
Development Submission - A007047128 - 54 Kates Street

.....

Dear Assessment Manager,

Please find attached my submission regarding development application A007047128 for 54 Kates Street, Morningside. I have attached the document outlining my feedback and requested planning conditions.

Thank you,

.....

DEVELOPMENT SUBMISSION: CONDITIONAL SUPPORT

LODGED VIA EMAIL TO: dsplanningsupport@brisbane.qld.gov.au

Application Ref: A007047128

Subject Site Address: 54 Kates Street, Morningside QLD 4170

Proposed Activity: Material Change of Use — Multiple Dwellings (5 Units)

Date of Lodgement: 8 September 2026

Dear Assessment Manager,

..... I
write to provide constructive feedback regarding application **A007047128**. I want to make it absolutely clear that **I do not oppose** the proposed townhouse redevelopment or the increase in residential density on this site, which aligns with local low-medium density zoning. However, **I request that Brisbane City Council consider the following highly targeted, code-compliant design and engineering conditions into any development approval.**

1. Stormwater Management & Boundary Drainage

The site's natural topography slopes downward toward the shared northern rear boundary at an average grade of 3.0% [1]. Unmitigated ground surface and driveway runoff discharging directly over the northern boundary presents a significant risk of localised inundation and nuisance to adjoining properties. All surface water runoff and **potential tank overflows** must be appropriately captured, controlled, and directed into an engineered drainage system to protect adjoining properties both during construction and post-development.

Requested Planning Conditions:

- **Code-Compliant Stormwater Outcome:** All stormwater management systems must fully comply with Council's Stormwater Code, in particular PO2, PO3, PO4, and PO11, ensuring zero actionable nuisance or adverse downstream impacts to the adjoining property at 23 Deviney Street.
- **Continuous Northern Boundary Drain:** Pursuant to Stormwater Code PO2, PO3, PO4, and PO11, the developer is to install continuous drainage along the shared northern boundary line to capture unmitigated surface runoff, potential tank overflows, and direct it safely to a lawful point of discharge.
- **Drainage & Deep Planting Co-existence:** To ensure compliance with Multiple Dwelling Code PO29(b) and AO29.4(c), this drain must sit at the absolute edge of the boundary to ensure surface water is managed without compromising the 65.94m² deep planting zone or stunting root growth [3].
- **Construction-Phase Runoff:** Throughout all earthworks and construction, the developer must implement robust erosion and sediment control measures to ensure surface runoff is safely captured and routed to a lawful point of discharge without impacting the northern boundary (Stormwater Code PO13, PO14, PO15).

2. Immediate Privacy, Screening & Boundary Fencing

In their Information Request response, the developer states that 'the adjoining site is also applying for a similar MCU... we suggest deferred screening to ensure unnecessary screening is not provided' [2]. While this may be relevant to their western boundary, it is not applicable to the northern boundary. The townhouse complex at **23 Deviney Street is already built, established, and fully occupied**. There is zero built-form uncertainty

Requested Planning Conditions:

- **Immediate Acoustic Boundary Fence:** Reject any deferred boundary screening conditions on the northern interface and mandate the immediate installation of a solid, 1.8m-high lapped-and-capped timber acoustic boundary fence to block driveway noise, visual, and lighting intrusion (Multiple Dwelling Code AO35.2).

- **Fixed Upper Screening:** To ensure compliance with Multiple Dwelling Code PO17, AO17.1, AO17.2, and AO17.3, enforce permanent privacy provisions on first-floor and second-floor northern rear windows and balconies of Townhouse 5 to prevent direct, unmitigated overlooking into 23 Deviney St lower floor and yard, and upper floor bedroom windows [4]. Specifically, request that all first-floor and second-floor windows directly overlooking the adjoining property be fitted with either permanent obscure glazing or external fixed privacy screening.

3. Mature Visual Buffering

The revised landscape species schedule (LAUD ink) proposes Eumundi Quandongs (*Elaeocarpus eumundii*) and Teddy Bear Magnolias (*Magnolia grandiflora* 'Teddy Bear') along the northern deep planting zone [3]. However, the schedule specifies immature 25-litre (25L) pot sizes [3]. Trees of this size are only 1.0 to 1.5 metres tall at planting and will take 5 to 10 years to reach the height required to screen Townhouse 5's upper levels.

Requested Planning Condition:

- To ensure compliance with Multiple Dwelling Code PO28(e)-(f) mandate a minimum **100-litre (100L) pot size** at the time of planting for all screening-standard trees along the shared northern boundary to ensure immediate visual softening and privacy protection [3].

4. Structural Protections & Pre-Construction Audit

The civil engineering report indicates that the proposed earthworks, site excavation, and retaining structures will exceed 1.0 metre in height near the boundaries [5]. Compaction and heavy vehicle haulage pose a risk of vibration-induced wall cracking or structural shifting.

Requested Planning Condition:

- Condition the development permit to require a comprehensive, independent, pre-construction **structural dilapidation survey** of Unit 4, 23 Deviney Street (and any shared boundary retaining walls) at the developer's sole expense, establishing a legally binding structural baseline before any machinery enters the site.

5. Driveway Glare & Amenity

The common eastern driveway provides access to the rear garages for Townhouses 4 and 5. Nighttime vehicle manoeuvres will sweep headlight glare across the northern boundary towards 23 Deviney's ground floor windows.

Requested Planning Conditions:

- **Light Baffling:** All driveway and common area lighting must be low-height bollards, downward-directed, sensor-operated, and physically baffled to achieve 0 lux light spill at the northern boundary (compliant with Multiple Dwelling Code PO22, AO22, and AS 4282) [6].

Please keep me formally notified of all future assessment stages, including any further amended plans or the final decision notice.

Yours sincerely,

.....

TABLE OF REFERENCED PUBLIC DEVELOPMENT DOCUMENTS

Ref	Document Title	Consultant / Author	System Date / Revision
[1]	Appendix E — Stormwater Management Plan	DRW Consulting Pty Ltd	6 May 2026 / Rev 0

[2]	Response to Information Request	Steffan Harries	14 August 2026
[3]	Appendix B — Revised Landscape Plan (Amended)	LAUD ink	3 August 2026 / Rev B
[4]	Appendix A — Revised Proposal Plans	HAL Architects	26 May 2026 / Rev B
[5]	Appendix C — Civil Engineering Plans (Concept Earthworks)	DRW Consulting Pty Ltd	6 May 2026 / Rev 0
[6]	Assessment Report (Material Change of Use Submission)	Steffan Harries	June 2026