



Dedicated to a better Brisbane

15 May 2026
Kiet Han Huynh, Mai Huynh-Tat
C/- Allan Van Planning Pty Ltd
PO Box 284
TOOWONG DC QLD 4066

ATTENTION: Daniel Ebert

Application Reference: A007001767
Address of Site: 60 PORT ST MIDDLE PARK QLD 4074

Dear Daniel

RE: Information request in accordance with the Development Assessment Rules

The issuance of this Information request letter should not be interpreted as an indication of Council's support for the proposed development. As this development application is subject to impact assessment, Council will thoroughly consider all submissions received before making a final determination on the proposal. This proposed development must comply with Chapter 1, Part 4 of the Development Assessment Rules to undertake public notification.

Council has conducted an initial review of the above application and has identified that further information is required to fully assess the proposal.

Lawful Point of Discharge

- 1) The subject site falls away from the Port Street frontage. According to Council's data, there is an approximate 2.5m fall from the road level at the front of the site to the rear of the site. To provide a gravity drainage system in accordance with with PO3 of the Stormwater code and Chapter 7 of the Infrastructure design planning scheme policy, written consent is to be sought from the relevant downstream property owner/s, via registered post, for access and construction of stormwater drainage to enable connection to a lawful point of discharge.
 - a) The request to the relevant downstream property owner/s is to include copies of the following:
 - i. "Property Owner's Statement of Consent or Refusal to Allow a Lawful Point of Discharge for a Proposed Development". This is Council Form CC10835, to be completed by the relevant downstream property owner/s;
 - ii. A plan showing the proposed drainage options for consideration by the relevant downstream property owner/s;
 - iii. A stamped self-addressed envelope and contact details, to enable the relevant downstream property owner/s to respond and to make contact regarding any negotiations or enquiries; and
 - iv. The Council Form is available via the Brisbane City Council's website.
 - b) Provide a preliminary concept engineering stormwater drainage plan demonstrating a lawful point of discharge in accordance with Chapter 7 of the Infrastructure design planning scheme policy.

Earthworks

- 2) All reasonable efforts to obtain consent from the relevant downstream property owner/s and to achieve a lawful point of discharge by gravity are to be undertaken and demonstrated before filling of the site is considered. Where consent is refused, written evidence of the refusal is to be provided. Only in these circumstances may filling of the site to achieve a lawful point of discharge be considered.

In this case, the proposed development must demonstrate compliance with PO1 and PO2 of the Filling and excavation code, including the following:

- a) To fill the site to achieve a lawful point of discharge, the maximum height of retaining walls retaining fill on the property boundaries is to be one metre. Any further retaining is to be set back a horizontal distance of one metre and tiered using one horizontal metre and one vertical metre steps.
- b) To demonstrate the above, provide a preliminary concept engineering earthworks plan with sections showing the proposed earthworks and retaining walls.

Street trees and driveway crossovers

- 3) The proposed development does not demonstrate the location of existing street trees and the proposed vehicular crossovers for each proposed lot. As such, compliance with PO2 of the Streetscape hierarchy overlay code, PO1, PO3 and PO9 of the Transport, access, parking and servicing code, and PO4 of the Infrastructure design code has not been demonstrated.

- a) Provide amended plans showing the location of existing street trees, light pole, and demonstrating that a vehicular crossover can be achieved to each proposed lot with:
 - i. a minimum 2m clearance to street trees;
 - ii. a minimum 1m clearance to the light pole; and
 - iii. appropriate clearances between crossovers.

Urban Utilities (UU)

Council does not undertake water and sewer assessment of any planning applications. Contact UU on (07) 3432 2200 to discuss any water and sewer issues and whether you are required to submit an application to UU for assessment.

Responding to this request

Your response should include a summary table which outlines any changes to performance outcomes and plans that have resulted from addressing the issues outlined above. The table should also include details of any supporting documentation.

If a response is not provided within the prescribed response period of three (3) months assessment of the application will continue from the day after the day on which the response period would have otherwise ended.

Email your response to DSPlanningSupport@brisbane.qld.gov.au quoting the application reference number A007001767.

Please phone me on telephone number below during normal business hours if you have any queries regarding this matter.

Yours sincerely

Diana Sun

Diana Sun
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Planning Services South
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Development Services
Brisbane City Council