

WILLOWTREE PLANNING



2 September 2026

Ref: WTJQ25-054

Brisbane City Council
GPO Box 1434
Brisbane QLD 4001

Attention: Abby Bannan

**RE: RESPONSE TO INFORMATION REQUEST – REF: A006923355
76 QUEENS ROAD, EVERTON PARK, QLD 4053 (LOT 626 SL11121)**

Dear Sir/Madam,

Willowtree Planning acts on behalf of the Applicant in relation to the above development application seeking approval for the following aspects of development over the land at 76 Queens Road, Everton Park (the Site):

- **Development Permit** for Material Change of Use for Multiple Dwelling (10 Units).

A Request for Further Advice was received from Council on 18 June 2026. Pursuant to section 13.2(a) of the Development Assessment Rules (DA Rules), a full response to each of the items raised in the IR is provided below, along with the following supporting documents:

- **Attachment A** Amended Architectural Plans prepared by Elevation Architecture;
- **Attachment B** Amended Landscape Concept Plan prepared by AGLA;
- **Attachment C** Amended Arboricultural Impact Assessment prepared by Trees Are Cool;
- **Attachment D** Amended Ecological Assessment Report prepared by Green Tape Solutions;
- **Attachment E** Amended Engineering Servicing Report prepared by DCD Consulting;
- **Attachment F** Amended Site Based Stormwater Management Plan prepared by DCD Consulting; and
- **Attachment G** Amended Civil Drawings prepared by DCD Consulting.

Please note, whilst there were no outstanding issues raised with engineering, amended engineering reports and plans have been prepared to reflect the amended plans, ecological advice, and arborist reporting.

Response to Further Issues

Private Open Space

1. *The revised proposal provides a number of smaller private open space (POS) areas in lieu of the prescribed requirement of 35m² for ground floor units in AO31.1 of the Multiple dwelling code. It is understood that these areas were altered through the response to the information request in order to provide side boundary landscaping. Whilst balconies have been provided to the western*

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side boundary on the ground and first floor, they are not appropriately setback and sized to enhance the amenity and liveability for residents and adjoining properties, is not functional for the use of the possible number of residents in each dwelling and does not contribute to the form and detail of the building in accordance with PO31 of the Multiple dwelling code.

- a. Provide amended plans which clearly show private open space that is of an appropriate size, have adequate separation distance that minimise potential amenity impacts to existing and future residents of adjoining site(s) and is functional in accordance with PO31 of the Multiple dwelling code.*
- b. It is recommended to review the private open space proposed in conjunction with the communal open space items;*
- c. Where private open space is unable to be provided in accordance with PO31 of the Multiple dwelling code, the site may be overdeveloped and may need to reduce yield in order to provide sufficient private open space.*

Response: Areas for private open space have been amended as per the breakdown below:

Unit	Private open space	Area (m ²)
T01-T08 (each)	Balcony L1 (19.13m ²) + Balcony L2 (9.50m ²) + Entry Patio (7.14m ²)	35.77m ²
T09	Balcony (3.39m ²) + Verandah (16.91m ²)	20.30m ²
T10	Balcony (3.39m ²) + Verandah (16.91m ²)	20.30m ²
Total		326.76m ²

T01-T08 achieve 35.77m² per dwelling, marginally exceeding the AO31.1(a) benchmark of 35m². T09 and T10 provide 20.30m² per dwelling, a shortfall against AO31.1(a) attributable to the constrained, narrower building footprint available to these units as a result of the site's topography and lot width. Providing 35m² of usable, appropriately dimensioned ground-level private open space to each unit in accordance with AO31.1(a) is not achievable without extensive retaining works, or would otherwise result in steeply graded, impractical, and unusable yard areas that would not genuinely serve residents' amenity. This shortfall is considered minor in the context of the overall development and is addressed on a performance basis below.

A performance-based response to PO31 is addressed below.

(a) Appropriately sized and located to enhance amenity and liveability for residents

Balconies are accessed directly from the primary living areas of each dwelling, maximising day-to-day usability and connection to internal living space rather than providing residual or disconnected outdoor areas.

(b) Designed to be functional for the use of the possible number of residents in each dwelling

The balcony areas provided to each unit are generously proportioned and well-dimensioned, providing usable outdoor space with direct connection to the living area. This is considered functional and proportionate to the likely occupancy of these 4-bedroom townhouses, which are anticipated to predominantly accommodate family households.

(c) Designed to contribute to the form and detail of the building

The balconies are integrated into the building's architectural expression, e.g. recessed/projecting balconies and consistent balustrade design, contributing to façade modulation, articulation, and visual interest, rather than presenting as an ancillary or add-on element to the building form.

In response to Council's recommendation to review private open space in conjunction with communal open space, communal open space of is provided at the rear. This space offers residents -



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including TO1-TO8 with a private open space shortfall - an additional outdoor amenity area at grade, supplementing the private open space provided and contributing to the overall open space outcome for residents of the development as a whole.

The private open space shortfall identified is minor and is a direct consequence of the site's constrained topography, rather than an indicator that the site is overdeveloped. The unit yield proposed is consistent with the development potential of the site under the Emerging community zone. Reducing yield would not resolve the topographic constraint driving the shortfall - it would simply reduce the number of units sharing the same underlying site conditions, without addressing the cause identified by Council.

Furthermore, a reduction in yield to resolve a minor, site-constrained private open space shortfall would run contrary to the strategic intent of both the local and state planning frameworks to accommodate housing growth within established urban areas.

The performance-based design response outlined above achieves the intent of PO31 notwithstanding the site's topographic limitations. The proposal is further supported by the strategic public interest in delivering housing supply within established urban areas of Brisbane, consistent with Council's Sustainable Growth Strategy and the South East Queensland Regional Plan.

Communal Open Space

2. *The updated plans show a communal open space within the area nominated for rehabilitation and is also located within the Notional Root Zone (NRZ) of Tree 3. The communal open space must be located outside the rehabilitation area and the NRZ of trees to be retained. Additionally, a third parking bay has been proposed which reduces the rehabilitation area further and encroaches into the NRZ of Tree 2. Any proposed parking bays must not encroach into the NRZ of trees to be retained within the rehabilitation area.*
 - a. *Provide an updated plan showing the communal open space and third car space removed from the rehabilitation area.*
3. *Whilst the response to the information request provided communal open space, the space in its current size and design does not appear to provide residents with passive and active recreation opportunities or provide opportunity for a range of uses and flexible use in accordance with PO30 of the Multiple dwelling code. As well as this, the area is below the 5% minimum requirement stated in AO30.1 and is only accessible via a steep pedestrian walkway, which does not appear to align with Australian standards or expectations for accessibility for residents and visitors. Where communal open space is provided to justify a reduction in useable private open space, the communal area is to be of a sufficient size and provide functional area that is flexible in its uses.*
 - b. *It is recommended to review the communal open space proposed in conjunction with the private open space items;*
 - c. *Where communal open space is unable to be provided in accordance with PO30 of the Multiple dwelling code, the site may be overdeveloped and may need to reduce yield in order to provide sufficient private open space.*

Response: The communal open space proposed is 36.20m², which is below the 5% minimum of the site area identified in AO30.1. This is a performance-based response to PO30, reflecting the constrained developable area remaining from the rehabilitation area and the root zones of Trees 1, 2 and 3 to be retained in situ.

Notwithstanding the numeric shortfall against AO30.1, the communal open space is considered to achieve the intent of PO30, addressed against each limb below.

(a) Residents with passive and active recreation opportunities

The communal open space comprises a central covered area suitable for informal active recreation, complemented by two seating areas integrated within the landscaped edges, providing residents



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with passive recreation and relaxation space. The combination of covered open space and fixed seating allows the space to accommodate both quiet, passive use and more active, informal use within the same area.

(b) A pleasant outlook and shared views or access to viewing points

The communal open space is designed to offer residents a pleasant outlook, with landscaped surrounds and greenery framing the development to provide an amenable setting for residents' use.

(c) Opportunity for a range of uses and flexible use

The open space allows flexible use by residents for a range of informal activities, while the two seating areas provide fixed points for passive use, gathering, or quiet recreation - together offering residents a choice of uses rather than a single fixed function.

The shortfall is directly attributable to the same underlying site constraints addressed for private open space. This shortfall is minor in the context of the development as a whole, is not indicative of overdevelopment, and supports the delivery of housing consistent with this strategic direction.

Side Setbacks & Side Boundary Landscaping

4. *It is acknowledged that the development has provided elements of side boundary landscaping amongst the verandahs provided to the western boundary. Despite this, the landscaping along the western side boundary does not soften the extent of built form and hardstand along the boundaries and does not sufficiently screen the proposal from adjoining sites in accordance with PO28 of the Multiple dwelling code.*
- a. *Remove the verandah on the western elevation in order to provide a continuous landscape buffer along the side boundary.*
 - b. *Provide amended Landscape Concept Plans addressing the above item. Previously included sections and elevations should be resubmitted with the amended LCP.*
 - c. *Ensure access is provided to the landscape buffer area for maintenance.*

Response:

The western verandah has been removed in full, as requested, to provide a continuous landscape buffer along the western side boundary uninterrupted by built form.

An amended Landscape Concept Plan is attached (**Attachment B**), together with updated sections and elevations, demonstrating the revised landscape buffer treatment along the western boundary. The amended plan provides for columnar planting and screen planting to soften the extent of built form and hardstand and provide effective screening to the adjoining site, in accordance with PO28 of the Multiple Dwelling Code.

Maintenance access to the landscape buffer area has been provided, ensuring appropriate maintained over time.

Built Form - Articulation

5. *It is acknowledged that the development has attempted to resolve previously raised articulation concerns. These alterations however have resulted in further encroachment of side boundary setbacks and introduces new concerns with privacy due to there being side facing balconies less than 4.5m from the boundary. The proposal would require 1.5m high privacy screening to avoid detrimentally impacting development opportunities of the adjoining lot.*
- a. *It is recommended to remove the side facing balconies on the first level and consider incorporating vertical screening to a living room window to address built form outcomes and maintain setbacks desired.*



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Response:

Council's request to remove the side-facing balconies along the first floor level sits contrary to Council's separate request to increase private open space provision. Removing these balconies would further inhibit a cohesive design outcome that provides residents with private open space directly connected to their living areas.

Accordingly, the balconies have been retained. Rather than removal, the design has been refined to balance the privacy needs of neighbouring residents with the comfort and amenity of building occupants, while:

- ensuring the building presentation is subtropical and climatically responsive;
- reducing the appearance of excessive building bulk; and
- providing opportunities for passive surveillance of the street and public spaces.

Arborist Reporting

6. *Updated engineering plans show further stormwater and sewer works within the Notional Root Zones of trees shown for retention. Tree 2 shows the stormwater swale within the NRZ and trees 2 and 3 show sewer works within the NRZ which requires arborist assessment. To ensure the vegetation proposed for retention can be retained an Arboricultural report from a qualified AQF Level 5 arborist is required.*
- a. *Provide an Arboricultural assessment by a qualified AQF level 5 arborist outlining the impacts proposed including detailed construction methodology for works within the NRZ's of trees being retained, this must include all services and proposed works including stormwater outlets, swales, etc.*
 - i. *The report must also address the height of the counter levered area and how this interacts with the trees proposed for retention and any associated impacts.*

Response:

Please refer to the Arboricultural Impact Assessment prepared by qualified AQF level 5 arborist at Trees are Cool (**Attachment C**).

Three (3) trees (trees T01, T02 and T03) are anticipated to incur minor impacts from works and can feasibly be retained within the proposed stormwater and sewer infrastructure and construction of a suspended/cantilevered area.

Concept Rehabilitation Plan

7. *Where on-site mitigation measures proposed include rehabilitation:*
- a. *Provide a Concept Rehabilitation Plan. Development must enhance biodiversity, native habitat and fauna movement. This plan is to be in the form of scaled plans and supporting documentation that includes at least the following information:*
 - i. *Description of proposed rehabilitation, including earthworks, methods, objectives.*
 - ii. *Stabilisation methods for all areas of exposed soil surface and where any earthworks are proposed.*

Response:

Please refer to the Amended Ecological Assessment Report including concept habitation plan and detailed explanation (**Attachment D**).



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Pedestrian Pathway

8. Whilst it is acknowledged the response to the information request has included the provision of a pedestrian pathway, the gradients on the pathway do not appear to comply with requirements in the Australian standards in order to allow equitable access by visitors to each unit. In order to avoid future change applications, it is recommended to review requirements and amend the gradients where needed.
 - a. Provide amended earthworks and civil plans where required.

Response:

Compliance of pedestrian pathway gradients with the relevant Australian Standards, to ensure equitable access for visitors to each unit, will be confirmed at detailed design and private certification stage.

Koala Mapping

9. *The exemption (o) proposed for clearing of Koala habitat for boundary fencing states under item (iii) the vegetation is regulated regrowth vegetation or at least concern regional ecosystem in a Category B area. As the vegetation is classified as Category X and not regulated regrowth or at least concern regional ecosystem in a Category B area, further confirmation from the State is required to confirm if exemption (o) is applicable.*
 - a. *Provide written advice from the State confirming that clearing is exempted development.*
 - b. *Where exemption is not achieved, the application may require referral to SARA.*

Response:

The application has been referred to the Chief Executive (SARA) for the proposed clearing under Schedule 10, Part 10, Division 3, Subdivision 3, Table 1 of the Planning Regulation 2017, as it exceeds the exempt clearing threshold defined in Schedule 24 (exempted development definition, item k).

Conclusion

We advise that this constitutes a full response to Council's further advice. We request Council please proceed with its assessment of the application accordingly.

Should Council require any further clarification please do not hesitate to contact the undersigned on 0448 972 959 or via email dtynne@willowtp.com.au.

Yours faithfully,



Darcy Thynne
Associate(QLD)
Willowtree Planning Pty Ltd

