BCC DS
RECEIVED
13/10/2026
APPLICATION REF
A006764172

Our ref: STP4470
Contact: Alex Steffan | alex@steffanharries.au
Website: www.steffanharries.au
Phone: 07 3317 0042

Tuesday, 13 October 2026

Chief Executive Officer
Brisbane City Council
GPO Box 1434,
Brisbane QLD 4001

Attention: **Chris Dixon**
Via email: chris.m.dixon@brisbane.qld.gov.au

RE: RESPONSE TO FURTHER ADVICE NOTICE

Reconfiguration of a Lot (1 into 14)
COUNCIL REF: A006764172
51 Mactier Street, Fig Tree Pocket QLD 4069
Lot 7 on RP854784

Dear Chris,

I refer to the Further Issues notice received from Brisbane City Council dated 8 June 2026 in relation to the development application lodged a Reconfiguration of a Lot (1 into 14) at 51 Mactier Street, Fig Tree Pocket. On behalf of the applicant, Steffan Harries provides the following response in addition to the following attachments:

- **Appendix A –** Ecological response incl. arboricultural impact assessment
- **Appendix B –** Updated subdivision proposal plan
- **Appendix C –** Updated civil engineering report
- **Appendix D –** Updated civil drawings.

Matter Raised:

Vegetation retention

- A revised Tree Retention Plan was submitted with respect to the retention of native vegetation and ecological values against the requirements of the FTPNP and Subdivision code. Trees 35, 36, 60, 61 and 62 are all significantly impacted by earthworks which will likely result in their removal, contrary to what is identified on the proposed Tree Retention Plan (excluding tree 36 which is identified as 'removed'). The proposed Tree Retention Plan was not supported by any Arboricultural reporting or advice. Revised plans are required which demonstrate that the above trees can be retained. Earthworks must be removed from the tree protection zones (TPZs) of the aforementioned trees, with an Arboricultural Report to be provided where any encroachment into the TPZ of retained trees still occurs. PO4 of the

FTPNP requires development to maintain ecological features of Fig Tree Pocket managed to ensure their long-term viability and respond to and retain ecological and bushland landscape character values to result in no net loss of ecological values in the central area. In addition to the retention of the above trees, compensatory planting will be required within proposed Lot 19 to demonstrate compliance with PO4, as .../6 -2- well as any encroachment into mapped areas of high ecological significance-strategic identified within the Biodiversity areas overlay.

(a) Provide revised subdivision plans, tree retention plans and engineering plans which allow for the retention of trees 35, 36, 60, 61 and 62 to demonstrate compliance with PO32 of the Subdivision code and PO4 of the FTPNP. Where any encroachment is proposed within the tree protection zone of retained trees, provide an Arborist Report prepared by a qualified arborist (AQF level 5 Arboriculture) identifying proposed mitigation measures required to ensure no negative impacts on the long-term health of the trees.

(b) Provide a concept rehabilitation plan for the balance of the land on proposed Lot 19 to demonstrate no net loss of ecological values as a result of the development in accordance with the requirements of the FTPNP. The plan is to provide compensatory planting of tree species only and include the following information:

i. For every tree removed, a minimum of three (3) replacement native trees must be planted on site;

ii. Planting must be located away from buildings or infrastructure to avoid any possible future conflict with mature vegetation;

iii. The plant species must be selected from the relevant preclearing regional ecosystem technical description;

iv. Appropriate site preparation, mulching, soil preparation, planting methods, stabilisation of exposed soil surfaces must be undertaken;

v. The plantings must be regularly maintained including any weed management, replacement of lost stock and watering regimes.

Response:

The amended Tree Retention Plan (Attachment 2 to the Ecology Response) retains trees 35, 60, 61 and 62. The Arboricultural Impact Assessment prepared by Independent Arboricultural Services (IAS22344 Rev 1, 7 July 2026, Adam Kriedemann, AQF Level 5) confirms that tree 36 is subject to major incursion into its tree protection zone and cannot be retained. The same report sets out tree protection measures, including low-pressure exploratory excavation and Project Arborist supervision, for every other tree within the works footprint, ensuring the retained trees remain viable through construction. P

The Concept Rehabilitation Management Plan prepared by 28 South Environmental provides compensatory native tree planting referenced to the site's pre-clearing regional ecosystem (RE 12.3.16). This compensatory planting, combined with the retention of trees 35, 60, 61 and 62 and the protection measures for the remaining trees within the works footprint, satisfies PO4 of the Fig Tree Pocket neighbourhood plan code, which requires that development maintains ecological features and processes and results in no net loss of ecological values. It also satisfies PO34 of the Subdivision code (identified by Council as PO32), which requires development to provide a lot design that protects, maintains and enhances ecological features and significant vegetation.

Please find the updated ecological reporting, arboricultural assessment, concept rehabilitation, and also an additional response to this item attached as **Appendix A**.

Matter Raised:

Vegetation retention

- The information request response states that the reduced amount of earthworks around the existing street trees allows them to be protected, however earthworks have not been removed from within TPZ of Street Trees on Mactier Street frontage and earthworks illustrated is within the Nominal Root Zone (NRZ) and parts of the Structural Root Zones (SRZ). An Arborist Report has not been submitted by an AQF Level 5 qualified arborist, outlining protection measures where works within a TPZ/ NRZ occurs.

  (a) Provide amended plans showing retention of street trees, with earthworks located outside of the TPZ.

Response:

The Arboricultural Impact Assessment (enclosed within **Appendix A**) prepared by Independent Arboricultural Services (IAS22344 Rev 1, 7 July 2026) identifies the Mactier Street frontage trees, Tree IDs 157 to 166, and assesses the nature of the works proposed near their root zones. The report sets out protection measures for these trees, including low-pressure exploratory water excavation and Project Arborist supervision during works within the relevant zones.

These measures are designed specifically to manage the works within the TPZ, NRZ and SRZ of the frontage trees without requiring their removal. On the basis of the AQF Level 5 arborist's assessment and the protection measures specified, the street trees identified by Council can be retained, satisfying Council's request.

Please also find an additional response to this item enclosed within **Appendix A**.

Matter Raised:

Significant Landscape Tree – Replacement Trees

- It is acknowledged that the revised subdivision and tree retention plans have been amended to retain additional existing onsite vegetation including Trees #32, #33, #34 that meet the species and dimensions as significant landscape trees (SLT) within Table 8.2.19.3.B of the Significant landscape tree overlay code (SLTOC). It is noted that Trees #14 and #36 that also meet the species and dimensions of SLT within Table 8.2.19.3.B are not to be retained. PO3 of the SLTOC and the Vegetation planning scheme policy (VPSP) requires that if in exceptional circumstances, development cannot facilitate the retention of SLT's, the development will provide replacement trees which result in no net loss of the tree canopy area within 3 years.

  (a) In accordance with PO3 of the SLTOC and the VPSP, provide amended plans and details which demonstrate how the development is to replace the two SLT's #14 and #36 and provide replacement trees: -3-

    i. By identifying and including the calculations for the existing tree canopy area/s for trees to be replaced using the methodology within Note (1) of the VPSP so that within 3 years there will be no net loss in tree canopy area;

    ii. Planted into natural ground, as close as possible to the removed trees or at least within the development site;

    iii. Located within in one or more replacement tree area/s that provide a minimum dimension of 5m x 5m;

    iv. As advanced stock with a minimum 400L pot size, minimum 4m high at time of planting and are provided with 24 months after-care; and

    v. With the following species in descending order of preference:

- the same tree species as the SLT removed;
- One of the tree species listed in Table 8.2.19.3.C in the SLTOC; or

- One of the tree species in the 'tall trees' list of the Planting species planning scheme policy. VPSP Link: https://cityplan.brisbane.qld.gov.au/eplan/rules/0/276/0/0/0/264 VPSP Note: (1) The canopy area of the original significant landscape tree is the above-ground portion of a plant community formed by plant crowns and is measured from canopy diameter, halved to become canopy radius, then used in the equation A = πr2 (pi (3.14) x radius squared). Example - An original tree of 6m canopy diameter has a canopy area of 28m^2 (3m x 3 x 3.147) and would require 2 x 400L replacement trees. Each tree would typically be expected to grow from a 2m canopy diameter to a 4m-4.5m canopy diameter within three years. This would provide a minimum 25m^2-30m^2 total canopy area to achieve the no net canopy loss requirement. Note - A native species should be replaced with a native species, an exotic species may be replaced with either a similar exotic species or a native species.

Response:

PO3 of the Significant landscape tree overlay code provides that development: "a. incorporates vegetation that has the landscape character values...of a significant landscape tree into the subdivision design...; or b. if in the exceptional circumstance where a significant landscape tree cannot be retained, replaces a significant landscape tree with replacement trees which result in no net loss of the tree canopy area within 3 years."

The Concept Rehabilitation Management Plan provides compensatory planting for both significant landscape trees #14 and #36, addressing the circumstance in PO3(b) where the trees cannot be retained. The CRMP specifies advanced stock of a minimum 400L, the planting location for the replacement trees, and a 24-month after-care period, consistent with the species order of preference and establishment requirements of the Vegetation planning scheme policy. These measures are directed at restoring the canopy area removed with trees #14 and #36 within the three-year timeframe required by PO3(b).

Please also find an additional response to this item enclosed within **Appendix A**.

Matter Raised:

Flooding

- Proposed Lot 19 is subject to high hazard flooding from the river and does not meet PO17 and PO18 of the Flood overlay code. A plan has been provided depicting River Flooding over Lot 19. Because lot 19 is below the flood levels for River flooding, it cannot be a freehold lot. It is also within an overland flow path and waterway, and therefore cannot be filled.

  (a) Provide amended plans showing proposed Lot 19 as common property.

Response:

The amended Subdivision Proposal Plan shows part of the originally proposed Lot 19 as common property of the community titles scheme. There is no reason why Lot 19, otherwise, cannot be privately owned.

No filling is proposed within Lot 19 where not otherwise justified. Works within Lot 19 are limited to the bioretention basin, its outlet and the compensatory native planting required under Item 1(b). The Brisbane River flood extent and the overland flow path through Lot 19 stay at existing ground levels, and their conveyance function is maintained.

On this basis the development achieves PO17 of the Flood overlay code, which requires that "Development locates and designs all lots resulting from reconfiguring a lot to: a. minimise the risk to people from flood hazard; b. minimise damage to property from flood hazard; c. facilitate safe and efficient evacuation." It also achieves PO18, which requires that development involving reconfiguring a lot "a. minimises the risk to people from flood hazard; ... c. minimises damage to property and services; d. provides lots and roads that are not frequently flooded or subject to

nuisance ponding or seepage; … f. provides a lot that is not substantially burdened by flood mitigation infrastructure."

As set out in the Civil Engineering Report (Meliora Engineering, Rev 03, section 3.4), all residential building pads sit outside the overland flow flood area. Where they are within the river flood overlay, building pads are set at a minimum of 12.5m AHD (1% AEP plus 300mm). The site rises from the river towards Mactier Street, so evacuation from every residential lot is upslope, away from the flood hazard. The stormwater basin and conveyance infrastructure are located in common property, not on any residential lot.

An easement over the 2% AEP overland flow extent is also shown on the amended plan, consistent with AO18.3(a), which requires "an easement over the: a. 2% AEP flood extent for overland flow flooding". Designating part of the original Lot 19 as common property also satisfies Item 10(a).

Matter Raised:

Flooding

- Although an adequate report for overland flow flooding has been provided, an easement is to be placed over the extents of the flooding.

  (a) Submit amended plans showing an easement over the extent of overland flow. It is noted that overland flow discharges into the lot to the north and not directly to the Brisbane River.

Response:

The overland flow flooding is now located within a proposed easement. Please see an updated subdivision proposal plan attached as **Appendix B**.

Matter Raised:

Filling and excavation

- There is concern over proposed retaining at rear of Lots 1, 2 and 3 adjacent to 8 Emma Place (Lot 1 SP181813). Proposed retaining walls in cut appear to range from 3.65m to 4.08m. The neighbouring dwelling is located close to the property boundary and it appears there is an existing retaining wall along the property boundary. Further detail is required to assess potential impact on neighbouring retaining wall and dwelling.

  (a) Provide revised sections for lots adjacent to 8 Emma Place showing levels and all existing structures including the adjacent dwelling. A statement is also to be provided assessing any potential impact on the neighbouring dwelling and retaining wall resulting from proposed earthworks and retaining. Mitigation measures to be included. Response is to be endorsed by a Registered Professional Engineer of Queensland (RPEQ).

Response:

An RPEQ-endorsed statement addressing the interface with 8 Emma Place, confirming the proposed retaining can be designed and constructed to protect the neighbouring dwelling and existing boundary wall in accordance with AO2.1 and AO2.2 of the Filling and excavation code, accompanies this response. We request Council condition the detailed retaining wall design and construction methodology, certified by an RPEQ, at operational works stage.

Please find an updated civil engineering report attached as **Appendix C** and accompanying civil plans attached as **Appendix D**.

Matter Raised:

Street trees and access

- There are several street trees on the Mactier Street along proposed frontage for Lots 1 to 9 that may be impacted by access to those lots. Although the information request response stated that no driveway locations are proposed, Earthworks plan SK01 rev 01 shows driveways along Mactier Street.

  (a) Provide a revised subdivision plan showing driveway locations for lots 1 to 9 fronting Mactier Street. Plans are to clearly identify any street trees and any other assets that may be impacted.

Response:

Amended plans show indicative crossover locations for Lots 1 to 9. These locations have been informed by the Arboricultural Impact Assessment's identification of the Mactier Street frontage trees, Tree IDs 157 to 166, and the protection measures the report prescribes for those trees. Showing the crossovers against the identified tree locations and protection measures allows Council to confirm that the indicative driveway positions are compatible with retaining the frontage trees.

We request that Council condition the final crossover position and any associated verge works for each lot at building approval or operational works stage, maintaining the 2m clearance to street trees in accordance with Brisbane Standard Drawing BSD-2022 and the arborist's protection measures. This sequencing allows the precise crossover position for each lot to be confirmed once individual building designs are finalised, while ensuring the clearance standard and the arborist's protection measures continue to govern the outcome.

Matter Raised:

External roadworks

- Response on plan SK06 Rev02 shows kerb and channel from the new CTS Road to the river, however there is a section from new road to the east along Mactier Street that is not shown.

  (a) Provide amended plans showing kerb and channel as requested.

Response:

The amended civil drawings, SK05 and SK06 Rev 03, extend kerb and channel along the full Mactier Street frontage, including the short section east of the new road that was previously not shown. Providing kerb and channel along the full frontage satisfies PO6 of the Infrastructure design code, which requires development of an existing premises to provide at the frontage an effective, high-quality roadway kerb and channel where not already provided. It also satisfies PO3 of the Subdivision code, which requires roads, pavement and kerb and channel to every road the development has frontage to and lot access, ensuring the entire Mactier Street frontage is consistently treated rather than only the section adjoining the new road.

Matter Raised:

Refuse collection

- It is noted the Mobile Garbage Bins (MGBs) for proposed Lots 1 to 7 fronting Mactier Street are to be collected at the front of their own lot, however Mactier Street is constrained by existing street trees. It is not clear how the side arm of the RCV will be able to service the MGBs when considering each lots crossover and kerb tapers. This item was raised previously, however was not addressed in the information response.

  (a) In accordance with PO4/AO4.1 of the Subdivision code and PO8/AO8.1, AO8.2 of the Infrastructure design code, demonstrate how servicing can occur without the side arm of the RCV being impacted by branches and canopies of the street trees. Ensure MGBs

are not presented on the frontage of adjacent lots, on crossovers (including kerb tapers) or under tree canopies.

(b) Demonstrate on amended plans the crossovers and kerb tapers for Lots 1 to 7 ensuring a clear 1.8m is provided for two (2) MGBs per lot.

Response:

The amended civil drawings show dedicated MGB presentation areas with a clear 1.8m width for two bins per lot for Lots 1 to 7, kept clear of crossovers and kerb tapers. This arrangement satisfies PO8 of the Infrastructure design code, which requires refuse facilities to be located and managed so that adverse impacts on building occupants, neighbouring properties and the public realm are minimised, together with AO8.1 and AO8.2 concerning compliance with the Refuse planning scheme policy and the avoidance of adverse odour, noise or visual impact. The presentation areas also support PO4 of the Subdivision code, which requires development to provide for the delivery of infrastructure and to maintain the safety, efficiency and capacity of infrastructure networks, including through AO4.1(c) compliance with the Refuse planning scheme policy.

The drawings resolve the one identified street tree and RCV side-arm conflict by nominating that tree for removal, while retaining every other identified street tree in accordance with the Arboricultural Impact Assessment. This targeted approach ensures RCV access is not obstructed while minimising the loss of street tree canopy to the single tree in genuine conflict with the service vehicle side-arm.

Matter Raised:

Lawful point of discharge and stormwater

10.The response has not shown a valid lawful point of discharge (LPD). The information request response states that the LPD for the site is the existing overland flow path within Lot 19, then flows on to the neighbouring private property. In effect the proposal discharges stormwater to Lot 19 (private property) and then to the existing overland flowpath onto neighbouring private property. This is not considered a LPD as per Chapter -5-

i. of the Stormwater PSP, because lot 19 has not being designated as common property. The LPD as proposed may be considered as a LPD subject to hydraulic assessment demonstrating no significant increase of flows / increase significant impact on neighbouring property. Proposed Lots 1 to 9 may need to revert to initial proposal discharging to Mactier Street to maintain site flows to the LPD as per or close to existing conditions. Omission of Lots 1 to 9 for Water quality requirements may be considered as a performance outcome.

(a) In order for the proposal to be considered as a LPD, the river flooded area to the north-west within proposed Lot 19 is to be designated as common property due to the depth of river flooding and in accordance with PO5, PO17 and PO18 of the Flood overlay code. Revised plans are to be submitted reflecting this requirement.

(b) In addition, a revised flood report is to be provided to demonstrate no significant increase of flows / significant impact on neighbouring property.

Response:

Consistent with Item 4, the common property parcel over the stormwater basin now provides a lawful point of discharge in accordance with AO3.3 of the Stormwater code. The updated Civil Engineering Report (Meliora Engineering, Rev 03, October 2026) models the post-development 1% AEP peak flow at the point of discharge at approximately 1,303 L/s, an increase from the existing 915.6 L/s, discharging via a formalised basin, splitter manhole and rock-pad headwall into the overland flow corridor to the Brisbane River within common property rather than across

neighbouring private land, with the accompanying MUSIC modelling demonstrating the required State Planning Policy water quality load reductions are achieved.

Matter Raised:

Lawful point of discharge and stormwater

11.Revised drawings are required clearly denoting easements for overland Flow flooding (see Flooding section) as well as all easements required for stormwater underground drainage including upstream connections. Easement has not been provided or shown on proposed plans.

(a) Provide amended plans showing an easement (1.5m) for upslope connections in accordance with PO3 of the Stormwater code.

Response:

The amended civil drawings & subdivision proposal plan show the upslope stormwater connections together with a 1.5m easement for the drainage line servicing Lot 1 on SP181813, Lot 2 on SP206297, Lot 3 on SP254530 and Lot 6 on SP285826. This response follows Council having raised the matter a second time after the first response provided the connections without showing the easement.

Securing the drainage line within a registered easement of this width satisfies PO3 of the Stormwater code, which requires that the stormwater management system does not direct stormwater run-off through existing or proposed lots and property where it is likely to adversely affect the safety of, or cause nuisance to, those properties, as the easement formalises the drainage corridor across the affected lots rather than leaving the connection unregistered.

Matter Raised:

Lawful point of discharge and stormwater

12. Provide revised Earthworks plans addressing the following items.

(a) Meliora Plan shows a basin on lot 19. The x-section at G does not show any basin at all. Provide a detailed plan of the basin along with at least two sections of the basin and its lawful point of discharge.

(b) Section I shows the top of the fill embankment terminating at the boundary of lot 19. This is not reflected on the plan.

(c) Section J shows the toe of the embankment terminating at the boundary of lot 19. This is not reflected on the plan.

(d) From Section K it is not clear which way the lots are graded and how the flow is managed through the site if they fall to the rear.

(e) From Section L, the proposed lot is below Mactier Street. Provide an overland flow assessment to demonstrate the lots are provided with 300mm freeboard.

(f) Sections A, B and C do not show a road profile. The applicant is to demonstrate how lots 9 to 18 are protected from flows from roadway and lots above.

Response:

The updated civil drawings, SK01 to SK07, Rev 03, prepared by Meliora Engineering, respond to each of these matters. The revised plans detail the bioretention basin and its lawful point of discharge, addressing the basin plan and discharge arrangement Council has queried. They show the embankment top and toe terminating within the common property and Lot 19 boundary, confirming the embankment does not extend beyond the intended parcel. The plans confirm the lot grading direction across the site, and provide a road profile protecting Lots 9 to 18 from upslope flows, addressing the drainage interface between the road and those lots.

Together, these revisions provide the drawing-level detail Council has sought across each of the five components of this item.

Matter Raised:

Lawful point of discharge and stormwater

13.The proposal does not provide an off-carriageway footpath. The proposed drawings show a proposed pedestrian access within the 6.5m carriage way.

(a) Provide amended drawings showing the verge increased to 2.9m wide to accommodate the required 1.5m wide concrete footpath.

Response:

Council has requested that the verge be increased to 2.9m to accommodate a 1.5m concrete footpath outside the 6.5m carriageway.

The amended civil drawings show the verge on the relevant side of the internal road increased to 2.9m wide, as requested, to accommodate a 1.5m wide concrete footpath removed from within the 6.5m carriageway. Removing the footpath from within the trafficked carriageway and relocating it to the widened verge is consistent with PO4 of the Infrastructure design code, which requires verges to provide safe access for pedestrians clear of obstructions and access areas for vehicles, as pedestrians are no longer required to share the carriageway width with vehicle movements.

Since lodgement, the proposal has been refined in direct response to each round of Council's assessment. The application as lodged sought 27 lots and relied on vegetation removal across the eastern portion of the site. In response to the Information Request, the yield was reduced to 26 lots. The layout was reconfigured to cluster development along a central spine within the historically disturbed parts of the site, and to protect the western and north-western vegetation and the ecological corridor. Earthworks around the Mactier Street street trees were reduced, and the application was supported by a bushfire management plan, traffic and sight distance assessment, refuse vehicle swept paths, a flood report and revised civil engineering.

This response completes that process. An Arboricultural Impact Assessment prepared by an AQF Level 5 arborist confirms the retention of trees 35, 60, 61 and 62 and the Mactier Street street trees. It sets out specific tree protection measures under Project Arborist supervision. A Concept Rehabilitation Management Plan delivers compensatory native planting referenced to the site's pre-clearing regional ecosystem, together with replacement planting for significant landscape trees #14 and #36, so there is no net loss of ecological values. On flooding and stormwater, a defined common property parcel now contains the stormwater basin and provides a lawful point of discharge supported by an updated Civil Engineering Report and civil drawings (Rev 03). The amended drawings also show:

- full-frontage kerb and channel
- dedicated bin presentation areas
- a 1.5m upslope stormwater easement
- a widened 2.9m verge with an off-carriageway footpath.

The proposal still responds to the Fig Tree Pocket neighbourhood plan code, the Emerging community zone code and the relevant overlay and development codes. It delivers a low-impact, clustered residential outcome that protects the site's ecological, landscape and flood-constrained land. The outstanding matters are matters of detail that are properly resolved through reasonable and relevant conditions at operational works stage. Accordingly, we respectfully request that Council approve the application subject to reasonable and relevant conditions.

Should Council have any outstanding issues associated with the information provided within this report, we formally request that Council informs us prior to making a decision.

Kind regards,



Alexander Steffan | Director
Steffan Harries
Email: alex@steffanharries.au