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4 December 2025

Havig & Jackson  
C/- Bennett & Bennett Group  
2/19 Finchley Street  
MILTON QLD 4064

**ATTENTION: Fergus De Guzman**

**Application Reference:** A006871612  
**Address of Site:** 11 PICOT ST KELVIN GROVE QLD 4059

Dear Fergus

**RE:** Further advice

Council has completed an initial assessment of the proposed minor change application. The proposed change in its current form is not supported as a 'minor change' under s81 of the *Planning Act 2016* as the changes result in reduction of deep planting and landscaping that was intended in the original approval for contribution to both the streetscape and subtropical living environment. Reducing the ground floor level for Building D/Dwelling 4 from 12.5m AHD to 12.1m AHD will result in new flooding impacts and that a Registered Professional Engineer of Queensland (RPEQ) certified Traffic Report was not submitted to support the performance outcomes sought.

To demonstrate that the change(s) will meet minor change criteria, the following matters requiring additional information or changes to the proposal.

**Plan details**

1. The material submitted with the application claims an increase in deep planting whilst retaining a minimum 35m<sup>2</sup> private open space per dwelling, however this does not appear to be supported by the area calculations provided, noting that some areas of stairs and minimum dimension of 1.5m have been calculated as deep planting. The minimum area of 35m<sup>2</sup> with a minimum dimension of 3m mentioned in AO31.1 of the Multiple dwelling code is to be provided in one continuous area, which was generally achieved in the previous approval.
  - a. Provide amended plans clearly showing separate area calculations for deep planting and private open space in accordance with the requirements of the Multiple dwelling code.
2. The plans do not show the RL of the roof of each building.
  - a. Provide amended plans clearly labelling the RL level of the highest points of the building.

**Deep planting**

3. The proposed changes to the site frontage appear to significantly impact the previously approved deep planting area. The width of this area has been reduced to approximately 1

metre, which is insufficient to support the planting of a large canopy tree as originally intended. This reduction compromises the ability to mitigate the visual bulk of the building and diminishes the landscape's contribution to both the streetscape and the microclimate. Additionally, the location of the staircase prevents any crown development. The current site plan shows a widened crossover occupying the full frontage, along with a relocated staircase positioned closer to the southern boundary. These modifications further encroach on the deep planting zone, leaving inadequate space for meaningful vegetation.

- a. To comply with the approved landscape intent and ensure alignment with PO26/AO26.1 and PO30/AO30.2 of the Multiple dwelling code, provided amended plans that reinstate the deep planting area at the frontage to its previously approved dimensions. This will allow for the planting of a large feature tree capable of softening the visual impact of the building's increased height and bulk, enhancing the streetscape character, contributing to a more attractive and pedestrian-friendly environment and improving microclimatic conditions, including shade provision, cooling, and air quality benefits.

### **Landscaping**

4. The proposed reduction in setback along the northern boundary as currently shown does not comply with AO26.2 and PO26 of the Multiple dwelling code. A minimum 1.5m wide landscape area is required along this boundary to ensure the development contributes positively to residential amenity and supports the subtropical microclimate. The inclusion of a landscape strip allows for the planting of columnar screen trees, which serve multiple important functions, including enhancing privacy between adjoining properties, providing shade to northern building elevations, reducing heat gain and improving energy efficiency and softening built form, helping to visually reduce building bulk and improve the interface with neighbouring sites. The current design compromises this outcome by encroaching into the setback area, limiting opportunities for meaningful planting and usable private outdoor space.
  - a. Provide amended plans that demonstrate the provision of a continuous 1.5m wide landscape area along the northern boundary, with sufficient space retained for private recreation and the planting of screen trees in accordance with PO26 of the Multiple dwelling code.

### **Amended traffic report**

5. The internal carparking aisle has been further reduced to 3.791m and introduced even narrower bends near the queuing area. The current proposal appears to include additional rooms comparing with the previous approval. A Registered Professional Engineer of Queensland (RPEQ) certified Traffic Report was submitted to demonstrate compliance with the performance outcomes of Transport, access, parking and servicing (TAPS) code at the time of original approval. However, the original traffic report no longer reflects the current design.
  - a. Provide an amended traffic report endorsed by a RPEQ to represent the amendments that seek performance outcomes under the TAPS Planning Scheme Policy.
  - b. The amended "Letter box – Parcel & Food Deliveries" protrusion creates a kink in the aisle which reduces manoeuvrability and introduces conflict points. It is advised to amend the design to eliminate the conflict point and provide a smoother curve. Nevertheless, this needs to be addressed in the amended traffic report.

### **Flooding and overland flow easement**

6. The proposal reduces the ground floor level for Building D/Dwelling 4 from 12.5m AHD to 12.1m AHD is not acceptable mainly due to the changes that have occurred in the area and updated rainfall data that is likely to increase flood levels.

- a. Provide updated plans to establish a minimum floor area at 12.5m AHD as previously approved.
7. A volumetric overland flow easement at the rear of the property boundary to facilitate the new introduced balcony can be supported in principle. However, it is unclear as to why the proposed height limit is capped at RL14.69 m AHD, mainly because this is above the floor level of the rear building and the newly introduced boundary. It is suggested that the height constraint of the volumetric overland flow easement will be capped at the bottom on the lower-level balcony.
  - a. Provide amended plans to show the extent of volumetric easement on sections and plans.

### **Refuse management**

8. It is noted that the refuse storage area has decreased in size resulting in a reduced functionality with Mobile Garbage Bins (MGBs) being placed in tandem with occupants not being able to easily access each MGB. In accordance with PO9/AO9 of the Rooming accommodation code and PO8/AO8.1, AO8.2 of the Infrastructure design code, demonstrate on amended plans the following.
  - a. Increase the size of the refuse storage area so that each MGB can be accessed individually without the need to rotate bins (refer to current approval and waste management letter as an example).
  - b. Demonstrate the refuse storage area is roofed and screened.
  - c. Denote the dimensions of the refuse storage area on the amended plans.
9. Condition 51 of the current approval (A005324251) relates to a specific collection method stipulated in the waste assessment letter by TTM dated 10/03/2020. This letter will need to be updated to reflect the amended layout of the development and refuse storage area.

### **Design**

10. The proposed changes have simplified the building form and removed variation along the side facades of the building. The approved skillion roof has also been replaced with a relatively flat roof form.
  - a. Provide amended plans reinstating a greater variety in the design of the built form including variation and modulation of the facades and sloping roof form with eaves in accordance with PO9 and PO10 of the Multiple dwelling code.
11. There is no materials legend or notes on the drawings to indicate proposed materials or finishes.
  - a. Provide annotations and legend on the plans showing proposed materials and finishes along with notes of existing materials maintained in accordance with PO9 of the Multiple dwelling code.

Please phone me on telephone number below during normal business hours if you have any queries regarding this matter.

Yours sincerely



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