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TOWN PLANNING
SURVEYING

Our Ref: 001567-T
Council Reference: A006914564

1 April 2026

Assessment Manager
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Attention: Beau Morris

Dear Beau

RE: INFORMATION REQUEST RESPONSE
149 Benhiam St, Calamvale Qld 4116
Development permit for Reconfiguring a lot
A006914564

Reference is made to the development application seeking a development permit for Reconfiguring a lot for 2 into 11 lots and new road on land at 149 Benhiam St, Calamvale Qld 4116 and Council's information request dated 23 January 2026. Please see our responses below.

In accordance with section 13.2 Development assessment rules, please see our full response to all the items raised in Council's request for further information.

The following documents are attached in support of this response:

1. Updated Proposed Subdivision Layout Plan (PSLP) Rev I.
2. Ecological response letter – 28 South
3. Engineering response & Stormwater Management Plan – Hurley Consulting Engineers.
4. Bushfire Response and updated Bushfire Management Plan – Land & Environmental Consultants (LEC)

Lot layout Item 1

1) *The development proposes 8 contiguous small lots without separation by 2 standard lots per AO22.2 of the Subdivision code. Six of these lots have frontages less than 10m which is inconsistent with the surrounding lot character. The lot's location in relation to public transport does not allow it to provide the transition in lot character per PO22c of the Subdivision code.*

- a) Submit an amended proposal plan (including supporting specialist reports and plans) that provides a standard lot within the run of 8 contiguous small lots to provide a range of lot sizes and types in accordance with PO22 of the Subdivision code.*

Response:

The PSLP has been amended to include a standard lot (Lot 5) within the run of small lots previously proposed. The Standard lot is placed in the centre of the block to provide a range of lot sizes and types in accordance with PO22 of the Subdivision code. The inclusion of this standard lot will ensure that there will



be variation in housing types in the future and facilitate choice and cater to different price points of future purchasers. Refer to amended PSLP in Appendix 1.

BUSHFIRE HAZARD

Item 2

2) The proposed development is within an area mapped as medium hazard area within the Bushfire overlay, triggering assessment against sections A and C of the Bushfire overlay code. The Bushfire overlay code requires development to achieve less than 29kW/m² at the development footprint (PO1) and demonstrate safe site access for emergency services and egress for future residents, with alternative egress routes considering the most likely bushfire scenarios (PO17, PO18).

Bushfire reporting was submitted to demonstrate compliance with the Bushfire overlay code.

A setback of 15.3m from potentially hazardous vegetation is required to comply with PO1 (i.e. <29kW/m²). Although there is a building approval on the balance lot (lot 10) and now expired permit for the clearing of the land around the approved buildings (outside of overlays), the building is yet to be built or occupied, therefore Council cannot assume this land will be managed within the scope of this development approval. Council will require the balance (i.e. ~1.3 m) of the proposed setbacks to be accommodated at the frontage of lots 1-9, with the intent to extinguish any bushfire covenants over this land once lot 10 is further developed or the approved building is constructed.

A proposed temporary turnaround has been included to demonstrate that emergency services vehicles can turnaround within the proposed development site. It has not been demonstrated that the design of the temporary turnaround complies with the turnaround requirements within the Bushfire overlay code (Table 8.2.5.3.B) or QFES Fire Hydrant and Vehicle Access Guidelines for residential, commercial and industrial lots. Additionally, works associated with proposed turnaround have not been included in earthworks/civil plans.

- a) Provide revised plans identifying the required setback to achieve <29kW/m² within the road reserve and frontage of lots 1-9, unless construction has begun on the approved building within lot 10.*
- b) Demonstrate that the proposed temporary turnaround for emergency services vehicles complies with the turnaround requirements within the Bushfire overlay code (Table 8.2.5.3.B) or QFES Fire Hydrant and Vehicle Access Guidelines for residential, commercial and industrial lots. Swept paths can be used to demonstrate that the proposed turnaround functions appropriately. Civil plans will be required to be updated to reflect the construction of the turnaround.*

Response:

Council has referred to the building approval on the balance lot (lot 10) having an expired permit for the clearing of the land around the approved buildings (outside of the overlays).

Following a development permit for the dwelling house and secondary dwelling, a NALL permit (A-11303-C5C) was obtained which facilitated the removal of trees in this area to accommodate the dwelling house. Vegetation has been cleared complying with the development permit and a compliance approval issued for the vegetation clearing. As such, this permit did not expire and ongoing maintenance is carried out for this part of the site.

Council has mentioned that A setback of 15.3m from potentially hazardous vegetation is required to comply with PO1. Council requires the balance of 1.3m to achieve the 15.3 bushfire buffer distance, to be



accommodated at the frontage of lots 1-9, with the intent to extinguish any bushfire covenants over this land once lot 10 is further developed or the approved building is constructed.

In response, the proposed lots 1-9 will need to comply with the front setback distances of the dwelling house small lot code and all built form will be located away further than the required bushfire buffer distance of 15.3. Therefore, the provision of 1.3m within Lots 1-9 is not necessary in this instance,

Refer to the bushfire response in Appendix 4 prepared by Land and Environment Consultants (LEC).

STORMWATER AND FLOOD MANAGEMENT

Item 3

3) *The retention of the existing creek within an easement does not meet PO18 of the Flood overlay code as the flood is unsafe (high hazard flood conditions) and will be subject to nuisance, scour and regular flooding. In order to address PO18 of the Flood overlay code, the following is recommended.*

It is also noted that the development requires stormwater water quality treatment in accordance with Section B of the Stormwater code. The use of WSUD street trees is not supported as the site directly discharges into a waterway corridor. A water quality offset area consisting of a non-trunk waterway rehabilitated and dedicated to Council would be supported to address compliance with the Stormwater code.

- a) *Dedicate the waterway corridor to Council as non-trunk land for stormwater quality purposes and to create a lot unencumbered by high hazard flooding. Refer to Sketch attached to the Information Request.*

Response:

Council requests dedication of the waterway corridor via an easement and refers to the development not complying with PO18 of the Flood overlay code.

The dedication of the waterway corridor is not required the site and contains a drainage easement in line with Sketch 1 referred to by Council, on part of Lot 10 (10 on SP324952) in favour of Council for stormwater drainage which achieves the intent of the Flood overlay code. In addition, the development complies with AO18.3 of the Flood overlay code and no further assessment against PO18 would be triggered.

AO18.3

Development protects the conveyance of flood hazard area by providing an easement over the:

- a. 2% AEP flood extent for overland flow flooding;
- b. 1% AEP flood extent for creek/waterway flooding.

This easement was created as part of the four (4) lot subdivision (A005059772) which was the application/approval resulting in the creation of the subject site. The existing easement captures the entire waterway corridor in accordance with AO18.3 of the flood overlay code. Consequently, PO18 of the Flood overlay code is not triggered for assessment due to compliance with AO18.3.

Additionally, part of balance lot (Lot10 on SP324952) is dedicated as an Environmental Protection Zone (EPZ) which will achieve the water quality offset area as required by council. Refer to Engineering response in Appendix 3 prepared by Hurley Consulting Engineers.



Item 4

4) *The site-based stormwater management plan has not addressed how major flows on Lots 1 to 9 and the new local road will be managed through the neighbouring site at 169 Benhiam St in accordance with PO1 and PO3 of the Stormwater code.*

- a) *Submit an amended site-based stormwater management plan showing that the major flow can be converted into the waterway area without impacting the levels for the lots approved as part of the development approval over 169 Benhiam Street. The report is to include stormwater calculations for weir flow across verge in that road sag.*

Response:

Refer to engineering response prepared by Hurley Consulting Engineers in Appendix 3.

Item 5

5) *Easements are required over the proposed stormwater pipe and drainage corridor within 169 Benhiam Street as the development approval over 169 Benhiam Street (Council Ref: A005069964) has not yet been carried out with Lot 500 dedicated and in Council ownership.*

- a) *Submit an amended proposal plan showing the following easements to achieve a lawful point of discharge per the Stormwater code:*
- i. *3.0m wide from the new road to the waterway (refer to Sketch 1).*
 - ii. *5.0m wide easement provided from the stormwater outlet (stormwater system on the 3.0m wide easement) to the western boundary of 169 Benhiam Street (refer to Sketch 1).*

Note: The easements can be extinguished upon completion of the above development approval.

Response:

Refer to amended subdivision layout plan (Appendix 1) illustrating 3 meter wide easement from the new road in 169 Benhiam to the water way and 5 meter wide easement from stormwater outlet (stormwater system on the 3.0m wide easement) to the western boundary of 169 Benhiam Street in accordance with Sketch 1. We request the easement so be extinguished upon the completion of the above development and the decision notice to include a condition stating the above.

Item 6

6) *Provide a quantitative analysis via hydrological model of the existing and post development flows to demonstrate stormwater detention is not necessary, with regard to the wider catchment to support the statement in the SBSMP regarding timing of flows managing the increased flows.*

Response:

The stormwater management plan has been updated to detail the hydrological model of the existing and post-development flows to demonstrate stormwater detention is not necessary. Refer to engineering response by Hurley Consulting Engineers in Appendix 3.

BIODIVERSITY AREAS

Item 7

7) *The proposed development will involve encroachment into mapped areas of high ecological significance – strategic (HESS), triggering assessment against the Biodiversity areas overlay code. The code requires*



development to protect, conserve and restore ecological values, koala habitat trees and waterways within mapped areas of High ecological significance (HES)/HESS (PO4) and provide an environmental offset for any significant residual impacts to matters of local environmental significance (MLES) (PO9). Whilst Council is generally supportive of the proposed development footprint, further information is required to demonstrate that an adequate environmental offset will be provided for significant residual impacts to matters of environmental significance.

The Offsets planning scheme policy (PSP) states 'for the purposes of matters of local environmental significance, development has a significant residual impact where it directly or indirectly involves interference with any vegetation (vegetation being any tree or plant other than a non-native grass or non-woody herbage)'. Aerial imagery appears to show interference with vegetation within mapped areas of HESS, with no permits for such works within Council records. Furthermore, the tree survey (Figure 8) within the Ecological Assessment appears to only accounts for surveyed trees as impacted MLES, potentially excluding other 'vegetation' within HESS from being accounted for in the environmental offset.

In addition to the above, the proposed new road on 169 Benhiam St may be constructed as part of this application unless it has already been constructed as part of the existing approval on 169 Benhiam St. A revised tree survey and environmental offset proposal, including a summary of impacts to MLES for each separate impacted area (i.e. 149 Benhiam St and the proposed new road on 169 Benhiam St).

- a) Provide a revised Tree Survey plan identifying all impacts associated with the proposed development including proposed services (i.e. sewer and stormwater), roads (on both 149 & 169 Benhiam St) and proposed temporary turnarounds. Where works encroach into the tree protection zone of trees to be retained, a report from a qualified arborist (AQF level 5 Arboriculture) is required to demonstrate no negative impacts on the long-term health of the trees.*
- b) Provide a revised environmental offset that accounts for all proposed impacts to vegetation within mapped areas of HES/HESS in accordance with the Offsets Planning Scheme Policy definition of significant residual impacts to MLES.*

Response:

An amended Tree Retention Plan (TRP) and updated tree schedule have been provided in response to Council's request for further information. Council has sought additional detail regarding environmental offsets for any significant residual impacts to matters of local environmental significance within 149 Benhiam Street, as well as within the road at 169 Benhiam Street.

In this regard, it is important to note that 169 Benhiam Street is already subject to an existing development approval under which the vegetation and tree impacts within the road have previously been assessed and determined. The approved plans clearly identify the trees authorised for removal, and as such, requiring further environmental offsets for those same impacts as part of the current application is considered unnecessary, onerous and unreasonable. On that basis, environmental offsets in respect of impacts to matters of local environmental significance within the road at 169 Benhiam Street have not been provided.

Based on this revised approach, environmental impacts have been determined for 149 Benhiam Street and the total impact to MLES is 5,303m². A financial offset will be provided in accordance with the *Environmental Offsets Act 2014* and the Offsets Planning Scheme Policy. Refer to Ecological response prepared by 28 South in Appendix 2.



Item 8

8) *In accordance with the requirements with PO4 of the Biodiversity areas overlay code, development must ensure that ecological features, koala habitat trees, areas of strategic biodiversity value and waterways within HES and HESS are protected, conserved and restored to ensure the area's long-term viability. Revised plans are required that identify the balance of land within lot 10, mapped as HES/HESS to be rehabilitated and secured as an environmental protection zone. It is intended that any parts of this land not dedicated to Council will be secured as environmental covenant as a condition of approval.*

- a) *Provide revised plans identifying the balance of lot 10 mapped as HES/HESS to be rehabilitated and secured as an environmental protection zone. It is intended that any parts of this land not dedicated to Council will be secured as Environmental Covenant as a condition of approval.*

Response:

The amended plans designate the balance of Lot 10 as an Environmental Protection Zone, which provides an appropriate planning mechanism to secure the environmental function of this land without the need to impose a separate environmental covenant condition. Refer to Ecological response in Appendix 2.

SERVICING

Item 9

9) *Submit a RPEQ endorsed swept path analysis demonstrating the RCV as specified on BSD 3004 can safely and efficiently service the development and utilise the turnaround facility to comply with PO18 of the Transport, access, parking and servicing code.*

Response:

The civil engineering servicing layout plan has been updated to show the turning template for a 10.3m refuse collection vehicle. Refer to Engineering response provided by Hurley Consulting Engineers in Appendix 3.

EARTHWORKS

Item 10

10) *Further information is required to demonstrate the proposed retaining walls are designed in accordance with the Filling and excavation code.*

- a) *Provide sections of the higher than 1.0m retaining walls and include the RL levels of the crown and bottom of the wall.*
- b) *Provide amended plans showing the horizontal separation with the property boundary and the associated drainage.*

NOTE: The wall is to have a min horizontal clearance with the existing property boundary of 200mm/ 300mm (this is to ensure no encroaching of structures on the neighbour property and provide drainage alternative for the existing wall.)

Response:

Refer to engineering response prepared by Hurley Consulting Engineers in Appendix 3.



BICYCLE NETWORK Item 11

11) *It is unclear whether the proposed lot layout will prejudice the provision of the local cycle route identified in the Bicycle network overlay.*

- a) Submit an amended lot layout plan showing the development does not prejudice a 5m wide bicycle connection between 169 Benhiam Street and 55 Central Street Calamvale in accordance with PO1 of the Bicycle network overlay code.*

Response:

Amended plans are provided to include 5m wide bicycle connection between the two adjoining lots in accordance with PO1 of the bicycle code. The adjoining sites benefit from Cycle routes via recent development approvals and the proposed cycle path aligns with the existing routes on the adjoining premises. Refer to Appendix 1.

Conclusion

The above are the Applicants' responses to the request for further information. We request that the assessment manager complete the assessment with an approval that incorporates reasonable and relevant conditions.

If there are any further questions in relation to this matter, please do not hesitate to contact the undersigned on 1300 275 266.

Regards,

Reza Ilkhani
Town Planner