

Town Planning Report

JUNE 2026

BCC DS

RECEIVED

15/06/2026

APPLICATION REF

A007047753



Document Information

Report prepared by Mia Hickey
Report approved by Mia Hickey
Project code TP1582
Report number DA-1582-B
Report date 15 June 2026

© Hickey Oatley Planning & Development Pty Ltd
ACN 616 137 618

All Rights Reserved. No material may be reproduced without prior permission.

Table of Contents

Executive Summary	4
1. Introduction	5
2. The Site And Surrounds	6
2.1 Site Description	6
2.2 Existing Use	6
2.3 Approval History.....	7
2.4 Surrounding Context.....	8
3. The Proposal	10
3.1 General Overview.....	10
3.2 Development Particulars.....	10
3.3 Pre-Lodgement Advice.....	10
4. State Planning Framework	12
4.1 State Planning Policy.....	12
4.2 Regional Plan	12
4.3 Referrals And State Development Assessment Provisions	13
4.4 Koala Habitat Areas.....	13
4.5 Walkable Neighbourhoods.....	14
5. Local Planning Framework	15
5.1 Strategic Framework	15
5.2 Zoning.....	15
5.3 Neighbourhood Plan	16
5.4 Temporary Local Planning Instrument.....	16
5.5 Overlays.....	18
5.6 Categories Of Assessment.....	22
5.7 Assessment Benchmarks.....	22
5.8 Local Government Infrastructure Plan.....	23
5.9 Infrastructure Charges.....	25
6. Key Planning Matters	26

6.1 Lot Sizes	26
6.2 Lot Frontage & Average Width	27
7. Planning Assessment	29
7.1 Type Of Approval Sought.....	29
7.2 Reason For Approval	29
7.3 Recommended Conditions Of Approval.....	29
8. Conclusion & Recommendations	30
Disclaimer	31

Appendix A	State Referral Assessment
Appendix B	Plan of Reconfiguration
Appendix C	Development Footprint Plan
Appendix D	Civil Engineering Assessment Report
Appendix E	Code Compliance Statements

Executive Summary

Site Details	
Street Address	9 & 11 Oberon Street, Morningside
Real Property Description	Lots 201 & 202 on RP94762
Site Area	1,294m ²
Land Owner	<ul style="list-style-type: none"> David Allan Gregory Lucas & Kara Bree Lucas Lenore Gayle Renner & Bradley Wayne McQueen under instrument 724822295
Local Government Area	Brisbane City Council
Planning Scheme	Brisbane City Plan 2014 v35.00/2025
Zone and Precinct	Low density residential zone
Neighbourhood Plan	River gateway neighbourhood plan
Overlay/s	<ul style="list-style-type: none"> Airport environs overlay Community purposes network overlay Critical infrastructure and movement network overlay Dwelling house character overlay Potential and actual acid sulfate soils overlay Road hierarchy overlay Streetscape hierarchy overlay Waterway corridors overlay

Aspects of Development	
Type of Development	Reconfiguring a lot (2 lot into 3 lots)
Type of Approval Sought	Development permit

Aspects of Development	
Proposed Use	Reconfiguring a lot
Category of Assessment	Impact assessment
Public Notification	Yes – 15 business days
Referral(s)	Not applicable

Applicant Details	
Applicant	Hickey Oatley Planning & Development Pty Ltd
Contact Details	P: 0401 349 601 E: mia@hickeyoatley.com.au A: PO Box 70, NEW FARM Q 4005

1. Introduction

This report has been prepared in support of a development application to subdivide land located at 9 & 11 Oberon Street, Morningside also described as Lots 201 & 202 on RP94762 referred to as the 'site' throughout this report.

Specifically, the development application seeks a Development Permit for:

- Reconfiguring a Lot (2 lots into 3 lots).

This report addresses the merits of the development with respect to the assessment benchmarks under the *Brisbane City Plan 2014* and the relevant sections of the *Planning Act 2016*. For the purposes of this report, the *Brisbane City Plan 2014* will be referred to as the 'City Plan' and the *Planning Act 2016* will be referred to as the 'Planning Act' hereon in.

This report provides the following information with respect to the assessment of the development proposal:

- Detailed site analysis;
- Description of the proposed development;
- Statutory planning overview including state and local planning frameworks; and
- A summation of the report, recommendations and conclusions.

2. The Site and Surrounds

2.1 SITE DESCRIPTION

As illustrated in **Figure 1**, the site is rectangular in shape, comprises an area of 1,294m² and has a 32m frontage to Oberon Street to the north, with Miawela Street Park to the rear.

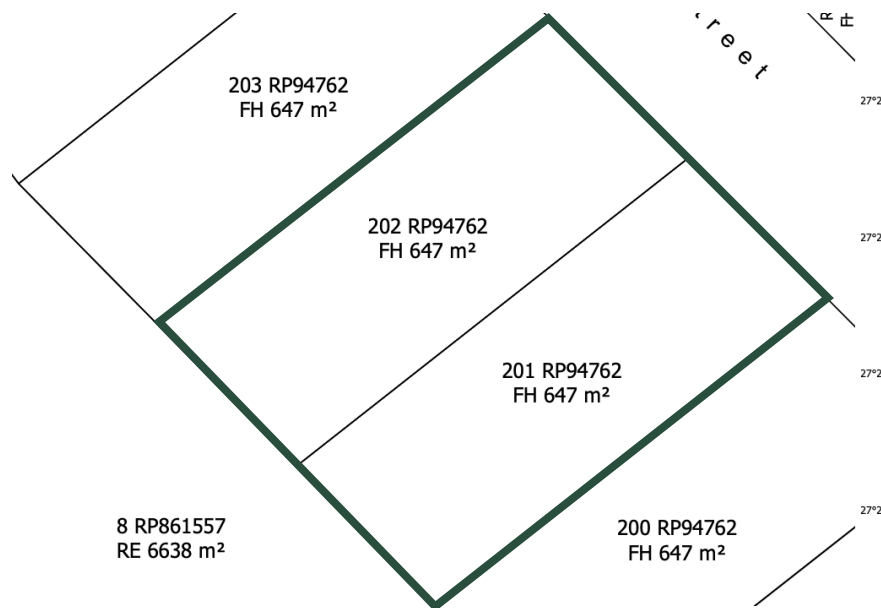


Figure 1: Site Cadastre (site outlined in green)

Source: Queensland Government

The site is held in private ownership and is not burdened by any easements or covenants. In terms of topography, the site slopes 4.5m from its north-eastern corner (19.0m AHD) towards its south-western corner (14.5m AHD).

2.2 EXISTING USE

As shown in **Figures 2 - 5**, the site is improved by two (2) post-1946 Dwelling houses, each obtaining vehicular access via independent crossovers to and from Oberon Street. 9 Oberon Street also features an inground pool within its rear yard.

The site does not contain any vegetation protected under Council's *Natural Assets Local Law*. The site does feature four (4) street trees though along its Oberon Street verge.



Figure 2: Aerial Photo (site depicted by red outline)

Source: Brisbane City Plan 2014 Interactive Mapping



Figure 3: View of 9 Oberon Street from Oberon Street



Figure 4: View of 9 Oberon Street from Oberon Street



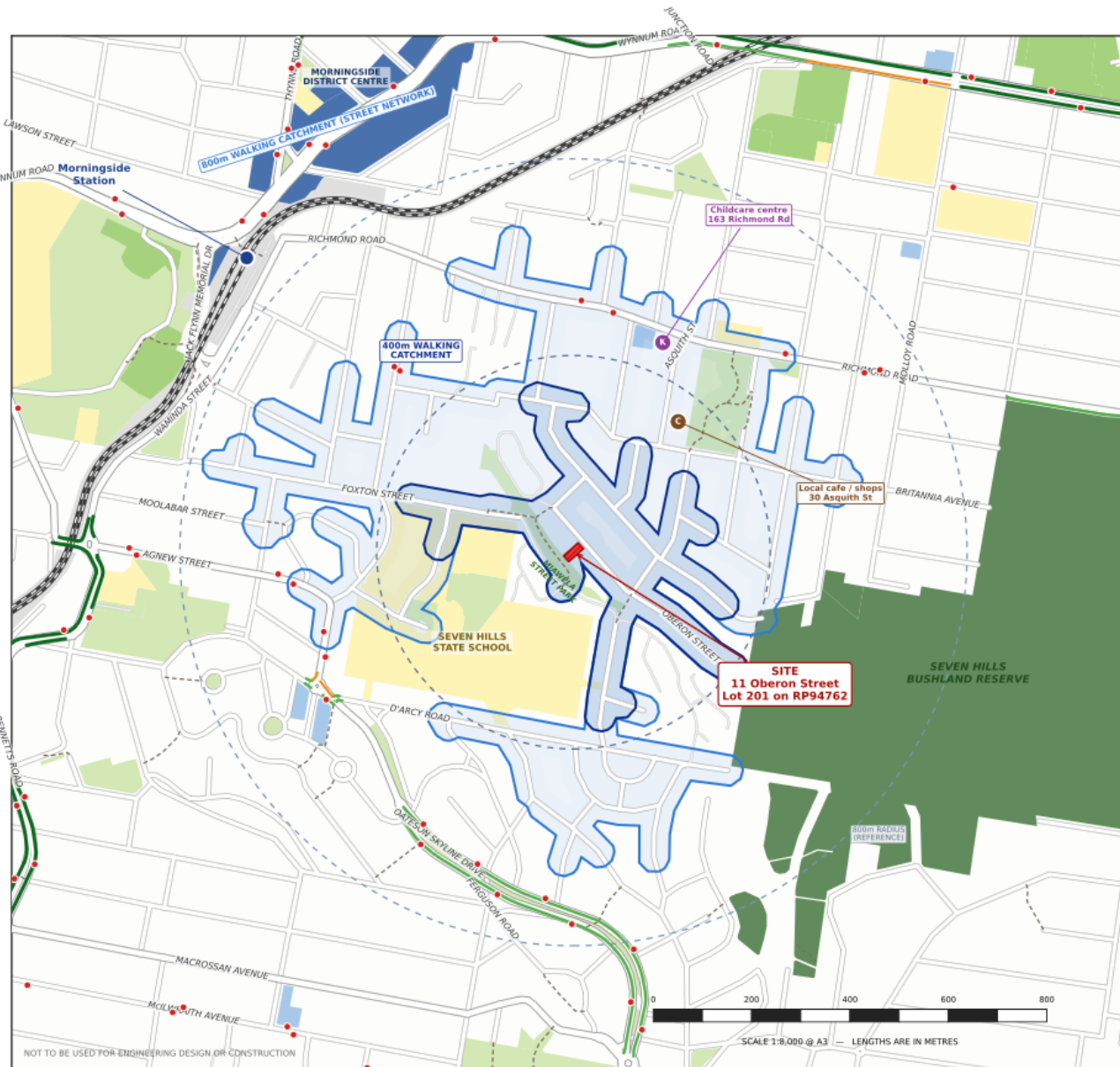
Figure 5: View of Site from Miawela Street Park

2.3 APPROVAL HISTORY

Council's Development.i tool confirms that no relevant development applications have been lodged, or approvals issued, over 11 Oberon Street since 1 January 2004.

A Development Permit has however been over 9 Oberon Street. Specifically, a Development Permit was granted on 18 October 2024 for an extension to an existing Dwelling house in the Waterway corridors overlay facilitating, the construction of the rear pool and pool house (Council Ref: A006603329).

Figure 7: Walkability Catchment Plan / Context Analysis



**WALKABILITY CATCHMENT PLAN /
CONTEXT ANALYSIS**

11 OBERON STREET, MORNINGSIDe QLD 4170

RP DESCRIPTION: Lot 201 on RP94762

**NOT TO BE USED FOR ENGINEERING DESIGN
OR CONSTRUCTION**

NOTES
This plan was prepared as a provisional context analysis to accompany a development application. The information on this plan is not suitable for any other purpose.
Property dimensions, areas, numbers of lots, contours and other physical features shown have been compiled from existing information and have not been verified by field survey. These may need verification if the development application is approved and development proceeds, and may change when a full survey is undertaken.
No reliance should be placed on the information on this plan for detailed subdivision design or for any financial dealings involving the land. Pavements and centralines shown are indicative only and are subject to engineering design.

Walking catchments derived from network analysis along QRT road centralines and public pathways, measured from the site frontage (walk speed approx. 80mm/min). Radial 400m/800m circles are shown for reference only.

DATA SOURCES
DCDB & addresses — © State of Queensland (Dept of Natural Resources and Mines, Manufacturing and Regional and Rural Development) 2026, updated nightly, accessed 12/06/2026.
Roads — QLD Roads & Tracks (QRT) © State of Queensland 2026.
Zoning — Brisbane City Plan 2014 © Brisbane City Council 2016 (CC-BY 4.0).
Bikeways & bus stops — © Brisbane City Council 2026 (CC-BY 4.0).
Rail — © OpenStreetMap contributors (ODBL).
School location — QLD Dept of Education Schools Directory.

LEGEND

- Site boundary (Lot 201 RP94762)
- 400m walking catchment — street network
- 800m walking catchment — street network
- 400m / 800m radial distance (reference only)
- BCC - District centre (DC)
- BCC - Neighbourhood centre (NC)
- BCC - Community facilities (CF)
- BCC - Sport & recreation (SR)
- BCC - Open space (OS)
- BCC - Conservation (CN)
- BCC - Special purpose (rail corridor)
- Bikeway - Primary
- Bikeway - Secondary
- Bikeway - Local
- Pedestrian walkway
- Railway line
- Bus stop
- Railway station
- Local cafe / shops (30 Asquith St)
- Childcare centre (163 Richmond Rd)

DATE: 12/06/2026 SCALE: 1:8,000 @ A3

DATUM/PROJECTION: GDA94 / MGA ZONE 56 (EPSG:28356)

DRAWING: SK01 REV: B STATUS: DRAFT — FOR REVIEW

3. The Proposal

3.1 GENERAL OVERVIEW

The proposal seeks to subdivide the site into three (3) residential lots as detailed in **Table A** below.

Lot	Proposed Lot Size	Minimum Rectangle Dimension	Minimum Frontage & Width	Proposed Use
21	611m ²	14m x 20m	15m	Residential - Retain existing Dwelling house
22	342m ²	8.5m x 15m	8.5m	Residential - Vacant land
23	342m ²	8.5m x 15m	8.5m	Residential -Vacant land

3.2 DEVELOPMENT PARTICULARS

As shown in the Plan of Reconfiguration at **Appendix B**, the proposal involves:

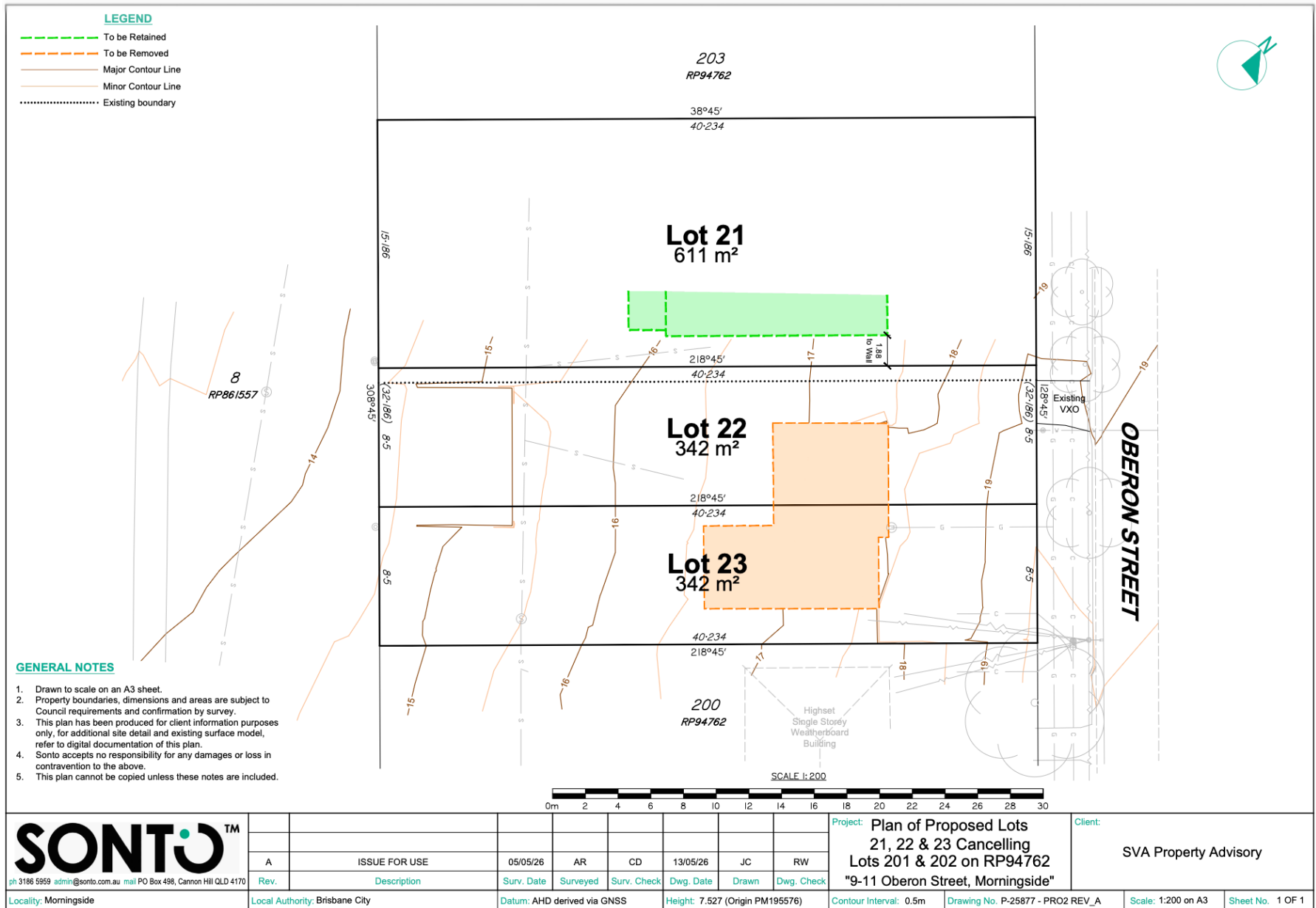
1. realigning the boundaries of 9 and 11 Oberon Street to provide 11 Oberon Street with an additional 1.0m width; and then
2. subdividing 11 Oberon Street into two 8.5m-wide vacant lots.

9 Oberon Street is intended to retain its existing dwelling, pool, access and services arrangements unchanged. The two new vacant lots will each be provided with their own infrastructure connections and crossovers. For details, refer to the Engineering Services Report at **Appendix D**.

3.3 PRE-LODGE MENT ADVICE

A pre-lodgement meeting was not held with Council or any other relevant entity.

Figure 8: Proposed Plan of Reconfiguration



4. State Planning Framework

The statutory framework for decision making in relation to land use and development in Queensland is contained in the *Planning Act 2016* and its subordinate legislation. Consideration of the Act and its subordinate legislation is explored in the following sub-sections of this report.

4.1 STATE PLANNING POLICY

The *State Planning Policy* (SPP) commenced on 3 July 2017 and expresses the State's interests in land use planning and development.

As prescribed by Section 30(2)(a)(ii) of the *Planning Regulation 2017*, the SPP is an assessment benchmark for assessable development that requires impact assessment and that the assessment manager must have regard to the SPP, Part E, to the extent it is not identified in the planning scheme as being appropriately integrated in the planning scheme.

Section 2.1 of the *City Plan* states all State interests are appropriately integrated into the City Plan, with the exemption of the following:

- Natural hazards, risk and resilience – The bushfire prone area in the City Plan does not reflect the State mapping layer; and
- Strategic airports and aviation facilities – The building restricted area is not identified in the *City Plan* and State interest policy (4) and Assessment benchmark (5), if the development and associated activities within the building restricted area, are not addressed.

An extract of the relevant SPP mapping provided in **Figure 9**, indicates that the following state interests are relevant to the site:

- Natural hazards risk and resilience (Flood hazard area – local government flood mapping area);
- Strategic airports and aviation facilities (Obstacle limitation surface area; Obstacle limitation surface contours; Wildlife hazard buffer zone; Aviation facility).

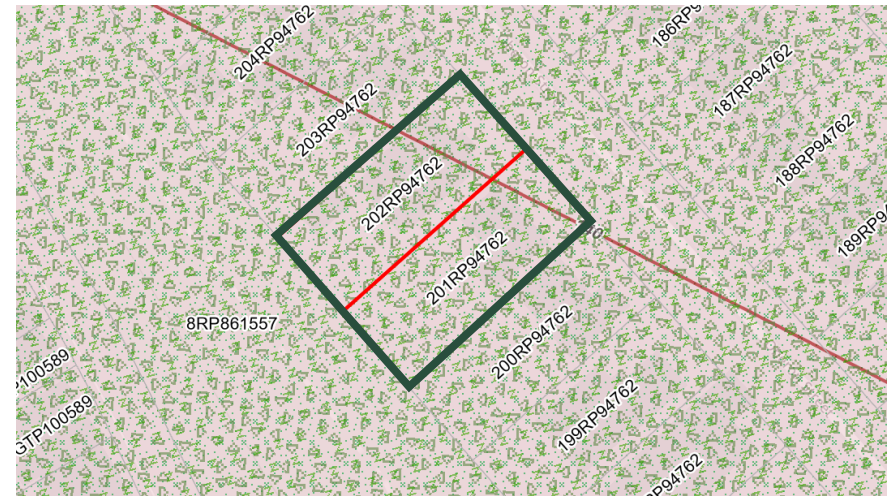


Figure 9: SPP Mapping (site depicted by green outline)

Source: Queensland Government

As the site is only affected by the State interests integrated into the *City Plan*, no further assessment against the SPP is required.

4.2 REGIONAL PLAN

The *South East Queensland Regional Plan 2023* (ShapingSEQ) provides a regional framework for growth management, and sets

planning direction for sustainable growth, global economic competitiveness and high-quality living. It establishes a blueprint for SEQ's future and notably recognises the current housing supply challenges facing the region. Specifically, ShapingSEQ identifies a requirement for 210,800 additional dwellings to be provided within the Brisbane Local Government Area between 2021 and 2046.

As **Figure 10** shows, the subject site is located within the “Urban Footprint” regional land use classification which is intended to accommodate the region’s future urban growth.

As the proposal is for a residential subdivision in an urban area, it is consistent with the intent and principles set out by ShapingSEQ and does not require assessment against the associated State Planning Regulatory Provisions.

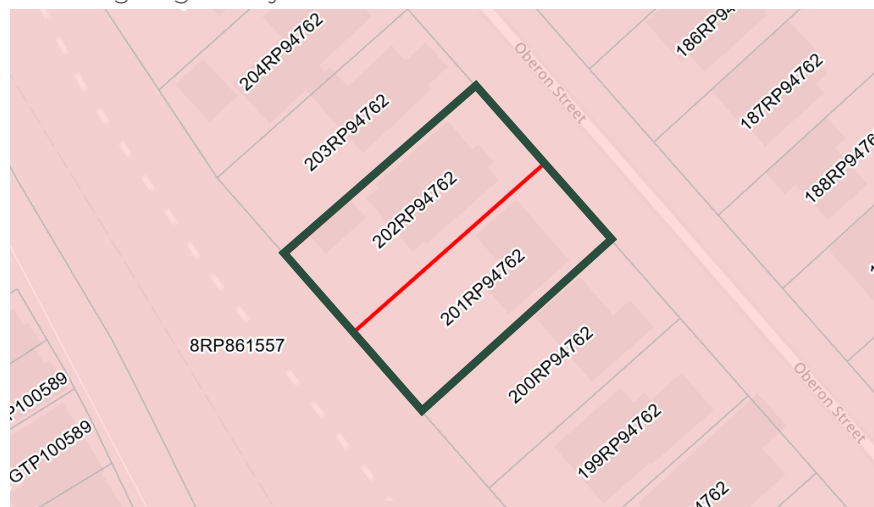


Figure 10: ShapingSEQ Mapping (site depicted by green outline)

Source: Queensland Government

4.3 REFERRALS AND STATE DEVELOPMENT ASSESSMENT PROVISIONS

Schedules 9 & 10 of the *Planning Regulation 2017* set out all referral agencies and their jurisdiction. An assessment against this criterion has been undertaken and is included in **Appendix A**. This assessment has determined that the proposal does not trigger referral to The Chief Executive or any other entity. As such an assessment against the *State Development and Assessment Provisions* is not required.

4.4 KOALA HABITAT AREAS

Schedule 11 of the *Planning Regulation 2017* seeks to regulate development based on mapping affecting the site and the nature of the proposed development. As **Figure 11** shows, the site is not located within a “koala priority area” or a “koala broad-hectare habitat area”. Furthermore, it does not contain any areas of “core” or “locally refined” koala habitat. As such, Schedule 10, part 10 and Schedule 11, part 2 of the *Planning Regulation 2017* do not apply.

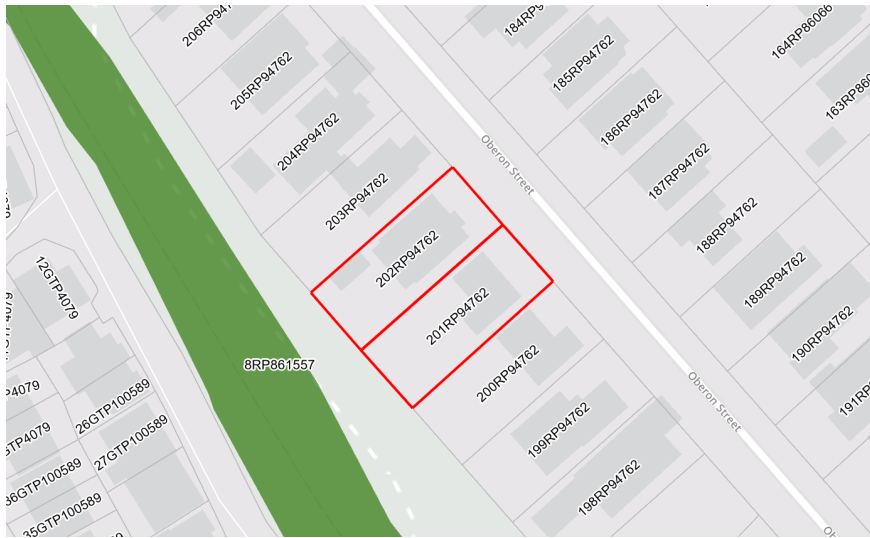


Figure 11: Koala Mapping (site depicted by red outline)

Source: Queensland Government

4.5 WALKABLE NEIGHBOURHOODS

Schedule 12A of the Planning Regulation 2017 imposes mandatory assessment benchmarks for reconfiguring a lot proposals which involve:

- a) creating 2 or more lots; and
- b) the lot being reconfigured is wholly or partly in a prescribed zone under a local instrument applying to the lot; and
- c) no part of the lot being reconfigured is in either of the following zones under a local instrument applying to the lot –
 - (i) a rural residential zone stated in schedule 2;
 - (ii) a zone, other than a zone stated in schedule 2, that is of a substantially similar type to a zone mentioned in subparagraph (i); and

- d) at least 1 created lot is intended mainly for a residential purpose; and
- e) the reconfiguring is associated with the construction or extension of a road.

While the proposal involves reconfiguring a lot, it does not involve the construction or extension of a road. Therefore, an assessment against the assessment benchmarks in Schedule 12A, Part 1 of the *Planning Regulation 2017* is not required.

5. Local Planning Framework

The *Brisbane City Plan 2014* is the local planning instrument relevant to the assessment of this application. The *City Plan* seeks to advance state and regional policies, through more detailed local responses, taking into account local context.

A detailed assessment of the relevant provisions of the *City Plan* is carried out in the following subsections of this report.

5.1 STRATEGIC FRAMEWORK

The *City Plan* includes a Strategic Framework which sets the policy direction for the planning scheme. Of the five themes comprising the Strategic Framework, Theme 2: Brisbane's Outstanding Lifestyle and Theme 5: Brisbane's CityShape are particularly relevant to the proposed development, with the CityShape theme identifying a broad land use pattern for the site.

In response to these themes, the following is noted:

- Growth within the Suburban Living Area is consistent with the site's zoning and the intent of the Neighbourhood Plan (Specific Outcome SO1, Element 5.5 of Theme 5).
- Brisbane's housing is diverse in type and form, offering choice to different household types, income levels, and individuals with specific housing needs (Specific Outcome SO2, Element 2.2 of Theme 2).

5.2 ZONING

As **Figure 13** shows, the site and adjoining land is located in the Low density residential zone. The overall outcomes sought for the Low density residential zone include:

- a) "Development is of a form and scale that reinforces a distinctive subtropical character of low rise, low density buildings set in green landscaped areas.*
- b) Development for a dwelling house is of a height, bulk, scale and form which is compatible with the low density detached housing suburban identity of the Low density residential zone.*
- c) Development for a dwelling house occurs on appropriately sized and configured lots, and:
 - i. where not on a rear lot, has a minimum lot size of 400m²;*
 - ii. where on a rear lot, has a minimum lot size of 600m²;*
 - iii. maintains a block pattern that accommodates traditional backyards and large trees.**
- d) Development supports a subtropical character by ensuring that a dwelling house on a small lot is of a size and scale that minimises negative impacts on amenity and private open space of other dwellings by maintaining access to sunlight, daylight and privacy.*
- e) Development of a dwelling house on a small lot comprising a new premises or an increase in gross floor area of an existing premises is located within a defined building envelope that:
 - i. provides safety from fire hazards;*
 - ii. maximises the retention of backyard spaces as private landscaped space;*
 - iii. avoids overbearing development involving bulk or setback which is inconsistent with the character of a dwelling house on an adjoining lot.**

f) *Development responds to land constraints, mitigates any adverse impacts on environmental values and addresses other specific characteristics, as identified by overlays affecting the site or in codes applicable to the development”.*

5.3 NEIGHBOURHOOD PLAN

While the site is located within the bounds of the River gateway neighbourhood plan area, **Figure 12** shows it is not located within a specific precinct or sub-precinct.

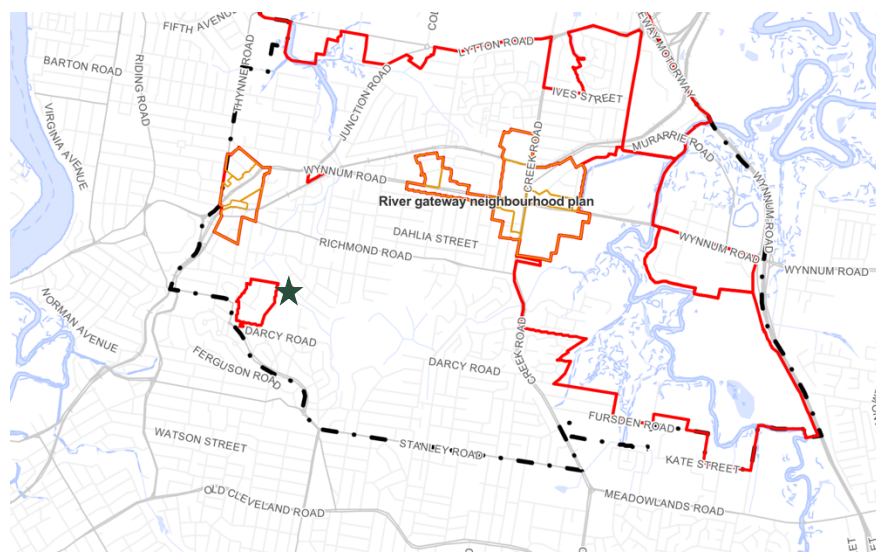


Figure 12: Extract of Neighbourhood Plan (site indicated by green star)

Source: Brisbane City Plan 2014 Interactive Mapping

The overall outcomes for the River gateway neighbourhood Plan area include:

“...

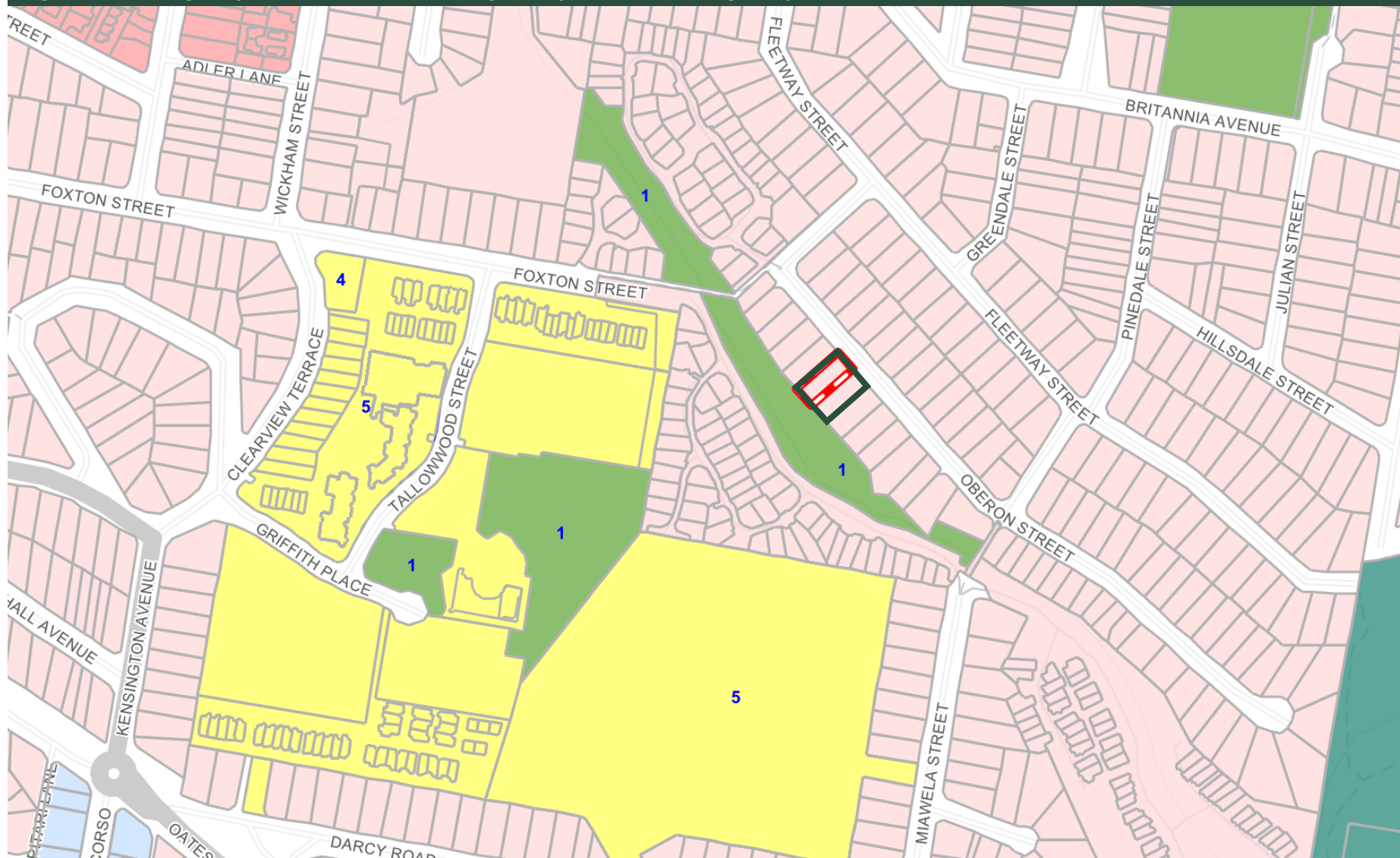
e) *Development is of a height, scale and form which is consistent with the amenity and character, community expectations and infrastructure assumptions intended for the relevant precinct, sub-precinct or site and is only developed at a greater height, scale and form where there is both a community need and an economic need for the development”.*

5.4 TEMPORARY LOCAL PLANNING INSTRUMENT

Table B confirms the site is not affected by any existing temporary local planning instruments (TLPI) which suspend or otherwise affect the operation of the *City Plan*.

Table B – Assessment of Applicable TLPI	TLPI’s Applicability
TLPI 01/25 Colmslie Road Industry Precinct	Not Applicable The subject site is located at 9 & 11 Oberon Street, Morningside and therefore is not included in the Colmslie Road Industry Precinct.
TLPI02/25 Kurilpa Sustainable Growth Precinct	Not Applicable The subject site is located at 9 & 11 Oberon Street, Morningside and therefore is not included in the Kurilpa Sustainable Growth Precinct.

Figure 13: Zoning map of site and surrounding land (site outlined in green)



Source: Brisbane City Plan 2014 Interactive Mapping

5.5 OVERLAYS

Table C below identifies all overlays applied to the land under the *City Plan* and provides a brief commentary on their applicability and effect on the proposed development.

Table C – Assessment against applicable <i>City Plan</i> Overlays	Our Response
	<p>Airport environs overlay</p> <p>The site is impacted by the following Airport environs categories:</p> <ul style="list-style-type: none"> • OLS – Approach and departure limitation surface boundary • OLS – Approach and departure limitation surface contours • Procedures for air navigation surfaces (PANS); and • BBS zone – distance from airport 8 - 13km. <p>Reconfiguring a lot is not assessable under the Airport environs overlay table of assessment. Therefore, a response against the <i>Airport environs overlay</i> code is not required.</p>
	<p>Community purposes network overlay</p> <p>The Community purpose network overlay seeks for development which is assumed future urban development to contribute to the completion of the Community purposes network through the provision of existing and planned infrastructure for the parks network and land for the community facilities network in the Local government infrastructure plan.</p> <p>As the site is not mapped as being required for existing or planned long term community infrastructure, the overlay does not apply. Therefore, no further assessment of this overlay is required.</p>

Table C – Assessment against applicable City Plan Overlays

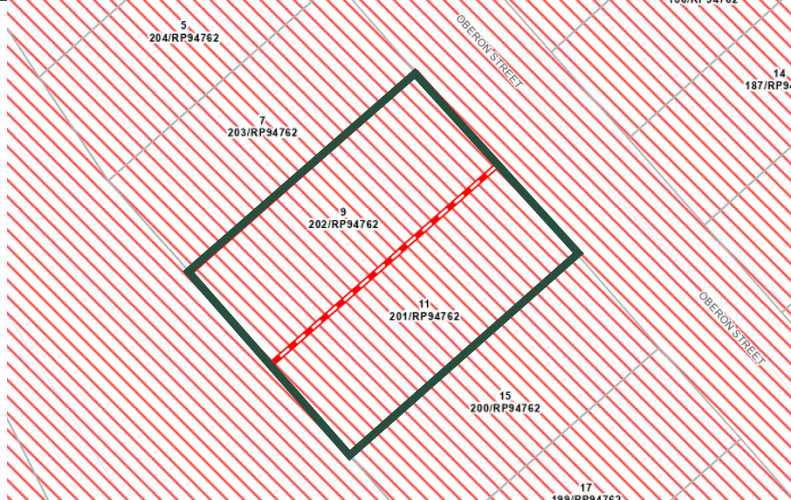

Overlay	Our Response
	<p>Critical infrastructure and movement network overlay</p> <p>The site is wholly located within the Critical infrastructure and movement planning area sub-category. The Critical infrastructure and movement network overlay applies to the whole of Brisbane city, however, is relevant only to the development of specific uses including telecommunications, major electricity, emergency services and residential care</p> <p>As the proposal entails reconfiguring a lot, this overlay and its corresponding code is not applicable.</p>
	<p>Dwelling house character overlay</p> <p>The Dwelling house character overlay applies to all land in residential zones and specifies requirements for the design of Dwelling houses.</p> <p>As the proposal entails reconfiguring a lot only, this overlay and its corresponding code is not applicable.</p>

Table C – Assessment against applicable City Plan Overlays



Our Response

Potential and actual acid sulfate soils overlay

The site is wholly mapped as:

- containing land above 5m AHD and below 20m AHD; and
- potential and actual acid sulfate soils.

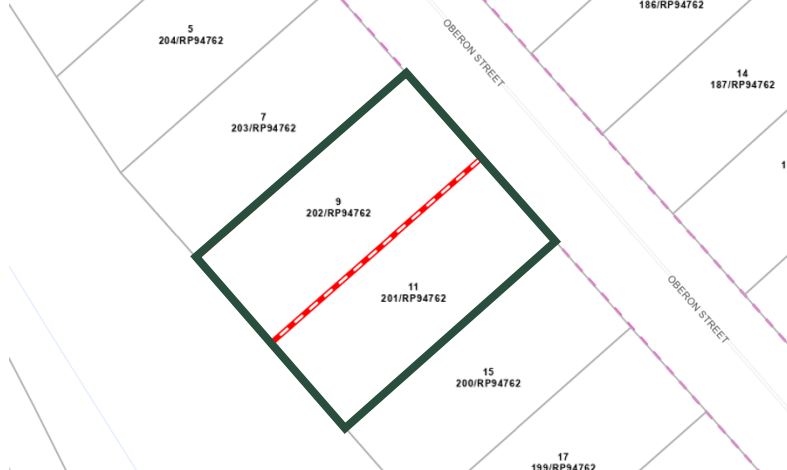
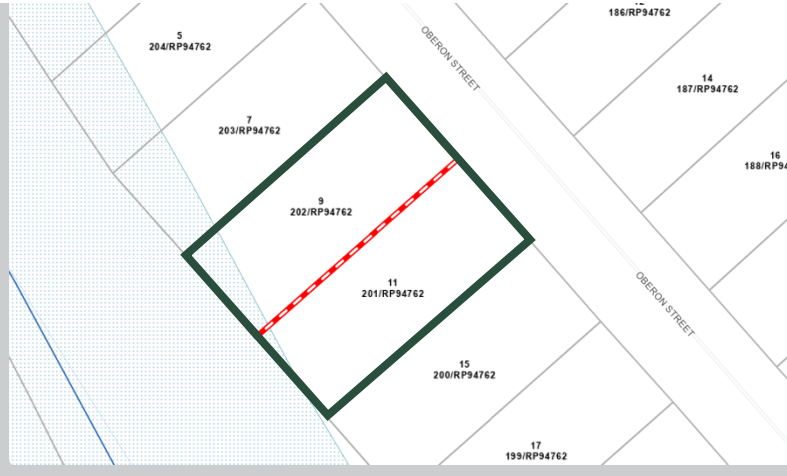
As the proposal though does not involve disturbing land which is equal to or less than 5m AHD, the proposal is not assessable under the Potential and actual acid sulfate soils overlay table of assessment. Therefore, a response against the corresponding overlay code is not required.

Road hierarchy overlay

The site has frontage to Oberon Street which is identified as a 'Neighbourhood Road' under the Road hierarchy overlay. The purpose of this overlay is to provide for the assessment of the suitability of development in the Road hierarchy overlay.

An assessment of the *Road hierarchy overlay code* is provided in **Appendix E**.

Table C – Assessment against applicable City Plan Overlays

Overlay	Our Response
	<p>Streetscape hierarchy overlay</p> <p>The site's Oberon Street frontage is identified as "Neighbourhood street minor" under the Streetscape hierarchy overlay.</p> <p>An assessment of the <i>Streetscape hierarchy overlay code</i> is provided in Appendix E.</p>
	<p>Waterway corridors overlay</p> <p>The rear of the site is partly mapped within a citywide waterway corridor. The corridor tapers from 6.0m wide along the north-western side boundary to 2.1m wide along the south-eastern side boundary of 9 Oberon Street before exiting at the rear boundary of 11 Oberon Street.</p> <p>As no works are proposed within the mapped area, the proposal does not trigger assessable development under the Waterway corridors overlay table of assessment, and a response against the corresponding overlay code is not required.</p>

5.6 CATEGORIES OF ASSESSMENT

Table D identifies the relevant category of assessment triggers under the *City Plan* applicable to the proposed development.

Having regard to these triggers, and as a consequence of creating a lot with an area less than 400m², the proposed development is subject to **Impact assessment**.

Table D – Assessable Development under <i>City Plan</i>		
Table of Assessment	Category of Development & Assessment	Assessment Benchmark/s
Low density residential zone	Assessable development – Impact assessment	<ul style="list-style-type: none"> • Subdivision code • Low density residential zone code • Filling and excavation code • Infrastructure design code • Landscape work code • Outdoor lighting code • Park planning and design code • Stormwater code • Transport access, parking and servicing code • Wastewater code
River gateway neighbourhood plan	No change	River gateway neighbourhood plan code

Table D – Assessable Development under <i>City Plan</i>		
Table of Assessment	Category of Development & Assessment	Assessment Benchmark/s
Airport environs overlay	Not applicable	Not applicable
Community purposes network overlay	Not applicable	Not applicable
Critical infrastructure and movement network overlay	Not applicable	Not applicable
Dwelling house character overlay	Not applicable	Not applicable
Potential and actual acid sulfate soils overlay	Not applicable	Not applicable
Road hierarchy overlay	Assessable development – code assessment	Road hierarchy overlay code
Streetscape hierarchy overlay	Assessable development – code assessment	Streetscape hierarchy overlay code
Waterway corridors overlay	Not applicable	Not applicable

5.7 ASSESSMENT BENCHMARKS

In support of this application, an assessment against all relevant assessment benchmarks has been undertaken. **Table E** below identifies the response location for each applicable code.

Code	Location
Low density residential zone code	Appendix E
River gateway neighbourhood plan code	Appendix E
Subdivision code	Appendix E
Filling and excavation code	Not Applicable: No earthworks are proposed. Refer Appendix D.
Infrastructure design code	Appendix D
Landscape work code	Not Applicable: While Table 5.3.5.1 of the <i>City Plan</i> identifies the <i>Landscape work code</i> as an applicable “prescribed secondary code”, the proposal is for a 2 into 3 lot subdivision only.
Outdoor lighting code	Not Applicable: While Table 5.3.5.1 of the <i>City Plan</i> identifies the <i>Outdoor lighting code</i> as an applicable “prescribed secondary code”, no outdoor lighting is proposed.
Park planning and design code	Not Applicable: While Table 5.3.5.1 of the <i>City Plan</i> identifies the <i>Park planning and design code</i> as an applicable “prescribed secondary code”, the proposal does not involve the creation of park.
Stormwater code	Appendix D
Transport access, parking and servicing code	Complies: The proposed lots will be provided with

Code	Location
	appropriate vehicular access and sufficient space is available to park 1 or more vehicles on each individual lot.
Wastewater code	Not Applicable: While Table 5.3.5.1 of the <i>City Plan</i> identifies the <i>Wastewater code</i> as an applicable “prescribed secondary code”, the site is not located outside a sewer area.
Road hierarchy overlay code	Appendix E
Streetscape hierarchy overlay code	Appendix E

5.8 LOCAL GOVERNMENT INFRASTRUCTURE PLAN

The relevant Local Government Infrastructure Plan (LGIP) is the LGIP contained in Part 4 of the *City Plan*. A review of this Plan and **Figure 11** confirm:

- the site is located within the Priority infrastructure area; and
- no future trunk infrastructure is planned on or near the site.

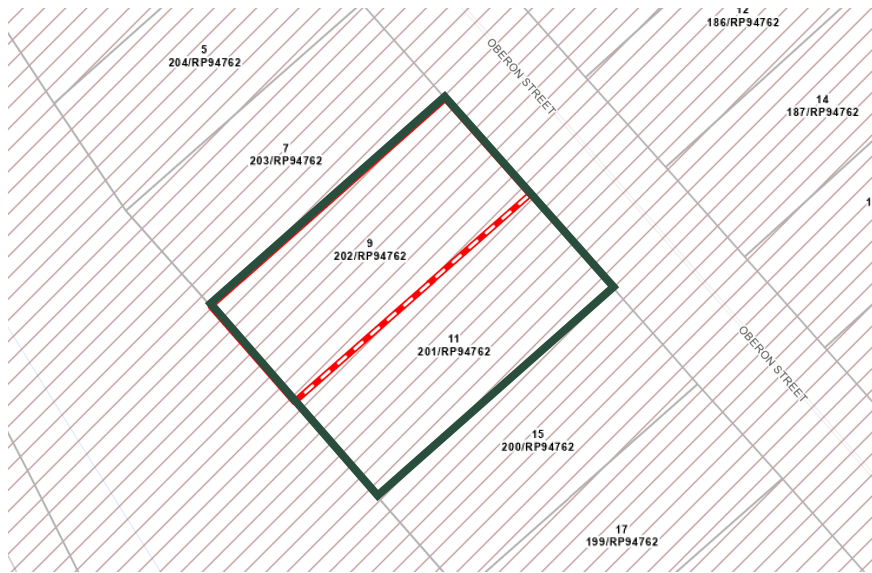


Figure 14: LGIP Mapping (site indicated by green outline)

Source: Brisbane City Plan 2014 Interactive Mapping

5.9 INFRASTRUCTURE CHARGES

In accordance with Council's *Charges Resolution (No.14) 2025*, the applicable Council infrastructure charges applying to the development have been calculated as follows.

Table F – Estimated Infrastructure Charges				
Charging Category	Development Unit	Development Demand	Local Government Adopted Charge	Charge
Credits				
Residential Uses				
Lots	Lot	2	\$18,026.28	\$36,052.56
Demand				
Residential Uses				
Lots	Lot	3	\$18,026.28	\$54,078.84
Levied Charge				\$18,026.28

The abovementioned charges are used to fund new projects and upgrades to Council's transport, community and stormwater trunk networks. Additional charges are also set to be levied by Urban Utilities to fund similar projects and upgrades to their sewer and water trunk networks.

6. Key Planning Matters

6.1 LOT SIZES

Table 9.4.10.3.B of the *Subdivision code* prescribes the following minimum lot size requirements for land in the Low density residential zone:

- 400m² where a standard lot;
- 350m² where average lot size is 400m² for the development (calculated excluding rear lots) and all lots comply with minimum rectangle dimension and average lot width requirements; or
- 300m² where a standard lot and any part of the lot frontage is within 200m walking distance of a site or sites in a zone in the Centres zone category with a combined site area of more than 2,000m².

As the site is located more than 200m walking distance from land in the Centres zone, it is acknowledged that the minimum lot size for any new lot created on-site is 400m². Notwithstanding this, the proposal seeks to create 2 x 342m² lots.

In support of this, the following is noted:

- The proposal results in an average lot size of 431m² and enables the retention of the existing Dwelling on 9 Oberon Street while facilitating the creation of an additional lot in accordance with the density expectations for the zone.
- Lot 22 & 23's lot sizes are sufficient to enable the construction of 2 x Dwelling houses compliant with the *Dwelling house (small lot) code*, as evidenced by the Development Footprint Plan at **Appendix C**.

- Both lots can be connected and serviced by all necessary urban infrastructure, as evidenced by the Engineering Assessment Report at **Appendix D**.
- The site is located within walking distance of a variety of services and community facilities, including public parkland, local schools, childcare facilities and neighbourhood cafes and services.
- The proposal is consistent with surrounding lot sizes. As demonstrated by **Table G** and **Figure 15**, the site is surrounded by a number of Low density residential zoned lots with an area less than 400m². The proposal is therefore considered to complement the existing pattern of development in the locality and is consistent with community expectations, notwithstanding the underlying zone requirements, thereby complying with overall outcome (e) of the *River Gateway neighbourhood plan code*.

Table G – List of nearby lots with an area less than 400m²

Address	Lot Size
300m² – 349m² Lots	
29 Oberon Street	331m ²
31 Oberon Street	301m ²
33 Oberon Street	321m ²
35 Oberon Street	310m ²
37 Oberon Street	305m ²
39 Oberon Street	338m ²
41 Oberon Street	301m ²
41A Oberon Street	302m ²
43 Oberon Street	301m ²
43A Oberon Street	334m ²
8 Fleetway Street	330m ²
14 Greendale Street	306m ²

Table G – List of nearby lots with an area less than 400m²	
Address	Lot Size
83 Britannia Avenue	349m ²
350m² – 399m² Lots	
1 Oberon Street	369m ²
69 Elwell Street	394m ²
93 Blackwood Avenue	351m ²
5 Lysander Street	350m ²
43 Windermere Street	372m ²
4 Hillsdale Street	386m ²

6.2 LOT FRONTAGE & AVERAGE WIDTH

In addition to minimum lot sizes, Table 9.4.10.3.B of the *Subdivision code* prescribes the following requirements for new lots in the Low density residential zone:

- Average lot width: 10m
- Minimum lot frontage: 10m
- Minimum rectangle dimension: 9m x 15m

Notwithstanding the above, Lots 22 and 23 have been designed to be 8.5m wide with a minimum rectangle dimension of 8m x 15m.

As with the lot sizes, the following is noted in support of this:

- The lot dimensions are sufficient to enable the construction of 2 x Dwelling houses compliant with the *Dwelling house (small lot) code*, as evidenced by the Development Footprint Plan at **Appendix C**.
- Both lots can be connected and serviced by all necessary urban infrastructure, and grant the necessary easement in favour of Urban Utilities, as evidenced by the Engineering Assessment Report in **Appendix D**.

- With a total frontage of 32m, it is reasonable to expect the site to accommodate three independent crossovers. The proposed lot design not only enables retention of the existing Dwelling on 9 Oberon Street, but also retention of the site's four existing street trees in their current locations and provision of:
 - two on-street car parking spaces in front of Lot 21; and
 - one on-street car parking space between Lots 22 and 23.
- The proposal is consistent with the surrounding lot dimensions. As demonstrated by **Table H** and **Figure 15**, the site is surrounded by a number of Low density residential zoned lots with frontages or average widths less than 10m. The proposal is therefore considered to complement the existing pattern of development in the locality and is consistent with community expectations, notwithstanding the underlying zone requirements, thereby complying with overall outcome (e) of the *River Gateway neighbourhood plan code*.

Table H – List of nearby lots with similar dimensions	
Address	Details
21 Oberon Street*	8.55m frontage
<i>*Approved, sealed, not yet titled</i>	
14 Pinedale Street	9m frontage and average width
14A Pinedale Street	9m frontage and average width
16 Pinedale Street	9m frontage and average width
16A Pinedale Street	9m frontage and average width
19 Pinedale Street	9m frontage and average width
19A Pinedale Street	9m frontage and average width

Figure 15: Identification of Surrounding Similar Sized & Dimensioned Lots



7. Planning Assessment

7.1 TYPE OF APPROVAL SOUGHT

This application seeks development approval under the City Plan for:

- Development Permit for Reconfiguring a Lot (2 lots into 3 lots).

7.2 REASON FOR APPROVAL

Section 45(5) of the Act specifies that the assessment of Impact Assessable applications –

- (a) “must be carried out only –
- i. against the assessment benchmarks in a categorising instrument for the development; and
 - ii. having regard to any matters prescribed by regulation for this subparagraph”.
- (b) may be carried out against, or having regard to, any other relevant matter, other than a person’s personal circumstances, financial or otherwise”.

As detailed in the preceding sections of this report and supporting Appendices, the proposed development:

- is considered to satisfy all relevant assessment benchmarks identified by the *City Plan* despite the proposal’s non-compliance with the minimum lot size and frontage requirements; and
- complies with all relevant matters prescribed by the regulation.

While we are of the opinion that the proposal satisfies all relevant assessment benchmarks identified by the *City Plan* despite its

non-compliance with the lower-order development and zone codes, should Council disagree, we believe regard should be given to the following relevant matters:

- There is a well-documented housing affordability and supply issue affecting Brisbane and the greater South-East Queensland region.
- The proposed development seeks to provide additional housing and increased choice in Morningside which has a strong housing demand.

7.3 RECOMMENDED CONDITIONS OF APPROVAL

It is recommended that this development application be approved subject to reasonable and relevant standard Council conditions and that the list of Approved Drawings and Documents reflect

Table I.

Table I – Recommended List of Approved Plans / Documents		
Drawing or Document	Number	Date
Plan of Proposed Lots	P-25877-PRO2 Revision_A	05-MAY-2026
Development Footprint Plan	TP1582 Revision A	15-JUN-2026
Concept Civil Engineering Services Plan	26135-SK10 Revision A	15-JUN-2026

8. Conclusion & Recommendations

The development application seeks a Development Permit to subdivide land located at 9 & 11 Oberon Street, Morningside, also described as Lots 201 & 202 on RP94762 into 3 residential lots.

The proposal has been assessed against all relevant assessment benchmarks and based on the assessment undertaken, it is considered to comply.

Given the facts and circumstances, it is therefore **recommended that this development application be approved** subject to reasonable and relevant conditions.

Disclaimer

This report is dated 15 June 2026 and incorporates information and events up to that date only and excludes any information arising, or event occurring, after that date which may affect the validity of Hickey Oatley opinion in this report. Hickey Oatley prepared this report on the instructions and for the benefit only of Coen Ladewig for the purpose of a development application (Purpose) and not for any other purpose or use. To the extent permitted by applicable law, Hickey Oatley expressly disclaims all liability, whether direct or indirect, to the Instructing Party which relies or purports to rely on this report for any purpose other than the Purpose, and to any other person which relies or purports to rely on this report for any purpose whatsoever (including the Purpose).

In preparing this report, Hickey Oatley was required to make judgements which may be affected by unforeseen future events, the likelihood and effects of which are not capable of precise assessment.

All surveys, forecasts, projections and recommendations contained in or associated with this report are made in good faith and on the basis of information supplied to Hickey Oatley at the date of this report, and upon which Hickey Oatley relied. Achievement of the projections and budgets set out in this report will depend, among other things, on the actions of others over which Hickey Oatley has no control.

Whilst Hickey Oatley has made all reasonable inquiries it believes necessary in preparing this report, it is not responsible for determining the completeness or accuracy of information provided to it. Hickey Oatley (including its officers and personnel) is not liable for any errors or omissions, including in information provided by the Instructing Party or another person or upon which Hickey Oatley relies, provided that such errors or omissions are not made by Hickey Oatley recklessly or in bad faith.

This report has been prepared with due care and diligence by Hickey Oatley and the statements and opinions given by Hickey Oatley in this report are given in good faith and in the reasonable belief that they are correct and not misleading, subject to the limitations above.

HICKEY OATLEY planning +
development

[hickeyoatley.com.au • hello@hickeyoatley.com.au • 0401 349 601]