



Mewing Planning Consultants
GPO Box 1506
Brisbane QLD 4001

0421 780 354
mewing.com.au

8 June 2026

Brisbane City Council
GPO Box 1434
Brisbane QLD 4001

Attention: Kellie Hilton, Senior Urban Planner

Dear Kellie,

**RESPONSE TO BRISBANE CITY COUNCIL INFORMATION REQUEST: S.13 OF THE
DEVELOPMENT ASSESSMENT RULES**

**DEVELOPMENT PERMIT FOR MATERIAL CHANGE OF USE FOR A FOOD AND DRINK OUTLET,
SHOP, OFFICE, HEALTH CARE SERVICES AND INDOOR SPORT AND RECREATION OVER
PART OF THE LAND AT 11 THORNTON STREET, KANGAROO POINT (LOT 15 ON SP313541 AND
PART OF LOT 0 ON SP313541)**

COUNCIL REFERENCE: A007001172

Mewing Planning Consultants act on behalf of Mr Brett Adams (**the Applicant**) in relation to the site
at 11 Thornton Street, Kangaroo Point (**the site**).

We refer to the correspondence from Brisbane City Council dated 13 May 2026 constituting an
Information Request, pursuant to Section 13 of the *Development Assessment Rules (DA Rules)*.

In accordance with Section 13.2(b) of the DA Rules, please accept this correspondence, on behalf of
the Applicant, as a response to the Information Request, providing part of the requested information.
We advise that Brisbane City Council should progress with the assessment of the Development
Application in accordance with Section 13.3 of the DA Rules.

The following attached response extracts each part of Council's Information Request and provides a
corresponding response. The response is accompanied by the following.

- **Attachment A** – Council Information Request; and
- **Attachment B** – Response to the Indoor Sport and Recreation Code.

We would welcome the opportunity to discuss any aspect of this Information Request Response.
Should you wish to discuss, please contact Frances Cassaniti on 0431 973 803 or at
frances.cassaniti@mewing.com.au.

Yours sincerely,

Frances Cassaniti
Associate Director
Mewing Planning Consultants

Information Request Response

11 Thornton Street, Kangaroo
Point

MEWING
PLANNING
CONSULTANTS

Introduction

The following correspondence provides a response to Brisbane City Council's (**Council**) Information Request dated 13 May 2026. The correspondence has extracted each part of Council's Information Request in italicised text and provides a corresponding response below.

We acknowledge Council's feedback and appreciate the opportunity for ongoing collaboration in respect of the proposed response.

Proposal

Item 1

The Floor plan provided indicates food and drink area and a future expansion area, the intention of these areas is unclear. Is the intention to operate more than one use simultaneously and is flexibility proposed over the entire floor space.

- a) *Provide details on how the proposed spaces are intended to operate and how many tenancies and uses are proposed at any one time.*

Item 1 Response

The plan submitted with the development application had identified a potential configuration for the use of the space. The layout was based on preliminary feedback from potential food and drink outlet operators who have expressed that the size and depth of the space is too large to support a viable business and most enquiry for the space is from cafes who only require half the space (the front half) - at least until pedestrian footfall and population density continues to increase in the area. The expansion space was therefore shown on the plan as a way of illustrating how the space may be occupied.

The expansion space may be either occupied by the same use occupying the front half or a second land use, depending on the nature and scale of the business/es that propose to occupy the space. The outcome may potentially result in a food and drink outlet at the front of the space and one of the other proposed uses in the rear space.

The Applicant is seeking the flexibility to be able to tenant the space for one or potentially two land uses to create an active and engaging outcome to Thornton Street, which has not been currently able to be achieved under the existing approval.

Item 2

Clarify the purpose of the LSA area shown on the submitted plan, further details are required outlining what this area would be used for and the exact location of this area in relation to the site boundary. If this area is located outside the boundaries of the site, it will not be included within this application.

- a) *Provide an amended plan detailing the purpose of the LSA area and its proposed location.*

Item 2 Response

The LSA shown on the plan is indicative only and has been identified partly within the site (within the landscape area adjacent to Thornton Street consistent with the existing approval) and partly within the road reserve.

The portion of the LSA within the site reflects the landscape / open area in front of the servery window included in the original approval. The LSA is reflective of the activities that would otherwise have been expected by the existing approval (i.e. food and drink outlet).

The portion of the LSA within the road reserve would be subject to Council's separate footpath dining permit process. The plan included with the application is also the plan that the Applicant has used to liaise with prospective tenants for the approved space and hence these indicative opportunities were shown. The Applicant does not have any issue if Council would like to cross off the dining area within the road reserve as part of any decision.

Hours of operation

Item 3

It is noted that the proposed hours of operation are consistent with the previous approval for a Food and drink outlet, the introduction of the additional uses has the potential to impact on the noise amenity of nearby sensitive uses and zones. In addition, the submitted plan shows a small area of outdoor dining and an order/collection window, and the plans appear to include retractable doors/windows the length of the western elevation of the building. Demonstrate an adequate level of noise amenity can be achieved for each proposed use and a combination of uses (if this is proposed).

- a) *Submit further information demonstrating the proposed uses can comply with the requirements of PO16 and PO17 and the Overall outcome of the Small-scale non-residential uses code. A Noise Impact Assessment Report prepared in accordance with the Noise Impact Assessment Planning Scheme Policy demonstrating that PO17 of the Code can be achieved may be required.*
- b) *Provide elevations showing with details of the finished materials for each façade.*

Item 3 Response

The Applicant proposes to maintain the hours of operation (6am and 10pm) under the current approval over the site.

The approved hours of operation were assessed against the Small-scale Non-residential Uses Code (including PO16 and AO16) in the original application. The proposed additional uses are not proposed to generate noises beyond those that would be anticipated by a food and drink outlet, noting the size of the space will limit the scale and function of the proposed uses. For example, the size of the space will limit the type and nature of any Indoor Sport and Recreation use to potentially a small yoga / pilates studio or small personal training studio, both of which would be contained within the existing space. Furthermore, all land uses will be enclosed within the space, which will limit any potential noise impacts.

The Applicant does not propose any changes to the existing façade, windows or openings within the approved and constructed space. The façade identified on the plan is a reflection of the approved / constructed outcome. Refer to **Figure 1** which illustrates the constructed outcome.



Figure 1: Existing Facade

Pursuant to Acceptable Outcome AO17 the development will be conducted within the enclosed space. The cafe awning window at the front of the premises was a component of the original approval (shown in **Figure 1**) and was always intended as a takeaway servery area for the approved use. This window would continue to be used for this purpose if the food and drink outlet use was pursued. The servery window would not have any purpose for the other proposed uses. Any outdoor dining (beyond the site) would be subject of a separate permit process.

Indoor sport and recreation

Item 4

The proposed development includes an Indoor sport and recreation use however this use is not included within the list of activities for a 'small-scale non-residential use'. Assessment against the Indoor sport and recreation code is required to enable a full assessment of the proposal.

- a) *Provide an assessment against the Indoor sport and recreation code demonstrating that the proposed use is acceptable for the site or alternatively remove the use from the proposal.*

Item 4 Response

Please refer to the response provided to the Indoor Sport and Recreation Code included in **Attachment B**. The response has demonstrated compliance with the relevant provisions of the code.

Infrastructure charges

Item 5

To assist with the calculation of infrastructure charges, submit details of the existing lawful gross floor area and impervious area and the proposed gross floor area and proposed impervious area.

- a) *Provide amended plans that include both the existing and proposed gross floor area and impervious area calculations.*

Note: *Where an approval is for flexible uses the Infrastructure charges will be calculated at the highest rate.*

Item 5 Response

As per the Infrastructure Charges Notice for the existing approval (associated with the minor change approval granted by the court on 19 November 2019), the space has a gross floor area of 94m². No change to the GFA is proposed.

The existing impervious area is not relevant as there is no change proposed to the impervious area.