



19 June 2026

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

Via Email: dalodgement@brisbane.qld.gov.au

Council Reference: A007017328
Attention: Alexandria Wood

Dear Alexandria,

RE: Response to Information Request – Development Permit for Material Change of Use (Six Townhouses) at 44 Kates Street, Morningside

We write on behalf of our client, EKOS Property Development, in response to Council's 1 June 2026 Information Request regarding development at 44 Kates Street, Morningside.

This letter and attachments are a formal response to Council's Information Request. Pursuant to Part 3 Section 13.2 (a) of the Development Assessment Rules, the applicant elects to provide all of the information requested.

This written response is accompanied by:

- Revised Landscape Concept Plan prepared by Andrew Gold;
- Revised Civil Engineering Plans prepared by Motus Consulting;
- Revised Proposal Plans prepared by Zarchitects.

This letter sets out the applicant's response to each item. The numbering corresponds to the numbering in Council's 1 June 2026 request.

Planning Assessment

Frontage

1. The proposed plans note that gatehouses, water meters and walls dominate the frontage which limits space for shade tree planting and detracts from the streetscape amenity. A minimum 2m wide landscape strip should be provided along at least 50% of the frontage with refuse bin enclosures and walls located behind this landscaping in accordance with PO28/AO28.1 of the Multiple dwelling code.

- a. Provide amended plans that show a minimum 2m wide landscape strip along at least 50% of the frontage with bin enclosures and walls located behind this landscaping.

Note: The refuse bin storage areas for Townhouses 1, 2 and 3 must be accessible internally without the need to enter the road reserve and cannot be accessed through deep planting areas, dwellings or garages. The access doors to the refuse bin storage areas for Townhouses 1, 2 and 3 must not open onto the road reserve. An internal access pathway to the refuse bin storage areas will need to be provided on the revised plans.

Response

As detailed on both the accompanying proposal plans and landscape plan, the previously proposed bin stores have been removed from the front of the site. The proposed gatehouse and front walls have been retained with a setback 1000mm from the road boundary. The removal of the bin stores has allowed for the 1000mm setback to be clear of built form across the entire width of the frontage. As detailed on the proposed landscape plan this front setback is to be landscaped with shrubs and ground covers to assist with visual amenity within the streetscape. The removal of the bin stores has allowed for additional deep planting within the front setback between the structures and the road boundary assisting in softening the development from the street.

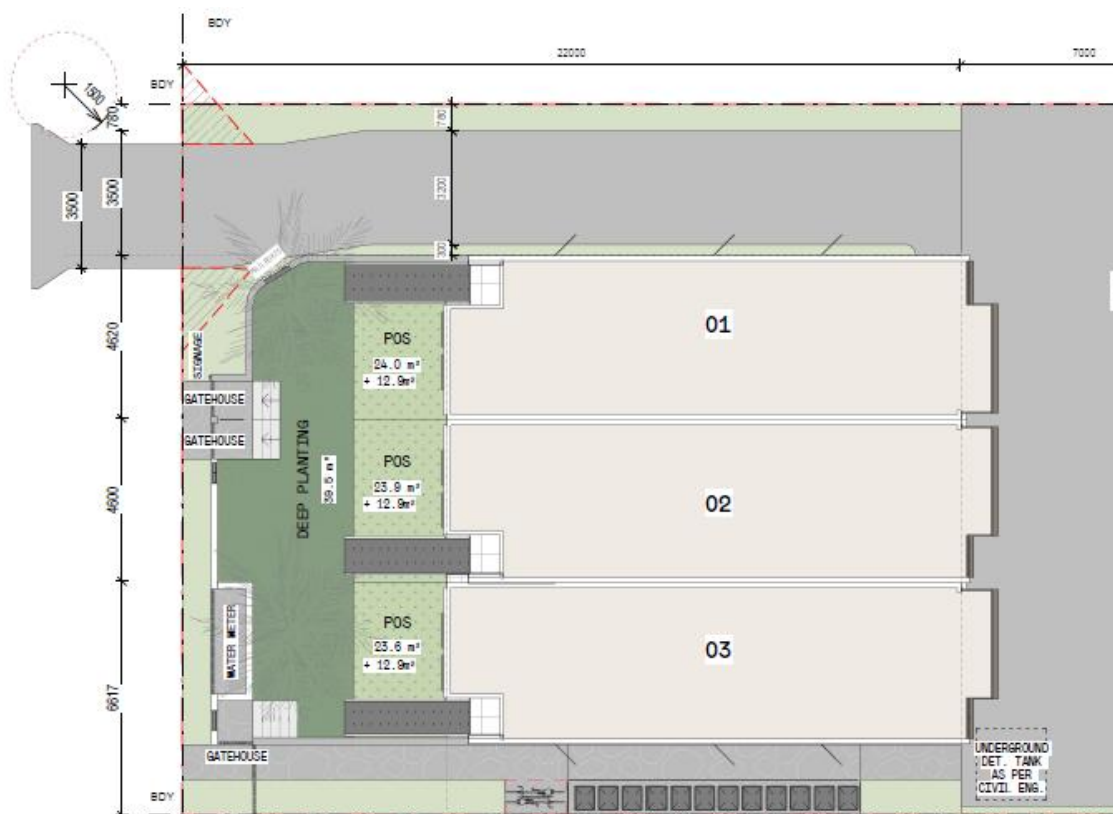


Figure 1: Proposed Site Plan with Increased Setback to Front Walls – Zarchitects (8 June 2026)

Planning Assessment

Pedestrian Path and Side Boundary

2. The eastern side of the subject site does not provide sufficient landscaping in accordance with PO28/AO28.2 of the Multiple dwelling code. The landscaped area along the eastern side boundary should be redesigned to accommodate screening vegetation, contributing to building separation and privacy. The pedestrian pathway should be aligned adjacent to the building line. Waste bins may be located at the boundary, within a designated gap in the landscaped strip.
 - a. Provide amended plans demonstrating a minimum 1.5m wide landscaped strip along the eastern side boundary. The pedestrian pathway is to be relocated along the building line, incorporating a gap for bin storage.

Response

As indicated within Figure 1 above, the pedestrian access path has been realigned to directly abut the eastern elevation of Townhouse #3. All bins including those previously proposed at the front of the site have been relocated to the bin store, which is now proposed in a screened enclosure along the eastern boundary, as advised by Council. Where possible columnar trees and screen planting have been provided in the 1000mm wide landscape strip along the boundary. As outlined within the Planting Schedule within

the Landscape Plan all proposed columnar trees can achieve a minimum height of 8m and width of 3m. Additionally, proposed screen planting will be capable of achieving a minimum height of 3m, both of which can create a visual buffer between the subject and adjoining properties. It should be noted that the adjoining site contains a driveway area immediately adjacent to the subject site - not habitable room windows.

The proposed detention tank which will capture roof water for proposed Townhouse #1 - #3 had to be relocated to the boundary due to the path alignment. It is noted this results in the loss of some landscaping; however, it is the only viable position for the tank. An underground detention tank system was considered but was not feasible.



Figure 2: Proposed Landscape Plan – Andrew Gold Landscape Architect (10 June 2026)

Planning Assessment

Preliminary Concept Earthworks Plan

3. An Earthworks Plan is included in the 'Engineering Services Report'; however, the plan does not include sufficient details on the extent of cut and fill and proposed retaining wall heights. In accordance with PO1 and PO2 of the Filling and excavation code, the following information is required:

- a. Provide a preliminary concept earthworks plan that shows the proposed retaining wall heights on elevation plans.

b. Provide a preliminary concept earthworks plan that includes cross sections showing the proposed extent of cut and fill.

Note: The maximum height of a retaining wall on a property boundary retaining fill and presenting outwards is to be one metre. Any further retaining is to be stepped with a minimum one metre horizontal step between the tiers.

Response

Accompanying this submission are plans prepared by Motus Consulting which detail the extent of cut and fill proposed and cross sections detailing the proposed works. All proposed works are consistent with the Filling and Excavation Code. As illustrated, there will be no large fill retaining walls presenting to the street or adjoining properties.

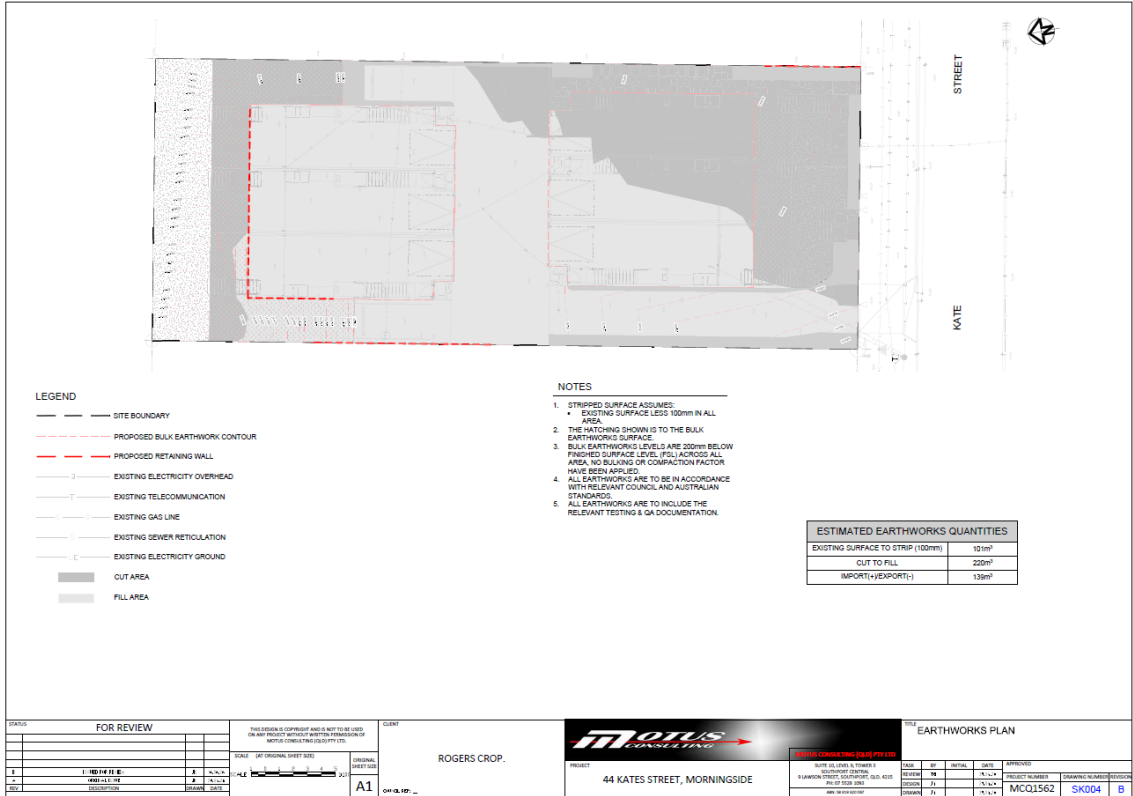


Figure 3: Proposed Bulk Earthworks Plan – Motus Consulting (18 June 2026)

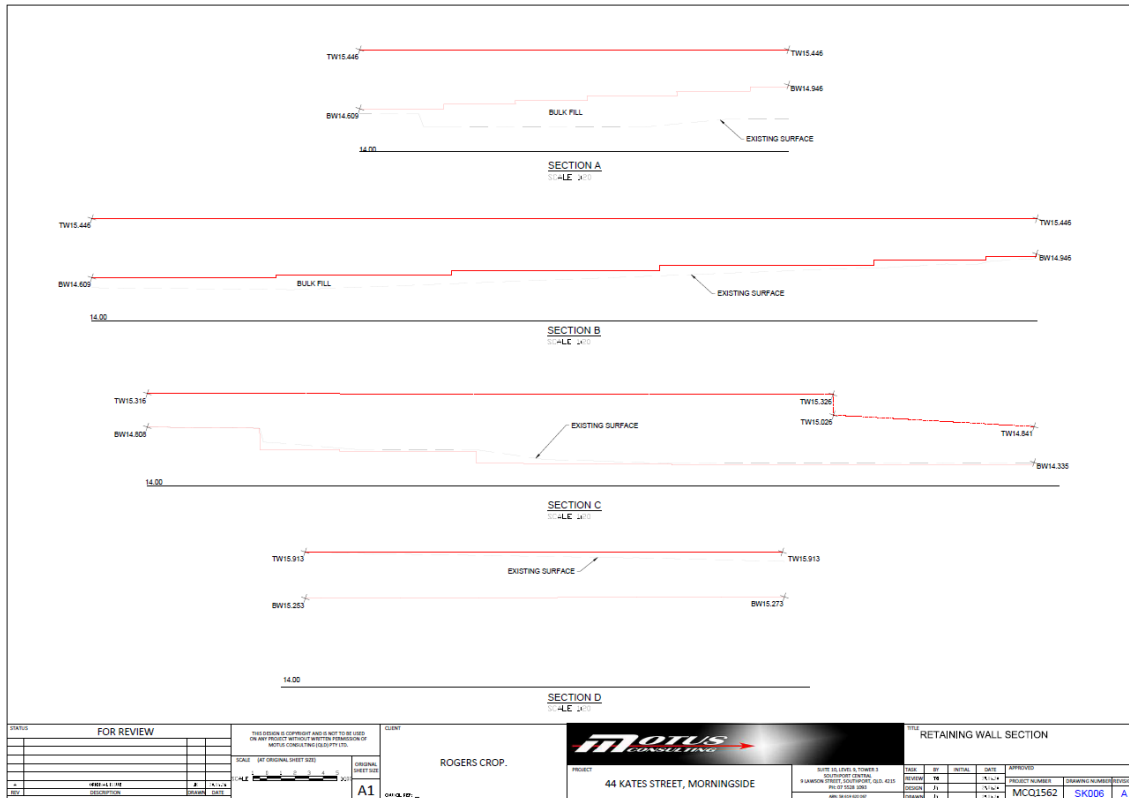


Figure 4: Proposed Bulk Earthworks Plan – Motus Consulting (18 June 2026)

Planning Assessment

Access

4. In accordance with AO4/PO4 and AO6/PO6 of the Infrastructure design code a 1.2m clearance is to be provided between the existing power pole and any part of the proposed crossover.
 - a. Provide revised plans that depict an amended crossover/driveway design ensuring a minimum 1.2m setback between the existing power pole and any part of the proposed crossover.

Response

The proposed crossover maintains a setback of 1300mm from the flare of the crossover which exceeds the 1200mm noted by the Council.

Planning Assessment

Refuse Storage Area

5. In order to address AO8.1/AO8.2/PO8 of the Infrastructure design code the following is to be addressed:
 - a. The refuse bin storage areas must be fully dimensioned on the revised plans. The internal dimensions are to be shown and are to comply with the Refuse planning scheme policy. Allowance is required of 0.9 metre by 0.9 metre per bin

- plus additional space for the manoeuvring of the bins.
- b. Clearly demonstrate on the revised plans that the refuse bin enclosures are both roofed and screened on the revised plans and sections.

Response

As detailed on drawing DA-4.2 the proposed bin store along the eastern boundary is to be roofed and screened in accordance with the requirements of the Refuse Planning Scheme Policy.

We trust the above and accompanying information suitably addresses the comments of the Council however should further clarification or information be required please contact our office.

Yours faithfully

URBAN STRATEGIES PTY LTD



Blair McPherson
SENIOR TOWN PLANNER