sustainable Planning Regulation 2009*.

# Attachment 4—Approved plans and specifications



#### **Vegetation Management Supporting Map** Legend Lot and Plan Labels for Essential Habitat are centred on the area of enquiry Category A or B area containing endangered regional ecosystems Regional ecosystem linework has been compiled at a scale of 1:100 000, except in designated areas where a compilation scale of 1:50 000 is available. Linework should be used as a guide only. The positional accuracy of RE data mapped at a scale of 1:100 000 is +/- 100 metres. Category A or B area containing of concern regional ecosystems Category A or B area that is a least concern regional ecosystem Category A or B area containing remnant vegetation Category A or B area under Section 20AH These areas are edged in yellow and filled with the remnant RE Status Disclaimer: Disclaimer: While every care is taken to ensure the accuracy of this product, the Department of Natural Resources and Milnes makes no representations or warranties about its accuracy, reliability, completeness or suitability for any particular purpose and disclaims all responsibility and all liability (including without limitation, liability in negligence) for all expenses, losses, damages (including indirect or consequential damage) and costs which you might incurr as a result of the product being inaccurate or incomplete in any way and for any reason. Category C area containing endangered regional ecosystems Category C area containing of concern regional ecosystems Category C area that is a least concern regional ecosystem Category C area containing high value regrowth vegetation Category C area under Section 20Al These areas are edged in purple and filled with the remnant RE Status and for any reason. Additional information may be required for the purposes of land clearing or assessment of a regional ecosystem map or PMAV applications. For further information go to the web site: www.dnrm.qld.gov.au or contact the Department of Natural Resources and Mines. Non Remnant Water Wetland on the vegetation management wetlands map Digital data for the vegetation management watercourse and drainage Essential habitat on the essential habitat map Digital data of the registation management wetlands map, essential habitat map and the vegetation management wetlands map, essential habitat map and the vegetation management remnant and regional ecosystem map are available from the Queensland Spatial Portal at http://www.information.qld.gov.au/ Essential habitat species record Watercourse on the vegetation management watercourse and drainage feature map (Stream order shown as black number against stream where available) Roads National Parks, State Forest and other reserves Cadastral line Property boundaries shown are provided as a locational aid only This product is projected into: GDA 1994 MGA Zone 56 <u>@</u> © The State of Queensland (Department of Natural Resources and Mines), 2015

