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**FW: Submission – Development Application A006923355 – 76 Queens Road, Everton Park**

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From  
Date  
To  
Cc

 1 attachment (558 KB)  
Objection Submission - 76 Queens Road.pdf;

**SECURITY LABEL: OFFICIAL**

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**From:** .  
**Sent:** Saturday, 25 April 2026 4:23 PM  
**To:** dalodgement <dalodgement@brisbane.qld.gov.au>  
**Cc:** ; DA RECORDS  
<DA\_RECORDS@brisbane.qld.gov.au>  
**Subject:** Submission – Development Application A006923355 – 76 Queens Road, Everton Park

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*This email originates from outside of Brisbane City Council.*

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Dear Sir/Madam,

Please find attached our formal submission in relation to the Development Application for 76 Queens Road, Everton Park (Application Reference: A006923355).

Our submission outlines a number of significant concerns, including:

- failure to adequately protect the existing vegetated corridor
- underestimation of ecological and habitat value
- lack of demonstrated compliance with stormwater and waterway requirements
- risk of increased overland flow, erosion, and downstream impacts
- potential overlooking and loss of privacy should vegetation be degraded or removed

### **Attachments**

1. Submission with notes
2. Video recordings demonstrating overland flow and water movement through the corridor during rainfall events, which are referred to in our attached submission. These videos are from **standard heavy rainfall events (not flood conditions)** and illustrate the active hydrological function of the site and surrounding catchment.

**Video attached link here due to size of files**  [Videos.zip](#)

The current application does not demonstrate that the proposed development can occur without material environmental and downstream impacts.

Given the above, we respectfully request that Council:

- refuse the application in its current form, or
- require substantial redesign and further independent assessment, including ecological and hydraulic review

We would appreciate confirmation that this submission and all attachments have been received and registered as part of the public notification process.

Please do not hesitate to contact us should any further information be required.

Warm Regards

**FORMAL SUBMISSION / OBJECTION**  
**Development Application – 76 Queens Road, Everton Park (MCU – Multiple Dwellings)**

To: Brisbane City Council

Date: 25/4/26

**1. INTRODUCTION**

I make this submission to formally object to the proposed Development Application and request that Council:

- refuse the application in its current form, or
- require substantial redesign and further independent assessment prior to any approval

This submission is made with reference to the **Brisbane City Plan 2014**, including:

- Emerging Community Zone Code
- McDowall Neighbourhood Plan
- Multiple Dwelling Code
- Biodiversity Areas Overlay Code
- Waterway Corridors Overlay Code

See images below:

- Image 1: Red: proposed development site,
- Image 2: significant overland and water catchment – see Section 7.5 for video evidence

**Image 1**



**Image 2**



## 2. OVERVIEW OF NON-COMPLIANCE

The proposal fundamentally fails to demonstrate:

How the existing vegetated corridor at the southern portion of the site will be protected, maintained, and relied upon to achieve acceptable environmental and residential outcomes.

While the development is described as being “set back”, the application:

- relies on vegetation to achieve compliance
- but does not properly protect that vegetation

This is a critical flaw

## 3. EXISTING CONDITIONS (UNDISPUTED FACTS FROM THEIR REPORT)

The applicant's ecological report confirms:

- The southern portion of the site is **heavily** vegetated
- Vegetation is predominantly **native** with **large canopy trees**
- A **waterway** exists at the southern end
- The site sits within a **Koala Habitat Area (KHA)** – *aerial view of the suburb clearly shows a large native/ vegetative corridor through this area*
- The development will require removal of most existing native vegetation

### 3.1 On-ground Fauna Observations

Having resided at the adjoining property for approximately five (5) years, I am able to provide direct, consistent observations of fauna utilising the vegetated corridor located within the southern portion of the subject site.

These observations include:

- **Frequent daily presence of native birdlife**, including kookaburras and a range of smaller native species
- **Confirmed sightings of koalas** within the vegetation corridor and surrounding area
- **Regular presence of native reptiles**, including carpet pythons and tree snakes
- **Amphibian activity**, including frogs consistent with wetland and riparian environments
- **Ongoing use of the area by bush turkeys**, including nesting behavior within the vegetated/wetland area

These observations indicate that the vegetation:

- provides **active and ongoing habitat**, not just incidental use
- supports a **range of fauna species across multiple ecological groups**

These consistent observations further reinforce that the vegetation performs a meaningful ecological function, regardless of its classification within the ecological report, and that any assessment which does not fully account for this on-ground reality risks underestimating the true environmental value of the site.

These observations are consistent with the site's mapping within a Koala Habitat Area and support the conclusion that the corridor is actively utilised by fauna.

#### 4. RESIDENTIAL AMENITY – MULTIPLE DWELLING CODE

The development introduces multi-storey (3 storeys) built form along the rear boundary, creating direct overlooking into private open space including a swimming pool. No adequate mitigation is demonstrated. This represents non-compliance with privacy and amenity outcomes.

The proposal also fails to provide an appropriate transition between densities, resulting in a hard urban edge adjoining a private residential backyard.

#### 5. KEY FAILURE – VEGETATION RETENTION IS NOT PROVEN

The application states vegetation will be retained under a covenant.

However, it **fails to demonstrate**:

- exact extent of retained vegetation
- which trees are protected vs removed
- how vegetation will be protected during construction
- how it will survive long-term post-development
- how edge effects will be mitigated

#### 6. ECOLOGICAL VALUE IS UNDERSTATED

The vegetation is described as “degraded”. However, on-ground evidence clearly demonstrates:

- mature canopy structure
- dense understorey
- continuous vegetated corridor
- active habitat for birdlife and fauna

Even if technically “degraded”, the vegetation still provides:

- habitat connectivity
- ecological corridor function
- environmental buffering
- **waterway stabilisation**

#### 7. CRITICAL ISSUE – EDGE EFFECTS AND LONG-TERM LOSS

Even if partially retained, vegetation will degrade due to:

- increased wind exposure
- increased sunlight penetration
- drying and dieback
- weed invasion
- construction disturbance
- altered drainage from upslope development

Retained vegetation without adequate buffer and protection will not survive in its current functional state.

## 8. WATERWAY CORRIDOR IMPACTS

The ecological report confirms the presence of a waterway within the southern portion of the site. However, the application does not adequately demonstrate:

- how riparian vegetation will be protected
- how erosion will be prevented
- how sediment runoff will be controlled
- how long-term stability of the waterway corridor will be maintained

This omission is particularly concerning given that the proposed development is located **upslope of our adjoining property**, which sits at a lower elevation and directly receives downstream impacts.

### 8.1 Increased Stormwater Runoff from Development

The proposed development will introduce a substantial increase in impervious surfaces, including:

- building roofs
- driveways
- paved areas

This will result in increased volume and velocity of stormwater runoff entering the southern corridor.

In its current form, the application does not demonstrate how post-development runoff will:

- be detained or slowed
- replicate natural flow conditions
- avoid concentration of discharge into the existing waterway

### 8.2 Downslope Impact to Adjoining Property

Our property is located **downslope of the subject site**, meaning any changes in:

- runoff volume
- flow velocity
- sediment transport

will directly impact our land

Without appropriate controls, this creates a real risk of:

- increased water concentration toward our boundary
- erosion of soil and vegetation
- sediment deposition
- long-term degradation of the vegetated buffer

### 8.3 Existing Catchment and Flow Conditions

Although the area may at times appear dry, it functions as part of a **broader wetland and drainage system**.

Based on long-term observation:

- the corridor carries **significant water volumes during rainfall events**
- the catchment extends beyond the subject site, including:
  - surrounding residential areas
  - Rogers Parade West
  - the adjoining school catchment

These flows ultimately connect into the **Cabbage Tree Creek system**.

This confirms that the corridor is not incidental — it is an **active hydrological pathway**.

### 8.4 Overland Flow and Hydrological Function

The site experiences **significant overland flow during rainfall events**, even outside of major flood events.

This demonstrates that:

- the area functions as a **natural drainage path**
- vegetation plays a critical role in:
  - slowing flows
  - filtering sediment
  - stabilising soils

## 8.5 Photographic and Video Evidence

Attached video evidence demonstrates the volume and movement of water through this corridor during **normal heavy rainfall events (not flood conditions)**.

This evidence highlights:

- the intensity of flow through the area
- the reliance on existing vegetation for stability
- the sensitivity of the corridor to disturbance

Any degradation or removal of vegetation will significantly increase risks of:

- erosion
- sediment movement
- weed invasion
- downstream impacts to adjoining properties

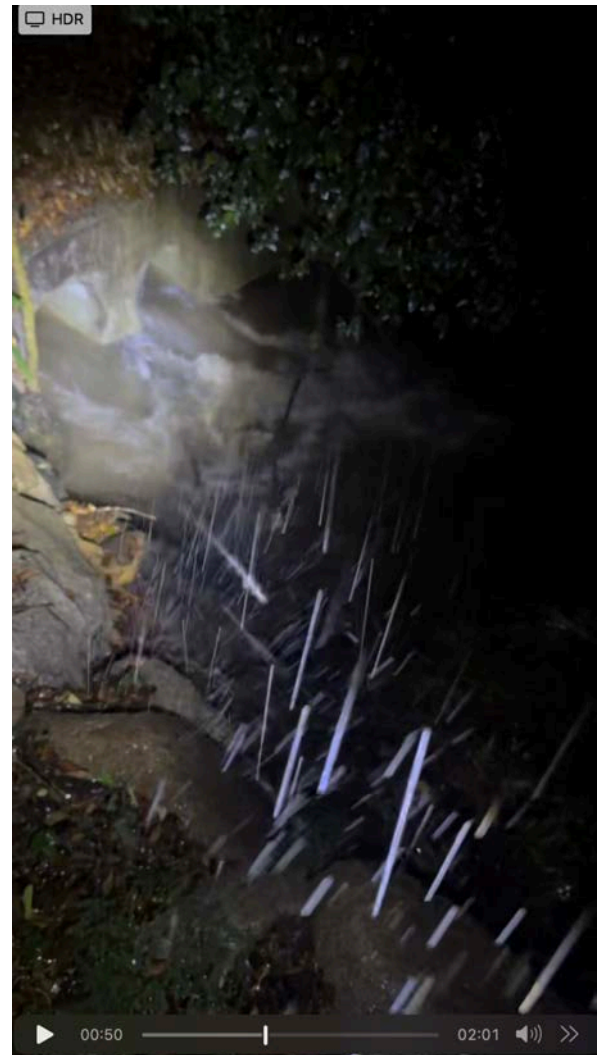
*Attached home videos from recent heavy rain (not flood events) showing the wetland area – screenshots below, full videos provided in submission*

- *Video 1: Vegetation Area*
- *Video 2: heavy overland flow*
- *Video 3: Overland flow from our property*
- *Video 4: Catchment area water passing through development site*

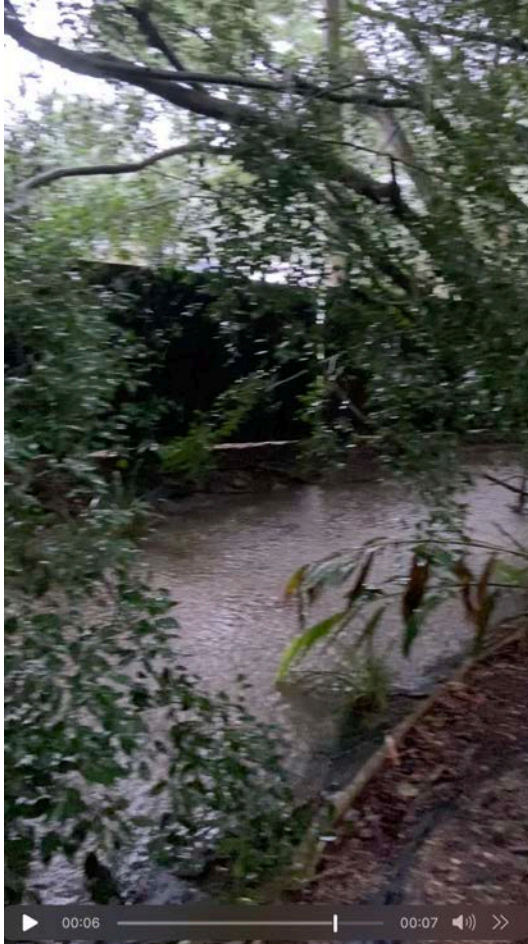
### Video 1: Vegetation Area



### Video 2: Overland Flow



Video 3: Our property overland flow



Video 4: flow of water from catchment



### 8.6 Key Planning Concern

The application does not demonstrate that post-development conditions will:

- maintain existing hydrological behaviour
- protect the integrity of the waterway corridor
- avoid adverse impacts to downslope properties

This represents a failure to adequately respond to:

- Waterway Corridors Overlay Code
- Stormwater and environmental performance requirements

The current proposal underestimates the hydrological significance of this corridor and fails to demonstrate that development can occur without materially increasing downstream environmental and property impacts.

The proposal does not demonstrate compliance with the Brisbane City Plan Stormwater Code requirement that post-development conditions must not worsen peak flow, volume, or water quality to downstream properties. In the absence of detailed modelling, Council cannot be satisfied that downstream impacts — including to our property — will not occur.

## 9. OVERLOOKING & PRIVACY – CRITICAL LINK TO VEGETATION

### **Current condition:**

Privacy is achieved by:

- dense vegetation
- canopy + understorey screening

### **Proposed condition:**

The application:

- unclear on what vegetation is to remain
- does not guarantee protection of any native vegetation critical to privacy

### **If vegetation is lost or degraded:**

- direct sightlines will be created
- townhouses (at higher elevation) will look down into:
  - our pool
  - our outdoor living areas

Even at the stated setback distance, the elevation difference between the development site and the adjoining property means that overlooking will occur in the absence of effective vegetation screening. As such, the current proposal does not demonstrate compliance with privacy performance outcomes under the Multiple Dwelling Code.

## KEY PLANNING FAILURE

The application does not provide:

- sightline analysis
- cross-sections showing overlooking
- assessment without vegetation
- built-form mitigation measures

The application relies on vegetation that is not secured or demonstrably sustainable to achieve compliance with privacy outcomes, which is not an acceptable planning response.

## 10. NON-COMPLIANCE WITH BRISBANE CITY PLAN

### 10.1 Multiple Dwelling Code

Fails to:

- minimise overlooking
- protect privacy of adjoining properties
- provide appropriate interface

### 10.2 Emerging Community Zone Code

Fails to:

- integrate with natural features
- protect environmental values
- balance development with site constraints

### 10.3 McDowall Neighbourhood Plan

The ecological report itself references retention of vegetation and minimising development in vegetated areas

The proposal does not achieve this.

### 10.4 Biodiversity Areas Overlay Code

Fails to:

- avoid or minimise ecological impacts
- maintain habitat connectivity
- properly respond to Koala Habitat Area

### 10.5 Waterway Corridors Overlay Code

Fails to:

- protect waterway function
- maintain riparian vegetation
- demonstrate environmental safeguards

The application relies on outcomes (privacy, environmental buffering, and hydrological stability) that are dependent on vegetation that is neither secured nor demonstrably sustainable under the proposed development scenario

## 11. LANDSCAPE PLAN IS INADEQUATE

The landscape concept:

- is preliminary
- shows indicative planting only
- does not resolve rear boundary
- does not demonstrate a real buffer

## 12. OVERDEVELOPMENT

The proposal prioritises maximum yield at the expense of:

- vegetation
- environmental protection
- residential amenity
- proper site response

## 13. REQUIRED ACTIONS

Council should require:

### Vegetation Protection

- establishment of a **substantial protected buffer zone** along the southern boundary
- retention of **existing mature canopy and understorey vegetation**
- enforceable long-term protection (not conceptual or indicative only)

### Ecology

- independent ecological peer review
- confirmation of habitat corridor function and koala habitat impacts

### Design Response

- increased separation between built form and vegetated corridor
- redesign of layout where required to reduce environmental impact

### Privacy

- sightline modelling from upper levels
- mitigation measures where overlooking is identified

### Waterway & Hydrology

- detailed stormwater management plan
- demonstration of **no increase in downstream flow volume or velocity**
- erosion and sediment control strategy
- protection of riparian vegetation
- modelling of overland flow paths under post-development conditions

## 14. CONCLUSION

The proposed development, in its current form:

- **underestimates the ecological and functional value of the existing vegetated corridor**
- fails to demonstrate how vegetation will be **retained in a stable and sustainable condition over time**
- does not adequately address the **hydrological function of the site**, including overland flow and catchment behaviour
- fails to demonstrate that increased impervious surfaces will not result in **greater stormwater runoff, flow concentration, and downstream impacts**
- creates a high risk of **erosion, sediment transport, and long-term degradation of the waterway corridor**
- relies on vegetation that is not secured to achieve **privacy and amenity outcomes**, creating future overlooking impacts to adjoining properties

Based on the evidence provided, including on-ground observations and supporting video material, the southern portion of the site clearly functions as:

- a **significant drainage and overland flow path**
- a **connected vegetated corridor**
- a **critical buffer protecting adjoining residential amenity**

The application does not demonstrate that these functions will be maintained post-development.

## FINAL REQUEST

Accordingly, I respectfully request that Council:

- 1) **Refuse** the application in its current form on the basis that it:
  - fails to demonstrate compliance with the **Brisbane City Plan 2014**
  - does not adequately address **environmental, hydrological, or amenity impacts**
  - relies on **uncertain vegetation retention to achieve compliance outcomes**
- 2) **Alternatively**, require substantial redesign and further technical assessment, including:
  - independent ecological peer review
  - detailed stormwater and hydraulic modelling
  - vegetation retention and management plan
  - sightline and overlooking assessment
  - revised design demonstrating:
    - protection of the vegetated corridor
    - no worsening of downstream impacts
    - protection of adjoining residential amenity