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APPLICATION REF
A006914564

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TOWN PLANNING
SURVEYING

Our Ref: 001567-T
Council Reference: A006914564

30 July 2026

Assessment Manager
Brisbane City Council
Planning Services South
Via Email: Nicholas.Cudicio@brisbane.qld.gov.au

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Attention: Nicholas Cudicio

Dear Nicholas

RE: RESPONSE TO FURTEHR ADVICE
149 Benhiam St, Calamvale Qld 4116
Development permit for Reconfiguring a lot
A006914564

Reference is made to the development application seeking a development permit for Reconfiguring a lot for 2 into 11 lots and new road on land at 149 Benhiam St, Calamvale Qld 4116 and part of the lot on land at 169 Benhiam Street, Calamvale and Council's further advice correspondence dated 29 May 2026. Please see our responses below.

In accordance with section 35.1 of Development Assessment Rules (v3), please see our full response to all the items raised in Council's request for further advice.

The following documents are attached in support of this response:

1. Appendix 1 - Updated Proposed Subdivision Layout Plan (PSLP) Rev L.
2. Appendix 2 - Ecological response letter – 28 South
3. Appendix 3 - Engineering response & Stormwater Management Plan – Hurley Consulting Engineers.
4. Appendix 4 - Schedule A – Meets and bounds development area for Stormwater Easement area in part of 169 Benhiam St.

MEETS AND BOUNDS

Item 1

The development application has specified part of 169 Benhiam Street (Lot 48 on RP94849) as a subject premises, limited to a metes and bounds area for the access easement for stage 1 / new road for stage 2. However, the proposal involves a stormwater easement area (406m²) within 169 Benhiam Street (Lot 48 on RP94849) which has not been included in the metes and bounds development area.

Submit amended application material which clarifies if the entirety of 169 Benhiam Street (Lot 48 on RP94849) is a subject premises of the development application. Alternatively, provide an amended metes and bounds development area which includes the stormwater easement area over 169 Benhiam Street (Lot 48 on RP94849)

Response:

In response to item above, Only parts of 169 Benhiam Street (Lot 48 on RP94849) is included in the development application, mainly for the purposes of providing clarity to Council with respect to access to



the subdivided lots within the subject property at 149 Benhiam street. Accordingly, a meets and bounds development area to include the stormwater easement area (406m²) within 169 Benhiam Street (Lot 48 on RP94849) is provide in Schedule B.

BUSHFIRE HAZARD

Item 2

The response to Council's information request in relation to bushfire setbacks (PO1) is reliant on Queensland Development Code (QDC) and Dwelling house (small lot) code setbacks to control potential exposure of future dwellings to radiant heat exposure and therefore did not identify any setbacks within proposed lots 1-8 to reflect <29kW/m² (PO1). As siting requirements can be varied or relaxed independent of this development approval, this proposed approach is not supported by Council. Additionally, revised Civil plans still do not reflect any earthworks required for the proposed emergency services vehicles turnarounds.

a) Provide revised plans identifying the required setback to achieve <29kW/m² within the road reserve and frontage of lots 1-9.

b) Provide revised engineering plans that reflect earthworks required for the construction of the turnaround for emergency services vehicles.

Response:

Amended plans are provided illustrating a building exclusion area (15.3 meter distance) to achieve the radiant heat exposure <29kW/m². Amended engineering plans are provided to reflect earthworks required for construction of the turn around area for emergency services vehicles.

BIODIVERSITY

Item 3

The proposed Biodiversity offset of 5,303m² within the Lot 3 on SP324952 is considered acceptable. However, potential impacts associated with the new road on 169 Benhiam St and the sewer connection have not been considered as part of this application as sought by Council's Information request. As the proposed development is contingent on these works occurring, independently of the development approval on Lot 48 on RP948949, the impacts of these works to matters of local environmental significance (MLES) need to be accounted for, if works occur as part of this development approval.

a) Provide a revised Tree Survey plan identifying all impacts associated with the proposed development including proposed services (i.e. sewer and stormwater), roads (on both 149 & 169 Benhiam St) and earthworks associated with temporary turnarounds. Where works encroach into the tree protection zone of trees to be retained, a report from a qualified arborist (AQF level 5 Arboriculture) is required to demonstrate no negative impacts on the long-term health of the trees.

b) Provide a revised environmental offset that accounts for all impacts associated with the proposed development, including the new road and sewer connection on Lot 48 on RP948949 that may be required to be constructed in support of this development approval. The environmental offset must consider all impacts to vegetation within mapped areas of HES/HESS in accordance with the Offsets Planning Scheme Policy definition of significant residual impacts to MLES

Response:

A revised tree Survey Plan is provided in Appendix 2 - ecological response letter - Figure 1 and tree schedule in Attachment 3.



We confirm that the Applicant is prepared to satisfy the approved environmental offset requirements in full. In accordance with Council's request, the proposed disturbance to native vegetation, including native understory vegetation, within Lot 48 on RP948494 has been calculated as having a total area of 1,052m².

The Applicant maintains its willingness to discharge any environmental offset obligation that properly arises from the proposal. However, the need for a monetary offset will depend on whether the approved works on Lot 48 on RP948494 have already been carried out before development commences on the subject site.

Where the existing approval is implemented first, the vegetation located within the future driveway and sewer connection areas will have already been removed under that separate lawful approval. As the subsequent works would not cause any further clearing or additional loss of native vegetation, there would be no residual impact attributable to the current proposal and, consequently, no basis for requiring a further financial offset.

Following earlier discussions with BCC, it was agreed that draft wording for the offset condition would be provided for Council's review and consideration. Our proposed wording for the development approval condition is as follows:

- a. *The approved environmental offset must be paid prior to the commencement of development, in accordance with an approved VMP.*
- b. *Despite Condition (a), the environmental offset is not required for vegetation associated with the approved driveway and sewer connection where the approved development at 48RP94849 (Application No. A005069964) has been completed prior to the commencement of development at 3SP35952, and the relevant vegetation has already been lawfully cleared under that approval.*
- c. *Where development at 3SP324952 commences before the completion of the approved development at 48SP94849, or where the relevant vegetation has not been lawfully cleared under that approval, the environmental offset must be paid in accordance with Condition (a).*

The final environmental offset requirement will be calculated at the OPW stage.

STORMWATER MANAGEMENT

Item 4

The response to Information request relating to land dedication has not addressed Performance outcome PO18 (items a to f) of the Flood overlay code. It is noted that the response has identified compliance with Acceptable outcome AO18.3 of the Flood overlay code, however PO18 is relevant as the development does not comply with the requirements of AO18.1. Please update the response and include the following:

a) Provide amended plans which address the following:

i. Address safety and nuisance/scour from upslope developments/runoff.

Note. The response mentions flood immunity without addressing the above issues.

ii. It needs to be noted that an easement does not consider safety or nuisance and does not manage boundary fencing resulting in the obstruction/blocking of flow paths.

This flooding outcome is unsafe and does not meet the Performance outcome. A flooded land, waterway corridor, is to be dedicated to Council as non-trunk land as shown on Sketch 1 sent on 23 January 2026 as part of the Information request.

iii. Lot 900 shown on Sketch 1 is to serve as a water quality offset area consisting of a non-trunk waterway rehabilitated and dedicated to Council. This will ensure that entry and transport of soils and contaminants to the water way is avoided or minimised (in accordance with section B of the Stormwater code).

iv. The proposed WSUD tree pits on the verge of the new road are not supported and do not meet the water quality pollutant removal targets. Council preference is for consolidated systems as dedicated land rather than structures/WSUD within the road reserve as these pits represent a long-term maintenance liability in addition to access and safety risks.

b) The flood impact analysis needs to allow for the approved development at 169 Benhiam Street as the existing condition (e.g. Catchment A5 must be considered as impervious area as approved). Please confirm NO impacts downslope with an updated catchment model, as current much of the flow mitigation achieved is a result of differing catchment peak flow timing, which may be less pronounced with 169 Benhiam Street being developed.

Response:

The amended plans identify proposed Lot 900 generally in accordance with Council's Sketch 1. Lot 900 is intended to function as a water quality offset area comprising the non-trunk waterway corridor and associated flood-affected land, which is to be rehabilitated and dedicated to Council.

The configuration of Lot 900 marginally excludes part of the mapped waterway corridor to achieve an appropriate interface with the existing stormwater easement (EMT E SP324952). Notwithstanding this minor adjustment, Lot 900 continues to incorporate the creek, waterway corridor and associated flood-affected land identified on Council's mapping. The proposed boundary retains the principal environmental and water quality values intended to be protected through the establishment of the offset area. Consequently, the area dedicated will ensure that entry and transport of soils and contaminants to the water way is avoided or minimised (in accordance with section B of the Stormwater code).

On this basis, it is considered that the configuration shown on the amended plans appropriately establishes Lot 900 as a water quality offset area comprising the non-trunk waterway corridor and associated flood-affected land. The proposed area is capable of being rehabilitated and dedicated to Council and therefore satisfies the intended purpose of Council's requested water quality offset arrangement. For further detail, refer to Appendix 3.

SERVICING
Item 5

The provided RPEQ endorsed swept path analysis shows the manoeuvre of the Refuse Collection Vehicle (RCV) body encroaching into Lot 10. Additionally, a forward in reverse out manoeuvre to the turnaround easement is shown, a 9.757m kerb to kerb turning radius has not been utilised and the vehicle clearance envelope has not been included. Submit amended plans which address the following:

- a) *In accordance with PO9/AO9 of the Subdivision code and PO1/AO1, PO18/AO18 of the Transport, access, parking and servicing code, provide a RPEQ endorsed swept path analysis demonstrating the RCV as specified in BSD 3004, can safely and efficiently service the development and utilise the turnaround easement.*
- b) *The RCV must perform a forward in and a reverse out manoeuvre to the turnaround easement.*
- c) *Ensure to utilise a 9.757m kerb to kerb turning radius and a minimum 300mm clearance envelope.*
- d) *Demonstrate the entire body of the RCV is contained within the turnaround easement.*

Response:

The temporary vehicle turnaround crossover within Lot 10 has been revised to a Type B2 crossover, consistent with Brisbane City Council Standard Drawing BSD-2021. The amended swept path assessment



for the refuse collection vehicle demonstrates a 9.757-metre kerb-to-kerb turning radius, together with a 300-millimetre vehicle clearance envelope, as illustrated on the updated concept civil engineering plans.

The revised arrangement also ensures that the refuse collection vehicle is wholly contained within the designated turnaround easement. Please refer to updated engineering report

Conclusion

The above are the Applicants' full responses to the request for further information. We request that the assessment manager complete the assessment with an approval that incorporates reasonable and relevant conditions.

If there are any further questions in relation to this matter, please do not hesitate to contact the undersigned on 1300 275 266.

Regards,

Reza Ilkhani
Senior Town Planner
B Planned & Surveyed Pty Ltd