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**DA Submission 142 Dowding Street Oxley 4077 - Council reference A006436005**

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**Date** Wed 2025-08-27 4:06 PM

**To** CPEDS-DS-PlanningSupport <CPEDS-DS-PlanningSupport@brisbane.qld.gov.au>

 1 attachment (958 KB)

Submission to A006436005 27.08.25 BBC.pdf;

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

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Dear Kellie Hilton,

As attached, please find Final DA submission 142 Dowding Street, Oxley. 4075

Many thanks

27 August 2025

Planning Services South  
Brisbane City Council  
GPO Box 1434  
Brisbane QLD 4001  
By email: [dsplanningsupport@brisbane.qld.gov.au](mailto:dsplanningsupport@brisbane.qld.gov.au)

Attention: Kellie Hilton

Dear Kellie,



PO Box 1025  
Oxley Qld 4075

30 Rosa Place  
Richlands Qld 4077

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F +61 7 3375 4400

[sales@fueldoctors.com.au](mailto:sales@fueldoctors.com.au)  
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**RE: DEVELOPMENT APPLICATION SUBMISSION FOR CHANGE (OTHER) TO DEVELOPMENT APPROVAL – RECONFIGURING A LOT (1 INTO 9 LOTS) AND NEW ROAD; AND EXTENSION TO CURRENCY PERIOD AT 142 DOWDING STREET, OXLEY – COUNCIL REF. A006436005**

hereby formally object ( pursuant to s53 of the *Planning Act 2016* ('the Act') and s19 of the Development Assessment Rules) to Development Application 006436005 for a Change (Other) to Development Permit involving a 1 into 9 Lot Subdivision and New Road at 142 Dowding Street, Oxley (Lot 5 on RP53326).

#### **GROUNDS FOR OBJECTION:**

##### **1.Omission of adjacent Lot 1 on RP94851 from plans included in application.**

I note that all the engineering and ROL plans provided have not represented our adjoining site at 130 Dowding Street which shares a common boundary with the subject site. In our view, this is a misleading representation of the context of the change, and it should have been included as there are severe current and future impacts on our property which have not been considered in the proposal.

##### **2. Failure of applicant to notify adjoining owner of application being on public notification.**

As owner of the adjacent property, I have not received formal written notification by registered post of the application being on public notification, which I understand is a requirement of the Planning Act 2016. I have been away from Brisbane and interstate for most of the notification period. This failure to formally notify me renders the application improperly made, and it should be readvertised to enable me to properly consider the matter.

##### **3. Improper Location of proposed new road reserve impacting on my property.**

The proposed new road kerb and channel is shown about 1.0m from my southern boundary on ROL Plan SUB-1 in a 10.764m wide reservation whereas at the rear of the subject site it is shown in a 14.0m wide road reservation. This means that a future northern verge of the road adjoining my property would intrude 3.226m into my property if ever required to be constructed. This would have a disastrous impact on my current plans for future re-development of my property for which I have obtained a BCC Siting Variation Approval on 14 January 2025 (BCC ref A006687441). Refer to attachments including Approved Plans, ONF Site Contour and Detail Survey 12399-D1, and Stage 2 Site Preparation Plan 350.24 WD03.B)



The Structure Plan Figure 1 on page 2 of the Vitality Town Planning letter shows the proposed new road reserve totally on the 142 Dowding St property which is its proper location so it would not impact on neighbouring properties.

I have owned the property at 130 Dowding St since 22 July 2014. The Vitality letter states that the original Development Approval for the 142 Dowding St subdivision was granted by Council on 24 November 2015, about 18 months later. I have no record of being notified of this development application by registered post during that period or I would have objected to the proposed road location impacting on my property then.

#### **4. Impact of the new road intersection on an existing footpath crossing to my property:**

The location of the northern radius of the kerb and channel to the new road will impact an existing footpath crossing giving vehicular access to the parking space under my house at 130 Dowding Street, and to a future detached Garage I am planning to the rear of my property.

Engineering plans do not show this crossing or the impact of the kerb and channel radius on it.

#### **5. Lack of consultation regarding the impact of proposed intersection works on my property.**

Drawing 22-217 SK-002.A INSET notes "location of existing driveway to be confirmed and negotiated with Lot 1 RP 94851 for removal." No such consultation has been carried out.

A stormwater gully pit to the proposed kerb and channel alterations is also proposed in front of my property which will be detrimental to the amenity of my property frontage.

In addition, works involved with this proposed intersection would result in the power pole which provides aerial connection of power to my property being removed from the common boundary line to an undisclosed location to the north. This will impact on the visual amenity of my frontage and to the supply of power to my property, both now and in the future.

#### **6. Inadequate upstream connections for stormwater disposal from adjoining properties**

Engineering drawing 22-217 SK-002. A Concept stormwater Plan shows an upstream connection has been provided to northern adjoining property 128 Dowding Street Oxley.

No upstream connection has been provided to 130 Dowding Street as my property is not shown on this plan. This is unacceptable as the new road will impact on existing overland flows to the south and east.

Engineering drawing 22-217 SK-003.A Concept Earthworks Plan, shows that the levels of the proposed new road will be raised adjoining to my property requiring a retaining wall along the common boundary which will cause ponding of stormwater in the absence of an upstream connection.

#### **Conclusions**

Given the above matters that have been raised, I believe the proposed application has not appropriately responded to the provisions contained in the City Plan, particularly in relation to my site at 130 Dowding Street, Oxley.

Nonetheless, it would be possible that my concerns would be alleviated in proper consultation took place between the applicant and myself.

- I would be happy for the removal of the existing crossover if I could get direct access to the rear of my property from the proposed road at the shared southern boundary.

- I would not object to the road levels and location if a stormwater connection to the Road Gully Pit connected to the proposed new stormwater main under the new road is provided for my property.

The proposed Change application should be conditioned to require consultation and agreement on these two matters to be addressed for the proposed works involved and all engineering plans changed before the Development Approval is issued.

Sincerely,

**Please see attachments on following pages 4, 5, 6, 7, 8.**



*Dedicated to a better Brisbane*

Brisbane City Council ABN 72 002 715 775

**City Planning & Sustainability  
Development Services**  
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GPO Box 1434 Brisbane QLD 4001  
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[brispairs.qld.gov.au](http://brispairs.qld.gov.au)

14 January 2025

Aspect Town Planning Pty Ltd  
C/- Aspect Town Planning Pty Ltd  
PO Box 2101  
GRACEVILLE EAST QLD 4075

**ATTENTION:** Zoc Pankaluic  
**Application Reference:** A006687441  
**Address of Site:** 130 DOWDING ST OXLEY QLD 4075

Dear Zoc

**RE:** Early Referral Agency Response– with conditions  
(Given under section 57 of the *Planning Act 2016*)

The application described below was properly referred to the Council on 08 January 2025.

**Application Details**

Application Reference Number: A006687441  
Received Date: 08 January 2025

**Description of the Development**

Aspect of Development: Design and siting (QDC)  
Nature Application: Referral Agency Response

**Applicant Details**

Name of Applicant: Aspect Town Planning Pty Ltd  
C/- Aspect Town Planning Pty Ltd  
PO Box 2101  
GRACEVILLE EAST QLD 4075

**SITE DETAILS**

Address of Site: 130 DOWDING ST OXLEY QLD 4075  
Real Property Description: L2 RP.94851  
City Plan Zone: EMERGING COMMUNITY ZONE  
Owner: Fuel Dr Trust No.1  
Ward: Jamboree

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**Nature of Request**

This referral agency response is provided in response to non-compliance with acceptable solutions of the Queensland Development Code MP1.2, P1 – Road setback; P2 – Side and rear boundary setback and P3 – Site cover.

Council has had regard to s55 of the *Planning Act 2016* during the assessment of this request, and it has been determined that the proposed building or structure complies with the relevant performance criteria of the Queensland Development Code MP1.2.

The following variations to the Queensland Development Code are supported:

Types of building/structure	Area of variation	Proposed (mm)	Acceptable Solution / Outcome (mm)
<b>Queensland Development Code</b>			
New dwelling (wall)	Road setback (Dowding St)	3000	6000
New dwelling (stairs)		1620	
Garage/Shed	Side boundary clearance (northern)	1244	1500
	Side boundary clearance (southern)	1500	2000
	Rear boundary clearance	1244	1500
New dwelling/shed	Site cover	0	1500
		52.2%	50%

**Referral Triggers**

The development application was referred to the Brisbane City Council under the following provisions of the *Planning Regulation 2017*, Schedule 9, Part 3, Division 2, Table 3, Item 1(a) – Design and siting.

**Conditions**

Under section 56(1)(b)(i) of the *Planning Act 2016* (the Act), the conditions set out below must be attached to any building approval that is granted by the Assessment Manager.

The development must be built and sited in accordance with the attached drawing as conditioned and/or amended in red.

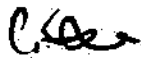
**Advice to applicant and Assessment Manager**

This Referral agency response is limited to the variations identified above and has only been assessed against the assessment matters for Council acting as a referral agency. Where the proposal triggers assessable development under *Brisbane City Plan 2014* it is the responsibility of the Building Certifier to ensure all relevant development approvals are in effect prior to granting the building approval.

In accordance with section 54(4)(b) of the *Planning Act 2016*, a copy of this response does not need to be provided to Council acting as the referral agency for the building application where the building application is the same, or is not substantially different from the proposed application and is made within the time, if any stated in the response.

If you have any queries regarding this matter, please phone me on the telephone number below during normal business hours.

Yours sincerely



Graham Eagle  
 Urban Planner  
 Planning Application Review Service  
 Phone: 3178 7745  
 Email: [Graham.Eagle@brisbane.qld.gov.au](mailto:Graham.Eagle@brisbane.qld.gov.au)  
 Development Services  
 Brisbane City Council

