

27 March 2026

Urbicus Ref: URB25-281
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Applicant response to an information request under Section 13 of the Development Assessment Rules

Council reference: A006899145
Property details: 15 Ullswater Street, Virginia QLD 4014

We refer to Brisbane City Council's (BCC) "Information Request" relating to the above site (the Site) and application (the Application) and wish to advise that we will be providing all the information requested in accordance with Section 13.2 of the Development Assessment Rules.

In support of our response the following documents are provided:

1. Appendix A – Amended Architectural Plans
2. Appendix B – Civil Response
3. Appendix C – Amended Civil Report
4. Appendix D – Amended Stormwater Management Plan
5. Appendix E – Ecology Response
6. Appendix F – Amened Vegetation Management Plan
7. Appendix G – Amened Concept Rehabilitation Management Plan
8. Appendix H – Bushfire Response

We address the specific items raised in BCC’s “Information Request” as follows:

- In response to **Items 5, 13 & 16** – refer to **Appendix B-D**.
- In response to **Items 8-10** – refer to **Appendix E-G**.
- In response to **Item 12** – refer to **Appendix H**.

Item	Land Use
1	<p><i>The application has applied for Bulk landscape supplies and Warehouse uses over Lots 50 and 51 on RP26037 but has provided very limited detail on the intended operation of the proposal. Reference has been made to a previous approval for Display and Sales Activities (Industry) however, this application has lapsed and does not appear to have been carried out. This application was also assessed under a different Planning scheme and different land use definition and therefore there may be differences in requirements for the site. It is noted that Bulk landscape supplies are Impact assessable and are not typically envisaged in the Industry investigation zone.</i></p> <p><i>a. Provide further information as to how the Bulk landscape supplies and Warehouse uses will operate, how members of the public will access the development, and how the operation of the business will comply with the definitions for Bulk landscape supplies and Warehouse.</i></p> <p><i>b. Provide further information to demonstrate how the proposal, and in particular the Bulk landscape supplies use, meets the assessment benchmarks of City Plan 2014 and represents a suitable use for the site.</i></p> <p><i>c. Provide details on how the proposed use is independent from the Waste transfer facility on Lot 49, which is included in this application.</i></p>

Response: The proposed “Warehouse” and “Bulk Landscape Supplies” uses are to be retained. Under Brisbane City Plan 2014 (BCP2014), the abovementioned uses are defined as,

Bulk landscape supplies means the use of premises for the bulk storage and sale of mainly non-packaged landscaping and gardening supplies, including, for example, soil, gravel, potting mix or mulch.

Warehouse means the use of premises for—

- storing or distributing goods, whether or not carried out in a building; or
- the wholesale of goods, if the use is ancillary to the use in paragraph (a).

The Bulk Landscape Supplies and Warehouse uses involve the sale and storage of landscaping materials (and skip bins), whereas the Waste Transfer Facility relates to the receipt, transfer and sorting of waste materials. The uses are located on separate lots with clearly defined operational areas, ensuring functional and visual separation between activities. Each use will have its own operational staff, customer base and business activities. The proposed “Bulk Landscape Supplies” and “Warehouse” uses will be undertaken over 5-11 Ullswater Street and will involve recycled/re-used products from the collection of construction waste (concrete/ brick aggregates and gravels), which is sorted within the existing industrial building over 15 Ullswater Street (the Waste Transfer Facility). The “Warehouse” use component will involve the storage of materials for sale and skip bins.

Customer access will be controlled through a designated entry point off Ullswater Street (the existing crossover over 5 Ullswater Street – the southernmost crossover) with on-site circulation designed to safely accommodate light vehicles, trailers and rigid trucks. Clear signage will direct customers to loading areas, sales/office areas and exits, minimising conflict between vehicles and pedestrians – and can be conditioned.

Materials will be delivered by truck and stored in designated bays or stockpile areas. Sales will occur either via pre-order (trade customers) or limited on-site selection, with materials loaded by staff using front-end loaders or forklifts. Dust, noise and runoff will be managed through standard industry measures, including water suppression, controlled stockpile heights, and appropriate drainage.

Item	Access Ramp
2	<p><i>The proposal plans show an access ramp on Lot 49 which is noted as for maintenance access. It is understood the original approval over Lot 49 included a ramp to the rear of the site in order to provide maintenance access to the rear of the site and undercroft area. However the extension of the ramp as shown (and which is shown to be existing on aerial mapping) is not supported as it extends within the area previously designated to be drainage reserve dedicated to Council, which was also to be rehabilitated.</i></p> <p><i>a. Provide amended plans which remove the rear access ramp extending into the protected area from the proposal and return the ramp to the extent and form previously approved over Lot 49 under A002385903 and it is not to be used for maintenance access to Lots 50 and 51.</i></p>

Response: Refer to **Appendix A** and **Figure 1**. The access ramp currently extending into the rehabilitation area within the rear portion of the adjoining site to the north (15 Ullswater Street) has been removed.

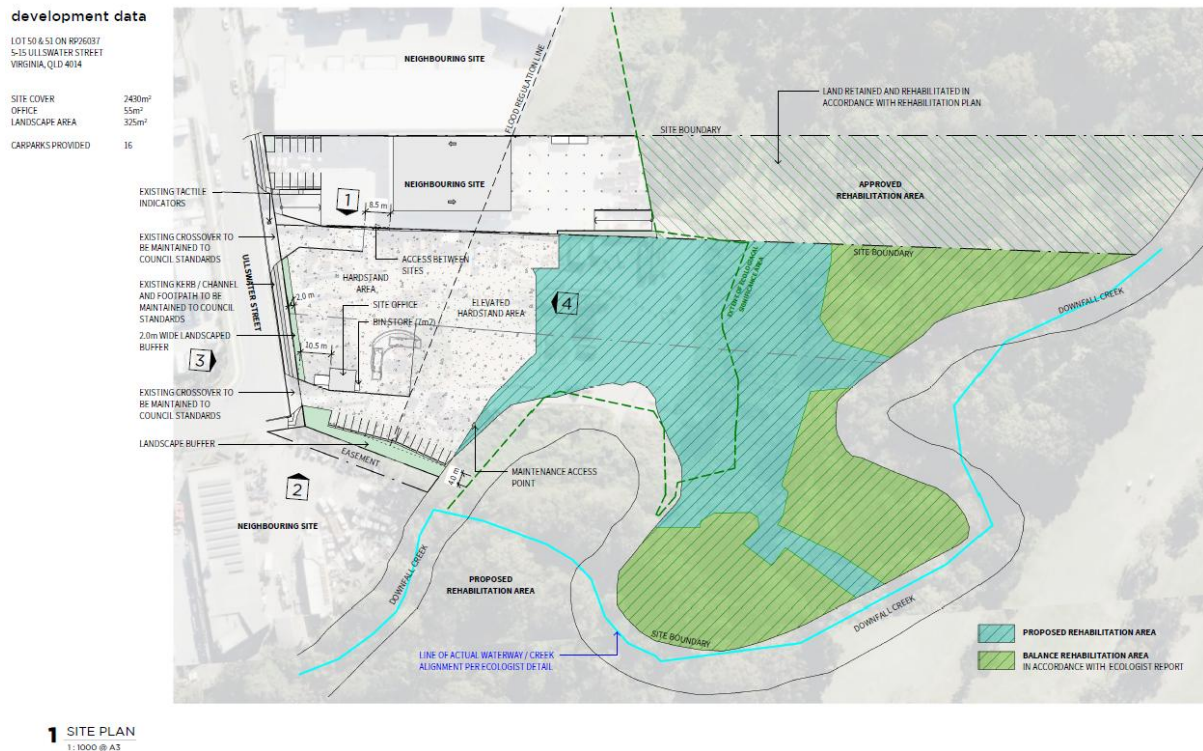


Figure 1 Amended Site Plan

Item	Car Parking
3	The proposed car parking spaces should ideally be located near the proposed site office to avoid lengthy pedestrian routes to the office, through the operational areas of the site. The car parking spaces are measured as being more than 45 metres from the site office.
Item	Refuse Storage and Collection
4	Demonstrate the location and size of the proposed refuse storage area to service the site. The refuse storage area is to be in a position which is accessible to service vehicles on the site and enable onsite refuse collection. Note: the refuse storage area needs to be housed either within a building or within a roofed and wholly screened enclosure.

Response: Refer to **Appendix A** and **Figure 1**, which shows the following amendments to

the architectural plans:

- The Site office relocated further south within the Site boundary, immediately north of the existing access crossover and car parking areas over 5 Ullswater Street; and
- Screened and roofed bin store immediately east of the proposed office.

Item	Use Conflict with Ecological Constraints
6	<p><i>The proposal seeks to locate landscape material and skip bins within the mapped Waterway corridor overlay and Environmental management (EM) zone, including large hardstand areas and landscape material bays on an elevated pad (minimum 2m high). The proposal triggers assessment against Section A and C of the Waterway corridors overlay code, and the Overall Outcomes (OO) of the EM zone code. The site is also located within the Sandgate Road neighbourhood plan, triggering assessment against the Sandgate Road neighbourhood plan (SRNP) code.</i></p> <p><i>The purpose of the Waterway corridors overlay code is to maintain and enhance waterway health and environmental values while allowing compatible development. Similarly, the EM zone code requires protection of environmentally sensitive areas from industry activities, while the SRNP requires that development does not exacerbate flooding or detrimentally impact on the environmental values of Zillman Waterholes, Downfall Creek and Nundah Creek.</i></p> <p><i>The proposal to locate landscape material bays on a suspended slab, and skip bins, within the mapped EM zone and waterway corridor—some as close as 5m from the waterway—is not satisfactory. This conflicts with the purpose of the respective codes above and fails to comply with OOa, OOg and Performance Outcome (PO) 6 of the Waterway corridors overlay code, OOb, OOe, Ool and OOm of the EM zone code, and OOa of the SRNP code.</i></p> <p><i>a. Provide amended plans in accordance with the Waterway corridors overlay code, EM zone code and SRNP code that show all landscape use, including landscape material bays and skip bins, located wholly outside the Waterway corridors overlay area.</i></p>
Item	
7	<p><i>A cleared hardstand area currently exists on site which encroaches into the mapped waterway corridor east of the proposed suspended slab. This area is not shown on proposed plans, and its intended use is unclear. Further information is required to determine the future intent of this area and demonstrate compliance with OOa, OOg and PO6 of the Waterway corridor overlay code,</i></p>

	<p>a. Provide written clarification as to the intended future use of the cleared hardstand area which currently exists within the mapped waterway corridor, or demonstrate it will be removed.</p> <p>b. Provide amended plans which clearly show the current cleared hardstand area and its intended future use, or which demonstrate it will be removed.</p> <p>c. Provide an amended assessment demonstrating how any proposed hardstand areas within the waterway corridor comply with OOa, OOg and PO6 of the Waterway corridors overlay code, OOb, OOe, Ool and OOm of the EM zone code, and OOa of the SRNP code.</p>
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Response: Refer to **Appendix E** for a detailed response to **Items 6 & 7**. We refer to **Figures 2 & 3** and further emphasise the following:

- The portions of the Site included within the Environmental Management (EM) zone and Waterway Corridors overlay are previously disturbed areas that do not contain any environmental qualities given the historical industrial uses undertaken over the Site. The Site is intended to be redeveloped for industrial purposes, and the extent of the existing overall development footprint is proposed to be reduced.
- Council has supported development (Waste Transfer Station) over 15 Ullswater Street which has encroached into the abovementioned 'mapped' areas. Council has also previously supported a similar development footprint over 5 & 11 Ullswater Street for "Display and Sales Activities" (Council Reference A003906391).
- Rehabilitation (see **Appendix G**) is proposed to the rear of the newly proposed development footprint to ensure the environmental values of the waterway are protected as part of the development.
- The waterway corridor mapping is not reflective of the location of the waterway. The mapping denotes that the centreline of the waterway is over disturbed areas of the Site; however, the correct location of the waterway is further south where more dense vegetation is located as shown in **Figure 1**.

Given the above-made planning representations, the development proposal satisfies the relevant outcomes of the EM zone code, Sandgate Road neighbourhood plan code and Waterway Corridors overlay code.



Figure 2 Site Zoning (Green – EM, Purple – Industry Investigation)



Figure 3 Mapped Waterway Corridor

Item	Current Assessment Provisions
11	<p>The submitted plans include multiple references to the Habitat Area & Ecological Corridor as shown in the Sandgate Road Industrial Area Local Plan – Map A. This planning instrument no longer exists, and all submitted documentation must be amended to refer to the current applicable City Plan 2014 assessment provisions.</p> <p>a. Amend the submitted proposal documentation to reflect the current applicable City Plan 2014 assessment provisions.</p>

Response: All references to previous planning scheme instruments have been removed from Appendix A.

Item	Dangerous Goods
14	<p>Provide further information on any proposed dangerous goods (ie Diesel, fuel, oil, gases, thinners, paints, batteries, acids & alkalines), to be stored or handled on site. Such information is to include the following:</p> <p>a. type, class and package group;</p> <p>b. quantity;</p> <p>c. storage location and spill/leak provisions (including bunding, roofing etc); and</p> <p>d. compliance with any applicable Australian Standards ie Australian Standard AS1940 The storage and dispensing of flammable & combustible liquids.</p>
Item	Fuel Burning – Back Up Pumps, Generators, Fire Booster Pumps, Flood Pumps
15	<p>Provide further details regarding any proposed on-site fuel burning activities, such as standby/back-up power generators, flood pumps, fire booster pumps etc that run on a fuel such as diesel or a gas. If such equipment is planned, please outline the following information:</p> <p>a. the type, location, and total & cumulative fuel burning capacity measured in megawatts (MW) for all fuel burning equipment (See below and Table SC1.1.3.A—Industry thresholds for applicable Industry use/thresholds);</p> <p>b. the type of fuel used to operate the equipment, along with the quantity;</p> <p>c. information on the location of the vents and any controls (ie SCR) aimed at preventing undesirable air and noise emissions towards any sensitive uses/zones (assessment against PO1 & PO2 Industry Code);</p> <p>d. the annual number of hours the equipment is expected to be operational, including testing as per the manufacturer’s recommendations (typically manufacturers require 1hr/month to test the plant/equipment); and</p> <p>e. for equipment powered by Diesel or Unleaded, an assessment in accordance with Australian Standard AS1940 and suggested actions to ensure any potential leaks or spills are adequately contained (refer to Industry Code and</p>

	<i>Storage and Dispensing of Petroleum Products Planning Scheme Policy)</i>
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Response: The applicant has confirmed that no dangerous goods or fuel burning is proposed over the Site.

Item	Landscaping
17	<p><i>The proposal indicates a landscape buffer along the frontage of the site however it is not clear if this buffer can support landscaping that will ameliorate the view of the development from major public vantage points and make a positive contribution to the streetscape through bold landscape elements that complement the scale and bulk of the industrial form in accordance with PO13 of the Industry Code. Onsite landscaping should support the provision of large shade trees that cast shade over the verge and effectively soften the extent of hardstand including car parking areas.</i></p> <p><i>a. In accordance with PO13 of the Industry Code provide a Landscape Concept Plan that includes the following:</i></p> <ul style="list-style-type: none"> <i>i. A landscaped strip along the site frontage with a minimum width of 2m;</i> <i>ii. Tree planting to site frontages which will achieve a canopy spread over 50% of the site frontage within 5 years of planting.</i> <i>iii. Shade trees in the car parking area at a ratio of 1 tree for each 6 car parking spaces.</i> <i>iv. viii. All shade trees are supported by understorey plantings made up of shrubs and groundcovers planted at densities that will achieve full coverage of the landscape areas within 2 years.</i>

Response:

Refer to **Appendix A.**

A 2m wide landscape strip/ buffer along the frontage of 5-11 Ullswater Street has been proposed in accordance with PO13 of the Industry Code. Further, additional landscaping is proposed south of the proposed car parking areas within a landscape strip ranging from approximately 4-7.7m in width.

325m² of landscaping to be provided throughout the Site in addition to the rehabilitation areas (existing and proposed) within the rear portion of the Site. Given this, we do not believe a landscape concept plan is required to demonstrate compliance with PO13 of the Industry Code.

In accordance with Section 60 of the *Planning Act 2016* the Information and Referral Part under the DA Rules is now at an end and we will proceed with the Public Notification Part.

Should you have any queries please contact our office.

Yours sincerely



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