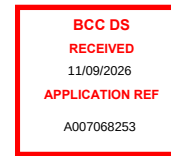


11 September 2026

Attn: Errin Lu
City Planning and Economic Development Services
Development Services
Brisbane Square, 266 George Street, Brisbane Qld 4000
GPO Box 1434 Brisbane QLD 4001



Via email dsplanningsupport@brisbane.qld.gov.au

Dear Errin,

***RESPONSE TO ASSESSMENT MANAGER'S INFORMATION REQUEST
DEVELOPMENT ASSESSMENT RULES 2017 PART 3 S13
RECONFIGURATION OF A LOT (1 INTO 2 LOTS) (COUNCIL REF: A007068253)
161 UNDERWOOD ROAD, EIGHT MILE PLAINS
(LOT 700 SP338014)***

We act on behalf of our client, Brisbane Islamic Centre Ltd, regarding the abovementioned Development Application.

On 19 August 2026, an Information Request was received from Brisbane City Council. Pursuant to Section 13.2 of the *Development Assessment Rules 2017*, we provide our response to this Information Request below.

The following information is attached in support of this response:

1. Copy of Council's Information Request dated 19 August 2026 (**Attachment 1**);
2. Revised Subdivision Proposal Plan prepared by House Surveys (**Attachment 2**);
3. Existing Development Approval A007048531 – Development Permit for Operational Work (Filling and/or Excavation) (**Attachment 3**);
4. Existing Development Approval A007048730 – Development Permit for Operational Work (Road Works and/or Stormwater Drainage) (**Attachment 4**); and
5. Existing Development Approval A006908597 – Development Permit for Operational Work (Vegetation Management Plan) (**Attachment 5**).

In accordance with Section 13.2 of the *Development Assessment Rules 2017* this letter and attachments constitute a response to all of the information requested. We submit that the below and attached information together with that provided with the application submission, provides sufficient information for Council to now complete its assessment and favourably determine the application.

PREAMBLE

At the outset, it is noted that the proposed lot boundary and access easement data used to create the Subdivision Proposal Plan is the same data, prepared by the same surveyor, as that provided in support of the following prior applications that have been approved by Council:

- A006791570 – Development Permit for MCU – Approved Development Area Plan
- A006791570 – Development Permit for MCU – Approved Vegetation Retention Plan
- A006908597 – Development Permit for Operational Work (Vegetation Management Plan)
- A007048531 – Development Permit for Operational Work (Filling and/or Excavation)
- A007048730 – Development Permit for Operational Work (Road Works and/or Stormwater Drainage)

This is noted to demonstrate the consistency across the relevant approvals and development over the site with a view to provide a level of comfort to Council that support for the proposed Reconfiguration of a Lot will ably facilitate the delivery of the respective land uses over Proposed Lot 1 and 2 without conflicting with any prior conditions of related approvals, or inadvertently result in any new impacts, which have not previously been considered, assessed and approved by prior development applications.

It is also critical to stress the importance of the sequencing of the ROL, needing to register the respective development parcels prior to (and as soon as possible) delivery of the respective approved Material Changes of Use over each of the proposed lots. This development application is effectively a management lot subdivision intended to create titles over which the project financier may secure a mortgage over each parcel, linked only to that development approval, to support project funding. This application simply serves to facilitate this outcome, with all key development obligations (such as rehabilitation and registration of environmental covenants) intended to be delivered as part of their respective land uses. Without this approach, such may be at risk, including ecological protections, of not even being secured.

INSUFFICIENT PLANS AND DOCUMENTS

1. *It is acknowledged that the proposed lot boundaries are based on the historical Court approval (Ref: A003247857) for a Material Change of Use for Community facilities and Reconfiguring a Lot from 2 lots into 3 lots. It is also acknowledged that the proposed subdivision is strongly related to Development Approval (Ref: A006791570) for a Material Change of Use for a childcare centre and multiple dwelling, as well as associated operational works approvals.*

The application material states that the proposed subdivision is intended to facilitate the delivery of the approved childcare centre, multiple dwelling development and lapsed place of worship development (subject to appeal in the Planning and Environment Court). However, limited information has been provided to support the proposed Reconfiguring a Lot application. The application material is largely limited to a subdivision plan showing the proposed lot layout and access easement.

The application currently relies on existing and previous development approvals to demonstrate compliance with the relevant requirements of Brisbane City Plan 2014. However, it is noted that the proposed Reconfiguring a Lot development may be enacted prior to the completion of the approved childcare centre, multiple dwelling and community facilities developments. Insufficient information has been provided to demonstrate that the proposed development can be appropriately assessed and conditioned as a stand-alone Reconfiguring a Lot development application.

In particular, insufficient information has been provided to demonstrate:

- *how each proposed lot will be accessed and serviced;*

- *whether any works are required to establish access, servicing infrastructure, stormwater infrastructure or lawful points of discharge;*
- *whether any clearing, earthworks, creek crossing works or other operational works are required to facilitate the subdivision;*
- *how the proposed lot layout responds to environmental values and mapped constraints on the site; how the proposed subdivision, including access arrangements, servicing arrangements, environmental protection provisions and intended development outcomes, will be achieved if Development Approval A003247857 is not revived and the relevant MCU approvals are not implemented.*
- *how the proposed subdivision can comply with Brisbane City Plan 2014 and enable appropriate conditions to be imposed.*

Provide amended subdivision plan, additional plans and approved drawings where relevant, and supporting information prepared by suitably qualified professionals that demonstrate and clarify:

- a) The proposed access arrangements for each lot;*
- b) the location and extent of any required access easement, drainage easement, services easement or other easement required to facilitate the proposed subdivision;*
- c) the proposed servicing arrangements for each lot, including stormwater;*
- d) the lawful point of discharge for each proposed lot;*
- e) any works required to establish access, servicing infrastructure, stormwater infrastructure or lawful points of discharge;*
- f) any clearing, earthworks, creek crossing works or other operational works required to facilitate the proposed subdivision;*
- g) the location and extent of any environmental protection areas, environmental covenant areas, development footprint areas, environmental management areas or similar areas;*
- h) any future road widening, land dedication or frontage works requirements.*

RESPONSE

In response to Item (a), access is proposed via a 6m wide concrete driveway from Underwood Road and following the alignment of the proposed access easement. The design and extent of this driveway is consistent with the existing Material Change of Use for Multiple Dwellings and Child Care Centre over part of the site and for which the Compliance Assessment/OPW Development Approvals A007048730 (Stormwater Drainage) and A007048531 (Filling & Excavation) have been granted.

It is requested that A007048730 and A007048531 are introduced as common application material to this application to support the proposed access. Consistent with prior existing approvals over the site, the Applicant is amenable to a condition of any approval to construct a concrete driveway generally in accordance with Council's standard drawings and specifications, to the satisfaction of Council.

In response to Item (b), the location and extent of the proposed access easement is clearly depicted through the Subdivision Proposal Plan submitted in support of this application. Any additional easements that may be required would be subject to conditions of any approval. This is consistent with prior approvals over the site.

In response to Item (c), stormwater servicing for both proposed lots has already been established via Development Approval A007048730 (Operational Work – Road Works and/or Stormwater Drainage), which will continue to service the subdivision. The legal point of discharge is the waterway centrally intersecting the site.

Further water quality and quantity management will be delivered through subsequent Material Changes of Use over the respective sites in accordance with those approved Stormwater Management Plans.

Water and sewer servicing to each lot will be provided in accordance with existing Queensland Urban Utilities' (QUU) approvals 25-PNT-83389 (Sewer) and 25-PNT-83238 (Water) previously obtained and which remain current. Electrical and telecommunications servicing to each lot will be provided as a standard condition of any approval.

In response to Item (d) and as noted in response to Item (c), stormwater servicing for both proposed lots has already been established via Development Approval A007048730 (Operational Work – Road Works and/or Stormwater Drainage).

In response to Item (e) and as noted in response to Item (a), works required to support delivery of the subdivision involved a 6m wide concrete driveway from Underwood Road and following the alignment of the proposed access easement and associated earthworks. The design and extent of this driveway is consistent with the existing Material Change of Use for Multiple Dwellings and Child Care Centre over part of the site and for which the Compliance Assessment/OPW Development Approvals A007048730 (Stormwater Drainage) and A007048531 (Filling & Excavation) have been granted. This material is introduced to this application as part of this Information Request Response.

In response to Item (f), it is noted that no new clearing is required to construct the access driveway. Historical clearing has occurred as part of early works associated with delivering the original Development Approval (A003247857) for the Place of Worship.

This proposed subdivision does not involve any creek crossing. The common boundary to Proposed Lot 1 and 2 stops prior to the creek. Works will be undertaken consistent with the existing approval Compliance Assessment/OPW Approvals A007048730 (Stormwater Drainage) and A007048531 (Filling & Excavation). Tree retention and protection will be in accordance with A006908597 (Vegetation Management Plan).

The creek crossing falls within the bounds of Proposed Lot 2 and as such, will be delivered as part of the Material Change of Use over that parcel.

In response to Item (g), it is noted that the location and extent of an Environmental Protection Zone (EPZ), and its associated Metes and Bounds Plan, have been established through the original approval (Consent Order No. 2249 of 2014, ref: A003247857) and subsequently reinforced as they relate to Proposed Lot 1 under Development Approval A006791570. The Environmental Covenant to secure the Environmental Protection Zone will be delivered by these respective approvals.

This development application is for a 1 into 2 subdivision and must be considered the context of its scale and intensity. As previously noted, no new clearing is required to facilitate delivery of the proposed subdivision, nor will it give rise to any new impacts on vegetation or ecological values. As such, when considered in this context, the protection of ecological values under an Environmental Covenant is not considered warranted, and would be an unreasonable imposition to condition.

Rather, it is emphasised that the City Plan contains robust protection of ecological values through its overlay mapping and associated assessment benchmarks. The reconfiguration of a lot will not give rise to ability to impede or cause impact on these ecological values without further assessment under a separate development application. Further, the existing approved Vegetation Management Plans over the site will ensure the protection of all trees to be retained under those compliance assessment/OPW approvals. Accordingly, it is not considered necessary, and would be excessive, to require an environmental covenant to be registered as part of this subdivision proposal.

In response to Item (h), consistent with more recent approvals over the Proposed Lot 1 (namely A005333870/A006568241 and A006791570), the Proposed Plan of Subdivision provided within **Attachment 2** has been amended to provide for a small area of road dedication along the site's frontage.

The lot boundaries and Underwood Road frontage proposed under this application remain unchanged from, and consistent with, those established under the Multiple Dwellings and Childcare Centre approval (A006791570). An updated Subdivision Plan, prepared by the project surveyor (House Surveys), is provided in support of this response confirming the above.

However, given the proposal is only for a 1 into 2 lot subdivision, it is not expected or anticipated that any further frontage works are required. The Proposed 6m wide access driveway is sufficient to service a 1 into 2 lot subdivision. Whilst it is acknowledged that plans exist for frontage works along Underwood Road, this service specific Material Changes of Use and the delivery of such should be carried out under these approvals.

ECOLOGICAL VALUES

2. *The proposed Reconfiguration of a Lot (1 into 2) does not provide sufficient information regarding impacts to vegetation within the site. It appears that access within the proposed lot 2 may require further works, therefore, Council will require further information on what vegetation is within this area and any other areas where services/works are proposed to facilitate the ROL.*

Provide a Vegetation Retention Plan in accordance with the Biodiversity areas planning scheme policy for any areas where works are proposed (e.g. any further works required for the access into lot 2 where crossing the waterway). Including:

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

RESPONSE

No new clearing is required to deliver the proposed reconfiguration of a lot. Historical clearing has occurred as part of commencement of works for the original Development Approval (A003247857) for the Place of Worship.

OPW for Filling and Excavation, Drainage and Vegetation Management Plan support the proposed access. These works are approved by the MCU for the Townhouse and Child Care Centre and due to commence shortly (at time of writing).

The subdivision itself will not result or cause impacts to any further vegetation, nor give rise to any new as-of-right land uses. The City Plan, through overlay provisions/assessment benchmarks, provides for adequate

protection of ecological values over the site. Any future use will require a MCU development approval (or may already be approved) which will involve the assessment of and consideration to these ecological values. This is considered a suitable process for the consideration of impacts to the ecological values. The ROL in itself does not give rise to any new impacts and achieves compliance with the relevant Overlay Code.

Accordingly, based on the existing OPW/VMP approvals already granted by Council (which are introduced as common material to this application), the proposed subdivision is consistent with prior approvals and has demonstrated to achieve compliance with the relevant assessment benchmarks.

3. The temporary access track that has been used for access into proposed Lot 2 may require decommissioning. Further information will be required to understand when this track is proposed to be decommissioned and what actions are proposed for decommissioning.

a) Provide further information of the temporary access track to allow access into Lot 2. Including:

- i. When decommissioning is to occur;*
- ii. What actions are proposed for decommissioning*

RESPONSE

In response to Item 3, it is acknowledged that the construction access track is temporary and will need to be decommissioned. It has always been intended that this track would be decommissioned once the formal access, proposed as part of this subdivision, to Lot 2 is constructed. The Applicant is amenable to a condition of any development approval to this effect.

It is proposed that the rehabilitation of the access track, and subsequent registration of an environmental covenant, be carried out as part of the delivery of the respective MCU approvals over Proposed Lot 1 and 2, namely A006791570 and A003247857 (once re-enlivened).

4. Areas of mapped ecological value are present within proposed Lot 2. To ensure the protection of these areas further information is required. a) Provide further documentation/plans demonstrating how the protection of ecological values will be protected under environmental covenants. The plans are to include approved lots within Lot 1 as approved under Development Approval A006791570.

RESPONSE

In response to Item 4, whilst Council's comments are acknowledged, the proposed application is for a 1 into 2 subdivision and must be considered in such context. As previously noted, no new clearing is required to facilitate delivery of the proposed subdivision, nor will it give rise to any new impacts on vegetation or ecological values.

As such, when considered in this context, the scale and intensity of the development subject to this application, the protection of ecological values under an Environmental Covenant is not considered warranted, and would be an unreasonable imposition to condition. Rather, it is emphasised that the City Plan contains robust protection of ecological values through its overlay mapping and associated assessment benchmarks. The reconfiguration of a lot will not give rise to ability to impede or cause impact on these ecological values without further assessment under a separate development application. Further, the existing approved Vegetation Management Plans over the site will ensure the protection of all trees to be retained under those compliance assessment/OPW approvals. Accordingly, it is not considered necessary, and would be excessive, to require an environmental covenant to be registered as part of this subdivision proposal.

Notwithstanding, the Applicant remains committed to delivering its obligations under the respective MCU approvals and should, for whatever reason, they not be acted on, any future land use would be subject to a

new MCU approval and a complete and thorough assessment by Council at that time. Again, it cannot be stressed enough the importance of registering the respective land parcels as soon as possible, through this application in what is effectively a management lot subdivision, to support the financing and delivery of the respective MCU's.

In accordance with Section 13.2 of the *Development Assessment Rules 2017* this letter constitutes a response to all of the information requested. Therefore, we ask that Council proceed with the assessment of this Development Application and note that the Applicant will proceed with Public Notification in the coming days.

Should you have any queries concerning the above, please do not hesitate to contact the undersigned on 0436 619 190.

Yours faithfully,

A handwritten signature in dark ink, appearing to be 'Kassim Mahomed', written in a cursive style.

Kassim Mahomed

Town Planner (*BURP, Post Grad Dip URP, Dip PM*)

ATTACHMENT 1

Copy of Council's Information Request dated 19 August 2026

ATTACHMENT 2

Revised Proposed Subdivision Plan prepared by House Surveys

ATTACHMENT 3

Existing Development Approval A007048531 – Development Permit for Operational Work (Filling and/or Excavation)

ATTACHMENT 4

Existing Development Approval A007048730 – Development Permit for Operational Work (Road Works and/or Stormwater Drainage)

ATTACHMENT 5

**Existing Development Approval A006908597 – Development Permit for Operational Work
(Vegetation Management Plan)**