



21 September 2026

Ref: WTJQ26-018

City Planning and Economic Development Services
Development Services
GPO Box 1434
Brisbane QLD 4001

Attention: Errin Xiaofang Lu

**RE: RESPONSE TO INFORMATION REQUEST – A007001519
42 WELLINGTON STREET MANLY QLD 4179 (LOT 1 & 2 RP73590)**

Dear Errin,

Willowtree Planning acts on behalf of the Applicant in relation to the above development application seeking approval for the following aspects of development over the land at 42 Wellington Street Manly (the Site):

- Development Permit for Material Change of Use for Multiple Dwelling (4 Units)

An Information Request (IR) was received from Council on 20 May 2026. Pursuant to section 13.2(a) of the Development Assessment Rules (DA Rules), a full response to each of the items raised in the IR is provided below, along with the following supporting documents:

- **Attachment A** Amended Architectural Plans prepared by Thinktank Architects;
- **Attachment B** Amended Traffic Impact Assessment prepared by Ryterskild Traffic Engineering; and
- **Attachment C** Amended Landscape Concept Plan prepared by Green Synthesis Design.

Response to Information Request

1. Building Height

1.1 The proposed development seeks a performance outcome for the number of storeys, overall height, the transition to the adjoining dwelling houses, site cover, and setbacks. To achieve compliance with AO3/PO3 and AO4.1–AO4.2/PO4 of the Multiple dwelling code and OO3(g) of the Wynnum-Manly neighbourhood plan code, amend the plans to include the following:

- Show 'ground level' as defined in City Plan 2014, 1m above ground level and 9.5m above ground on all elevation and section plans.*
- Reduce the overall height to minimise the extent of the building that is above 9.5m above 'ground level'.*
- An improved building height transition to the adjoining dwellings for building elements above 9.5m to achieve a sensitive reduction in building height to the adjoining dwelling houses.*

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- d. Clearly identify where the proposed building height does not achieve AO4.1–AO4.2. Provide a visual representation of the proposed versus acceptable height transition outcomes on updated elevation plans.
- e. Amended shadow diagrams showing the shadow cast by a building designed in accordance with all acceptable outcomes versus the shadow cast by the proposed building. Provide the comparison at each time (summer and winter solstice) on the same plan and show the shadows in context with the open space and habitable rooms on adjoining sites.

Response:

Please refer to the Amended Architectural Plans prepared by Thinktank Architects (**Attachment A**). The amended design reduces the overall building height and number of storeys, as defined under Schedule 1 – Definitions of City Plan 2014, from 4-storeys to 3-storeys, with a maximum building height of 11.5m.

A performance outcome continues to be sought in respect of the overall building height and height transition to adjoining dwelling houses under AO3/PO3 and AO4.2/PO4, to the extent the amended design does not fully achieve the 9.5m and 2-storey height transition within 10m of the common boundary with an adjoining dwelling house. These performance outcomes are considered to be adequately justified on the following planning grounds, addressed against the specific criteria of PO3 and PO4:

- **PO3(a) – building height is consistent with the intended form and character of the local area including the predominant height of existing or approved buildings in the street:** This design amendment better responds to the Site's topography, presenting as an overall 3-storey interface at the Royal Esplanade frontage, with a reduced 2-storey interface to Wellington Street. This lower-scale presentation is appropriate to the subordinate streetscape and adjoining residential character, which includes a mix of 2 and 3-storey dwellings, which has been referenced with the amended plans. As illustrated below, an outline of the original DA has been superimposed on the amended elevations, resulting in a reduced built form and scale relative to the originally approved design.

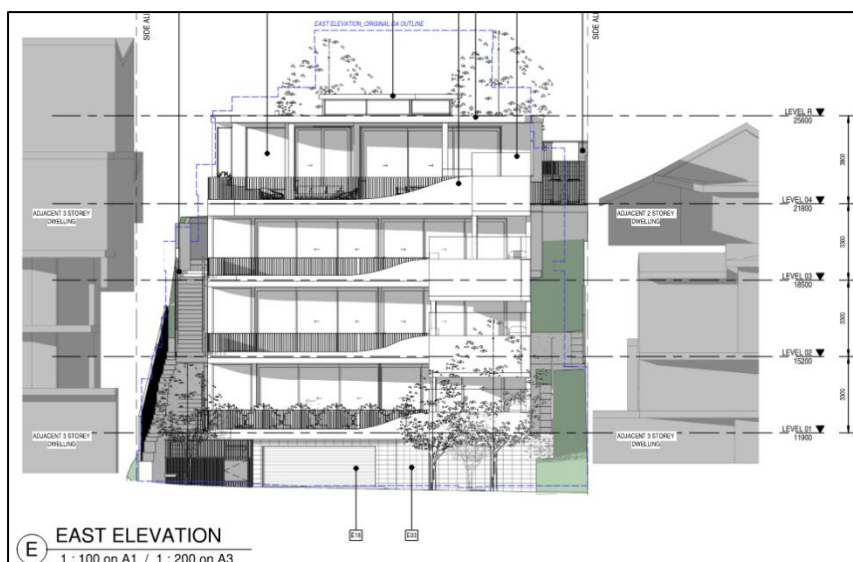


Figure 1. Amended East Elevation (Thinktank Architects)



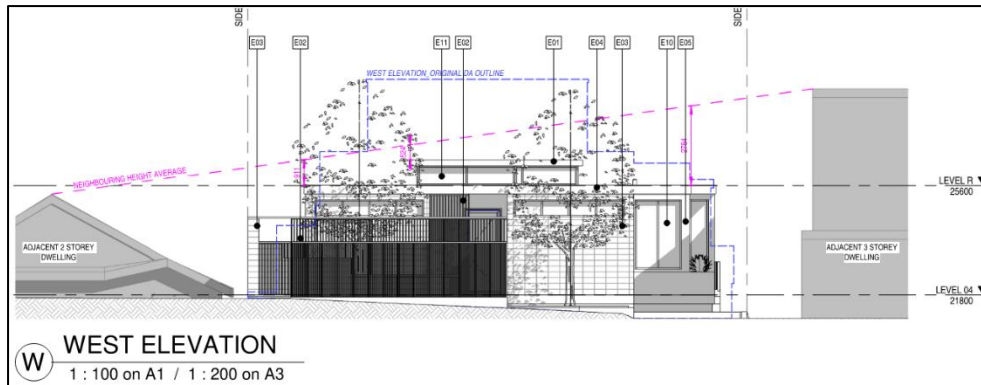


Figure 2. Amended West Elevation (Thinktank Architects)

- **PO3(b) – where building height is greater than the acceptable outcome for building height on sites adjoining or opposite the subject site, the development sensitively reduces height towards site boundaries to a compatible scale; and PO4(f) – considerate of street conditions, the topography of the area and site slope:** The site area and topography enable a proportionate built form that facilitates a gradual transition in height and well-spaced development, avoiding large, continuous building bulk or blank walls.
- **PO3(c) – impacts on residential amenity and privacy from overlooking, visual dominance and overshadowing are minimised and adequate levels of natural light and breezes are maintained to habitable rooms, private and communal open space for both the development and residences on adjoining and nearby sites; and PO4(h) – designed and orientated to retain solar access to key public spaces and adjoining buildings:** The building responds to the natural topography through stepped levels, reducing overshadowing and preserving neighbouring views and vistas. Articulation through projections, recesses and varied building form allows for effective light penetration and natural ventilation, achieving a high level of amenity consistent with a lower density outcome. Amended shadow diagrams have been include within **Attachment A**.
- **PO3(e) – the development is consistent with the setback pattern and contributes to the character of the streetscape:** As detailed at Item 2 below, the amended design increases setbacks in a number of locations compared to the original design, further contributing to a built form consistent with the prevailing setback pattern and streetscape character of Wellington Street and Royal Esplanade.
- **PO3(f) – adequate landscape buffering is achieved, including the retention and provision of large subtropical shade trees in deep planting areas:** As detailed at Item 6 below, the proposal retains and enhances deep planting (122.33m², 10.2% of the Site) incorporating large subtropical shade trees, providing landscape buffering consistent with this outcome.
- **PO4(b)/(c) – aligned to community expectations about the number of storeys to be built, having regard to the intent for the zone precinct and the predominant height of approved buildings in the street; and proportionate to and commensurate with the site area and frontage width so as not to be overbearing on the street or adjoining development:** The reduction to 3-storeys aligns the proposal with community expectations regarding storey count for the zone and locality, having regard to the predominant height of adjoining and nearby dwellings (ranging between 2 and 3-storeys, as shown within the amended plans), and is proportionate to and commensurate with the site's 1,183m² area and dual street frontage.
- **PO4(g) – designed to maintain significant view points and corridors:** The reduced building height and stepped built form assist in preserving neighbouring views and vistas, consistent with the outcome sought under PO4(g), as noted above.



With respect to addressing community expectations regarding the number of storeys, where this is referenced as an assessment benchmark under PO4(b) of the Multiple dwelling code and also forms part of OO3(g) of the Wynnum-Manly neighbourhood plan code, it is relevant that "community expectations" is not a fixed or historical concept – it should be informed by Council's own most recent and considered position on the appropriate height, scale and form for sites such as this.

OO3(g) provides that **"development is of a height, scale and form which is consistent with the amenity and character, community expectations and infrastructure assumptions intended for the relevant precinct, sub-precinct or site and is only developed at a greater height, scale and form where there is both a community need and an economic need for the development."**

It is noted that Council has adopted the More Homes, Sooner: Low-medium density residential zone review Citywide amendment package, with commencement on 18 September 2026¹. Under these amendments, 'Key Locations', a category that includes the Site, are identified to support increased building height uplift within the Low-medium density residential zone from a 2–3 storey mix to a 3–4 storey mix, and a revised height transition benchmark of 11.5m and 3-storeys (rather than 9.5m and 2-storeys) applying where a site adjoins a lot containing a dwelling house.

This adopted planning direction is directly relevant to the assessment of what constitutes "community expectations... intended for the relevant precinct, sub-precinct or site" for the purposes of OO3(g). Council, through this amendment, has adopted that increased height, scale and storey outcomes of the kind proposed are appropriate and expected for Key Location sites such as this. The proposal's amended height and height transition outcomes are consistent with this adopted planning direction, and on this basis are considered to align with the community expectations and amenity and character outcomes intended for the Site under OO3(g).

To the extent Council does not accept compliance with PO3/PO4 of the Multiple dwelling code and OO3(g) of the Wynnum-Manly neighbourhood plan code, Council's own recently confirmed planning scheme amendment is put forward as a relevant matter to be considered.

2. Setbacks, Separation, and Site Cover

- 2.1 *The proposal seeks performance outcomes for side setbacks, adjoining building separation and site cover under the Multiple dwelling code. Specifically, the proposal does not achieve AO3/PO3, AO7.1/PO7 (setbacks), Site coverage of 56.9% is also proposed, in lieu of 45% as per AO8/PO8. Accordingly, submit amended plans showing the following:*
- a. *Increased side setbacks to improve the separation distances to adjoining dwellings and reduce site cover.*
 - b. *Clearly identify where the building height above ground level alters the corresponding side boundary wall setback requirement on each level, to demonstrate compliance with the intended setback outcomes on each level given the sloping nature of the site.*

Response:

Please refer to the Amended Architectural Plans prepared by Thinktank Architects (**Attachment A**), which respond to the requirements of AO3/PO3, AO7.1/PO7 (setbacks) and AO8/PO8 (site cover) of the Multiple dwelling code.

As outlined in the response to Item 1 above, the reduction in the building's height and number of storeys has required the same overall floor area to be redistributed across fewer levels. As a direct consequence, overall site cover has increased marginally from 682.04m² (56.9%) under the original design to 698.92m² (58.3%) of the 1,183m² site area under the amended design.

While site cover remains a performance outcome against the 45% acceptable outcome benchmark under AO8/PO8, this outcome reflects a considered planning trade-off directly responsive to Council's

¹ <https://www.brisbane.qld.gov.au/building-and-planning/planning-and-design/find-an-adopted-amendment>



own concerns raised at Item 1 of the IR – namely, that building height, bulk and scale (rather than footprint) present the more significant urban design and residential amenity concern for this Site. This performance outcome is considered to be adequately justified on the following planning grounds:

- The amended design facilitates a stepped, lower-profile building that responds to the natural fall of the land, avoiding a tall and visually dominant built form in favour of a wider, lower-scale footprint consistent with the topography-responsive design approach described at Item 1;
- The amended plans provide increased setbacks in a number of locations compared to the original design, improving separation to adjoining dwellings and reducing visual bulk as viewed from adjoining properties;
- The site cover outcome is offset by the retention and enhancement of deep planting (122.33m², 10.2%) and total landscaped area (231.73m², 19.3%) across the Site, as detailed at Items 6 and 7 below, which soften the building's built form and mitigate potential amenity impacts to adjoining properties;
- The proposed site cover remains consistent with the built form outcomes anticipated under the More Homes, Sooner: Low-medium density residential zone review Citywide amendment referred to at Item 1, which supports increased site utilisation in identified 'Key Locations' such as this Site.

In response to part (b) of this item, **Attachment A** includes updated elevations and sections identifying the applicable side boundary setback at each level relative to 'ground level' as defined under City Plan 2014, having regard to the sloping nature of the Site. Refer to Drawing Reference DA230 Revision 5, which demonstrates compliance with the side boundary setbacks prescribed under Table 9.3.14.3.C of the Multiple dwelling code - being 1.5m up to 4.5m building height, 2m up to 7.5m building height, and 2.5m up to 11.5m building height.

The front setback to both primary (Wellington Street) and secondary (Royal Esplanade) frontages demonstrates compliance prescribed under Table 9.3.14.3.C of the Multiple dwelling code.

3. Proposed Plan of Development

- 3.1 *The proposed plans do not provide sufficient information on building separation and the relationship of the proposal to the adjoining lots. This information is required to assess the minimum building separation requirements and how the proposed development minimises direct overlooking.*
- a. *Provide a site context plan and dimensioned floor plans and elevations showing adjoining and adjacent buildings, including the location of private open space and windows, and demonstrate design responses to address building separation issues, including consideration of measures such as increased setbacks, offset balconies, placement of private open space, screening, and other suitable design treatments.*
- 3.2 *The proposed courtyards on Level 2 adjoining Bed 3 and Bed 4 as well as the service courtyards adjoining Bed 3 and Master Ensuite on Level 3 are within the setback zone and could impact on adjoining neighbours. In accordance with AO3/PO3 of Multiple dwelling code:*
- a. *Provide amended plans to relocate or remove courtyard spaces to meet setback requirements so as to not impact the privacy of adjoining neighbours.*

Response:

Please refer to the Amended Architectural Plans (**Attachment A**), which include an updated context plan together with dimensioned floor plans and elevations showing the relationship between the proposed development and adjoining lots, including the location of adjoining private open space and habitable room windows.

As a result of the reduction in building height and storeys (refer Item 1) and the associated reconfiguration of the internal layout across the reduced number of levels, the courtyard areas previously identified within the setback zone on Level 2 (adjoining Bed 3 and Bed 4) and the service courtyards previously identified on Level 3 (adjoining Bed 3 and the Master Ensuite) have been



reviewed and amended as part of the redesign. The amended plans demonstrate the following in response to AO3/PO3 of the Multiple dwelling code:

- The relevant courtyard areas have been relocated, reduced or removed from the setback zone such that they no longer impact on the privacy of adjoining neighbours;
- The increased setbacks provided under the amended design (refer Item 2 above) provide additional separation between habitable rooms and private open space areas and the boundaries of adjoining properties.

4. Drawing Clarity

- 4.1 Due to the nature of the sloped site, additional drawings are requested for a full understanding and assessment throughout the site.*
- a. Provide additional short sections of the whole site through the following areas -*
 - i. Secondary lift servicing Unit 1;*
 - ii. Master bedroom of Unit 1 through the large window on the eastern elevation;*
 - iii. Living/dining/kitchen of Unit 1 and green roof above.*
 - b. Provide amended plans and additional sections to indicate fence treatment on side boundaries with dimensions and proposed materials.*
 - c. Indicate a line of 9.5m above NGL on all elevations and sections.*

Response:

Please refer to the Amended Architectural Plans (Attachment A), which include the following additional information in response to this item:

- Additional short sections through the site, including through the secondary lift servicing Unit 1, the master bedroom of Unit 1 (through the large window on the eastern elevation), and the living/dining/kitchen of Unit 1 and the green roof above;
- Amended plans and additional sections indicating the proposed fence treatment to the side boundaries, including dimensions and proposed materials;
- A line at 9.5m above Natural Ground Level (NGL) is shown on all elevation and section plans, in addition to the 'ground level' and 11.5m building height reference planes discussed at Item 1 above.

5. Lift Overrun

- 5.1 The development is serviced by two lifts however, it is unclear as to whether adequate space has been allowed for the lift overrun especially as it impacts the usability of the private open space of Level 4 unit and overall bulk and scale of the development. In accordance with AO10.2/PO10 of Multiple dwelling code:*
- a. Provide further information to demonstrate that adequate height allowances for the lift overruns have been allowed for within the proposal.*
 - b. Clarify method of servicing of lifts on roof level.*

Response:

Please refer to the Amended Architectural Plans (Attachment A), including the updated roof plan and building sections, in response to AO10.2/PO10 of the Multiple dwelling code.

- The reduction in the building's overall height and number of storeys (refer Item 1 above) has correspondingly reduced the height and visual prominence of the lift overrun within the overall building form;
- The amended roof plan and sections demonstrate that adequate height has been allowed above the top habitable level to accommodate the lift overrun, without unreasonably impacting the usability of the adjoining private open space/roof terrace areas;
- The lifts are serviced at roof level via an internal roof-level machine/motor room accessed from within the building, with no external servicing platform or additional structure required above the lift overrun.



6. Deep Planting

6.1 The provided architectural plan indicates that 10.9% of the site is deep planting however areas proposed include underground services, hardstand elements including a pedestrian path to Wellington Street and based on the Landscape Concept Plan includes palm trees which do not achieve the characteristics of large subtropical shade tree. The proposal is to ensure all areas of deep planting support the provision of large subtropical shade trees which at maturity are complementary in scale in height to the building form and respond to the sites' design needs in accordance with PO28 and PO29 of the Multiple dwelling code.

a. Provide amended plans including an amended Landscape Concept Plan that demonstrates the following:-

- i. Remove all proposed hardstand elements from within the deep planting area proposed on Wellington Street. A pedestrian pathway can be supported however is required to be permeable and clearly detailed in the submitted plans;
- ii. Remove all proposed services from areas of deep planting or demonstrate their provision will not impact the long-term success of the proposed shade trees;
- iii. Demonstrate the proposed booster location will not require access through the deep planting area or require underground connections that run through the deep planting area. Consider relocating further within site or at the street frontage;
- iv. Amend the design of all deep planting areas to contain large subtropical shade trees and understorey planting within mulch. Palm trees can be supported however are to be complementary to any large subtropical shade tree.

Response:

Please refer to the amended Landscape Concept Plan prepared by Green Synthesis Design (Attachment C), which provides 122.33m² (10.2%) of deep planting, in addition to 43.94m² (3.7%) of inground planting, 22.34m² (1.9%) of planter areas and 43.12m² (3.6%) of turf, together totalling 231.73m² (19.3%) of landscaped area across the 1,183m² Site. In response to the specific matters raised:

- Hardstand elements, including the pedestrian pathway to Wellington Street, have been removed from within the deep planting area fronting Wellington Street. Where a pedestrian pathway is retained within or adjacent to the deep planting area, it has been designed with a permeable surface treatment, as shown on the amended Landscape Concept Plan;
- Underground services have been removed from, or relocated clear of, the deep planting areas, such that their provision will not impact on the long-term viability of the proposed shade trees;
- The fire services booster location does not require access through, or underground connections running through, the deep planting area;
- The deep planting areas have been amended to provide large subtropical shade trees with understorey planting within mulch. Palm trees are retained only as a complementary element to this primary subtropical shade tree planting, consistent with the intent of PO28 and PO29 of the Multiple dwelling code.

7. Side Boundary Landscaping

7.1 The provided plans include several inconsistencies between the Landscape Concept Plan and Architectural plans regarding the side boundary landscape design including different planter designs and indication of inground planting on structures. Furthermore, the submitted documentation does not effectively demonstrate in terms of design and documentation how the proposal supports side boundary landscaping that effectively softens the built form and prevents amenity impacts to adjoining properties in accordance with PO28 of the Multiple dwelling code.

a. Provide amended plans including an amended Landscape Concept Plan that demonstrates the following:-

- i. Consistency between the Architectural and Landscape Concept plans including consistent dimensions and positioning of the containerised planters;
- ii. That all containerised planters are accurately documented in terms of planting depth;
- iii. Include sections and elevations of how the containerised planters will effectively soften and screen the development from adjoining properties;



- iv. *Implement additional opportunities for landscaping along the boundaries of the site including adjacent to proposed private open space areas and along the north-western boundary where the proposed access easement is located.*

Response:

Please refer to the amended Landscape Concept Plan (Attachment C), prepared in conjunction with the Amended Architectural Plans (Attachment A), which addresses the matters raised as follows:

- The Landscape Concept Plan and Architectural Plans have been coordinated to ensure consistency in the dimensions and positioning of containerised planters along the side boundaries;
- Planting depths for all containerised planters are documented on the amended Landscape Concept Plan;
- Sections and elevations are provided illustrating how the containerised planters and side boundary landscaping will screen and soften the built form as viewed from adjoining properties;
- Additional landscaping has been incorporated along the site boundaries, including adjacent to private open space areas and along the north-western boundary adjoining the proposed access easement, further softening the interface between the development and adjoining properties, consistent with PO28 of the Multiple dwelling code.

8. Fuel Burning or Power Generator

- 8.1 *The proposed development includes a pump room on the Ground floor which may include the use of fuel burning (e.g. gas boiler that involves fuel burning) or a back-up/emergency power generator. Such uses are defined as "Fuel Burning" in Schedule 1 Definitions – Industry Thresholds.*
- a. *Submit further information outlining whether the pump room includes a power generator / fuel burning (e.g. gas boiler that involves fuel burning) is proposed. Such information is to include maximum fuel burning capacity in MW; potential hours of use, type and quantity of fuel stored, air quality controls and type of engine. (In some circumstances an Air Quality Report may be required demonstrating compliance with PO1 of the Industry Code)*
 - b. *NOTE - Amendment to the DA form and an amendment to the proposed application may be required if a new industry use/threshold is triggered.*

Response:

The proposed pump room on the Ground floor does not include, and is not proposed to include, any power generator or fuel burning equipment (including any gas boiler or other appliance involving fuel burning). The pump room will accommodate electrically powered pump equipment only, associated with the development's fire services and/or domestic water supply.

Conclusion

We advise that this constitutes a full response to Council's information Request under section 13.2(a) of the DA Rules, ending the applicant's response period under Part 3. Public notification will commence in accordance with Part 4 of the DA Rules.

Should Council require any further clarification please do not hesitate to contact the undersigned on 0448 972 959 or via email dthynne@willowtp.com.au.

Yours faithfully,



Darcy Thynne
Associate (QLD)
Willowtree Planning Pty Ltd

