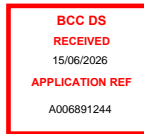


Urbicus Ref: URB23-050
Primary Contact: Henry Watson



Chief Executive Officer
Brisbane City Council
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Applicant response to an information request under Section 13 of the Development Assessment Rules

Council reference: A006891244

Property details: 381 Broadwater Road, Mansfield QLD 4122

In accordance with section 13.2 of the Development Assessment Rules, I wish to advise that I am providing:

- all** of the information requested
- part** of the information requested

In giving this part-response I also advise that:

- I now require you to proceed with your assessment of this application under section 13.3 of the Development Assessment Rules, effectively ending my applicant-response period.

We address the specific items raised in Councils “Information Request” as follows:

Item	Impacts to vegetation
1	<p>Insufficient information has been provided to determine the extent of impacts to vegetation within the mapped High Ecological Significance Strategic (HESS) values of the Biodiversity areas overlay. In order to assess the proposed changes and resolve the conflict in retention of Trees 131 and 132 to facilitate the Childcare centre approval, the following information is required:</p> <ul style="list-style-type: none"> a) Provide contemporary tree survey data (collected in accordance with AS4970-2025 Protection of trees on development sites and Biodiversity areas planning scheme policy (i.e. accurate to +/- 100mm) of all native trees with a Diameter at Standard Height (DSH) greater than 100mm area, within 6m of the proposed works area at the interface between Lot 13 and the drainage reserve, including: <ul style="list-style-type: none"> i) Scientific name; ii) Height; iii) Diameter of tree trunk at standard height (DSH); iv) Crown diameter; v) Habitat features including hollows and scratch marks, nests etc. vi) Notional Root Zones (NRZs) (in accordance with AS4970-2025); and vii) General health assessment. b) Provide an amended VMP which incorporates the contemporary survey data and updated Notional Root Zone (NRZ) areas within 6m of Lot 13’s property boundary, and clearly demonstrate which trees are proposed for retention and removal. The amended VMP must retain the original tree survey data for all other vegetation (outside of the 6m works area interface) for completeness of the original reconfiguring a lot approval. c) Provide an Arboricultural Impact Assessment (AIA) undertaken by a qualified arborist (minimum AQF Level 5 in Arboriculture) to support the amended VMP which assesses the proposed impacts of the required construction works on all native trees where any encroachment is proposed within the Notional Root Zone (NRZ) of native vegetation within the 6m of Lot 13’s property boundary. The report must include specific construction methodologies and recommendations to mitigate impacts of root damage to all retained trees during construction and all mitigation measures/protection to ensure long-term health of retained vegetation. d) Provide confirmation of the total area (in m2) of additional impact to HESS values in accordance with the PO9 of the Biodiversity areas overlay code and the Offsets planning scheme policy, for Trees 131 and 132 and where any additional vegetation removal is proposed as a result of the above items.

Response

The Change relates solely to the removal of Trees 131 and 132 from Lot 13, which is required to resolve a direct conflict between two extant approvals — the Reconfiguring a Lot approval (A005867462) and the MCU approval for a Childcare Centre (A006639170).

The conflict is evident on the face of the approved plans that the built form approved under the MCU is located within the area occupied by Trees 131 and 132, rendering their removal a practical and approval-driven necessity rather than a discretionary clearing proposal.

The site has been the subject of a tree survey which identified and characterises Trees 131 and 132. No additional vegetation removal is proposed beyond these two trees, and the existing survey data is sufficient to confirm the limited and defined nature of the impact.

In these circumstances, commissioning a new tree survey, amended VMP, and Arboricultural Impact Assessment would impose an unreasonable burden on an applicant seeking only to reconcile two conflicting approvals, where the outcome — removal of two identified trees is already an approved consequence of the MCU.

With respect to the Biodiversity areas overlay, we acknowledge that Trees 131 and 132 may be captured within mapped HESS values. However, any offset obligation arising from their removal is appropriately addressed as a condition of approval rather than as a prerequisite to assessment.

The existing survey data is sufficient to confirm the trees subject to removal, and Council is in a position to calculate and impose any applicable offset requirement on the basis of that information.

This is equivalent to an additional removal of the TPZ of 8.76m² - 2.4m² (Tree 131) & 6.36m² (Tree 132). **Total offset** based on the loss of 1,819m² of the area of MLES3. **Condition 6 of the Approval.**

We respectfully request that Council proceed to determine the application and, where necessary, impose conditions to address any residual biodiversity offset obligations.

In accordance with Section 60 of the *Planning Act 2016* the Information and Referral Part under the DA Rules is now at an end and we will proceed with the Decision Part.

Should you have any queries please contact our office.

Yours sincerely



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