

BNC Ref. DA156-23 IMPACT:MCU

>> 26 February 2025

ASSESSMENT MANAGER TOWNSVILLE CITY COUNCIL PO BOX 1268 TOWNSVILLE QLD 4810 Via: Email **Townsville City Council**

Received 26/02/2025

Dear Assessment Manager,

RE: LODGEMENT OF A DEVELOPMENT APPLICATION UNDER CHAPTER 3, PART 2 OF THE *PLANNING ACT 2016*DEVELOPMENT PERMIT FOR AN IMPACT ASSESSABLE MATERIAL CHANGE OF USE
94 BERGIN ROAD, CRANBROOK QLD 4814 (RPD: LOT 1 ON RP737431)

BNC Planning acting on behalf of the applicant submit the attached development application in accordance Chapter 3, Part 2 of the Planning Act 2016. The development application is seeking a development permit for a material change of use to facilitate a Rooming accommodation use over the above referenced address.

This development application is being made to the Townsville City Council as the relevant assessment manager under the *Planning Regulation 2017* and has been made in the *approved form* as required under s51 of the *Planning Act 2016*. The common material making up the development application includes:

- Relevant development application forms and written consent of the landowner(s), as required.
- A detailed planning report and the relevant site detail.
- Development plans and other relevant supporting information.

Please confirm receipt of this development application and confirm the assessment manager application fee amount and payment options. I trust this information is sufficient for acceptance of the development application as *properly made* subject to payment of the application fee. Please contact me should there be any issues or if you require any further information.

Kind regard,

Benjamin Collings, Director

BNC Planning



DEVELOPMENT APPLICATION

PLANNING ACT 2016

DEVELOPMENT PERMIT

MATERIAL CHANGE OF USE at 94 BERGIN ROAD CRANBROOK QLD 4814

RPD: LOT 1 ON RP737431



PLANNING REPORT

DEVELOPMENT APPLICATION FOR A DEVELOPMENT PERMIT PLANNING ACT 2016

IMPACT ASSESSABLE MATERIAL CHANGE OF USE

94 BERGIN ROAD, CRANBROOK QLD 4814 being LOT 1 ON RP737431 for ROOMING ACCOMMODATION



Report Matrix

neport matrix		
APPLICATION SUMMARY		
Applicant:	Abel Family Trust P/L C/- BNC Planning	
Application Type:	Development Application for a Development Permit	
Development Type:	Material Change of Use	
Category of Development (Level of Assessment):	Impact Assessable	
Development Description:	Two Additional Detached Dwellings for Rooming Accommodation	
Assessment Manager:	Townsville City Council	
Referral Agencies:	NA	
Planning Scheme:	Townsville City Plan 2014	
Planning Scheme Definition(s):	Rooming Accommodation	
Zoning:	Low Density Residential Zone	
Precincts/Sub-Precincts:	NA	
Overlays:	Airport environs and Flood hazard overlay	
SITE DESCRIPTION		
Property Address:	94 Bergin Road, Cranbrook QLD 4814	
Real (Legal) Property Description:	Lot 1 on RP737431	
Site Area:	1302m ²	
Landowner:	C & B Abel Super Pty Ltd	
Tenure:	Freehold	
Relevant Encumbrances:	Easements A & B on RP737431	
Local Government Area:	Townsville City Council	
Road Frontage(s)	Bergin Road and Isabella Court	
Existing Use(s)	Dwelling House	

DOCUMENT CONTROL

DOCOMENT CO				
Prepared by		Client	File Ref.	Report
BNC Planning		Abel Family Trust P/L	DA156-23	Report No. DA156-23-PR
Version	Date	Author		
2.0	February 2025	SSM:BNC		

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1. EXECUTIVE SUMMARY

This development application is made in accordance with the provisions of Chapter 3, Part 2 of the *Planning Act 2016* (the Act) and is seeking a development permit for a material change of use to facilitate a Rooming accommodation use. The subject premises is addressed as 94 Bergin Road, Cranbrook QLD 4814 more particularly described as Lot 1 on RP737431. The premises is within the Low Density Residential Zone under the Townsville City Plan 2014 (the planning scheme) and is currently used for rooming accommodation within a dwelling house.

For the purpose of this development application BNC Planning act on behalf of the applicant Abel Family Trust P/L.

Following a detailed assessment of the proposal against the applicable assessment benchmarks it has been determined that the development proposal is consistent with all applicable codes and policies. The development application therefore warrants approval in accordance with rules of impact assessment as established under the Act, subject to the imposition of reasonable and relevant conditions and any referral agency responses. A summary of the development application is provided below:

Table 1.0: Development application summary

APPLICATION SUMMARY Applicant: Abel Family Trust P/L C/- BNC Planning Application Type: Development Application for a Development Permit Development Type: Material Change of Use Category of Development (Level of Assessment): Assessable Development – Impact Assessable Development Description: Two Additional Detached Dwellings for Rooming Accommodation Assessment Manager: Referral Agencies: NA CATEGORISING INSTRUMENTS Planning Scheme: Townsville City Plan 2014 Planning Scheme Defined Use(s): Rooming Accommodation Zoning: Low Density Residential Zone Precincts/Sub-Precincts: NA Local Areas: NA Overlays: Airport environs and Flood hazard overlay SITE DESCRIPTION Property Address: 94 Bergin Road, Cranbrook QLD 4814 Real (Legal) Property Description: Lot 1 on RP737431 Site Area: 1302m² Landowner: C & B Abel Super Pty Ltd Tenure: Freehold Relevant Encumbrances: Easements A & B on RP737431	rable 110: Bevelopment application summary	
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Relevant Encumbrances: Easements A & B on RP737431	Landowner:	C & B Abel Super Pty Ltd
	Tenure:	Freehold
T 11 01 0 1	Relevant Encumbrances:	Easements A & B on RP737431
Local Government Area: Townsville City Council	Local Government Area:	Townsville City Council



2. INTRODUCTION

BNC Planning Pty Ltd has been commissioned by Abel Family Trust P/L (the Applicant) to prepare this town planning assessment report to support a development application which seeks Townsville City Council (Council) approval for a Material Change of Use for a Rooming accommodation use.

The land subject of this development application is addressed as 94 Bergin Road, Cranbrook QLD 4814 (the Site). This report addresses the merits of the development with regard to the provisions of the Townsville City Plan 2014 (the Planning scheme) and relevant sections of the *Planning Act 2016* (the Act) and Planning Regulation 2017 (the Regulation). This report is to be read in conjunction with the maps, plans, drawings, and other supporting information accompanying this development application.

The assessment of the application is to be undertaken in accordance with Section 45(5) of the Act and Sections 30 and 31 of the *Planning Regulation 2017*. This report provides the Applicant's assessment of the proposed development against these provisions.

3. SITE AND LOCALITY

The subject premises is a Freehold land holding addressed as 94 Bergin Road, Cranbrook QLD 4814 more particularly described as Lot 1 on RP737431. The premises is within the Low Density Residential Zone under the Planning scheme and is currently in use for rooming accommodation within a dwelling house. The immediate locality is made up of predominately dwelling houses and open space parkland.

Any pertinent existing approvals or current applications which may affect the assessment of the proposal are identified in the table below:

APPLICATION REF.	DECISION AND DATE	ASSESSMENT MANAGER
NA	NA	NA

The following table describes the key characteristics of the site:

Table 2.0: Site characteristics

SITE AND LOCALITY DESCRIPTION		
Property Address:	94 Bergin Road, Cranbrook QLD 4814	
Real (Legal) Property Description:	Lot 1 on RP737431	
Site Area:	1302m ²	
Landowner:	C & B Abel Super Pty Ltd	
Tenure:	Freehold	
Relevant Encumbrances:	Easements A and B on RP737431	
Local Government Area:	Townsville City Council	
Zoning:	Low Density Residential Zone	
Precincts/Sub-Precincts:	NA	
Local areas:	NA	
Existing Use(s):	Dwelling House	
Road Frontage:	Bergin Road and Isabella Court	
Significant Site Features:	The site contains a dwelling house providing rooming accommodation and an ancillary shed.	
Topography:	The site is partially developed with supporting vegetation for landscaping, with a slight slope	
	towards the northern side boundary and Bergin Road frontage.	
Surrounding Land Uses:	Dwelling houses and Open space parkland.	



4. PROPOSAL SUMMARY

The applicant intends to provide a wider range of housing choice within the Cranbrook residential area by expanding the existing rooming accommodation use on the subject site. The development involves the addition of two (2) detached dwelling houses to the existing dwelling house on site to provide a total of 16 rooms for rooming accommodation through the three (3) detached dwelling houses. No changes are proposed to the built form and operations of the existing dwelling house utilised for rooming accommodation. The attached Plans of Development include in **Appendix 3** outline the general site layout and function. The development is seeking to make use of the existing site features including landscaping areas, car parking, access crossovers and driveways and stormwater management features.



Image 1: Site Aerial

The proposed extension of the existing use of the site is defined by the planning scheme as follows:

Rooming Accommodation:

Premises used for the accommodation of one or more households where each resident:

- has the right to occupy one or more rooms;
- does not have a right to occupy the whole of the premises in which the rooms are situated;
- may be provided with separate facilities for private use;
- may share communal facilities or communal space with one or more of the residents;



This use may include:

- rooms not in the same building on site;
- provision of a food or other service;
- on-site management or staff and associated accommodation.

Facilities includes furniture and equipment as defined in the Residential Tenancies and Rooming Act 2008

The following table describes the key characteristics of the proposed development:

Table 3.0: Proposal summary

ELEMENT	EXITING	PROPOSED
Use rights:	Rooming Accommodation	Rooming Accommodation
Number of Rooms for Accommodation:	Five (5)	16
Building height/ storeys:	1 Storey	2 Storey
Boundary Setbacks:	Bergin Road Front Boundary: 18m Bergin Road Front Boundary: 1.485	
	Isabella Court Front Boundary: 3.4m	Isabella Court Front Boundary: No Change
	Eastern Side Boundary: 1m	Eastern Side Boundary: 2.4m
	Northern Side Boundary: 9m	Northern Side Boundary: Approx. 4.5m
Site cover:	Approx. 14.2%	Approx. 31.3%
Gross floor area:	Approx. 185m ²	Approx. 577.4m ²
Car parking:	Four (4) on site car parking spaces	Six (6) on site car parking spaces

5. STATUTORY ASSESSMENT

The proposed Rooming Accommodation use is identified as *impact assessable* in the material change of use table of assessment for the Low Density Residential Zone. There are no other components of the planning scheme or *Planning Regulation 2016* which effect the level of assessment for the proposal. The development application is therefore subject to an unbound assessment against the planning scheme.

The development application does not trigger referral agency assessment.

5.1 Assessment Benchmarks Pertaining to State Planning Instruments

Matters Prescribed by Regulation

There are no relevant assessment benchmarks prescribed by Regulation which are relevant to the assessment of this development application.

State Planning Policy

Townsville City Plan 2014 confirms in section 2.1 State planning policy that it has ministerial approval as having adequately integrated the State Planning Policy July 2014 into the planning scheme. There are no stand-alone components of the State planning policy which are relevant to the assessment of this development application.

Regional Plan

There are no stand-alone components of the North Queensland Regional Plan which are relevant to the assessment of this development application.

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Development Application for a Development Permit



State Development Assessment Provisions

Under Schedule 10 of the *Planning Regulation 2017*, the development application does not trigger referral agency involvement.

5.2 Assessment Benchmarks Pertaining to Local Planning Instruments

The applicable planning scheme for the application is the Townsville City Plan 2014 and there are no other identified applicable local planning instruments.

Townsville City Plan 2014

The Planning scheme includes tables of assessment which nominate the categories of development and assessment (levels of assessment) and nominate the assessment benchmarks for assessable development and the requirements for accepted development. The applicable tables of assessment for this development application are:

- Categories of development and assessment Material change of use; and
- Categories of development and assessment Overlays.

Local Government Infrastructure Plan

The development will not impact on the delivery of any planned trunk infrastructure in the immediate locality.

Assessment Benchmarks Summary

A summary of the relevant local level assessment benchmarks is provided in the table below:

Local Planning Instruments	
	The planning scheme as a whole
	Low Density Residential Zone code
	Healthy waters code
Dianning Schomo	Landscape code
Planning Scheme	Transport impact, access and parking code
	Works code
	Airport environs overlay code
	Flood hazard overlay code

The development application has been assessed against each of the applicable local level assessment benchmarks and found to be:

- compliant with the purpose and applicable outcomes from the relevant codes; and
- consistent with the strategic framework for the planning scheme.

Any pertinent issues arising from the assessment against the local level assessment benchmarks are addressed below. For clarity, any codes or outcomes not specifically addressed below or in the proposal justification report are considered to be objectively satisfied.

5.2.1 Strategic Framework

It is considered that the proposed material change of use of the site aligns with the strategic framework for the following reasons:

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- 1. The use addresses a direct community need for affordable housing options, which is a key outcome for the zone and planning scheme as a whole.
- 2. The proposal demonstrates a low scale of intensity of rooming accommodation comparable to three detached dwelling houses, where the site can support three detached dwelling houses as independent lots under the planning scheme.
- 3. The proposal maintains modest built forms consistent with dwelling houses, being no more than two storeys and a site coverage of less than 50% of the site, maintaining the residential character of the local area.
- 4. The proposal compliments the existing character and amenity of the local area, and will not impact on the operation of surrounding residential uses.
- 5. As demonstrated in the attached flood impact assessment, the proposed development achieves a non-worsening outcome regarding the flood characteristics of the site and the surrounding residential local area.
- 6. The site has existing access to all necessary services, which have the capacity to service the proposed rooming accommodation.
- 7. The site has available space to provide for all necessary infrastructure, as demonstrated in the attached site plan.

The Strategic Intent and the Strategic Framework (the Framework) are a set of high order strategic outcomes and land use strategies which set the overarching policy intent for the lower order, more detailed components of the planning scheme i.e. zones, codes and policies. The Framework is split into 4 themes which cover the main aspects of land use planning and development governance. Given the level the Framework operates at, it is difficult to provide a direct, site specific assessment of the proposal against its many components. However, a proposal that satisfies the lower order components of the planning scheme, i.e. zone codes, development codes, overlay codes, planning scheme policies, etc. inherently satisfies the intent of the Framework.

The tables below demonstrate how the proposal satisfies the most applicable lower order components of the City Plan 2014. This justification demonstrates how the proposal is a good land use outcome for the site and how it has been designed to adequately address any environmental, economic or social impacts. Each Code has been satisfied by addressing each Acceptable Outcome individually. Where the requirements of an Acceptable Outcome were impractical or inappropriate to address, the Performance Outcome was addressed and satisfied. By satisfying the requirements of the Performance Outcomes, the "Purpose" of the code was inherently satisfied, as is the Strategic Framework for the City Plan 2014 as a whole.

5.2.2 Low Density Residential Zone Code

Purpose

The purpose of the Low Density Residential Zone Code is to provide for predominately dwelling houses. The proposal for rooming accommodation is consistent with the code's propose and overall outcomes. The development provides rooming accommodation at an operational and building scale comparable to that of three standard detached dwelling houses. Within the Low density residential zone, the site has the potential to provide for three residential lots, each with a detached dwelling house. In this way, the development provides a similar operational and building scale to that which is supported by the planning scheme, and achieves the overall outcomes of the zone code to provide dwelling houses. Additionally, the development contributes to the particular purpose to provide for housing choice and affordability by providing a wider range of housing choice with greater accessibility to low cost housing in rooming accommodation, all while maintaining the low-rise and lower density character of three detached dwelling houses. The site is appropriately located to accommodate

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Development Application for a Development Permit



for this use as it is well connecting with surrounding networks. This maintains the locality's residential character and amenity.

Because the development proposal utilises an existing building, extending the existing use of the site, there are a number of outcomes within the code which are either objectively satisfied or not applicable. Any outcomes which are pertinent to the assessment of the proposal have been extracted and discussed below:

Performance outcomes	Acceptable outcomes	Justification
Amenity		
PO10 Development minimises impacts on surrounding land and provides for an appropriate level of amenity within the site, having regard to: (a) noise; (b) hours of operation; (c) traffic; (d) visual impact; (e) odour and emissions; (f) lighting; (g) access to sunlight; (h) privacy; and (i) outlook.	No accepted outcome is nominated.	At a total site area of 1302m², the site has the potential to provide three (3) residential lots within the Low density residential zone under the planning scheme. This would provide three (3) independent detached dwelling houses, with one (1) on each lot. The proposed rooming accommodation achieves this outcome, providing for three (3) detached dwelling houses within the site. By maintaining the operational scale of a dwelling house, the site maintains the level of amenity comparable to a dwelling house with no significant impact to amenity regarding noise, hours of operation, traffic, odour and emission, and lighting. While the site's operational capacity will increase from five (5) rooms to 16 rooms for rooming accommodation, it is comparable to three (3) independent detached dwelling houses, and thus it is not considered to be a significant increase in the intensity or scale of the use of the premises to three dwelling houses which is supported under the planning scheme. Noise, odour, emissions, traffic, hours of operation, and lighting amenity impacts would be no greater than three dwelling houses, as the development proposes three dwelling houses. Access to sunlight, privacy and outlook remain consistent with dwelling houses, as appropriate setbacks are provided to boundaries (with the setback to Bergin Road treated as a side boundary as the site has two road frontages). In this way, the site maintains the scale of a dwelling house and further maintains the residential character of the local area. Complies with PO10.
PO11 Landscaping is provided to enhance the appearance of the development, screen unsightly components, create an attractive on-site environment and provide	No accepted outcome is nominated.	Existing landscaping is present along the frontage of Bergin Road and Isabella Court, and along the side boundaries. A large open space area is provided at the rear to further reduce built form and maintain the amenity of a dwelling house, while providing complementing open space recreational area.
shading.	mantal dasian	Complies with PO11.
Crime prevention through environi PO13	_	The site demonstrates CPTED through the design for detached dwelling
Development facilitates the security of people and property having regard to: (a) opportunities for casual	No accepted outcome is nominated.	houses. The development casually surveils both Bergin Road and Isabella Court as frontages to the proposed and existing dwelling houses.
surveillance and sight lines; (b) exterior building design that promotes safety; (c) adequate lighting;		The 1.8m tall fencing surrounding the site minimizes entrapment and reinforces wayfinding. Existing lighting and signage are appropriate to support safety in the low scale intensity of the proposed use. Exterior gates, storage areas, and building entrances are lockable. Further compliance can be ensured through standard conditions of approval.



 (d) appropriate signage and wayfinding; (e) minimisation of entrapment locations; and (f) building entrances, loading and storage areas that are well lit and lockable after hours. 		Complies with PO13.
Parking and servicing		
PO16 Parking facilities are located to be concealed from public view to ensure an attractive streetscape.	AO16 Vehicle parking structures are located: (a) behind the building setback; or (b) behind the building; or (c) at basement level.	The site will maintain its existing parking area, which is already provides parking in front of the building setback and provides additional parking behind the building setback. It is typical for dwelling houses to feature parking within the driveway at the crossover to the road. The development maintains this feature by maintaining the existing parking regime within the driveway. These parking spaces are still partially screened by the proposed and existing dwelling houses, demonstrating a retained residential amenity. The car parking area provides six (6) car parking spaces for the three (3) dwelling houses for accommodation. This is consistent with typical dwelling houses providing two (2) car parking spaces per dwelling. Complies with PO16.
PO17 Waste disposal and servicing areas are screened from public view and do not have adverse amenity impacts on adjoining properties.	No accepted outcome is nominated.	Each dwelling house will be provided with standard residential bins to be stored behind the building, screened from public view. This will provide the same standard of waste servicing for the rooming accommodation as a dwelling house. Complies with PO17.

As demonstrated by the above assessment, the development is able to objectively satisfy the outcomes and purpose of the zone code. Given the extent to which the proposal objectively satisfies the codes, a direct assessment against each of the outcomes is not considered necessary in order to demonstrate compliance. Formalisation of compliance with the code can be ensured through the imposition of standard conditions of approval including the requirements for the development to occur generally in accordance with the plans of development.

5.2.3 Development Codes

Healthy waters code, Landscape code, Transport impact, access and parking code & Works code

The development has been designed with detailed consideration given to the management of elements such as reticulated sewer and water supply, electricity and telecommunications services, stormwater drainage, landscaping outcomes and parking and access facilities. The proposed material change of use for the extension of the rooming accommodation use is not considered to require any increase in demand outside of what is already provided by the existing network of service provided to the site. The development will maintain its existing access to Council's reticulated sewer and water supple, electricity and telecommunications services and road access point to Isabella Court. Additionally, a new driveway and crossover to Bergin Road will be provided according to the attached site plan. The existing stormwater easements on site will be retained. For this reason, the existing infrastructure and services of the site are appropriate to be maintained for the proposed use. Sufficient detail is provided on the plans of development to confirm compliance with the development codes.

Car parking rationale

The planning scheme does not offer a benchmark parking rate for Rooming accommodation. The existing site provides six (6) uncovered car parking spaces within the existing driveway at the frontage of the site to Isabella Court and extended



through to the centre of the site. This provides a car parking rate of two (2) car parking spaces per detached dwelling house, which is considered appropriate for the use and consistent with the typical number of car parking spaces provided to a dwelling house. Furthermore, occupants of rooming accommodation typically have a significantly lower dependency on vehicle transport compared to the average resident and that the site is efficiently connected to surrounding networks.

Accordingly, the development is able to objectively satisfy the outcomes and purpose of the development codes. Given the extent to which the proposal objectively satisfies the codes, a direct assessment against each of the outcomes is not considered necessary in order to demonstrate compliance. Formalisation of compliance with the code can be ensured through the imposition of standard conditions of approval including the requirements for the development to occur generally in accordance with the plans of development and the need to maintain the existing standards of servicing for the site i.e. number of car parks, landscaped areas, connection to services, etc.

5.2.4 Overlay Codes

Airport environs overlay code

The outcomes from the overlay code are either not applicable or are objectively satisfied. The overlay code is primarily drafted to manage building heights and uses that have the potential to impact airspace. The proposed development does not exceed the nominated building height and does not involve any activities that would compromise operational airspace. Given the extent to which the proposal objectively satisfies the overlay code, a direct assessment against the outcomes is not considered necessary in order to demonstrate compliance. Formalisation of compliance with the codes can be ensured through the imposition of standard conditions of approval requiring development to occur in accordance with the plans of development.

Flood hazard overlay code

The outcomes from the overlay code are either not applicable or are objectively satisfied. The overlay code is primarily drafted to manage the design and siting of built form to avoid hazards as well as limiting changes to hydrology. In prelodgement communications with Council, the applicant was provided with the latest (unreleased) flood modelling shows increased flooding over the site. Based on this new flood mapping, the applicant provides the **attached Flood Impact Assessment** prepared by an RPEQ that demonstrates that the proposed development for two additional detached dwelling houses for the rooming accommodation achieves a non-worsening outcome regarding the flood characteristics of the site and the surrounding residential local area. Given the extent to which the proposal objectively satisfies the overlay code, a direct assessment against the outcomes is not considered necessary in order to demonstrate compliance. Formalisation of compliance with the codes can be ensured through the imposition of standard conditions of approval requiring development to occur in accordance with the plans of development.

5.3 Public Notification

The application is impact assessable and will be subject to public notification pursuant to Part 4 of the Development Assessment Rules.

6. CONCLUSION

This development application is made in accordance with the provisions of Chapter 3, Part 2 of the *Planning Act 2016* and is seeking a development permit for a material change of use to facilitate rooming accommodation. The subject premises is addressed as 94 Bergin Road, Cranbrook QLD 4814 more particularly described as Lot 1 on RP737431. The premises is

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Development Application for a Development Permit

BNC PLANNING
town plannling & property development consultants

within the Low Density Residential Zone under the Planning scheme and is currently used for rooming accommodation within a dwelling house.

An assessment of the proposal was undertaken against the applicable assessment benchmarks which confirms that it is consistent with the provisions of the applicable planning instruments, specifically the local government planning scheme. Council is therefore required to **approve** the development application pursuant to the rules of impact assessment established under the Act, and issue a development permit subject to the imposition of reasonable and relevant conditions and any referral agency responses.

STATEMENT OF REASONS

Subject to the imposition of reasonable and relevant conditions, the development is able to comply with the relevant assessment benchmarks against which the application was required to be assessed.

Sufficient justification has been provided and satisfactory grounds have been established to conclude that the proposed development remains consistent with the strategic intent and overall outcomes of the planning scheme. In substantive terms, this conclusion is based on the following reasons:

> The development allows the site to better contribute to the achievement of the Strategic Framework.

The proposed land use outcome directly aligns with the Purpose of the zone code.

The development outcome reflects community expectation for land use and development as established by the

planning scheme and past development decisions.

The development can be adequately serviced.

> The development will maintain the existing level and standard of servicing provided by the relevant infrastructure

networks.

> The site is not identified as being susceptible to any unacceptable or unmanageable natural hazard or infrastructure

constraints.

> The development does not increase the susceptibility of people or property to natural hazards or other health risks.

➤ The proposal addressed an established planning need for the development.

The proposal does not undermine the planning scheme.

> The proposal does not establish precedence that could result in the future undermining of the planning scheme.

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APPENDIX 1

DEVELOPMENT APPLICATION FORMS

Document Set ID: 26823423 Version: 1, Version Date: 27/02/2025

DA Form 1 – Development application details

Approved form (version 1.6 effective 2 August 2024) made under section 282 of the Planning Act 2016.

This form **must** be used to make a development application **involving code assessment or impact assessment**, except when applying for development involving only building work.

For a development application involving **building work only**, use *DA Form 2 – Building work details*.

For a development application involving **building work associated with any other type of assessable development** (i.e. material change of use, operational work or reconfiguring a lot), use this form (*DA Form 1*) and parts 4 to 6 of *DA Form 2 – Building work details*.

Unless stated otherwise, all parts of this form **must** be completed in full and all required supporting information **must** accompany the development application.

One or more additional pages may be attached as a schedule to this development application if there is insufficient space on the form to include all the necessary information.

This form and any other form relevant to the development application must be used to make a development application relating to strategic port land and Brisbane core port land under the *Transport Infrastructure Act 1994*, and airport land under the *Airport Assets (Restructuring and Disposal) Act 2008*. For the purpose of assessing a development application relating to strategic port land and Brisbane core port land, any reference to a planning scheme is taken to mean a land use plan for the strategic port land, Brisbane port land use plan for Brisbane core port land, or a land use plan for airport land.

Note: All terms used in this form have the meaning given under the Planning Act 2016, the Planning Regulation 2017, or the Development Assessment Rules (DA Rules).

PART 1 - APPLICANT DETAILS

1) Applicant details	
Applicant name(s) (individual or company full name)	Abel Family Trust P/L C/- BNC Planning
Contact name (only applicable for companies)	Benjamin Collings
Postal address (P.O. Box or street address)	PO Box 5493
Suburb	Townsville
State	QLD
Postcode	4810
Country	Australia
Contact number	(07) 4724 1763
Email address (non-mandatory)	enquire@bncplanning.com.au
Mobile number (non-mandatory)	
Fax number (non-mandatory)	
Applicant's reference number(s) (if applicable)	DA156-23
1.1) Home-based business	
Personal details to remain private in accorda	ance with section 264(6) of <i>Planning Act 2016</i>
2) Owner's consent	

2) Owner's consent
2.1) Is written consent of the owner required for this development application?
✓ Yes – the written consent of the owner(s) is attached to this development application✓ No – proceed to 3)



PART 2 - LOCATION DETAILS

3) Location of the premises (complete 3.1) or 3.2), and 3.3) as applicable) Note : Provide details below and attach a site plan for any or all premises part of the development application. For further information, see <u>DA</u> Forms Guide: Relevant plans.								
3.1) Street address and lot on plan								
⊠ Stre	Street address AND lot on plan (all lots must be listed), or							
				r an adjoining (. jetty, pontoon. Al			e premises (appropriate for development in	
	Unit No.	Stree	t No.	Street Name	and Type		Suburb	
-\		94		Bergin Road			Cranbrook	
a)	Postcode	Lot N	0.	Plan Type an	d Number	(e.g. RP, SP)	Local Government Area(s)	
	4814	1		RP737431			Townsville	
	Unit No.	Stree	t No.	Street Name	and Type		Suburb	
b)	Postcode	Lot N	0.	Plan Type an	d Number	(e.g. RP, SP)	Local Government Area(s)	
е.	3.2) Coordinates of premises (appropriate for development in remote areas, over part of a lot or in water not adjoining or adjacent to land e.g. channel dredging in Moreton Bay) Note: Place each set of coordinates in a separate row.							
☐ Cod	ordinates of	premis	es by longitu	ude and latitud	е			
Longitude(s) Latitude(s) Datum Local Government Area(s) (if applicable)						Local Government Area(s) (if applicable)		
			☐ WGS8					
		☐ GDA94		4				
□ Ot			Other					
Coordinates of premises by easting and northing								
Eastin	g(s)	North	ing(s)	Zone Ref.	Datum		Local Government Area(s) (if applicable)	
		☐ 54 ☐ WGS84						
				☐ 55 ☐ 50	GDA9			
				□ 56	Other			
	dditional prei							
						ation and the o	letails of these premises have been	
	attached in a schedule to this development application ☑ Not required							
NA HOLLOdanoa								
4) Ider	ntify any of th	ne follo	wing that ap	ply to the pren	nises and _l	provide any rele	evant details	
☐ In or adjacent to a water body or watercourse or in or above an aquifer								
Name of water body, watercourse or aquifer:								
☐ On strategic port land under the <i>Transport Infrastructure Act 1994</i>								
Lot on plan description of strategic port land:								
Name of port authority for the lot:								
☐ In a	☐ In a tidal area							
Name of local government for the tidal area (if applicable):								
Name of port authority for tidal area (if applicable)								

☐ On airport land under the Airport Assets (Restructuring	and Disposal) Act 2008
Name of airport:	
☐ Listed on the Environmental Management Register (EM	IR) under the <i>Environmental Protection Act 1994</i>
EMR site identification:	
☐ Listed on the Contaminated Land Register (CLR) under	r the Environmental Protection Act 1994
CLR site identification:	
5) Are there any existing easements over the premises?	
Note: Easement uses vary throughout Queensland and are to be identified how they may affect the proposed development, see <u>DA Forms Guide.</u>	ed correctly and accurately. For further information on easements and
Yes – All easement locations, types and dimensions ar application	e included in plans submitted with this development
□ No	

PART 3 – DEVELOPMENT DETAILS

Section 1 – Aspects of development

6.1) Provide details about th	e first development aspect		
a) What is the type of develo	opment? (tick only one box)		
	Reconfiguring a lot	Operational work	☐ Building work
b) What is the approval type	? (tick only one box)		
□ Development permit	☐ Preliminary approval	☐ Preliminary approval that	at includes a variation approval
c) What is the level of asses	sment?		
Code assessment		res public notification)	
d) Provide a brief description <i>lots</i>):	n of the proposal (e.g. 6 unit apart	ment building defined as multi-unit o	dwelling, reconfiguration of 1 lot into 3
Rooming Accommodation –	2 additional dwellings (11 add	litional bedrooms)	
e) Relevant plans Note: Relevant plans are required Relevant plans.	to be submitted for all aspects of this	development application. For further	r information, see <u>DA Forms guide:</u>
Relevant plans of the pro	pposed development are attacl	hed to the development appli	ication
6.2) Provide details about th	e second development aspect		
a) What is the type of develo	opment? (tick only one box)		
☐ Material change of use	Reconfiguring a lot	Operational work	Building work
b) What is the approval type	? (tick only one box)		
☐ Development permit	☐ Preliminary approval	Preliminary approval that	at includes a variation approval
c) What is the level of asses	sment?		
Code assessment	Impact assessment (require	res public notification)	
d) Provide a brief description <i>lots</i>):	n of the proposal (e.g. 6 unit apart	tment building defined as multi-unit o	dwelling, reconfiguration of 1 lot into 3
Relevant plans.	to be submitted for all aspects of this c		
Relevant plans of the pro	posed development are attact	ned to the development appli	cation



6.3) Additional aspects of de		e relevant to	o this development application	and the details for the	se asnects
that would be required u			this form have been attached		
Not required ■ Not required N					
6.4) Is the application for St					
☐ Yes - Has a notice of dec ⊠ No	claration bee	n given by tl	ne Minister?		
Section 2 – Further deve	lopment de	etails			
7) Does the proposed devel	opment appli	cation invol	ve any of the following?		
Material change of use	🛛 Yes -	- complete o	division 1 if assessable agains	t a local planning instru	ument
Reconfiguring a lot	☐ Yes -	- complete o	division 2		
Operational work	Yes -	- complete o	division 3		
Building work	☐ Yes -	- complete <i>L</i>	DA Form 2 – Building work de	tails	
	_				
Division 1 – Material chang					
Note : This division is only required to local planning instrument.	be completed it	any part of the	e development application involves a	material change of use asse	ssable against a
8.1) Describe the proposed	material chai	nge of use			
Provide a general description			e planning scheme definition	Number of dwelling	Gross floor
proposed use		(include eacl	h definition in a new row)	units (if applicable)	area (m²) (if applicable)
2 x dwellings (11 additional	rooming	Rooming a	accommodation	2	577.4m ²
accommodation bedrooms)					
	involve the ι	ise of existii	ng buildings on the premises?		
⊠ Yes					
∐ No					
	•		orary accepted development u		ulation?
	low or include	e details in a	schedule to this developmen	t application	
□ No				T	
Provide a general description	on of the temp	orary acce	oted development	Specify the stated pe under the Planning R	
Existing rooming accommod	dation (5 roor	ns)		NA	
Division 2 – Reconfiguring					
			e development application involves re	configuring a lot.	
9.1) What is the total number	er or existing	iots making	up the premises?		
0.2) What is the mature of the	o lot rocenfin	urotio n? "	leall and back to be		
9.2) What is the nature of the	e lot reconing	uration? (tic	_	/ agraement /	4)
Subdivision (complete 10)			Dividing land into parts by		
Boundary realignment (c	omplete 12)		Creating or changing an efform a constructed road (s to a lot



10) Subdivision						
10.1) For this devel	opment, how	many lots are	being crea	ted and wha	at is the intended i	use of those lots:
Intended use of lots	s created	Residential	Com	mercial	Industrial	Other, please specify:
Number of lots crea	ated					
10.2) Will the subdi	vicion ho sta	and?				
Yes – provide a						
☐ No	uullionai uela	iis below				
How many stages v	will the works	include?				
What stage(s) will t apply to?	his developm	ent application				
11) Dividing land int	to parts by ag	reement – hov	v many par	ts are being	created and what	t is the intended use of the
Intended use of par	ts created	Residential	Com	mercial	Industrial	Other, please specify:
Number of parts cre	eated					
12) Boundary realig						
12.1) What are the	-		for each lo	ot comprisin		11.4
Current lot				•	oosed lot	
Lot on plan descrip	tion Ar	ea (m²)		Lot on pla	n description	Area (m ²)
12.2) What is the re	eason for the	houndary roali	anmont?			
12.2) What is the re	ason for the	boundary really	griment			
			existing ea	asements be	eing changed and	or any proposed easement?
(attach schedule if there			Dumpaga	of the ease	t2 (
Existing or proposed?	Width (m)	Length (m)	pedestrian a	of the easen access)	nent? (e.g.	Identify the land/lot(s) benefitted by the easement
						•
Division 3 – Operat				, ,		
Note : This division is only 14.1) What is the na				ортепт арриса	ation involves operation	nai work.
Road work	atare or the o	perational wort	Stormwat	er	☐ Water in	frastructure
☐ Drainage work			Earthwork		_	infrastructure
Landscaping			Signage			vegetation
Other – please s	specify:					
14.2) Is the operation	onal work ne	cessary to facil	itate the cr	eation of nev	w lots? (e.g. subdivis	sion)
Yes – specify nu	umber of new	lots:				
No						



14.3) What is the monetary value of the proposed operational work? (include GST, materials and labour)	
\$	

PART 4 – ASSESSMENT MANAGER DETAILS

15) Identify the assessment manager(s) who will be assessing this development application
Townsville City Council
16) Has the local government agreed to apply a superseded planning scheme for this development application?
Yes – a copy of the decision notice is attached to this development application
☐ The local government is taken to have agreed to the superseded planning scheme request – relevant documents attached
⊠ No

PART 5 – REFERRAL DETAILS

17) Does this development application include any aspects that have any referral requirements? Note: A development application will require referral if prescribed by the Planning Regulation 2017.
No, there are no referral requirements relevant to any development aspects identified in this development
application – proceed to Part 6
Matters requiring referral to the Chief Executive of the Planning Act 2016:
☐ Clearing native vegetation
Contaminated land (unexploded ordnance)
Environmentally relevant activities (ERA) (only if the ERA has not been devolved to a local government)
Fisheries – aquaculture
Fisheries – declared fish habitat area
Fisheries – marine plants
Fisheries – waterway barrier works
Hazardous chemical facilities
Heritage places – Queensland heritage place (on or near a Queensland heritage place)
Infrastructure-related referrals – designated premises
Infrastructure-related referrals – state transport infrastructure
Infrastructure-related referrals – State transport corridor and future State transport corridor
Infrastructure-related referrals – State-controlled transport tunnels and future state-controlled transport tunnels
Infrastructure-related referrals – near a state-controlled road intersection
Koala habitat in SEQ region – interfering with koala habitat in koala habitat areas outside koala priority areas
Koala habitat in SEQ region – key resource areas
Ports – Brisbane core port land – near a State transport corridor or future State transport corridor
Ports – Brisbane core port land – environmentally relevant activity (ERA)
Ports – Brisbane core port land – tidal works or work in a coastal management district
Ports – Brisbane core port land – hazardous chemical facility
Ports – Brisbane core port land – taking or interfering with water
Ports – Brisbane core port land – referable dams
Ports – Brisbane core port land – fisheries
Ports – Land within Port of Brisbane's port limits (below high-water mark)
SEQ development area
☐ SEQ regional landscape and rural production area or SEQ rural living area – tourist activity or sport and recreation activity
SEQ regional landscape and rural production area or SEQ rural living area – community activity
SEQ regional landscape and rural production area or SEQ rural living area – indoor recreation
SEQ regional landscape and rural production area or SEQ rural living area – urban activity
SEQ regional landscape and rural production area or SEQ rural living area – combined use



SEQ northern inter-urban break - tourist activity or sport and recreation activity SEQ northern inter-urban break - indoor recreation SEQ northern inter-urban break - urban activity SEQ northern inter-urban break - urban activity SEQ northern inter-urban break - combined use Tidal works or works in a coastal management district Reconfiguring a lot in a coastal management district Urban design Water-related development - taking or interfering with water Water-related development - removing quarry material (from a watercourse or lake) Water-related development - referable dams Water-related development - referable dams Water-related development - referable dams Water-related development - levees (category 3 levees only) Wetland protection area Matters requiring referral to the local government: Airport land Environmentally relevant activities (ERA) (only if the ERA has been devolved to local government) Heritage places - Local heritage places Matters requiring referral to the Chief Executive of the distribution entity or transmission entity: Infrastructure-related referrals - Electricity infrastructure Matters requiring referral to: • The Chief Executive of the holder of the licence, if not an individual • The holder of the licence, if the holder of the licence is an individual Infrastructure-related referrals - Oil and gas infrastructure Matters requiring referral to the Brisbane City Council: Ports - Brisbane core port land Matters requiring referral to the Minister responsible for administering the Transport Infrastructure Act 1994: Ports - Brisbane core port land Matters requiring referral to the relevant port operator, if applicant is not port operator: Ports - Land within Port of Brisbane's port limits (below high-water mark)
Airport land Environmentally relevant activities (ERA) (only if the ERA has been devolved to local government) Heritage places – Local heritage places Matters requiring referral to the Chief Executive of the distribution entity or transmission entity: Infrastructure-related referrals – Electricity infrastructure Matters requiring referral to: The Chief Executive of the holder of the licence, if not an individual The holder of the licence, if the holder of the licence is an individual Infrastructure-related referrals – Oil and gas infrastructure Matters requiring referral to the Brisbane City Council: Ports – Brisbane core port land Matters requiring referral to the Minister responsible for administering the Transport Infrastructure Act 1994: Ports – Brisbane core port land (where inconsistent with the Brisbane port LUP for transport reasons) Ports – Strategic port land Matters requiring referral to the relevant port operator, if applicant is not port operator:
□ Environmentally relevant activities (ERA) (only if the ERA has been devolved to local government) □ Heritage places − Local heritage places Matters requiring referral to the Chief Executive of the distribution entity or transmission entity: □ Infrastructure-related referrals − Electricity infrastructure Matters requiring referral to: • The Chief Executive of the holder of the licence, if not an individual • The holder of the licence, if the holder of the licence is an individual □ Infrastructure-related referrals − Oil and gas infrastructure Matters requiring referral to the Brisbane City Council: □ Ports − Brisbane core port land Matters requiring referral to the Minister responsible for administering the Transport Infrastructure Act 1994: □ Ports − Brisbane core port land (where inconsistent with the Brisbane port LUP for transport reasons) □ Ports − Strategic port land Matters requiring referral to the relevant port operator, if applicant is not port operator:
 Infrastructure-related referrals – Electricity infrastructure Matters requiring referral to: The Chief Executive of the holder of the licence, if not an individual The holder of the licence, if the holder of the licence is an individual Infrastructure-related referrals – Oil and gas infrastructure Matters requiring referral to the Brisbane City Council: Ports – Brisbane core port land Matters requiring referral to the Minister responsible for administering the Transport Infrastructure Act 1994: Ports – Brisbane core port land (where inconsistent with the Brisbane port LUP for transport reasons) Ports – Strategic port land Matters requiring referral to the relevant port operator, if applicant is not port operator:
 The Chief Executive of the holder of the licence, if not an individual The holder of the licence, if the holder of the licence is an individual Infrastructure-related referrals – Oil and gas infrastructure Matters requiring referral to the Brisbane City Council: Ports – Brisbane core port land Matters requiring referral to the Minister responsible for administering the Transport Infrastructure Act 1994: Ports – Brisbane core port land (where inconsistent with the Brisbane port LUP for transport reasons) Ports – Strategic port land Matters requiring referral to the relevant port operator, if applicant is not port operator:
□ Ports − Brisbane core port land Matters requiring referral to the Minister responsible for administering the Transport Infrastructure Act 1994: □ Ports − Brisbane core port land (where inconsistent with the Brisbane port LUP for transport reasons) □ Ports − Strategic port land Matters requiring referral to the relevant port operator, if applicant is not port operator:
☐ Ports – Brisbane core port land (where inconsistent with the Brisbane port LUP for transport reasons) ☐ Ports – Strategic port land Matters requiring referral to the relevant port operator , if applicant is not port operator:
• • • • • • • • • • • • • • • • • • • •
Matters requiring referral to the Chief Executive of the relevant port authority: □ Ports – Land within limits of another port (below high-water mark)
Matters requiring referral to the Gold Coast Waterways Authority: Tidal works or work in a coastal management district (in Gold Coast waters)
Matters requiring referral to the Queensland Fire and Emergency Service : Tidal works or work in a coastal management district (involving a marina (more than six vessel berths))
18) Has any referral agency provided a referral response for this development application?
☐ Yes – referral response(s) received and listed below are attached to this development application ☐ No
Referral requirement Referral agency Date of referral response
Identify and describe any changes made to the proposed development application that was the subject of the referral response and this development application, or include details in a schedule to this development application (if applicable).

PART 6 - INFORMATION REQUEST

19) Information request under t	he DA Rules					
☑ I agree to receive an information request if determined necessary for this development application						
I do not agree to accept an information request for this development application						
Note: By not agreeing to accept an info	rmation request I, the applicant, acknowle	edge:				
 that this development application will be assessed and decided based on the information provided when making this development application and the assessment manager and any referral agencies relevant to the development application are not obligated under the DA Rules to accept any additional information provided by the applicant for the development application unless agreed to by the relevant parties 						
Part 3 under Chapter 1 of the DA	Rules will still apply if the application is a	n applic	ation listed under section 11.3 o	of the DA Rules or		
•	Rules will still apply if the application is fo	r state f	acilitated development			
Further advice about information reque	sts is contained in the <u>DA Forms Guide</u> .					
PART 7 – FURTHER D	ETAILS					
20) Are there any associated de	evelopment applications or currer	nt appr	ovals? (e.g. a preliminary app	roval)		
☐ Yes – provide details below ☐ No	or include details in a schedule to	this c	levelopment application			
List of approval/development application references	Reference number	Date		Assessment manager		
☐ Approval ☐ Development application						
☐ Approval ☐ Development application						
	•					
21) Has the portable long serving operational work)	ce leave levy been paid? (only app	licable to	o development applications invo	lving building work or		
☐ Yes – a copy of the receipte	d QLeave form is attached to this	devel	opment application			
assessment manager decid	vide evidence that the portable lo es the development application. I al only if I provide evidence that th	ackno ne port	wledge that the assessm able long service leave le	ent manager may		
	and construction work is less tha	an \$15	· , , , , , , , , , , , , , , , , , , ,			
Amount paid	Date paid (dd/mm/yy)		QLeave levy number (A	., B or E)		
\$						
22) Is this development applica notice?	tion in response to a show cause	notice	or required as a result of	an enforcement		
Yes – show cause or enforce	ement notice is attached					

⊠ No

23) Further legislative require	ments				
Environmentally relevant ac	ctivities				
	olication also taken to be an application for an environm				
_	Activity (ERA) under section 115 of the Environmental nent (form ESR/2015/1791) for an application for an er				
	ment application, and details are provided in the table l				
⊠ No					
	tal authority can be found by searching "ESR/2015/1791" as a searc to operate. See <u>www.business.qld.gov.au</u> for further information.	n term at <u>www.qld.gov.au</u> . An ERA			
Proposed ERA number:	Proposed ERA threshold	:			
Proposed ERA name:					
☐ Multiple ERAs are applica this development applicati	ble to this development application and the details hav on.	e been attached in a schedule to			
Hazardous chemical faciliti	<u>es</u>				
23.2) Is this development app	lication for a hazardous chemical facility?				
	on of a facility exceeding 10% of schedule 15 threshold	is attached to this development			
application ⊠ No					
	for further information about hazardous chemical notifications.				
Clearing native vegetation					
23.3) Does this development application involve clearing native vegetation that requires written confirmation that the chief executive of the <i>Vegetation Management Act 1999</i> is satisfied the clearing is for a relevant purpose under section 22A of the <i>Vegetation Management Act 1999</i> ?					
☐ Yes – this development ap Management Act 1999 (st No	oplication includes written confirmation from the chief e 22A determination)	recutive of the Vegetation			
Note: 1. Where a development app the development application	lication for operational work or material change of use requires a s22 on is prohibited development. u/environment/land/vegetation/applying for further information on how				
Environmental offsets					
	olication taken to be a prescribed activity that may have matter under the Environmental Offsets Act 2014?	a significant residual impact on			
	an environmental offset must be provided for any preso al impact on a prescribed environmental matter	ribed activity assessed as			
	on of the Queensland Government's website can be accessed at wv	w.qld.qov.au for further information on			
Koala habitat in SEQ Region					
23.5) Does this development application involve a material change of use, reconfiguring a lot or operational work which is assessable development under Schedule 10, Part 10 of the Planning Regulation 2017?					
	plication involves premises in the koala habitat area in plication involves premises in the koala habitat area or	•			
Note: If a koala habitat area determ	ination has been obtained for this premises and is current over the la habitat area guidance materials at <u>www.desi.qld.gov.au</u> for further in				



Document Set ID: 26823423 Version: 1, Version Date: 27/02/2025

23.6) Does this development application involve taking or interfering with underground water through an artesian or subartesian bore, taking or interfering with water in a watercourse, lake or spring, or taking overland flow water under the <i>Water Act 2000</i> ?
 Yes – the relevant template is completed and attached to this development application and I acknowledge that a relevant authorisation or licence under the <i>Water Act 2000</i> may be required prior to commencing development No
Note : Contact the Department of Resources at www.resources.qld.gov.au for further information.
DA templates are available from <u>planning.statedevelopment.qld.gov.au</u> . If the development application involves:
Taking or interfering with underground water through an artesian or subartesian bore: complete DA Form 1 Template 1
 Taking or interfering with water in a watercourse, lake or spring: complete DA Form1 Template 2 Taking overland flow water: complete DA Form 1 Template 3.
Taking overland now water. Complete DA Form F Femplate 3.
Waterway barrier works
23.7) Does this application involve waterway barrier works?
☐ Yes – the relevant template is completed and attached to this development application ☐ No
DA templates are available from <u>planning.statedevelopment.qld.gov.au</u> . For a development application involving waterway barrier works, complete DA Form 1 Template 4.
Marine activities
23.8) Does this development application involve aquaculture, works within a declared fish habitat area or removal, disturbance or destruction of marine plants?
Yes – an associated <i>resource</i> allocation authority is attached to this development application, if required under the <i>Fisheries Act 1994</i>
⊠ No
Note : See guidance materials at <u>www.daf.qld.gov.au</u> for further information.
Quarry materials from a watercourse or lake
23.9) Does this development application involve the removal of quarry materials from a watercourse or lake under the <i>Water Act 2000?</i>
☐ Yes – I acknowledge that a quarry material allocation notice must be obtained prior to commencing development ☐ No
Note: Contact the Department of Resources at www.resources.gld.gov.au and www.business.gld.gov.au for further information.
Quarry materials from land under tidal waters
23.10) Does this development application involve the removal of quarry materials from land under tidal water under the <i>Coastal Protection and Management Act 1995?</i>
☐ Yes – I acknowledge that a quarry material allocation notice must be obtained prior to commencing development ☐ No
Note: Contact the Department of Environment, Science and Innovation at www.desi.qld.gov.au for further information.
Referable dams
23.11) Does this development application involve a referable dam required to be failure impact assessed under section 343 of the <i>Water Supply (Safety and Reliability) Act 2008</i> (the Water Supply Act)?
Yes – the 'Notice Accepting a Failure Impact Assessment' from the chief executive administering the Water Supply Act is attached to this development application
No Note: See guidance materials at www.resources.gld.gov.au for further information



Water resources

Tidal work or development within a coastal management district		
23.12) Does this development application involve tidal work or development in a coastal management district?		
 Yes – the following is included with this development application: □ Evidence the proposal meets the code for assessable development that is prescribed tidal work (only required if application involves prescribed tidal work) □ A certificate of title ☑ No 		
Note: See guidance materials at www.desi.qld.gov.au for further information.		
Queensland and local heritage places 23.13) Does this development application propose development on or adjoining a place entered in the Queensland heritage register or on a place entered in a local government's Local Heritage Register?		
☐ Yes – details of the heritage place are provided in the table below☐ No		
Note: See guidance materials at www.desi.qld.gov.au for information requirements regarding development of Queensland heritage places. For a heritage place that has cultural heritage significance as a local heritage place and a Queensland heritage place, provisions are in place under the Planning Act 2016 that limit a local categorising instrument from including an assessment benchmark about the effect or impact of, development on the stated cultural heritage significance of that place. See guidance materials at www.planning.statedevelopment.qldgov.au for information regarding assessment of Queensland heritage places.		
Name of the heritage place: Place ID:		
Decision under section 62 of the Transport Infrastructure Act 1994		
23.14) Does this development application involve new or changed access to a state-controlled road?		
 Yes – this application will be taken to be an application for a decision under section 62 of the <i>Transport Infrastructure Act 1994</i> (subject to the conditions in section 75 of the <i>Transport Infrastructure Act 1994</i> being satisfied) No 		
Walkable neighbourhoods assessment benchmarks under Schedule 12A of the Planning Regulation		
23.15) Does this development application involve reconfiguring a lot into 2 or more lots in certain residential zones (except rural residential zones), where at least one road is created or extended?		
 ☐ Yes – Schedule 12A is applicable to the development application and the assessment benchmarks contained in schedule 12A have been considered ☒ No 		
Note : See guidance materials at <u>www.planning.statedevelopment.qld.gov.au</u> for further information.		
PART 8 – CHECKLIST AND APPLICANT DECLARATION		
24) Development application checklist		
I have identified the assessment manager in question 15 and all relevant referral requirement(s) in question 17 Note: See the Planning Regulation 2017 for referral requirements		
If building work is associated with the proposed development, Parts 4 to 6 of <u>DA Form 2 – Building work details</u> have been completed and attached to this development application Yes Not applicable		
Supporting information addressing any applicable assessment benchmarks is with the development application Note: This is a mandatory requirement and includes any relevant templates under question 23, a planning report Yes		

and any technical reports required by the relevant categorising instruments (e.g. local government planning schemes, State Planning Policy, State Development Assessment Provisions). For further information, see DA

Note: Relevant plans are required to be submitted for all aspects of this development application. For further

The portable long service leave levy for QLeave has been paid, or will be paid before a

Relevant plans of the development are attached to this development application



Yes

Forms Guide: Planning Report Template.

information, see <u>DA Forms Guide: Relevant plans.</u>

development permit is issued (see 21)

25) Applicant declaration			
By making this development application, I declare that correct	all information in this development application is true and		
Where an email address is provided in Part 1 of this for where an email address is provided in Part 1 of this for where an email address is provided in Part 1 of this for where an email address is provided in Part 1 of this for where an email address is provided in Part 1 of this for where an email address is provided in Part 1 of this for where a part 1 of this for where 2 of this form 1 of this for where 2 of this form 2 of thi			
from the assessment manager and any referral agency is required or permitted pursuant to sections 11 and 12	for the development application where written information of the <i>Electronic Transactions Act 2001</i>		
Note: It is unlawful to intentionally provide false or misleading information			
Privacy – Personal information collected in this form will be assessment manager, any relevant referral agency and/or which may be engaged by those entities) while processing All information relating to this development application may published on the assessment manager's and/or referral agency and information will not be disclosed for a purpose undersonal information will not be disclosed for a purpose undersonal information will not be disclosed for a purpose undersonal information will not be disclosed for a purpose undersonal information 2017, and the DA Rules except where: • such disclosure is in accordance with the provisions at Act 2016 and the Planning Regulation 2017, and the and Planning Regulation 2017; or • required by other legislation (including the Right to Information may be stored in relevant databases. The Public Records Act 2002.	building certifier (including any professional advisers g, assessing and deciding the development application. y be available for inspection and purchase, and/or gency's website. Including Act 2016, Planning Court public access to documents contained in the Planning access rules made under the Planning Act 2016 and Cormation Act 2009); or		
PART 9 – FOR COMPLETION OF THE ASSESSMENT MANAGER – FOR OFFICE			
USE ONLY			
Date received: Reference numb	per(s):		
Notification of angagement of alternative apparement man			
Notification of engagement of alternative assessment man Prescribed assessment manager	lager		
Name of chosen assessment manager			
Date chosen assessment manager engaged			
Contact number of chosen assessment manager			
Relevant licence number(s) of chosen assessment			
manager			
QLeave notification and payment Note: For completion by assessment manager if applicable			
Description of the work			
QLeave project number			
Amount paid (\$)	Date paid (dd/mm/yy)		
Date receipted form sighted by assessment manager			

Landowner's consent to the making of a development application under the Planning Act 2016

I, Beverly Maria Abel	
Being the delegate represe	entative of C & B ABEL SUPER PTY LTD being the owning entity of the ows:
	94 Bergin Road, Cranbrook QLD 4814, being Lot 1 on RP737431
consent to the making of a	development application under the Planning Act 2016 by:
	BNC Planning Pty Ltd
on the premises described a	above for:
	Material change of use
	Signature Signature
	18 th December, 2023

The Planning Act 2016 is administered by the Department of Local Government, Infrastructure and Planning, Queensland Government.

APPENDIX 2

SITE DETAILS

Document Set ID: 26823423 Version: 1, Version Date: 27/02/2025

Aerial

94 Bergin Road, Cranbrook

19°18'37"S 146°45'12"E 19°18'37"S 146°45'15"E



19°18'40"S 146°45'12"E



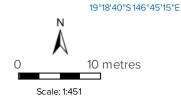
Legend located on next page



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Document Set ID: 26823423 Version: 1, Version Date: 27/02/2025



Printed at: A4 Print date: 28/11/2023

Not suitable for accurate measurement. **Projection:** Web Mercator EPSG 102100 (3857)

For more information, visit https://qldglobe.information.qld.gov.au/help-info/Contactus.html



Aerial

94 Bergin Road, Cranbrook



Legend

Attribution

Land parcel Land parcel label - gt 1000 ha **Parcel** Places: Search Results Land parcel - gt 1 ha 1RP737431 **Parcel** Land parcel - gt 10 ha **Cities and Towns Parcel Easement parcel** Roads and tracks Motorway Highway Strata parcel Secondary Connector Local Volumetric parcel Restricted Access Road — Mall Busway Bikeway Land parcel - gt 1000 ha --- Restricted Access Bikeway Parcel Walkway - Restricted Access Walkway Land parcel label ••• Non-vehicular Track - Track Restricted Access Track

-- Ferry

- Proposed Thoroughfare

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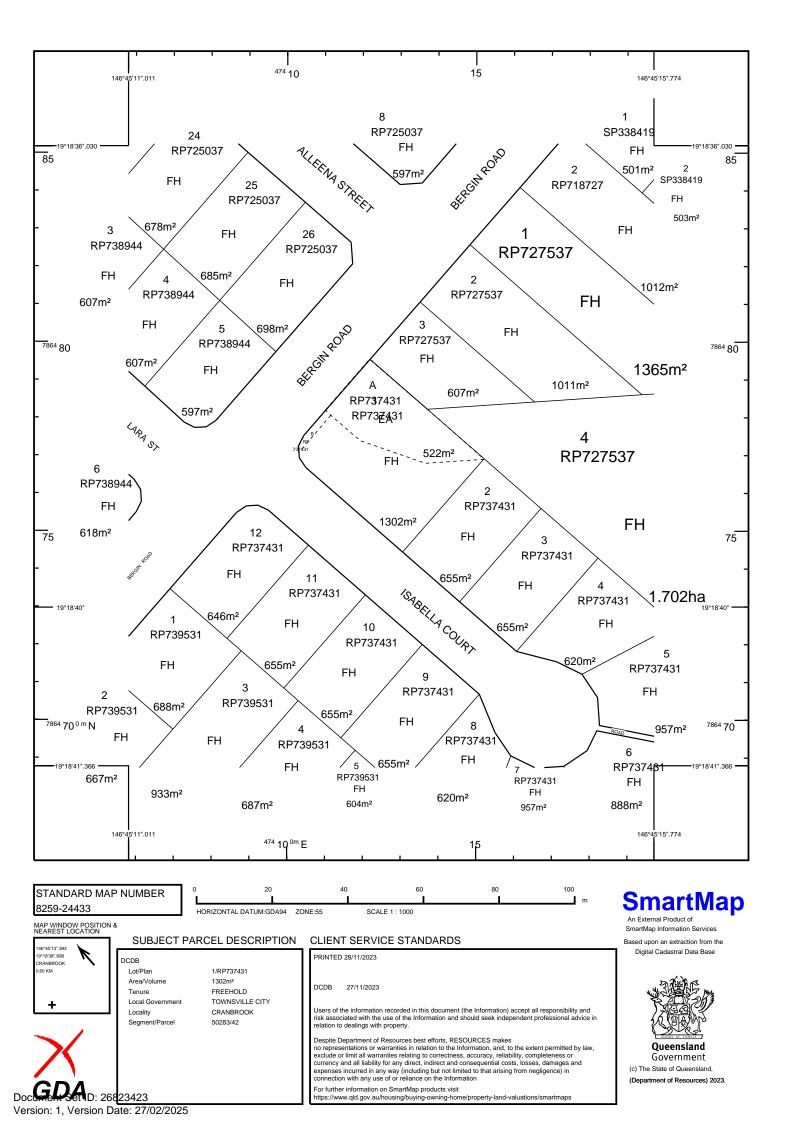
Land parcel label - gt 1 ha

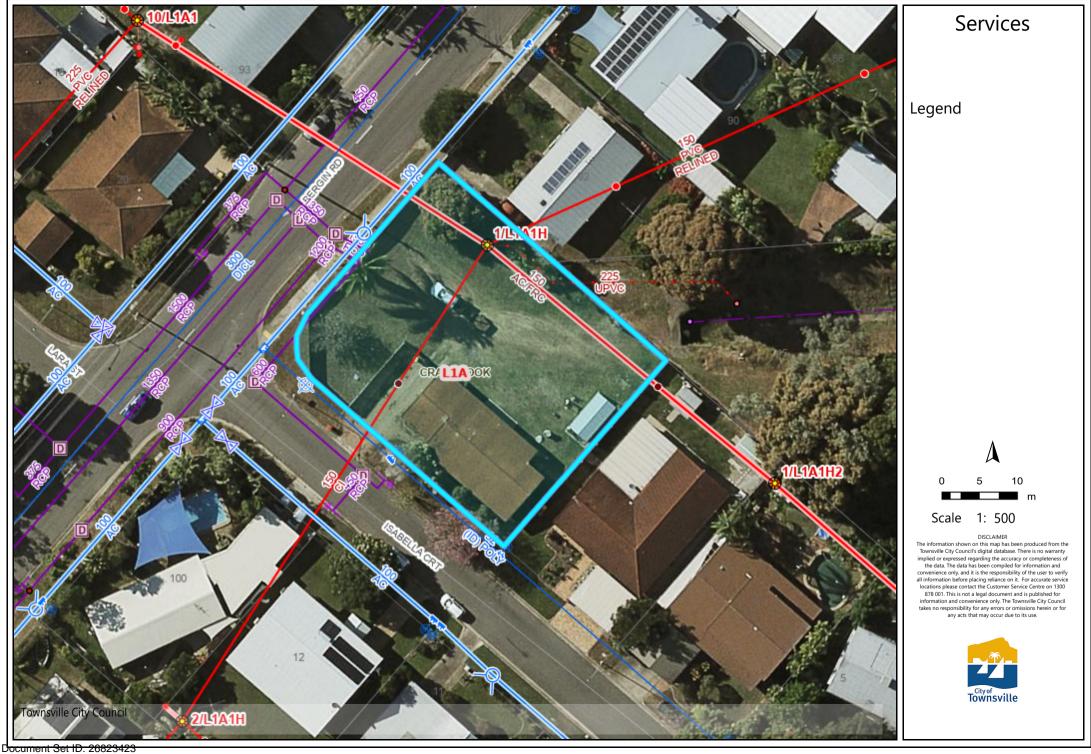
Land parcel label - gt 10 ha



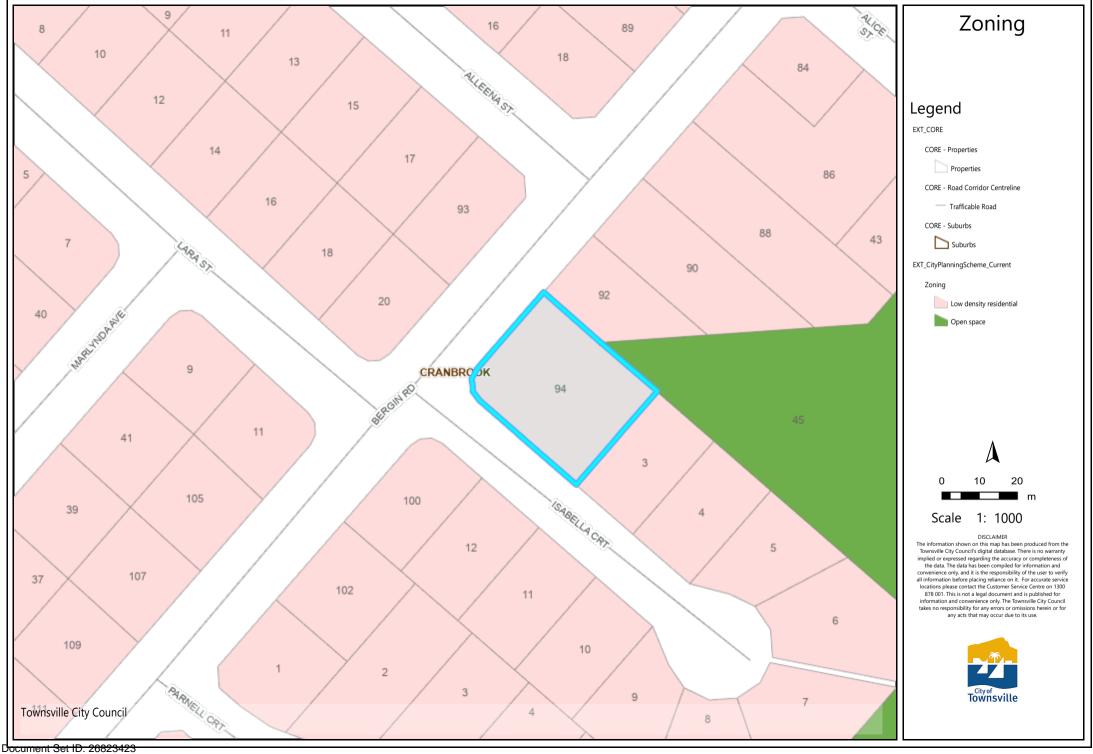
Green bridges
Bridges
Tunnels
Railway
_
Railway station
e

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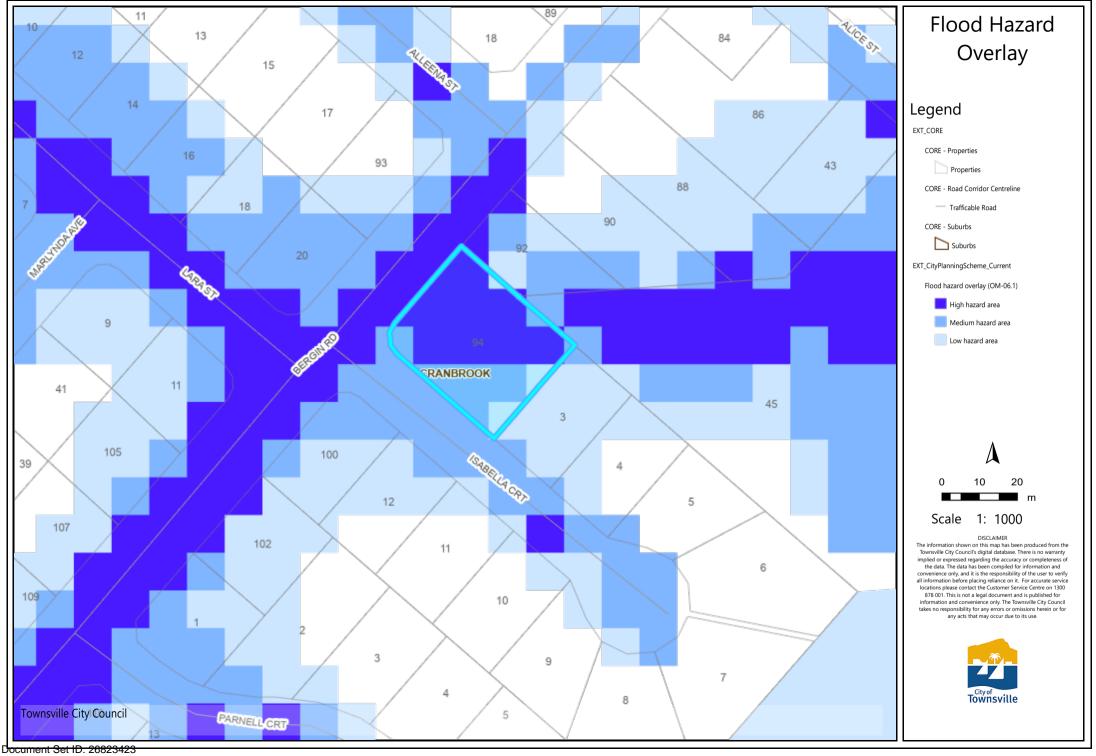


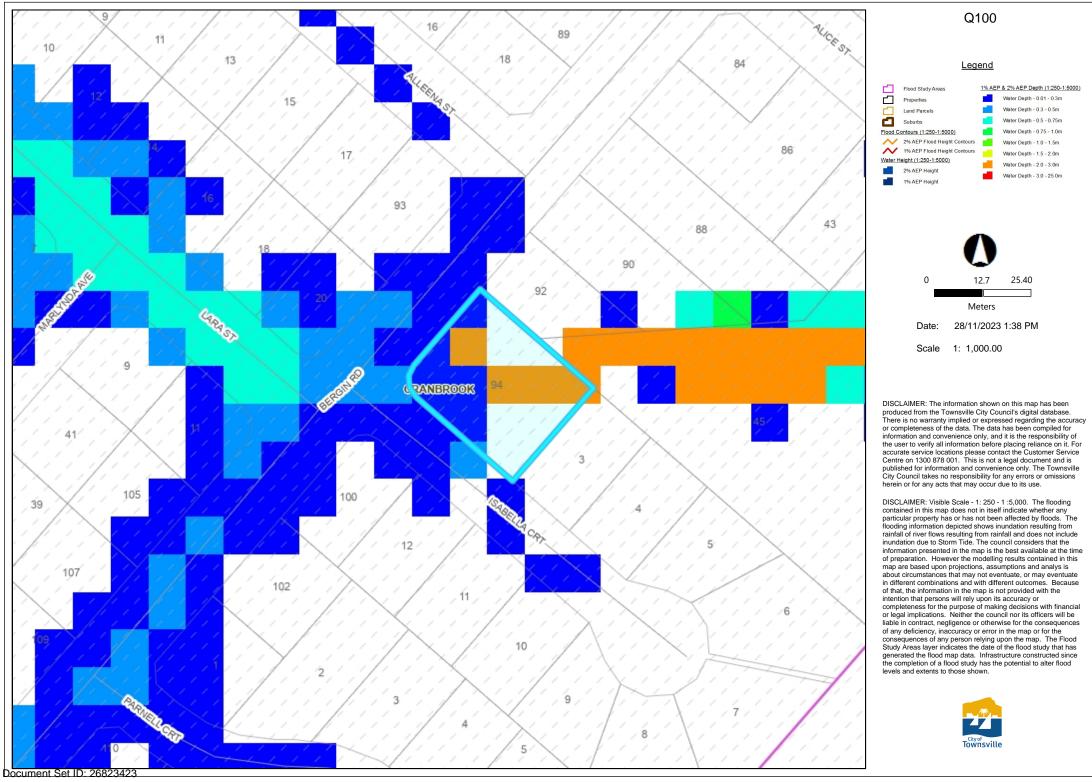


Version: 1, Version Date: 27/02/2025



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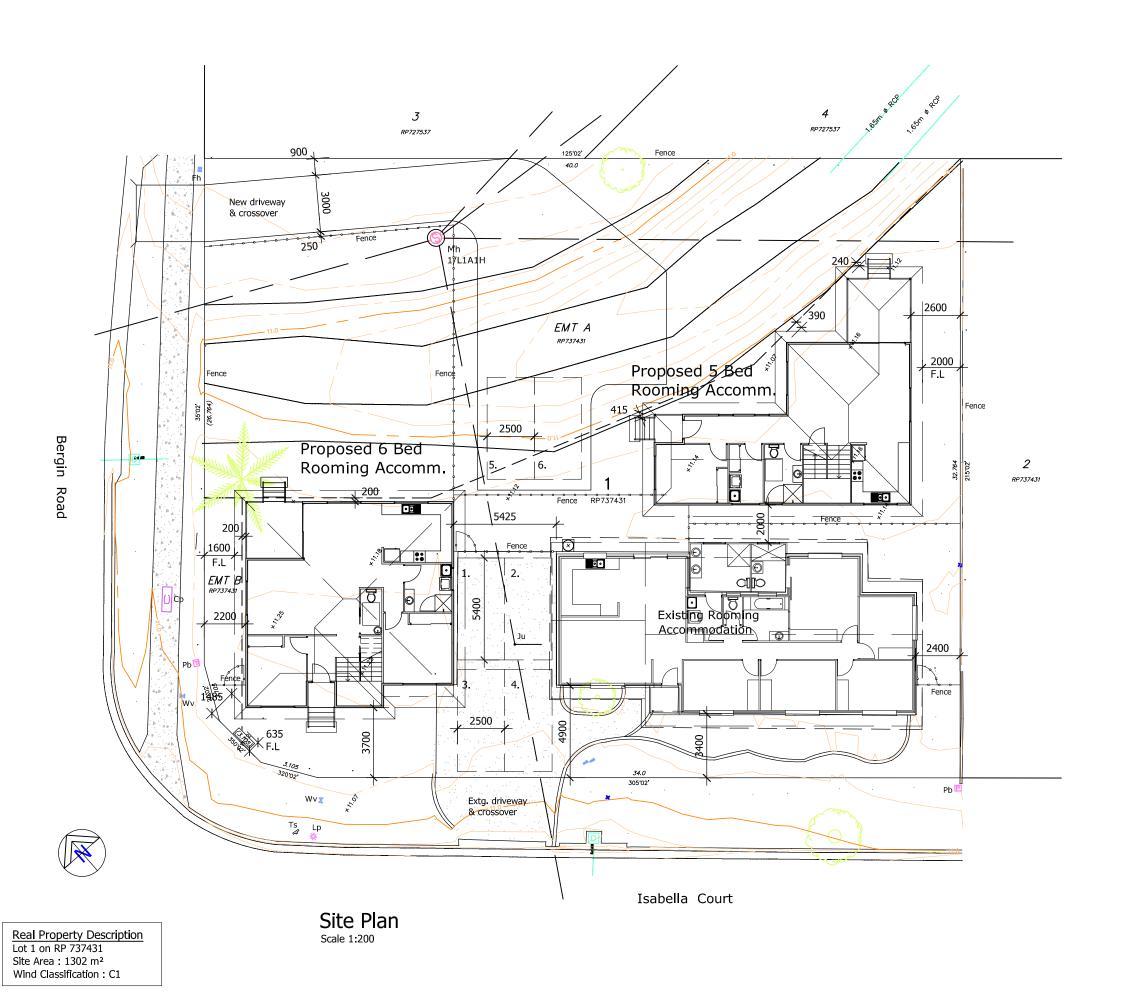




APPENDIX 3

PLAN OF DEVELOPMENT

Document Set ID: 26823423 Version: 1, Version Date: 27/02/2025



General Notes

1. Do not scale off drawing check all dimensions & levels on site before commencing work, including location of all services.

2. Comply with all Local Authority & Building Code of Australia 2022 regulations & all relevant Australian Standard Codes.

3. Installation of all materials to comply with Manufacturer's Specifications.

4. Notwithstanding Inspection by an Engineer or Building Certifier, it is the Builder's responsibility to ensure that all works are constructed in accordance with the Building Approval Drawings.

5. Substitution of any structural member, & variation to any of the design, will void any responsibilities to Benson Building Designs for the performance of the building.

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В	Floor Level Raised to 900mm	17/02/25
Α	Preliminary Design	24/09/24
No.	Revision/Issue	Date



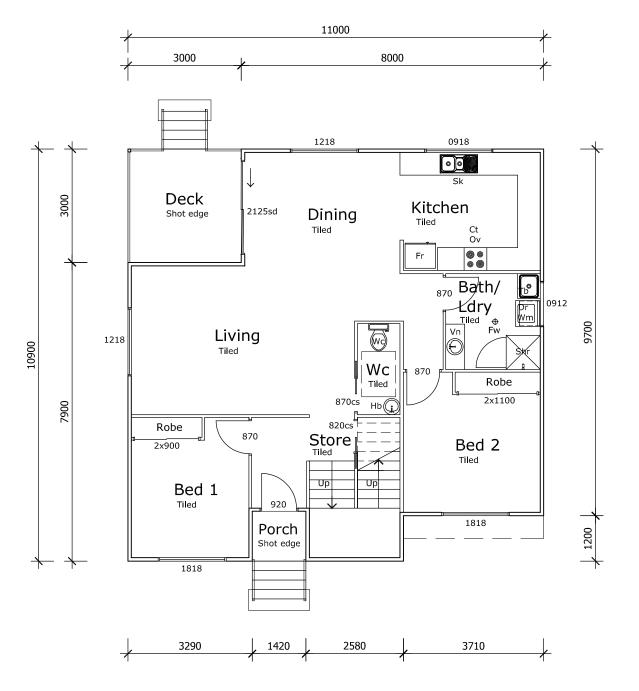
Call: 0416 936 452

QBCC Lic. No. 1256424 ABN 68 537 687 613 Emall : plans@bensonbulldIngdeslgns.com.au www.bensonbulldIngdeslgns.com.au

Project Name and Address

Proposed Rooming Accomm. Development Abel Family Trust Pl 94 Bergin Road, Cranbrook, Queensland

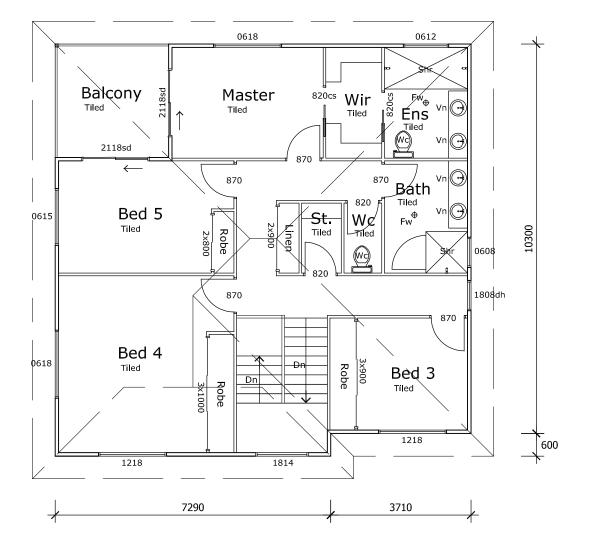
Project No. 2024-12	Dwg No. DD01	Issue B
Date March, 2024	Designed G.B	
Scale 1:200 @ A3	Drawn G.B	







Floor Areas Living: 105.14 m² Deck: 9.00 m² Porch: 1.44m² Overall: 115.58 m²



Upper Floor Plan Scale 1:100

Floor Areas Living: 108.74 m² Balcony: 9.00m² Overall : 117.74 m²

General Notes

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Α	Preliminary Design	24/09/24
No.	Revision/Issue	Date



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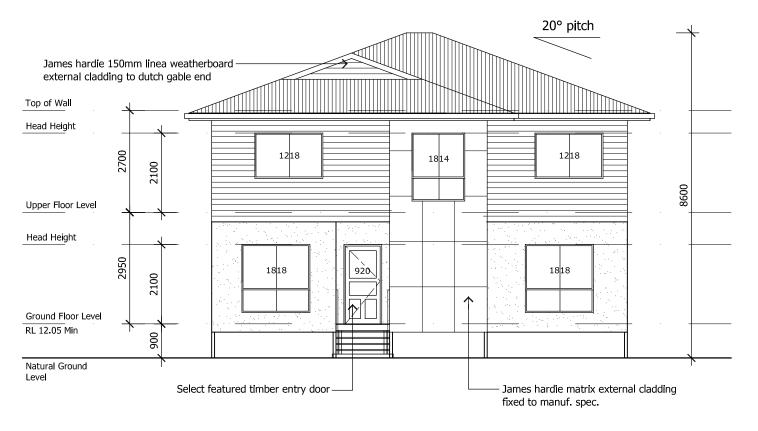
Call: 0416 936 452

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Project Name and Address

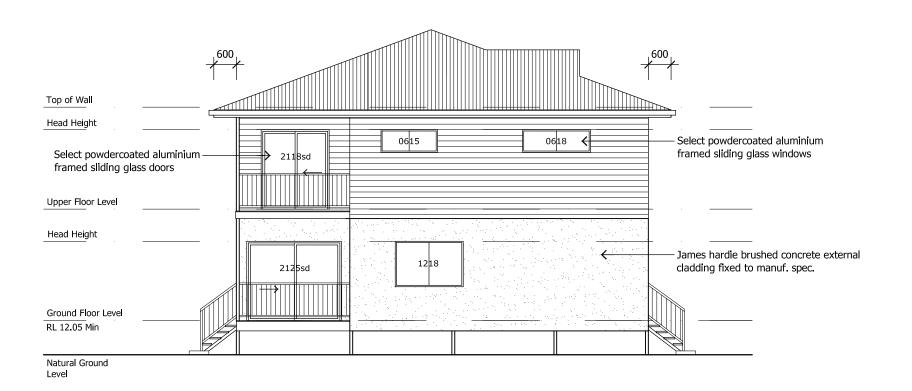
Proposed Rooming Accomm. Development Abel Family Trust Pl 94 Bergin Road, Cranbrook, Queensland

Project No. 2024-12	Dwg No. DD02	Issue B
Date March, 2024	Designed G.B	
Scale 1:100 @ A3	Drawn G.B	



South West Elevation

Scale 1:100



North West Elevation

Scale 1:100

Document Set ID: 26823423 Version: 1, Version Date: 27/02/2025

General Notes

General Notes

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В	Floor Level Raised to 900mm	17/02/25
Α	Preliminary Design	24/09/24
No.	Revision/Issue	Date



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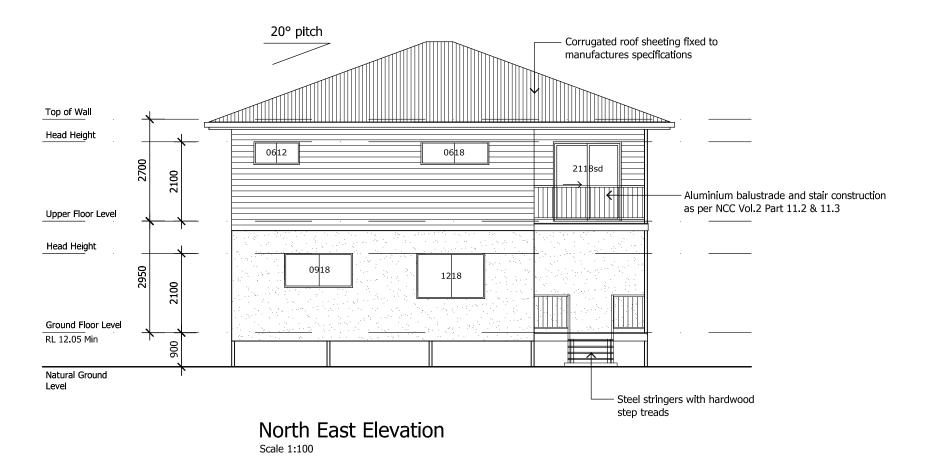
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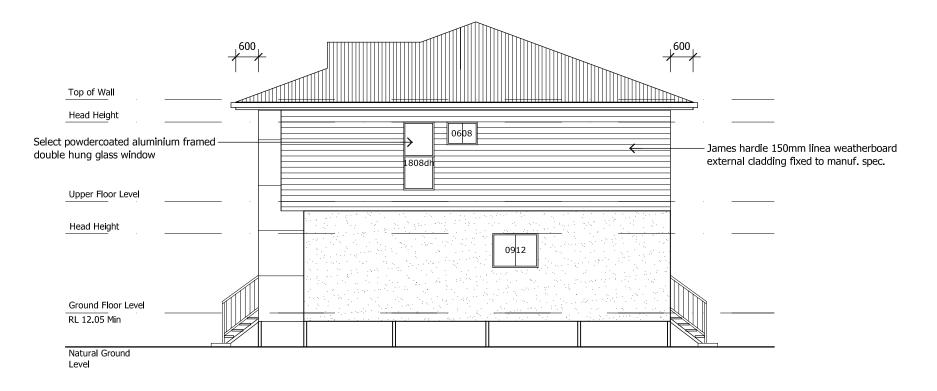
Project Name and Address

Proposed Rooming Accomm. Development Abel Family Trust Pl

94 Bergin Road, Cranbrook, Queensland

Project No. 2024-12	Dwg No. DD03	Issue B
Date March, 2024	Designed G.B	
Scale 1:100 @ A3	Drawn G.B	





South East Elevation

Scale 1:100

Document Set ID: 26823423 Version: 1, Version Date: 27/02/2025 General Notes

General Notes

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B Floor Level Ralsed to 900mm 17/02/2 A Preliminary Design 24/09/2	
A Preliminary Design 24/09/2	,
	4
No. Revision/Issue Date	



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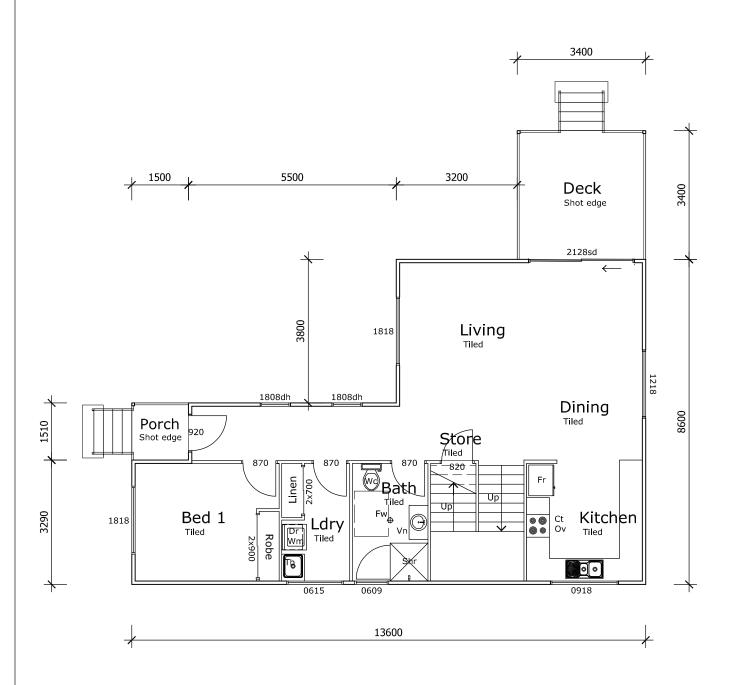
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Project Name and Address

Proposed Rooming Accomm. Development Abel Family Trust Pl

94 Bergin Road, Cranbrook, Queensland

Project No. 2024-12	Dwg No. DD04	Issue B
Date March, 2024	Designed G.B	
Scale 1:100 @ A3	Drawn G.B	



Bałcony Tiled 2118sd Bed 3 Bed 2 1218 0618 7000 2x900 2x900 Robe Robe 1808dh 870 1808dh **W** Robe Master 2x800 Bath 1218 Dn Tiled 820cs ⊕ Fw Bed 4 Ens Tiled Wir Tiled 0612 1815 1218

Ground Floor Plan Scale 1:100

Floor Areas Living: 88.25 m² Patio: 11.56 m² Porch: 2.10m² Overall: 101.92 m²



Upper Floor Plan
Scale 1:100

Living: 90.36 m² Balcony: 11.56m² Overall: 101.92 m²

Floor Areas

General Notes

- 1. Do not scale off drawing check all dimensions

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В	Floor Level Raised to 900mm	17/02/25
Α	Preliminary Design	24/09/24
No.	Revision/Issue	Date



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Project Name and Address

Proposed Rooming Accomm. Development Abel Family Trust Pl

94 Bergin Road, Cranbrook, Queensland

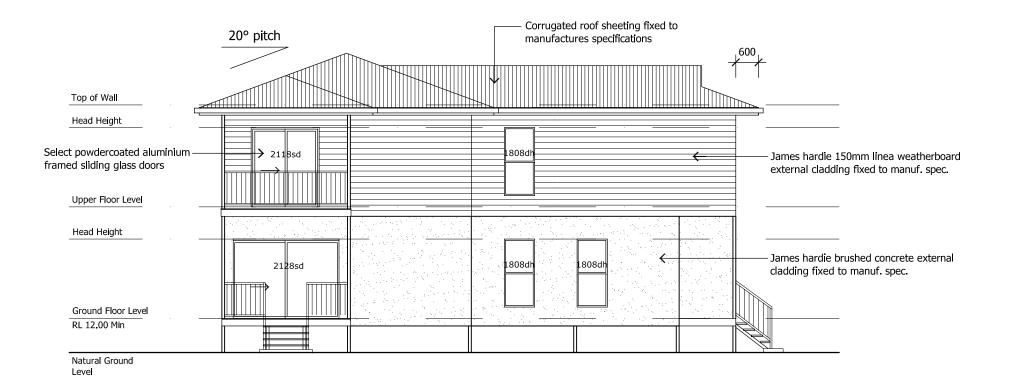
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Date March, 2024	Designed G.B	
Scale 1:100 @ A3	Drawn G.B	

Document Set ID: 26823423 Version: 1, Version Date: 27/02/2025



North West Elevation

Scale 1:100



North East Elevation

Scale 1:100

Document Set ID: 26823423 Version: 1, Version Date: 27/02/2025 General Notes

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2. Comply with all Local Authority & Building Code of Australia 2022 regulations & all relevant Australlan Standard Codes.
3. Installation of all materials to comply with Manufacturer's Specifications.
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В	Floor Level Raised to 900mm	17/02/25
А	Preliminary Design	24/09/24
No.	Revision/Issue	Date



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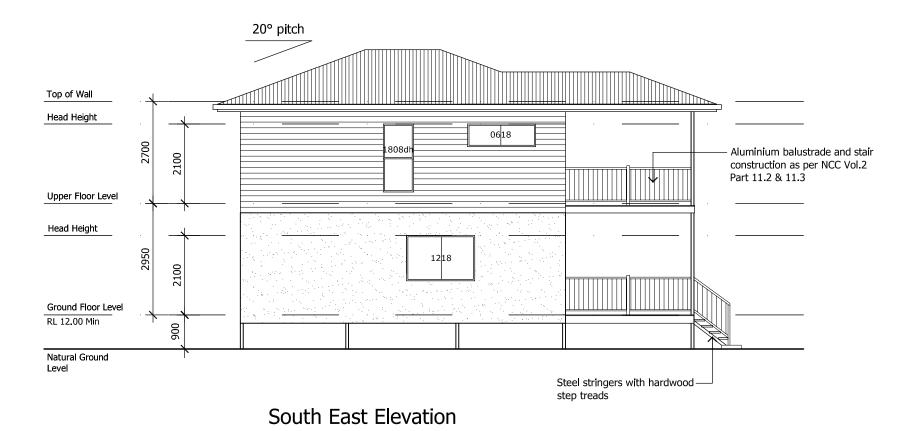
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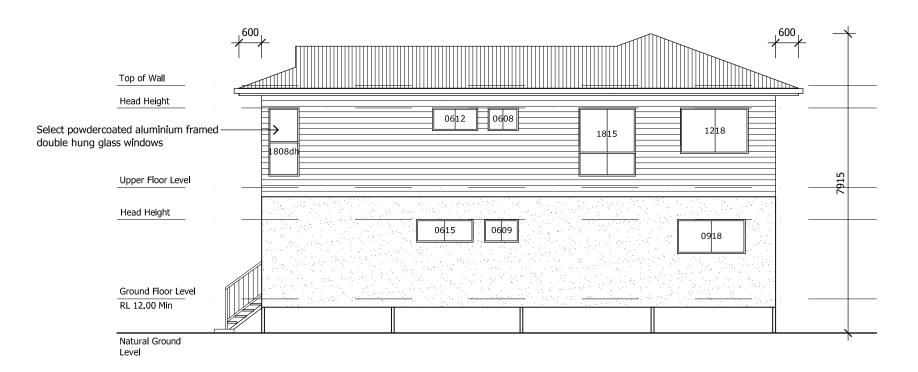
Project Name and Address

Proposed Rooming Accomm. Development Abel Family Trust Pl

94 Bergin Road, Cranbrook, Queensland

Project No. 2024-12	Dwg No. DD06	Issue B
Date March, 2024	Designed G.B	
Scale 1:100 @ A3	Drawn G.B	





South West Elevation

Scale 1:100

Document Set ID: 26823423 Version: 1, Version Date: 27/02/2025 General Notes

- General Notes

 1. Do not scale off drawing check all dimensions & levels on site before commencing work, including location of all services.

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В	Floor Level Raised to 900mm	17/02/25
Α	Preliminary Design	24/09/24
No.	Revision/Issue	Date



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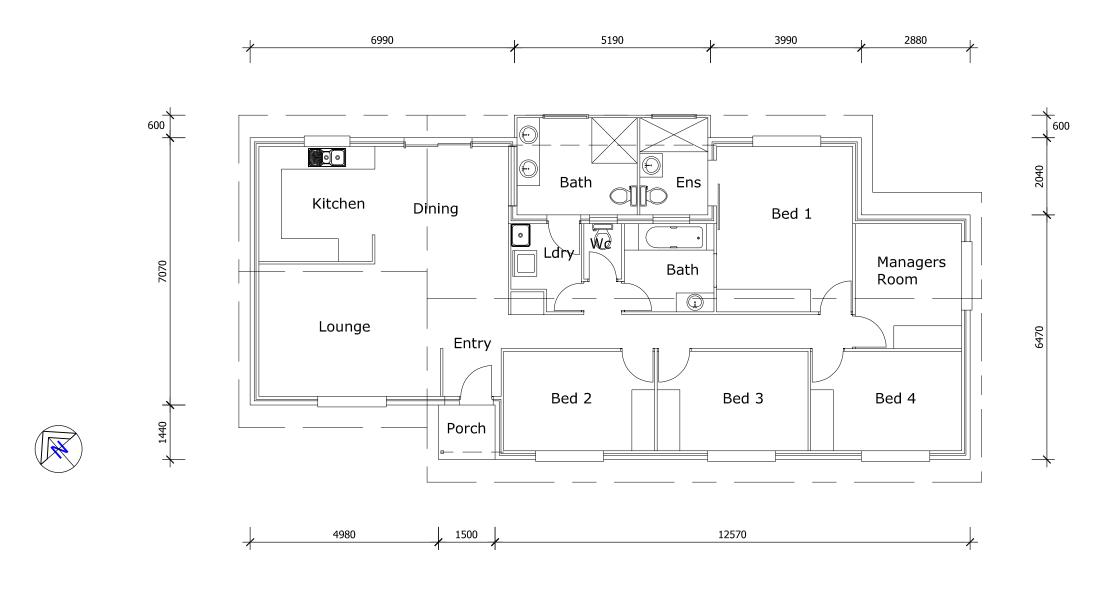
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Project Name and Address

Proposed Rooming Accomm. Development Abel Family Trust Pl

94 Bergin Road, Cranbrook, Queensland

Project No. 2024-12	Dwg No. DD07	Issue B
Date March, 2024	Designed G.B	
Scale 1:100 @ A3	Drawn G.B	



Floor Areas Living: 150.02 m² Porch : 2.16m² Overall: 152.18 m²

Existing Floor Plan

Scale 1:100

General Notes

General Notes

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Α	Preliminary Design	24/09/24
No.	Revision/Issue	Date



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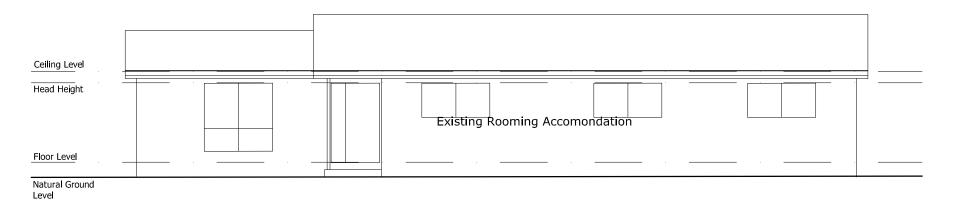
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Project Name and Address

Proposed Rooming Accomm. Development Abel Family Trust Pl 94 Bergin Road, Cranbrook, Queensland

Project No. 2024-12	Dwg No. DD08	Issue A
Date March, 2024	Designed G.B	
Scale 1:100 @ A3	Drawn G.B	



South West Elevation

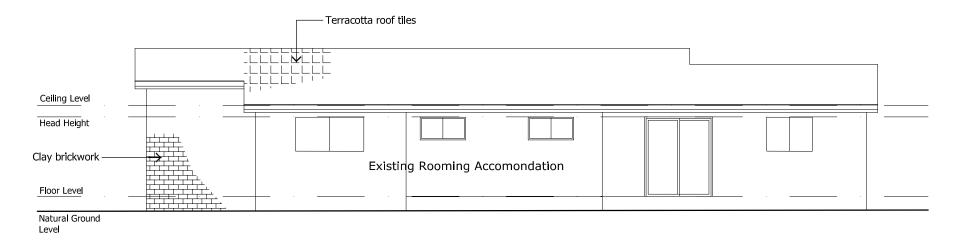
Scale 1:100





South East Elevation Scale 1:100

North West Elevation Scale 1:100



North East Elevation

Scale 1:100

General Notes

General Notes

1. Do not scale off drawing check all dimensions & levels on site before commencing work, including location of all services.

2. Comply with all Local Authority & Building Code of Australia 2022 regulations & all relevant Australian Standard Codes.

3. Installation of all materials to comply with Manufacturer's Specifications.

4. Notwithstanding Inspection by an Engineer or Building Certifier, it is the Builder's responsibility to ensure that all works are constructed in accordance with the Building Approval Drawings.

5. Substitution of any structural member, & variation to any of the design, will void any responsibilities to Benson Building Designs for the performance of the building. c All rights reserved. No part of this drawing may be reproduced or transmitted in any form by any means without the written permission of the copyright holder Benson Building Designs.

Α	Preliminary Design	24/09/24
No.	Revision/Issue	Date



Gery Benson BSc. Dip Arch Draft.

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Project Name and Address

Proposed Rooming Accomm. Development Abel Family Trust Pl 94 Bergin Road, Cranbrook, Queensland

Project No. 2024-12	Dwg No. DD09	Issue A
Date March, 2024	Designed G.B	
Scale 1:100 @ A3	Drawn G.B	

APPENDIX 4 OTHER SUPPORTING DOCUMENTS

Document Set ID: 26823423 Version: 1, Version Date: 27/02/2025



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Our Ref: BNC0091/01:IG
Your Ref: 94 Bergin Rd FIA

5 February 2025

Abel Family Trust 104 / 2A Wilbar Ave CRONULLA NSW 2230

Attention: Clayton Abel

Email: clay.abel@outlook.com

Dear Clayton,

RE: <u>MULTIPLE DWELING DEVELOPMENT AT 94 BERGIN ROAD, CRANBROOK – MINOR 2D FLOOD IMPACT ASSESSMENT (FIA)</u>

In accordance with our engagement please find herein the 2D flood impact assessment (FIA) for the abovementioned development. The purpose of this FIA is to demonstrate that the proposed development associated, inclusive of a proposed 5-bed detached dwelling and a 6-bed detached dwelling, achieves a nonworsening outcome.

NCE have developed a new site-specific 1D/2D TUFLOW model within the existing Ross Creek flood model catchment for the assessment of proposed residential development at 94 Bergin Road, Cranbrook. A review of the Ross Creek and Ross River flood studies indicates that during the 1% AEP event, flood waters do not break the northern bank of the Ross River, subsequently, flooding at the site during the 1% AEP event is associated with the local catchment only. The local catchment is generally bounded by the Ross River high bank to the east and south, Ross River Road to the west and Irving Street to the north, resulting in an area of ~105 ha which forms the model extent. The model has adopted a staged-discharge (rating curve) boundary at suitable locations downstream of the site (over 500m) to ensure there is no influence on flooding characteristics at the site.

The model has been developed using the readily available TCC 2016 LiDAR. The 2016 LiDAR has been adopted in-lieu of the 2019 LiDAR as we understand Councils new model (Ross River 2021) has been developed using 2016 LiDAR. The 2016 LiDAR has a 1m grid resolution which was transposed onto a 5m grid and supplemented by TUFLOW's sub-grid sampling (SGS) feature. The existing buildings located on Lara Street and Isabella Court have been stamped into the baseline model due to being on the critical flow path for the development. Underground drainage infrastructure has been included as a 1D network (data sourced from TCC's open data portal) and as the 1D network extends beyond the model extents, a 1D boundary has been included so that flows in the drainage networks are simulated and transferred outside the 2D domain. The 1D boundaries have been model as HT (water level versus time) with a constant water level equal to the pipe obvert.

Intensity Frequency Durations (IFD's) in accordance with Australian Rainfall Runoff 2019 (ARR2019) for the critical duration of 1.5-hour for 1% AEP and 30 minutes for 50% AEP events, which are defined as the critical



duration in the Ross River flood study for the development site; were used to derive the total rainfall timeseries for the rain-on-grid (ROG) hydrology. The temporal pattern 8731 for 1% AEP and 8675 50% AEP events as per ARR2019 has been utilised for the critical duration.

Rainfall losses are applied via infiltration which is dependent on the land use / impervious percentage areas as the model adjusts losses in line with the specified fraction impervious to determine the rainfall run-off excess at each time step. The initial and continuing losses adopted in the model for the pervious and impervious areas are in accordance with the Ross River flood study. The land uses adopted for the baseline and development scenarios are shown in **Map A02**, which correlate with those of Council's model.

NCE have carried out an overarching verification by assessing the baseline model against the new Ross River 2021 model and found that the flood depths and height within the model extents are generally in agreement with the TCC's depths. Also, the flood extents show good correlation between the baseline model and TCC's flood mapping for 1% AEP storm event, refer **Figure 1**. Subsequently, the site-specific model is deemed fit for purpose, i.e. assessing potential impact associated with the development.

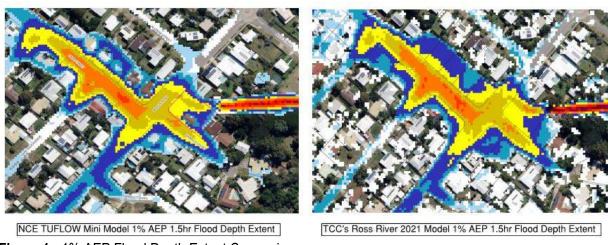


Figure 1 - 1% AEP Flood Depth Extent Comparison

Following verification, the baseline model was modified to simulate the developed case which included the following:

- Both proposed buildings, 5-bed and 6-bed detached dwellings, were digitised as follows:
 - The 5-bed detached dwelling is modelled minimum 300mm above the 1% AEP flood levels.
 Footprint of the building pad is 2.6m offset from southeast (rear) boundary, 2.0m offset from the existing building.
 - The 6-bed detached dwelling is modelled at the natural surface levels due to the proposal being construction on stilts. Footprint of the building pad is 2.2m offset from northwest (front) boundary, 3.7m offset from the southwest boundary.
- The proposed driveway and carparking areas were left at the natural surface.
- The footprint was maintained at 65% impervious as the proposal is 50% impervious and does not exceed the allowable fraction impervious/site coverage for residential zones.

The results from each developed scenario were adopted in the flood impact assessment, which is best analysed by assessing the afflux. Afflux is defined as the relative change in a flooding characteristic, namely water surface level (WSL) or velocity, between the baseline and developed scenario. This is determined by



subtracting the baseline peak results from the developed peak results, where a positive value represents an increase in the flood characteristic and a negative value is a decrease.

The WSL afflux has been assessed for the major 1% AEP and minor 0.5EY flood events. TCC parameters for acceptable development is +/- 10 mm change in WSL (shown as white in the result mapping). Depending on the circumstances, we are of the opinion that up to +20mm (aqua) is also acceptable in some environments where the impacted areas are not sensitive, and the increase is immaterial. With this in mind, the following commentary is provided.

The inclusion of the building pad within the developed model for 1% AEP storm does not result in actionable impacts to the adjacent properties or Council's infrastructure, which is illustrated in **Map B01**. The isolated increase between the neighbouring lot is considered nonactionable due to the model resolution and grid positioning. The impacts observed within the development are a direct result of the existing flow path (**Figure 2**) through the site being impeded by the development extent.

It is noted that the 6-bed detached dwelling was initially modelled as slab-on-ground; however, this resulted in unacceptable impacts up as far a 6 Lara Street. Subsequently, this structure is to be constructed on stilts so that the existing flow path is not impeded.

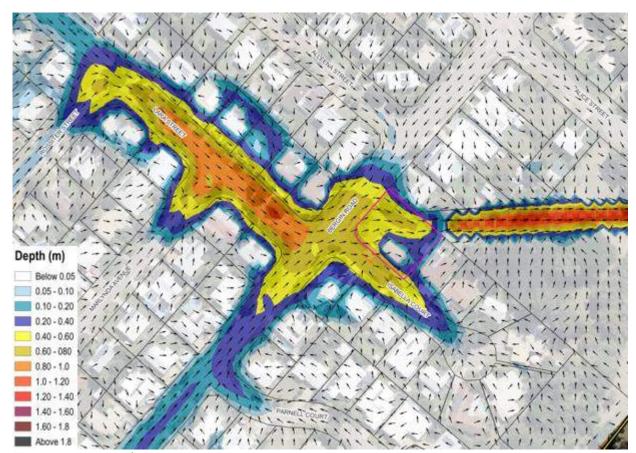


Figure 2 - Baseline flow paths

As shown in **Map B02**, inclusion of the building pads within the developed model for 50% AEP frequent storm event does not result in any impacts to the adjacent properties or Council's infrastructure.

In the assessments, there are cells that are shown to be wet now when previously dry. This is due to the filtering applied such that the baseline results were removed when filtered but remained in the developed results. This was confirmed by undertaking an assessment on the unfiltered results where it was observed that changes at these cells were 5 mm or less. Furthermore, the assessment has ensured any increase in



run-off due to the change in impervious area is accounted for in the assessment. Subsequently as there is no impacts downstream of the development, and on-site storage is not required.

Finished floor levels (FFL) of the habitable floors are required to be 300mm above the 1% AEP flood level. Therefore, it is recommended that as a minimum the FFL is above the highest 1% AEP flood level, namely 12.00m AHD (300mm above 11.70m AHD) for the 5-bed detached dwelling and 12.05m AHD (300mm above 11.75m AHD) for the 6-bed detached dwelling, refer Table 1.

Table 1 – Recommended Finished Floor Levels

Proposal	Recommended Floor Levels (m AHD)
5-bed detached dwelling	12.00
6-bed detached dwelling	12.05

The proposed driveway access and carparks are not trafficable in major (1% AEP) event due to flood depth up to 860mm, refer **Map C02**. This is the case prior to the development and given the proposed carparks and driveway will mimic the natural surface levels, the proposed development does not worsen/change the flood/risk profile for this situation. Therefore, it is suggested that flood depth warning signs are installed at the carparks and an emergency plan is in place for the proposed development.

Given the above, the flood modelling demonstrates the proposed development can achieve an acceptable outcome that is aligned with the intent of the flood hazard overlay code.

Please do not hesitate to contact the undersigned on 07 4725 5550 if you have any questions regarding this response.

Yours sincerely,

IREM GUNEY
Civil Engineer

Approved,

JOHN SINGLE

Senior Civil Engineer (RPEQ 24378)

Encl. Appendix A: TUFLOW Model Setup – Model Materials, Appendix B: Afflux Mapping, Appendix C: Flood Depth Mapping

