

11 May 2023

COUNCILLOR'S COMMENT
Development Application A006105111
76 Kooya Rd, Mitchelton QLD 4053

I write to raise my, and my community's concerns regarding the development application lodged at 76 Kooya Road, Mitchelton proposing 92 housing lots.

The property has long been identified within our community for sport, recreation, and parkland uses. It is a notable property of a Mitchelton family, who denied the wishes of developers, and made public their desire for Council to use the property for parkland.

Unfortunately, the will and probate were not legally binding, and Council have been unable to purchase the property due to actions by the executor of the estate, and subsequent private property owners.

Council has tried to purchase the land for public use a number of times. Council entered negotiations to purchase this property in 2018 at the amount it was valued, \$3.2 million. Council advised the previous property owners that funding would be made available that financial year. Following this, the trustees withdrew from negotiations and a sale was made to The Uniting Church in Australia Property Trust (UCA).

The proposal for residential development A006105111 came as a surprise for many in our district and has prompted a strong response against the proposal.

Although the zoning at the property includes *Emerging Community* which is consistent with residential development, there are some key elements within the proposal that I believe Council needs to address:

- Drainage and flooding
- Acceptable density for residential development
- Parkland consistent with neighbourhood plan
- Bushfire impacts and emergency services access
- Bushland preservation

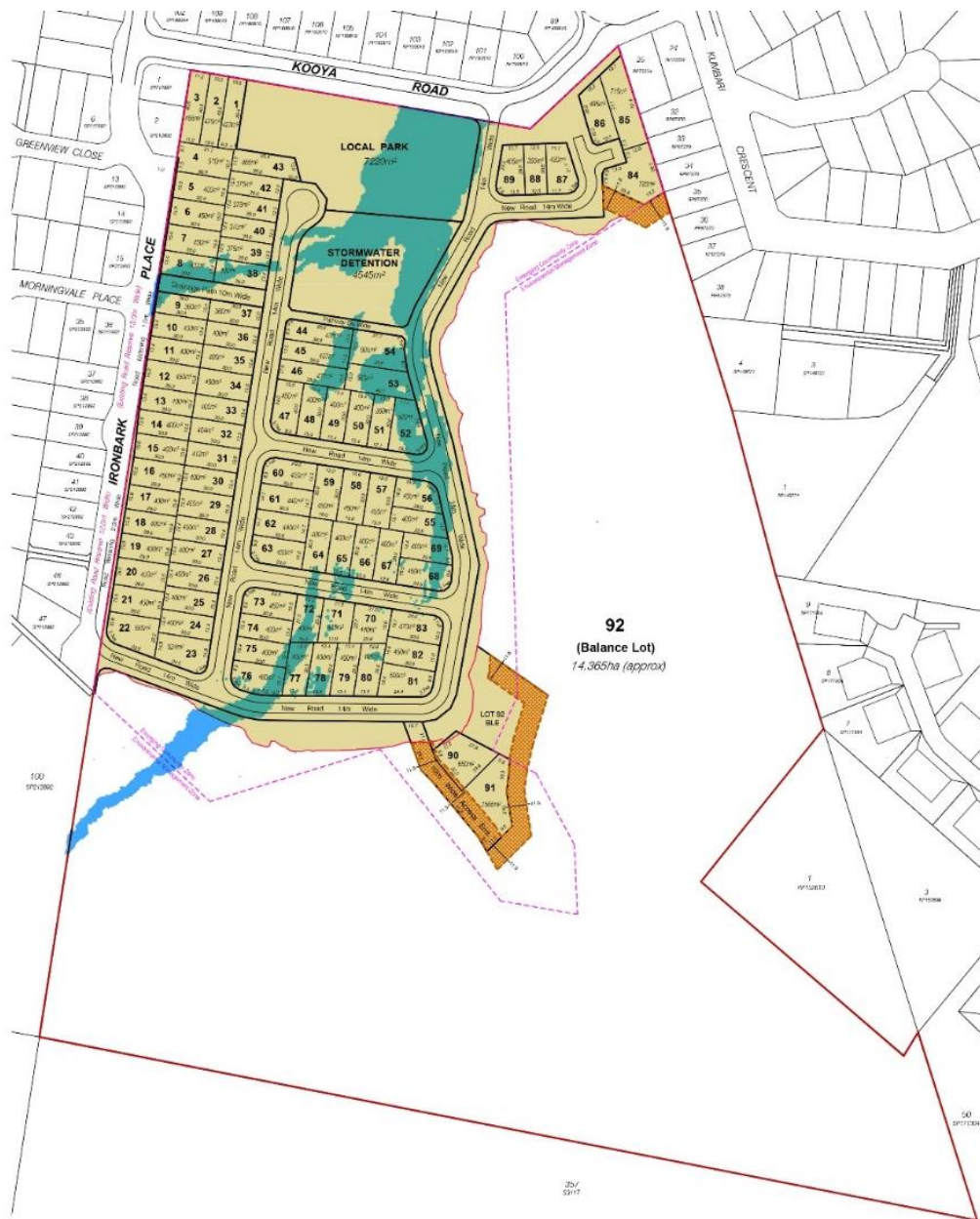
DRAINAGE AND FLOODING

The applicant has not provided enough information about drainage infrastructure that would mitigate the effect of flooding at this property, and at downstream properties. Based on Council's flood awareness map (see Figure A), overland flow paths cover half the allocated space for a proposed 'local park' before water reaches the stormwater detention basin.

Council needs to ensure that any development does not increase flooding outcomes in Mitchelton, and this should include additional drainage infrastructure to be built and delivered by the applicant.

Figure A

Proposed plans A006105111 overlaid with Council flood awareness map overland flow



ACCEPTABLE DENSITY FOR RESIDENTIAL DEVELOPMENT

In line with Brisbane City Council City Plan 2014 zoning, lot sizes for development at this property should have an average size over 400m². I note that there are 58 lots in the proposal A006105111 that are below that size. The legislation requires, and the community wishes, these are brought in line with other properties in the neighbourhood. Community expectations are that lot sizes should exceed 450m² and match the surrounding low density lots in the neighbourhood.

Around the property on all sides, properties are zoned for Low Density Residential (see Figure B). Any residential development of 76 Kooya Road should reflect the existing standards. City Plan 2014 states in 6.2.1.1 Low density residential zone code, under 5.c that *development for a dwelling house occurs on appropriately sized and configured lots, and:*

- i. where not on a rear lot, has a minimum lot size of 400m²;*
- ii. where on a rear lot, has a minimum lot size of 600m²;*
- iii. maintains a block pattern that accommodates traditional backyards and large trees*

Figure B

City Plan 2014 zoning around 76 Kooya Rd, Mitchelton



Low Density Residential Zone

EM Environmental management

EC Emerging community

PARKLAND CONSISTENT WITH NEIGHBOURHOOD PLAN

I am concerned that provisions within the Mitchelton Neighbourhood Plan for a District Park are not met in this application. I must insist that the proposed parkland is increased to meet the guidelines for a District Park. Regardless of any concessions that may be made as part of the assessment process, the zoning here is clear. The community needs to receive a District Park if this property is developed for residential dwelling houses.

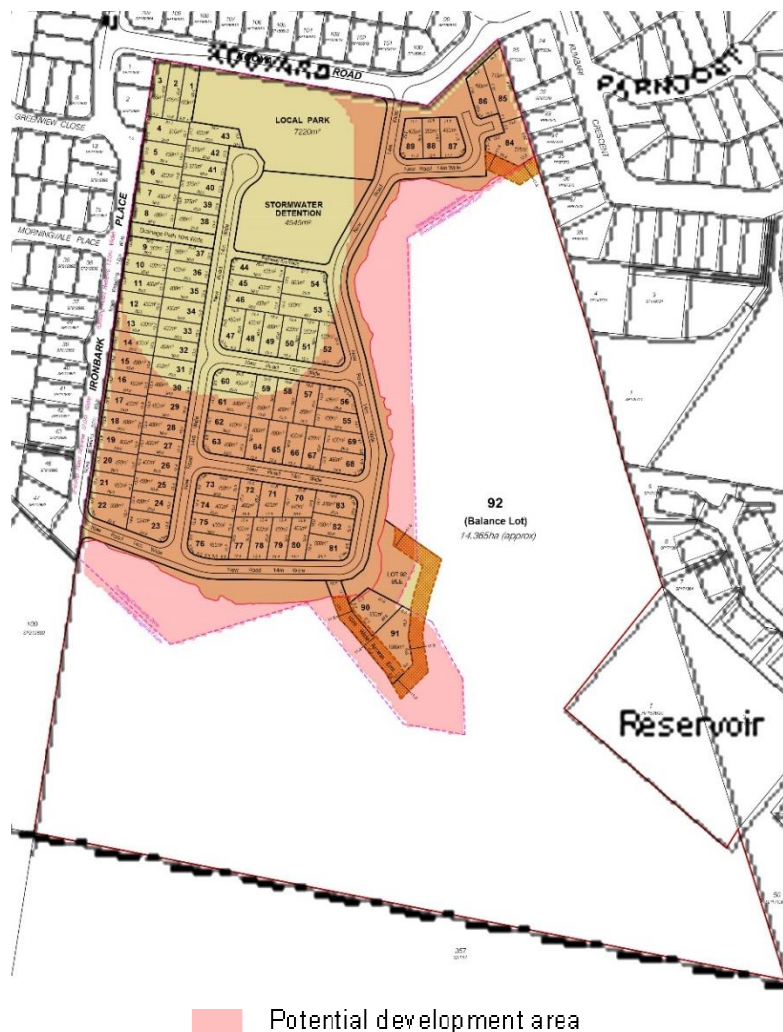
In the Mitchelton Neighbourhood Plan there is a clear area designated for the park that remains unshaded (see Figure C), and following this, there should not be residential dwellings approved outside the potential development area.

While the applicant has proposed some modest parkland in the application, it does not meet the requirements outlined. By definition, a District Park is defined by Brisbane City Council City Plan 2014 as a *park or recreation facility that is intended to serve an area within a 2km to 5km radius*. The modest 'local park' noted on the plans do not meet this definition. A District Park in the allocated area would also accommodate known overland flow paths for flood water (see Figure A).

The proposed 'local park' included in the application is 7220m² and must be increased. All existing vegetations should also be retained and protected.

Figure C

Mitchelton Neighbourhood Plan overlaid with proposed plans A006105111

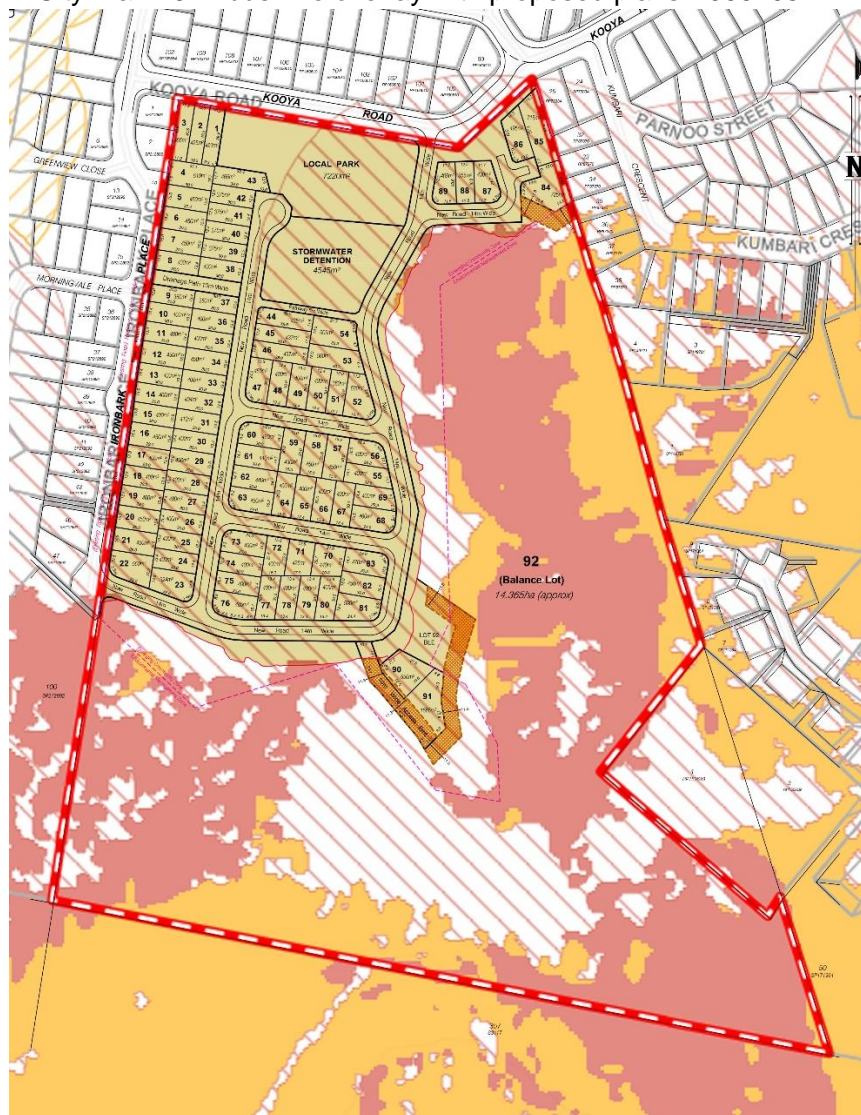


BUSHFIRE IMPACTS AND EMERGENCY SERVICES ACCESS

The proposed development is within an area mapped as a high hazard buffer within the Bushfire overlay of the City Plan. Many areas within the 'Environmental management' area are mapped as high and medium hazard areas within the Bushfire overlay. Appropriate setbacks and access easements for emergency services must be included in the application before any residential development should be allowed to proceed on site.

Figure D

City Plan 2014 bushfire overlay with proposed plans A006105111



- Bushfire overlay**
 - View section
- High hazard area sub-category**
 - View section
- Medium hazard area sub-category**
 - View section
- High hazard buffer area sub-category**
 - View section

BUSHLAND PRESERVATION

The area identified by Council for preservation zoned 'Environmental management' should be kept in public hands. This section of the property should be transferred to Council for ongoing preservation and maintenance. There would be a practical unmeetable burden placed on an individual who would be required to manage this land as a private property owner. The owner would also be unable to maintain the land to the standard Council and the community expects, including to address safety concerns, particularly relating to bushfire risk.