



Application Reference: A006840962

Address of Site: 189 MELVILLE TCE MANLY QLD 4179

Response to Further Advice Item 2 – Climate Responsive Design (PO26)

Council's Further Advice dated 14 April 2026 states that the proposed additional rooms "continue to not comply with climate response building design" and requests either the installation of louvre windows or reconfiguration of the internal layout to provide dual-aspect windows.

The applicant respectfully submits that the proposal already complies with the requirements of the Brisbane City Plan and that the requested amendments are unnecessary and overly prescriptive.

Compliance with AO26.1(b)

PO26 seeks to ensure that development supports Brisbane's subtropical character and sustainable lifestyle through climatically responsive building design that reduces reliance on mechanical heating and cooling and provides access to natural ventilation.

AO26.1(b) provides one acceptable means of achieving this outcome and requires:

"habitable rooms with a minimum of 2 dual aspect windows or openings".

In response to Council's Information Request, the applicant submitted amended plans incorporating a natural ventilation diagram demonstrating airflow paths through the affected dwellings and cross ventilation through multiple openings.

The applicant notes that AO26.1(b) does not require every bedroom to have windows on opposing external walls, nor does it require every individual room to achieve cross ventilation independently. Rather, the provision requires dual-aspect windows or openings to habitable rooms and seeks to facilitate natural ventilation throughout the dwelling.

This interpretation is supported by Figure o referenced by AO26.1, which illustrates cross ventilation occurring at a dwelling scale through multiple openings and interconnected spaces rather than requiring each individual room to have windows on two external walls. The submitted design adopts the same ventilation principles illustrated within the City Plan.

Accordingly, the applicant considers that the submitted plans satisfy AO26.1(b).

Compliance with PO26

Without limiting the above, should Council maintain that AO26.1(b) is not strictly achieved, the proposal clearly satisfies the Performance Outcome.

The proposed extensions:

- provide access to natural light and ventilation;
- incorporate multiple openings that facilitate airflow through the dwelling;
- maintain climatically responsive design principles;
- reduce reliance on mechanical cooling; and
- provide a level of natural ventilation consistent with the intent of PO26.

The natural ventilation strategy has been demonstrated on the submitted plans and achieves the performance outcomes sought by the code. The proposal therefore satisfies PO26 irrespective of whether a particular acceptable outcome is considered to have been met.

Requested Design Changes are Overly Prescriptive

The Further Advice requests either:

- installation of louvre windows; or
- reconfiguration of the internal layout to relocate bedrooms and ensuites.

The applicant submits that neither PO26 nor AO26.1 mandates a particular window type or internal room arrangement.

Louvre windows represent one possible design solution, however sliding, awning and casement windows can also provide effective natural ventilation outcomes depending upon their size, location, orientation and relationship to other openings within the dwelling.

Similarly, neither PO26 nor AO26.1 prescribes the location of bedrooms, bathrooms or robes within a dwelling.

The Planning Scheme establishes a performance-based assessment framework. The relevant question is whether the proposal achieves the performance outcome, not whether it adopts Council's preferred architectural solution.

Building Act and NCC Considerations

The applicant further notes that matters relating to ventilation performance, energy efficiency and occupant comfort are comprehensively regulated through the building assessment process under the Building Act 1975 and the National Construction Code.

Section 16 of the Planning Act 2016 states:

"A local planning instrument must not include a provision about building work, to the extent the building work is regulated under the building assessment provisions, unless allowed under the Building Act."

Further:

"To the extent a local planning instrument does not comply with subsection (5), the local planning instrument is of no effect."

The National Construction Code contains detailed requirements relating to natural ventilation, energy efficiency, glazing and occupant comfort. Compliance with these requirements will be demonstrated through the building approval process.

The applicant submits that Council's request to mandate specific window types or internal room configurations extends beyond assessment of the planning outcome sought by PO26 and enters matters more appropriately regulated under the Building Act and National Construction Code.

Conclusion

The applicant respectfully submits that:

1. The submitted plans demonstrate compliance with AO26.1(b) through the provision of dual-aspect openings and a documented natural ventilation strategy.
2. The proposal clearly achieves the intent and requirements of PO26 by providing access to natural ventilation and reducing reliance on mechanical cooling.
3. Neither PO26 nor AO26.1 requires louvre windows or a specific internal room arrangement.
4. The requested amendments represent preferred design solutions rather than necessary planning requirements.
5. Detailed matters relating to ventilation performance and energy efficiency are regulated through the Building Act and National Construction Code.

Accordingly, the applicant considers that the proposal complies with PO26 and AO26.1 and respectfully requests that Council assess the development against the performance outcome rather than requiring a particular architectural solution.