

Town Planning Assessment

Address 45 Maryland Street and 734 Rode Road, Stafford Heights
Application Change Application (Other Change)
Applicant Effinity Pty Ltd
Date August 2026

Prepared for: Effinity Pty Ltd

Prepared by: Mewing Planning Consultants

Our reference: 23266

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Summary

Site and Planning Framework Details

Table 1 - Site Details and Planning Framework	
Site Details	
Address	45 Maryland Street and 734 Rode Road, Stafford Heights
RP Description	Lot 1 on RP106679 and Lot 2 on RP108493
Development Area	1,609m ²
Owner	45 Maryland Street, Stafford Heights: • Choice Australia Pty Ltd (A.C.N. 161 370 421) • Grace Y.C. Wang Pty Ltd (A.C.N. 161 401 323) • Effinity Pty Ltd (A.C.N. 126 209 792) 734 Rode Road, Stafford Heights: • Orxon Pty Ltd (A.C.N. 057 917 718) • Elmo Australia Pty Ltd (A.C.N. 059 813 366) • J P F Australia Pty Ltd (A.C.N. 060 089 278) Refer to the Certificate of Title within Appendix A .
Easements	The site is not affected by any easement/s or encumbrance/s.
Planning Framework	
Local Government	Brisbane City Council
Planning Scheme	<i>Brisbane City Plan 2014 – v36.00/2026</i>
Strategic Framework	Suburban Living Area
Zone	District Centre (District) Zone
Neighbourhood Plan	Not applicable
Overlays	• Airport Environs Overlay ○ OLS – Horizontal Limitation Surface Boundary ○ PANS – Procedures for Air Navigation Surfaces ○ BBS Zone – Distance from Airport 8-13km • Bicycle Network Overlay ○ Secondary Cycle Route (Appleby Road) • Community Purposes Network Overlay • Critical Infrastructure and Movement Network ○ Critical infrastructure and movement planning area sub-category • Road Hierarchy Overlay ○ Suburban Road (Appleby Road) ○ Neighbourhood Road (Maryland Street and Springvale Street) • Streetscape Hierarchy Overlay ○ Centre Street Minor (all frontages)
State Designations	• SEQ Regional Plan (Urban Footprint) • Water Resources (Water Resource Planning Area Boundaries) • Native Vegetation Clearing (Regulated vegetation management map – Category X)

Development Application Details

Table 2 - Development Application Details	
Approved Development (A007042924)	
Approved Development Description	- Development Permit for Material Change of Use for Multiple Dwelling (39 Units) and Shopping Centre (alterations to existing centre); and - Development Permit for Reconfiguring of Lot for a Boundary Realignment and Access Easement (shared access driveway and servicing areas).
Approval Overview	13 August 2026 Council granted a Minor Change to the Development Approval for a Multiple Dwelling (Council Reference: A007042924) (development approval). The Development Approval is for a four (4) to six (6) storey Multiple Dwelling, comprising 39 residential units and 84 car parking rates, including 75 resident spaces and nine (9) visitor spaces. As part of the development approval a reconfiguration of a lot component was included to facilitate the shared access arrangement over 734 Rode Road from Appleby Road.
Change Application (Other Change)	
Development Description	Change Application (Other Change), pursuant to s82 of the <i>Planning Act</i>, for: - Development Permit for Material Change of Use for Multiple Dwelling (47 Units) and Shopping Centre (alterations to existing centre); and - Development Permit for Reconfiguring of Lot for a Boundary Realignment and Access Easement (shared access driveway and servicing areas).
Proposal Overview	The Applicant is committed to the delivery of the proposed development, however as a consequence of economic conditions and the cost of construction, changes to the unit provision and scale are proposed to support a viable development outcome. The Applicant proposes to increase the unit provision from 39 to 47 units through the provision of an additional storey, increasing the building height to five (5) to seven (7) storeys. For further details, refer to Chapter 3 of this Town Planning Assessment, together with Appendix C – Architectural Package.
Category of Assessment	Impact Assessment (s82 Change Application)
Assessment Manager	Brisbane City Council
Referral Agencies	Not Applicable
Public Notification	Applies – 15 Business Days
Applicant	Effinity Pty Ltd
Applicant's Representative	Frances Cassaniti, Associate Director Mewing Planning Consultants GPO Box 1506, Brisbane Qld 4001 frances.cassaniti@mewing.com.au 0431 973 803

1. Introduction

This Town Planning Assessment is prepared in respect of a Change Application made to Brisbane City Council (the responsible entity) pursuant to section 78 of the Planning Act 2016 (**the Planning Act**).

The Change Application comprises an 'Other Change', and accordingly must be assessed and decided pursuant to Section 82 of the Planning Act.

The Change Application (Other Change) relates to the existing development approval (Brisbane City Council Ref: **A007042924**) over the site at 45 Maryland Street and 734 Rode Road, Stafford Heights for:

- Development Permit for Material Change of Use for Multiple Dwelling (39 Units) and Shopping Centre (alterations to existing centre); and
- Development Permit for Reconfiguring of Lot for a Boundary Realignment and Access Easement (shared access driveway and servicing areas).

Please refer to **Appendix G** for a copy of the current development approval.

The Change Application (Other Change) is made in accordance with the requirements for change applications pursuant to section 82 of the Planning Act. The written owner's consent for the Change Application is included with the development application and the required fee will be paid upon receipt of Council's fee quote to be issued following lodgement of the Change Application.

The proposal is assessable development pursuant to the Planning Act and the City Plan. In this instance, an Impact Assessable development application is required. Brisbane City Council is the assessment manager, and referral is not required to the State Assessment and Referral Agency.

This Town Planning Assessment provides a comprehensive assessment of the Change Application and is supported by specialist reports and material including:

- Brisbane City Council Code Assessment (**Appendix A**);
- Certificate of Title (**Appendix B**);
- Revised Architectural Package, prepared by Gatehouse Architects (**Appendix C**);
- Revised Landscape Concept Plan, prepared by Andrew Gold Landscape Architecture (**Appendix D**);
- Revised Traffic Impact Assessment, prepared by ITE Consulting (**Appendix E**);
- Revised Waste Management Plan, prepared by ITE Consulting (**Appendix F**); and
- Current Development Approval (Council Reference: A007042924) (**Appendix G**).

2. Site Details, Local Context and Planning Background

2.1 Site Details

2.1.1 Address and Real Property Description

The site is located at 45 Maryland Street and 734 Rode Road, Stafford Heights and is more properly described as Lot 1 on RP106679 and Lot 2 on RP108493.

The change relates to the development over the portion of the site described as 45 Maryland Street (**development area**). The extent of the development area (shown in **green**) is shown in **Figure 1** below.

The development approval includes the broader shopping centre site at 734 Rode Road for the purpose of facilitating a shared access arrangement from Appleby Road.



Figure 1: Subject Site (development site depicted by green fill) (Landchecker, 2026)

2.1.2 Location

The site is located within the northern suburb of Stafford Heights and is located approximately 8km north of the Brisbane Central Business District. The site forms part of the established Stafford Heights district centre and is well-located, with access to public transport services, local parks, employment (including Prince Charles Hospital, St Vincents Hospital and Chermside) and educational

establishments. Further detail regarding the location of the site and its context is provided in **Section 2.2** of this report.

2.1.3 Shape and Size

The site has a total site area of 16,117m². The development area is rectangular in shape and has a total area of 1,609m². The development area has three (3) frontages, approximately a 41m frontage to Appleby Road, 37m frontage to Maryland Street and 41m frontage to Springvale Street.

2.1.4 Ownership and Encumbrances

The registered owners of the site are identified as follows.

- Choice Australia Pty Ltd (A.C.N. 161 370 421);
- Grace Y.C. Wang Pty Ltd (A.C.N. 161 401 323);
- Effinity Pty Ltd (A.C.N. 126 209 792);
- Orxon Pty Ltd A.C.N. 057 917 718;
- Elmo Australia Pty Ltd A.C.N. 059 813 366; and
- J P F Australia Pty Ltd A.C.N. 060 089 278.

A copy of the current title search for the site is included in **Appendix A – Title Search and EMR/CLR Search**.

The site is not identified as benefitting from or being burdened by an easement.

2.1.5 Current Use

The development area is currently vacant, with the previous building being demolished in preparation for the construction of the approved development.

2.1.6 Topography

In accordance with Brisbane City Council's Contour Mapping, the development area falls from south-eastern portion of the site at approximately 47m AHD to the north-western portion of the site at approximately 42m AHD, equating to a fall of approximately 5m across the site.

2.1.7 Vegetation and Ecology

The site contains some landscaping surrounding the perimeter of the site. The development area however is not identified under the Significant Landscape Tree Overlay or the Biodiversity Areas Overlay under Brisbane City Council's Mapping. Furthermore, there is no significant vegetation identified on the development area under State mapping.

The development area is not identified within a waterway corridor.

2.1.8 Flooding Characteristics

The Brisbane City Council's mapping indicates that the development area is not identified as being located in a Flood Overlay.

2.1.9 Heritage and Character

A review of Brisbane City Council's mapping indicates that the development area is not identified within the Commercial Character Building Overlay, Pre-1911 Overlay, Heritage Overlay or the Traditional Building Character Overlay.

The development area is not included on the Queensland Heritage Register as being a heritage listed place or being adjoining to a heritage listed place.

2.1.10 Infrastructure Networks

The development area is presently serviced by water and sewerage reticulation, electricity, telecommunications, stormwater drainage and gas.

2.1.11 Roads and Verges

The development area has three (3) road frontages to Appleby Road, Maryland Street and Springvale Street. The type and function of the road frontages is as follows:

Appleby Road

- Frontage of approximately 41m;
- Designed as a Suburban Road;
- Kerb and channel construction;
- Two (2) way street with one (1) lane in each direction; and one (1) right hand turn lane northbound (into the site); and
- Verge width of approximately 3.6m (widened to 3.75m under the development approval).

Maryland Street

- Frontage of approximately 37m;
- Designed as a Neighbourhood Road;
- Kerb and channel construction;
- Two (2) way street with one (1) lane in each direction;
- Verge width of approximately 3.6m (widened to 3.75m under the development approval).

Springvale Street

- Frontage of approximately 41m
- Designed as a Neighbourhood Road;
- Kerb and channel construction;
- Two (2) way street with one (1) lane in each direction;
- Verge width of approximately 3.7m (widened to 3.75m under the development approval).

2.2 Local Context

The site forms part of the Stafford Heights district centre. The district centre includes the established Rode Road shopping centre, which includes a mix of retail, commercial and community activities.

The area surrounding the site includes land also identified in the District Centre Zone (on the opposite side of Appleby Road) and in the Low Density Residential Zone (on the opposite side of Springvale Street, Maryland Street and Appleby Road). The Low Density Residential Zone comprises a mix of one (1) and two (2) storey dwelling houses.

Situated within the broader area, close to the development area, are the following notable landmarks and uses:

- The Prince Charles Hospital and St Vincents Hospital, located approximately 1 kilometre north-east of the development area;
- Stafford Heights State School and Kindergarten, located approximately 1.5 kilometres south-west of the development area;

- Queen of Apostles School – Early Years Campus, located approximately 320 metres west of the development area;
- Downfall Creek, located approximately 700 metres west of the development area; and
- Chermside Shopping centre, located approximately 2 kilometres northeast of the site.

2.3 Approval Background

2.3.1 Original Development Application

The development approval over the site was granted by Brisbane City Council by way of a Decision Notice dated 7 November 2024 (BCC Reference: A006422560), which comprises:

- Reconfiguring a Lot Development Permit - Access Easement and Boundary Realignment; and
- Material Change of Use Development Permit - Multiple dwelling, Shopping centre and Centre activities (Office, Shop, Food and Drink outlet).

The original development application was subject to Impact Assessment procedures (therefore subject to public notification) and did not require referral.

A summary of the development approval is provided below.

- Total of 32 residential units with a maximum building height of 4 – 6 storeys.
- The provision of 80 car parks to be provided on ground level basement level with the following allocation of car parking:
 - 63 x residential car spaces;
 - 8 x visitor car spaces;
 - 5 x commercial car spaces (associated with the existing shopping centre and as a consequence of providing shared access and servicing areas);
 - 4 x retail car spaces (associated with the new retail area).
- The commercial component of the development included an 89m² (GFA) retail space (used for Shop, Office and Food and Drink Outlet uses), on ground floor to Appleby Road.
- Access is from a new Type B2 driveway crossover of 6.1m wide to Springvale Street.

2.3.2 First Change Application – November 2025

A change application (BCC Reference: A006794855) was granted by Brisbane City Council on 17 November 2025. The approved changes included:

- Increase of the number of residential units, from 32 to 39 units, including changes to the unit mix to reflect current market conditions.
- Removal of 89m² retail space on the Appleby Road frontage and replaced with residential communal space with a resultant GFA of 92m².
- Minor changes to the elevations to respond to the amended residential unit mix, for example to express additional balconies relating to the additional units.
- Minor amendments to the setbacks to Appleby Road frontage.
- New waste management arrangement, comprising a chute system on each level directed to Basement 2 Refuse Room.

2.3.3 Second Change Application – August 2026

On 13 August 2026 Council approved a Change Application (BCC Reference: A007042924). The changes were largely operational and function in nature, and included:

- Relocation of the Pad Mount Transformer to the eastern corner of the site, adjacent to Springvale Street.
- Communal Open Space Changes including:
 - Removal of the rooftop communal area.
 - Provision of expanded communal recreation area at Basement Level 02 to Appleby Road. The space is proposed to increase from 71m² to 85m².
 - Provision of a new 52m² communal recreation area to Basement Level 01 to Appleby Road. The area includes a communal barbeque and dining area for the building occupants. The space is roofed but is open on two (2) sides to create a semi-outdoor space.
- Provision of rooftop building services.
- Changes relating to Basement 02, specifically a minor reduction of resident car park spaces and relocation of secure gate to ensure it provides unimpeded access to visitor car parking.
- Minor rearrangement of bicycle parking provision to respond to the introduction of the new communal open space area and reconfiguration of storage and servicing areas to support the revised basement arrangement.

This development approval represents the current development approval and is the approval that this Change Application seeks to amend.

A copy of the development approval is included within **Appendix G**.

3. Proposed Development

3.1. Proposal Overview

The Applicant is committed to the delivery of the proposed development, however as a consequence of economic conditions and the cost of construction, changes to the unit provision and scale are proposed to support a viable development outcome.

The Applicant proposes to increase the unit provision from 39 to 47 units through the provision of an additional storey, increasing the building height to five (5) to seven (7) storeys.

For further detail refer to the below sections, together with **Appendix C – Architectural Package**.

3.2. Proposal Comparison

Table 3 provides a comparison of the approved and proposed development.

Table 3 – Development Comparison			
	Minor Change 1	Minor Change 2	Proposed Change
Use and Yield	Multiple Dwelling – 39 Units 38 x 2 Bedroom Units 1 x 1 Bedroom Unit with MPR	Multiple Dwelling – 39 Units 38 x 2 Bedroom Units 1 x 1 Bedroom Unit	Multiple Dwelling – 47 Units 45 x 2 Bedroom Units 2 x 1 Bedroom Unit
Building Height	4 – 6 Storeys and RL 63.3 to Roof Terrace (plus additional lift overrun)	4 – 6 Storeys and RL 63.3 to Roof Terrace (plus additional lift overrun)	5 – 7 Storeys and RL 63.6 to Roof Level
Car Parking	86 car parking spaces, including: 77 resident car parks 9 visitor car parks (incl. 1 PWD)	84 car parking spaces, including: 75 resident car parks 9 visitor car parks (incl. 1 PWD)	84 car parking spaces, including: 74 resident car parks 10 visitor car parks
Bicycle Parking	49 bicycle spaces, including: 39 x residential bicycle spaces 10 x visitor bicycle spaces	46 bicycle spaces, including: 46 x residential bicycle spaces	Bicycle Parks, including: 54 bicycle spaces
Site Cover	66 - 69%	66 - 69%	52 - 69%
Deep Planting	- Landscaping: 346m² (20.2%) - Deep planting: 163m² (10.1%)	- Total landscaping: 225.8m² (13.4%) - Deep planting: 132.9m² (7.9%)	- Landscaping: 361.3m² (21.09%) - Deep planting: 132.9m² (7.9%)
Communal Open Space	251m ² total Communal Open Space 180m² (Rooftop Terrace) 71m² (Basement 2 Communal Open Space area)	137m ² total Communal Open Space 52m² (Basement 01) 85m² (Basement 02)	135m ² total Communal Open Space 50m² (Basement 01) 85m² (Basement 02)
Private Open Space	3m minimum dimension 12m² – 45m²	3m minimum dimension 12m² – 45m²	3m minimum dimension 11m² – 50m²

Table 3 – Development Comparison			
	Minor Change 1	Minor Change 2	Proposed Change
Front Setback (Maryland Street)	- Level 1 (ground) 5.5 to 7.7m to the building line) - Levels 2 – 4: 4.5m to balcony, 6m – 7.5m to wall - Roof Terrace: 10.045m to plant and 18.5m to roof	- Level 1 (ground) 5.5 to 7.7m to the building line) - Levels 2 – 4: 4.5m to balcony, 6m – 7.5m to wall - Roof Terrace: 10.045m to plant and 18.5m to roof	- Level 1 (ground): 1.25m to balcony and 6m – 7.7m to wall - Level 2 – 4: 4.5m to balcony and 6m – 7.5m to wall - Level 5: 4.75m to balcony and 6m – 7.5m to wall
Front Setback (Appleby Road)	- Basement 2: 0.6m to the wall - Basement 1: 0.6m to new storage and 4m to the wall along the balance of the frontage - Level 1: 1m to 3m to the balcony / terrace and 5m - 6.5m to the wall. - Levels 2 – 4: 3m to the balcony / terrace and 4m - 6m to the wall - Roof Terrace: 9.5m to planters and 16m to the roof	- Basement 2: 0.6m to the wall - Basement 1: 0.6m to new storage and 4m to the wall along the balance of the frontage - Level 1: 1m to 3m to the balcony / terrace and 5m - 6.5m to the wall. - Levels 2 – 4: 3m to the balcony / terrace and 4m - 6m to the wall - Roof Terrace: 9.5m to planters and 16m to the roof	- Basement 2: 0.6m to the wall - Basement 1: 0.6m – 3.75m to the wall - Level 1 (ground): 1.60m – 7.7m to balcony and 4m – 6.65m wall - Level 2 – 5: 3m to balcony and 4m – 7.6m to wall
Front Setback (Springvale Street)	- Level 1 (ground): 6m – 8m to the wall - Levels 2 – 4: 4.5m to balcony, 6m – 7.5m to wall - Roof Terrace: 10.5m to planters and 13.6m to roof	- Level 1 (ground): 6m – 8m to the wall - Levels 2 – 4: 4.5m to balcony, 6m – 7.5m to wall - Roof Terrace: 10.5m to planters and 13.6m to roof	- Level 1 (ground): 6m – 8m to the wall - Level 2 – 5: 4.5m to balcony and 6m – 9.6m to wall
North (internal) Boundary setbacks (measured to the new boundary)	- Basement 2: 1.76m to 8m to the wall - Basement 1: 1.76m to 8m to the wall - Levels 1 – 4: 2.15m to balcony and 3.65m to 5.15m to the wall - Roof Terrace: 8.1m (to planters) and 11m to roof	- Basement 2: 1.76m to 8m to the wall - Basement 1: 1.76m to 8m to the wall - Levels 1 – 4: 2.15m to balcony and 3.65m to 5.15m to the wall - Roof Terrace: 8.1m (to planters) and 11m to roof	- Basement 2: 1.76m – 8.30m to the wall - Basement 1: 1.76m to 8.30m to the wall - Level 1 (ground) – 5: 2.15m to balcony and 3.65m – 5.15m to the wall
Access	- A new Type B2 driveway crossover of 6.1m wide to Springvale Street. - Existing vehicle access (part of the Rode Road shopping centre) from Appleby Road	- A new Type B2 driveway crossover of 6.1m wide to Springvale Street. - Existing vehicle access (part of the Rode Road shopping centre) from Appleby Road	- A new Type B2 driveway crossover of 6.1m wide to Springvale Street. - Existing vehicle access (part of the Rode Road shopping centre) from Appleby Road

3.3. Identification of Proposed Changes

Building Height and Yield

The Applicant is committed to the delivery of the proposed development, noting that the site has been cleared and the condition compliance completed, however as a consequence of economic conditions and the cost of construction, changes to the unit provision and scale are proposed to improve the efficiency and viability of the approved residential development, while making more effective use of the site's capacity.

The Applicant proposes to increase the unit provision from 39 to 47 units, comprising 45 x two bedroom units and 2 x one bedroom units.

The additional eight (8) residential units are accommodated by the inclusion of an additional residential level, identified on the Architectural Plans as Level 5.

The additional residential level changes the approved building height from 4 – 6 storeys to 5 – 7 storeys. The scale of Level 5 is coherent with the scale of the building services on the roof of the current development approval, as illustrated in **Figure 2** and **Figure 3**, and therefore there is not a substantial change in the scale of the development from the current approval.

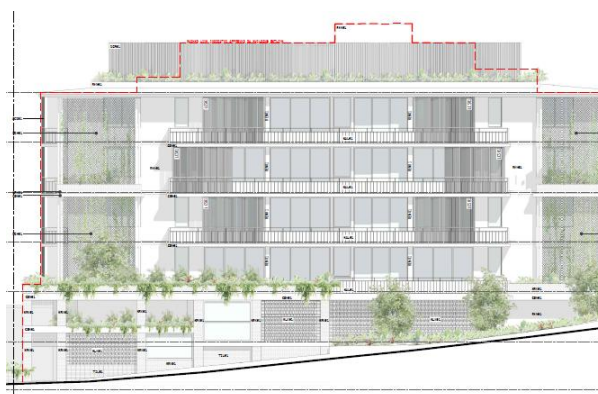


Figure 2 – Approved Elevation (Appleby Road)
(Source: Gatehouse Architects 2026)

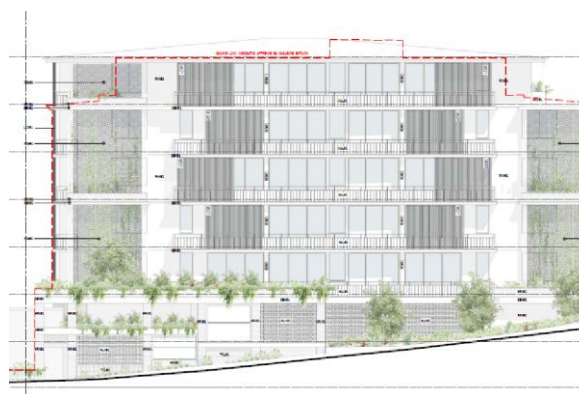


Figure 3 – Proposed Elevation (Appleby Road)
(Source: Gatehouse Architects 2026)

Level 5 has a recessed footprint in comparison to the approved floor levels below. Level 5 is built to Appleby Road, consistent with the levels below, however it is proposed to be setback 10.05m from Maryland Street and 7.1m – 8m to Springvale Street.

The recess creates a clear distinction between the approved building form and the additional level and assists in reducing the perceived visibility of the additional level from the immediate adjoining lower intensity residential area. As demonstrated by the approved and proposed elevations (refer to **Figure 4** and **Figure 5**), the additional level has limited visibility from Maryland Street and Springvale Street, ensuring that the built form presentation continues to represent a four (4) storey scale, coherent with the development approval and the building height transition outcomes under the City Plan.



Figure 4 – Visual Comparison: Illustrative Human Perspective from Maryland Street/Springvale Street Intersection (current approval)



Figure 5 – Visual Comparison: Illustrative Human Perspective from Maryland Street/Springvale Street Intersection (proposed)

3.4. Application Particulars

Table 4 - Development Application Particulars	
Development Description	Change Application (Other Change) for: - Development Permit for Material Change of Use for Multiple Dwelling and Shopping Centre (alterations to existing centre); and - Development Permit for Reconfiguring of Lot for a Boundary Realignment and Access Easement (shared access driveway and servicing areas).
Proposal Overview	The Applicant is committed to the delivery of the proposed development, however as a consequence of economic conditions and the cost of construction, changes to the unit provision and scale are proposed to support a viable development outcome. The Applicant proposes to increase the unit provision from 39 to 47 units through the provision of an additional storey, increasing the building height to five (5) to seven (7) storeys. For further details, refer to Chapter 3 of this Town Planning Assessment, together with Appendix C – Architectural Package.
Defined Land Use	Multiple Dwelling and Shopping Centre (alterations to the existing centre) Note: No changes are proposed to the approved land uses.
Category of Assessment	Impact Assessment
Assessment Manager	Brisbane City Council
Referral Agencies	Not Applicable
Public Notification	Yes – 15 business days

3.4.1 Landscape

Andrew Gold Landscape Architects have prepared an updated Landscape Concept Plan, which has been included in **Appendix D** to this report.

The Landscape Concept Plan outlines the aspects proposed to be delivered for this development, including hard and soft landscaping at and above ground level. The landscaping is consistent with the development approval, with the addition of the landscaping at level 5. The landscaping across the building includes the following key features.

- The existing street trees identified along Springvale Street, Maryland Street, and Appleby Road are to be maintained. Additional street trees are also proposed to be planted along Appleby Road. Supplementary understorey planting is proposed in the garden beds of the street trees.
- Shrubs and groundcovers are proposed on Upper Ground and Lower Ground within the front setbacks positively contributing to the character and amenity of the streetscape. These areas comprise mass planting to large areas, which improves building presentation and visual amenity to the streetscape.
- Small canopied shade/ screen trees and screen planting is also proposed on the Upper Ground Level, softening the built form and improving visual and climatic amenity.
- Level 3 includes landscape planter boxes at the corners of the building.
- Level 5 includes landscape planter boxes along the Springvale Street and Maryland Street portions of the building to help screen the recessed façade.

3.4.2 Traffic and Transport

ITE Consulting have prepared an updated Traffic Assessment that addresses the proposed changes to the car parking provision as part of the proposed changes. Please refer to the report provided in **Appendix E**.

- The development will provide the following car parking provision:
 - Residents – 74 spaces; and
 - Visitors – 10 spaces;
- The development will provide the following bicycle parking provision:
 - Total of 54 bicycle parks (45 bicycle parks are provided across the basement levels and nine bicycle parks are within the private open space areas of the Level 01 Units (as per current approval Council Ref: A007042924));

The development will continue to provide access and servicing as per the development approval.

3.4.1.Waste

ITE Consulting has prepared an updated Operational Waste Management Plan and is included in **Appendix F**

Refuse collection will continue to be undertaken by Council at the temporary bin storeroom. Refuse collection vehicles will enter and exit the site in a forward gear, via Appleby Road, via the proposed new access easement from Lot 2 RP108493.

The following specific characteristics of the waste management strategy will continue:

- Garbage chute access provided within each residential level. Two chutes will be installed for both the general waste and recycling.
- The residential waste will be collected two (2) times per week.
- a general refuse compactor with a minimum 3:1 compaction ratio
- The bins within the residential store will be relocated (by the building manager) to a temporary collection point in front of the servicing area for collection and taken back to the bin store following collection.
- The proposed plans allow for 3 x 1100L waste bins (1 permanent under the chute) with 3:1 compaction as well as 6 x 1100L recycling bins, which is sufficient to support the changed residential density.

4. Statutory Planning Framework

This Chapter of the Town Planning Assessment identifies the applicable components of the statutory town planning framework relating to a Change Application, specifically for an Other Change to an existing development approval, and their relevance to the changes proposed by the applicant.

Chapter 3, Subdivision 2 of the Planning Act sets out the procedure for changing approvals. In particular, Section 78 of the Planning Act states:

“78 Making change application

- (1) A person may make an application (a change application) to change a development approval.*
- (2) A change application must be made to the responsible entity for the application.*

“78A Responsible entity for change applications

- (1) The responsible entity for a change application is—*
 - (a) if the change application is for a minor change to a development condition of a development approval stated in a referral agency’s response for the development application or another change application for the approval—the referral agency; or*
 - (b) otherwise—the assessment manager.*

We understand that Brisbane City Council, as the assessment manager for the original application to which the approval relates, is the responsible entity in this instance for the purpose of section 78A.

A Change Application under Chapter 3, Subdivision 2 of the Planning Act can be either a ‘Minor Change’ or an ‘Other Change’. In the case of the proposal, an “Other Change” is being made as the proposal does not constitute a minor change as defined in Schedule 2 of the Planning Act.

Section 82 of the Planning Act sets out the process for assessing and deciding an application for an ‘other change’.

“82 Assessing and deciding application for other changes

- (1) This section applies to a change application, other than for a minor change to a development approval.*
- (2) For administering the change application, and assessing and deciding the change application in the context of the development approval, the relevant provisions apply—*
 - (a) as if—*
 - (i) the responsible entity were the assessment manager; and*
 - (ii) the change application were the original development application, with the changes included, but was made when the change application was made; and*
 - (b) with necessary changes.*
- (3) However—*
 - (a) section 53 does not apply to the change application if the change is not a minor change only because the change may cause—*
 - (i) a referral to a referral agency if there were no referral agencies for the development application; or*
 - (ii) a referral to extra referral agencies; or*
 - (iii) a referral agency to assess the change application against extra matters; and*
 - (b) the power—*
 - (i) to direct that a development condition be imposed under section 56(1)(b)(i) includes a power to direct that a development condition be amended; and*

- (ii) to impose a development condition under section 60(2)(c) or (3)(b) or 64(6)(b) includes a power to amend a development condition; and*
- (c) if the responsible entity is, under section 78A(3), the Minister—*
 - (i) the relevant provisions apply to the change application only if, and to the extent, those provisions would apply to a development application called in by the Minister; and*
 - (ii) section 105(5) and (6) applies for assessing and deciding the change application.*
- (4) To remove any doubt, it is declared that the following matters apply, only to the extent the matters are relevant to assessing and deciding the change application in the context of the development approval—*
 - (a) the assessment benchmarks;*
 - (b) any matters a referral agency must, may, or may only assess the application against or have regard to under section 55(2);*
 - (c) if the development to which the change application relates requires code assessment—any matters the assessment must be carried out having regard to under section 45(3)(b);*
 - (d) if the development to which the change application relates requires impact assessment—any matters the assessment must or may be carried out against or having regard to under section 45(5)(a)(ii) or (b).*
- (5) If a change application is made within 1 year after the development approval was given, any properly made submission for the application for the development approval is taken to be a properly made submission for the change application*

Pursuant to Section 82, the 'other change' application is required to be assessed and decided by the responsible entity in the context of the development approval under the arrangements in the Planning Act for assessing and deciding the development application, namely the development assessment rules and chapter 3, part 2, division 2 and part 3, other than sections 51, 63 and 64(8)(c) of the Planning Act. The assessment will be undertaken against the following matters to the extent that they are relevant to assessing and deciding the change application:

- The assessment benchmarks;
- Any matters a referral agency (if applicable) must assessment the application against or have regard to under Section 55(2) of the Planning Act; and
- Any matters relevant to the assessment of an impact assessable development application under Section 45(5) of the Planning Act.

5. Other Change Statutory Assessment

5.1. State Planning Framework

5.1.1 Planning Act 2016

The Planning Act is the statutory instrument for the State of Queensland under which, amongst other matters, development applications are assessed by local governments. The relevant decision rules of the Planning Act are described in section 4 of this assessment, with further particular matters relevant to the statutory assessment of the Change Application described below.

5.1.2 Public Notification

According to Section 53 of the Planning Act, the notification stages of the development assessment process applies to an application if either of the following applies –

- “(a) any part of the application requires impact assessment; or*
- (b) the application includes a variation request.”*

The current development approval was subject to Impact Assessment and therefore was subject to public notification. The ‘Other Change’ continues to be subject to Impact Assessment and to public notification.

5.1.3 Referral Jurisdiction and State Development Assessment Provisions

Section 55(2) of the Planning Act states that:

- “For any other referral agency, a regulation may prescribe the matters the referral agency–*
- (a) may, must or must only assess a development application against; and*
- (b) may, must, or must only have regard to for the assessment. “*

Part 4, Section 22(1) of the Planning Regulation 2017 (**Planning Regulation**) states that:

- “Schedules 9 and 10 prescribe—*
- (a) for section 54(2)(a) of the Act, the referral agency for the development applications stated in the schedules; and*
- (b) for section 55(2) of the Act, the matters the referral agency—*
 - (i) may or must assess the development application against; and*
 - (ii) may or must assess the development application having regard to.”*

The original development application did not require referral to the State Assessment and Referral Agency.

The ‘Other Change’ Application also does not require referral to the State Assessment and Referral Agency, and consequently the State Development Assessment Provisions do not apply in this instance.

5.1.4 State Planning Policy

The State Planning Policy was released on 3rd July 2017. It is a State planning instrument made under Chapter 2 Part 2, Section 10 of the Planning Act.

As prescribed in Section 26(2)(a)(ii) of the Planning Regulation, the State Planning Policy represents an assessment benchmark and the assessment manager must have regard to State Planning Policies if it is not identified as being appropriately reflected in the planning scheme.

Part 2 of the City Plan identifies the State Planning Policy (to the extent it is applicable) as being appropriately reflected in the City Plan, except for the following State interests.

- State interest – Natural hazards, risk and resilience – The bushfire prone area in the planning scheme does not reflect the State mapping layer.
- State interest – Strategic airports and aviation facilities – The building restricted area is not identified in the planning scheme.

The abovementioned State interests are not applicable to the site or the assessment of the development and therefore a separate assessment against the State Planning Policy is not applicable in this instance.

5.1.5 South East Queensland Regional Plan

The South East Queensland Regional Plan 2023 (the Regional Plan) provides a sustainable growth management strategy for the region that articulates strategic direction and certainty that will accommodate an increase in population in South East Queensland.

As prescribed in Section 26(2)(a)(i) of the Planning Regulation, the Regional Plan represents an assessment benchmark and the assessment manager must have regard to the regional plan, if it is not identified as being appropriately reflected in the planning scheme.

The Regional Plan includes five (5) overarching “goals” as part of a 50-year vision being the following:

- Grow – Sustainably accommodating a growing population;
- Prosper – A globally competitive economic powerhouse;
- Connect – Moving people, products and information efficiently;
- Sustain – Promoting ecological sustainability and resilience;
- Live – Living in well-designated communities.

Whilst the 2023 SEQRP is not integrated into the City Plan. The proposed development is consistent with the “goals” identified in the Regional Plan.

The Regional Plan notably recognises the current housing supply issues faced in South East Queensland and identifies that a target of 210,800 additional homes is to be provided within the Brisbane Local Government Area from 2021 – 2046. The proposed development will contribute to the to the supply of housing in Brisbane.

The subject site is included in the area mapped as Urban Footprint, the intent of which is to accommodate a range of urban uses in the form of housing, industry, businesses, infrastructure, community facilities and well-planned urban environments. Whilst the 2023 Regional Plan has not been confirmed to be appropriately reflected in City Plan, the outcome of the proposed development is aligned with the intent of the Urban Footprint.

Of particular relevance, the Regional Plan establishes a High Amenity Areas Framework to identify locations that are highly accessible and serviced and supported by features such as activity centres, community facilities, open space and high-frequency public transport. The framework is intended to support the concentration of additional housing density and diversity in locations where these attributes can support further growth.

The Metro sub-region, within which the subject site is located, specifically identifies residential consolidation in high amenity areas, including around major urban centres and high-frequency public transport corridors, as an important component of the region's growth pattern.

Whilst the subject site is not relied upon as being formally mapped as a High Amenity Area, it exhibits a number of the key locational characteristics contemplated by the High Amenity Areas Framework, including its established urban context, proximity to services and employment opportunities, access to public transport and its relationship with established commercial and community facilities. The site therefore represents an appropriate location for additional residential development and housing choice consistent with the Regional Plan's consolidation objectives.

The proposed development accordingly supports the strategic intent of the Regional Plan by accommodating additional housing within an established and well-serviced urban area, making more efficient use of existing infrastructure and services, and supporting housing diversity in a location capable of accommodating additional residential growth.

5.2 Local Planning Framework

5.2.1 Brisbane City Plan 2014

The City Plan commenced on 30 June 2014 and is the relevant planning scheme for the assessment of development proposals within the City of Brisbane.

The City Plan version applicable at the time of this 'Other Change' application is v36.00/2026.

5.2.2 Defined Land Use

The development approval includes the following approved land uses.

Multiple Dwelling - Multiple dwelling means a residential use of premises involving 3 or more dwellings, whether attached or detached, for separate households.

Shopping centre means the use of premises for an integrated shopping complex consisting mainly of shops.

The Change Application does not propose to introduce any new land uses from the existing development approval (Council Reference: A007042924).

5.2.3 Category of Assessment

The current development approval over the site was subject to Impact Assessment procedures as the original approval was subject to Impact Assessment procedures (as a result of building height exceeding four (4) storeys in the District Centre Zone).

The proposed development will continue to be subject to Impact Assessment.

For further detail regarding the relevant category of assessment triggers and relevant assessment benchmarks please refer to **Table 5**.

Table 5 – Categories of Development and Assessment			
Use	Application Triggers	Category of Assessment	Assessment Benchmarks
District Centre Zone			
Multiple Dwelling	MCU for Multiple Dwelling where greater than the 4 storey building height identified for the District Zone Precinct.	Impact Assessment	Centre or mixed use code District centre zone code Multiple Dwelling code Filling and excavation code Infrastructure design code Landscape work code Outdoor lighting code Stormwater code Transport, access, parking, and servicing code
Neighbourhood Plan			
N/A			

Table 5 – Categories of Development and Assessment			
Overlays			
Airport Environs	Material Change of Use	Code Assessment	Airport Environs Overlay Code
Bicycle Network	Material Change of Use and Reconfiguring of Lots	Code Assessment	Bicycle Network Overlay Code
Community Purposes Network	Not Applicable		
Critical Infrastructure and Movement Network	Not Applicable		
Road Hierarchy	Material Change of Use and Reconfiguring of Lots	Code Assessment	Road Hierarchy Overlay Code
Streetscape Hierarchy	Material Change of Use and Reconfiguring of Lots	Code Assessment	Streetscape Hierarchy Overlay Code

A summary of the proposed development's compliance with the abovementioned assessment benchmarks is set out within **Section 5.3** of this report. A detailed assessment is provided within **Appendix B** of this Development Application.

5.2.4 Strategic Framework

The City Plan includes a Strategic Framework which sets the policy direction for the planning scheme. The Strategic Framework includes five themes, the most relevant of which are the "Brisbane's globally competitive economy" theme, "Brisbane's outstanding lifestyle" theme and "Brisbane's CityShape" theme. The CityShape theme identifies a broad land use pattern for the city. The subject site is identified as being within the Suburban Living Precinct.

Consistent with the development approval the Change Application will continue to comply with the Strategic Framework for the reasons set out below.

In responding to these aspects of the Strategic Framework, the Applicant notes the following.

- The development provides residential accommodation within close proximity of business activities, retail, personal and community services and facilities. The additional eight (8) units further support this Strategic Outcome; (Strategic Outcome (1)(b) under Theme 1).
- The development supports the evolution of the Stafford Heights District Centre, providing residential accommodation that will diversify the role and function of the centre (Land use strategy L3.4, Element 1.3 of Theme 1).
- The proposed development supports infill and urban consolidation, providing residential accommodation in a location that is afforded with access to goods, services, public transport and community facilities and to support local businesses (Strategic Outcome (1)(h) under Theme 2).
- The proposed development supports housing choice and diversity by providing medium density residential accommodation in an area that is predominately characterised by low density residential housing. The development will respond to the different housing needs of the community and provide additional residential unit accommodation options to the predominantly low density residential neighbourhood (Strategic Outcome (1)(g) under Theme 2 – Section 3.4.1 and Specific Outcome SO2, Element 2.2 of Theme 2).
- The proposed development encourages growth within a District Centre supporting a medium density residential outcome that is reflects the site's context, (Specific Outcome SO1, Element 5.5 of Theme 5).

- The proposed development continues to support and further enhance the role and function of the District Centre as a nodal point, offering additional, well-designed residential accommodation as part of an approved development, consistent with the overall outcomes of the zone (Land use strategy L5.1, Element 5.5 of Theme 5).
- The scale of the proposed development responds to the site's zoning and Specific Outcome SO5, which acknowledges that District Centres will accommodate slightly higher densities than surrounding neighbourhoods. The proposed additional yield as part of an approved development continues to remain consistent with this Specific Outcome (Specific Outcome SO5, Element 5.5 of Theme 5).
- The development provides sufficient car parking to protect the traffic functions and streetscape of the road network and encourage public and active transport (Specific Outcome SO5, Element 4.1 of Theme 4).
- The proposed change is carefully designed to contribute to sense of place and protect local attributes, values and features (Land Use Strategy 5.2, Element 2.1 of Theme 2).
- The built form, siting and design of the development continues to promote a subtropical urban design and living outcome for the occupants of the building (Land Use Strategy 7, Element 2.1 of Theme 2).

5.2.5 Zone

The City Plan includes the site in the District Centre (District) Zone. The purpose of the District Centre (District) Zone is as follows:

“(a) Development ensures an intensity and form that maintains a human scale, respects existing heritage, character and grain and is of a height that complements surrounding residential areas.

(b) Development creates a centre which provides localised access to goods and services.

(c) Development provides for a medium rise built form of a height similar to surrounding residential areas.”

A detailed response to the above overall outcomes of the District Centre (District) Zone is included within **Appendix A** of this Assessment.

5.2.6 Overlays

The City Plan includes a number of overlays which provide additional information in relation to state and local interests. The site is subject to the following overlay designations outlined within **Table 6**.

Overlay	Sub-category
Airport environs overlay	• OLS – Horizontal limitation surface boundary • PANS – Procedures for air navigation surfaces • BBS Zone – Distance from airport 8-13km
Bicycle Network overlay	• Secondary Cycle Route (Appleby Road)
Community purposes network overlay	
Critical infrastructure and movement network overlay	• Critical infrastructure and movement planning area sub-category
Road Hierarchy Overlay	• Suburban Road (Appleby Road) • Neighbourhood Road (Maryland Street and Springvale Street)
Streetscape Hierarchy Overlay	• Centre Street Minor (all frontages)

5.2.7 Applicable Assessment Benchmarks

The assessment benchmarks and their applicability to the assessment of the “Other Change” is identified in the table below. The assessment benchmarks are applicable to the extent they are relevant to assessing and deciding the Change Application in the context of the development approval.

Table 7 – Assessment Benchmarks	
Assessment Benchmark	Applicability
Primary Codes	
Centre or Mixed-Use Code	Applicable – Refer to the response in Section 5.2.9.2 . A tailored response to the code has been provided which has regard to the scope of proposed changes contained in this Other Change Application
Multiple Dwelling Code	Applicable – Refer to the response in Section 5.2.9.3 . A tailored response to the code has been provided which has regard to the scope of proposed changes contained in this Other Change Application
Zone Code	
District Centre (District) Zone	Applicable – Refer to the response in Appendix B . A tailored response to the code has been provided which has regard to the scope of proposed changes contained in this Other Change Application
Secondary Codes	
Filling and Excavation Code	Not Applicable – The original development approval demonstrated compliance with the Filling and Excavation Code. The proposed changes maintain the approved extent of excavation, albeit not as deep as the approval. On the basis that the development does not propose any additional excavation it is not necessary to provide a further assessment against the Filling and Excavation Code.
Infrastructure Design Code	Not Applicable – The original development approval demonstrated compliance with the Infrastructure Design Code. The proposed changes do not alter the approved infrastructure connections and for this reason it is not necessary to provide a further assessment against the Infrastructure Design Code.
Landscape Work Code	Applicable – Refer to the Landscape Concept Plans provided by Andrew Gold Landscape Architects within Appendix D .
Outdoor Lighting Code	Not Applicable – The original development approval demonstrated compliance with the Outdoor Lighting Code. The proposed changes will not alter the approval's compliance with the Outdoor Lighting Code and for this reason an assessment against this code is not provided with this application.
Stormwater Code	Not Applicable – The original development approval demonstrated compliance with the Stormwater Code. The proposed changes do not alter the approved stormwater outcome and for this reason it is not

Table 7 – Assessment Benchmarks	
	necessary to provide a further assessment against the Stormwater Code.
Transport, Access, Parking and Servicing Code	Applicable – Refer to the response provided by ITE Consulting within Appendix E .
Overlay Codes	
Airport Environs Overlay Code	Not Applicable – The original development approval demonstrated compliance with the Airport Environs Overlay Code. The proposed changes will not alter the approval's compliance with the Airport Environs Overlay Code and for this reason an assessment against this code is not provided with this application.
Bicycle Network Overlay	Not Applicable – The original development approval demonstrated compliance with the Bicycle Network Overlay Code. The proposed changes will not alter the approval's compliance with the Bicycle Network Overlay Code and for this reason an assessment against this code is not provided with this application.
Community Purposes Network Overlay	Not Applicable – The development does not require assessment against the Community Purposes Network Overlay Code.
Critical Infrastructure and Movement Network	Not Applicable – The development does not require assessment against the Critical Infrastructure and Movement Network Overlay Code.
Road Hierarchy Overlay Code	Not Applicable – The original development approval demonstrated compliance with the Road Hierarchy Overlay Code. The proposed changes will not alter the approval's compliance with the Road Hierarchy Overlay Code and for this reason an assessment against this code is not provided with this application.
Streetscape Hierarchy Overlay Code	Not Applicable – The original development approval demonstrated compliance with the Streetscape Hierarchy Overlay Code. The proposed changes will not alter the approval's compliance with the Streetscape Hierarchy Overlay Code and for this reason an assessment against this code is not provided with this application.

The development's compliance with the applicable provisions, as identified in the table above, are discussed in **Section 5.2** below.

5.2.8 Infrastructure Charges Matters

Based on Council's Adopted Infrastructure Charges Resolution (No.15) 2026 the following demand and credit units for the Local Government Adopted charges are identified as applying to the development.

Pursuant to Section 119 of the Planning Act if an approval is given for a change application for which an infrastructure charges notice has been given, the local government may give an amended infrastructure charges notice. However, the amended infrastructure charges notice may only relate to the change to the development approval.

Table 8 – Infrastructure Charges Calculation					
Use		Local Government Adopted Charge	Unit	Demand	Credit
Multiple Dwelling	One or two bedroom unit (Res 14)	\$12,875.92	37 units	\$476,409.04	-
	One or two bedroom unit (Res 13)	\$12,167.49	2 Units	\$24,334.98	-
	One or two bedroom units (Res 15)	\$13,423.83	8 units	\$107,390.64	
Veterinary Service - Res 13	-	\$126.54	544m ²	-	\$68,837.76
Impervious Area (stormwater) – Res 13	-	\$12.16	1,267m ²	-	\$24,437.82

5.2.9 Compliance Summary

The following sections provide an assessment against the relevant Overall Outcomes and Performance Outcomes under the assessment benchmarks, as identified in Section 5.2.4 of this report.

Importantly, the below compliance summary assessment has been contained to the scope of changes which are applicable to this Other Change application, which are, in particular the additional residential storey on the upper level

5.2.9.1 District Centre Zone Code

The proposed development, consistent with the development approval, complies with the relevant Overall Outcomes of the District Centre Zone Code.

For a detailed response to the District Centre Zone Code please refer to **Appendix B**.

5.2.9.2 Centre or Mixed Use Code

The proposed changes involve a new residential storey above approved Level 04. The assessment of the proposed change against the Centre or Mixed Use Code has been limited to the assessment benchmarks relevant to the proposed change, noting that the proposed development continues to comply with most of the applicable Acceptable Outcomes and all of the Performance Outcomes in the Centre or Mixed Use Code.

Alternate solutions are sought in regards to Building Height (**AO22**), Front Setbacks (**AO24**) and Building Height Transition (**AO23.2**).

Building Height and Transition

The existing development approval has a building height of four (4) to six (6) storeys, with the greater height presenting to Appleby Road and internally to the shopping centre and the four (4) storey outcome interfacing to Springvale Street and Maryland Street.

The proposed additional storey increases the building height to five (5) to seven (7) storeys.

The City Plan identifies the following building height Acceptable Outcomes for the site.

- Acceptable Outcome AO22 seeks a maximum building height of five (5) storeys.
- Acceptable Outcome AO23.1 seeks development to provide a building height transition where located fronting a minor road and opposite land in the Low Density Residential Zone. Development within 10m of the front boundary is sought to have a building height no more than two (2) storeys greater than the acceptable outcome (2 storeys) for the Low Density Residential zone.

The proposed additional residential level provides an appropriate response to the intended intensity of development within the District Centre Zone and the context of the site. The proposal makes more effective use of the site's capacity, responds to the identified need to facilitate additional housing supply within an established centre location, while retaining the architectural character, built form and site planning approach of the approved development.

The proposed building height is appropriate and complies with Performance Outcome PO22 and PO23 for the reasons set out below.

- The additional storey is appropriate having regard to the current site and planning context, as summarised below.
 - The site forms part of an existing established District Centre, which includes a mix of existing retail and commercial services, access to public transport and proximity for key employment nodes.
 - The site also benefits from a highly accessible public transport location, with bus stops immediately adjoining the Appleby Road frontage providing high-frequency services at approximately 10 –15 minute intervals, together with additional services available along Rode Road.
 - The provision of additional housing in this location supports the efficient use of existing infrastructure and services and contributes to the delivery of additional housing supply in a well located and serviced urban area.
 - The site is well positioned to accommodate additional residential density without adverse amenity impacts to the surrounding context (discussed below), noting that because of the established nature of the centre there is limited opportunity for a broader medium density redevelopment outcome, and hence it is appropriate for it to be located in key parts of the centre to advance the overall purpose and outcomes of the zone.
 - Brisbane City Council is focussed on increasing residential density within major and district centres as a way of delivery well-located and serviced dwellings and minimising the sprawl and increased densities within more traditional low density residential areas.
 - The proposed multiple dwelling use will contribute to the housing diversity and choice within Stafford Heights, which is predominately characterised by low density residential housing. The provision of medium density residential units will offer housing choice to different households, life stages and income levels and allow people to support their local economies, services and businesses.
- Whilst the development is described as having a building height of five (5) to seven (7) storeys the additional level has been designed to be coherent with the existing approval, respect its context

and limit its presentation to Springvale Street and Maryland Street (the frontages that are opposite land in the Low Density Residential Zone).

- Level 5 has a scale that is coherent with the scale of the approved development. The existing development approval has a roof level of RL60.4m plus building services and a lift overrun, which had an overall scale between RL63.5m and RL64.4m

Under the proposal Level 5 has a scale of RL60.4m and the overall building has a roof level of RL63.6m, which is coherent with the approval. **Figure 6** illustrates the coherence in the building scale between the approved and proposed development.



Figure 6 – Approved and proposed building scale (Source: Gatehouse Architects)

- The position of level 5, relative to the approved tower form, is appropriate and has had regard to its immediate context and interfaces. The additional level level is pulled towards the centre of the site and the Appleby Road frontage and is setback from the approved levels below.
- To Maryland Street the building line is setback 10.05m from the boundary and to Springvale Street balconies are setback 7m and a variable setback between 8 – 10m is proposed to the building line. Refer to **Figure 7**.

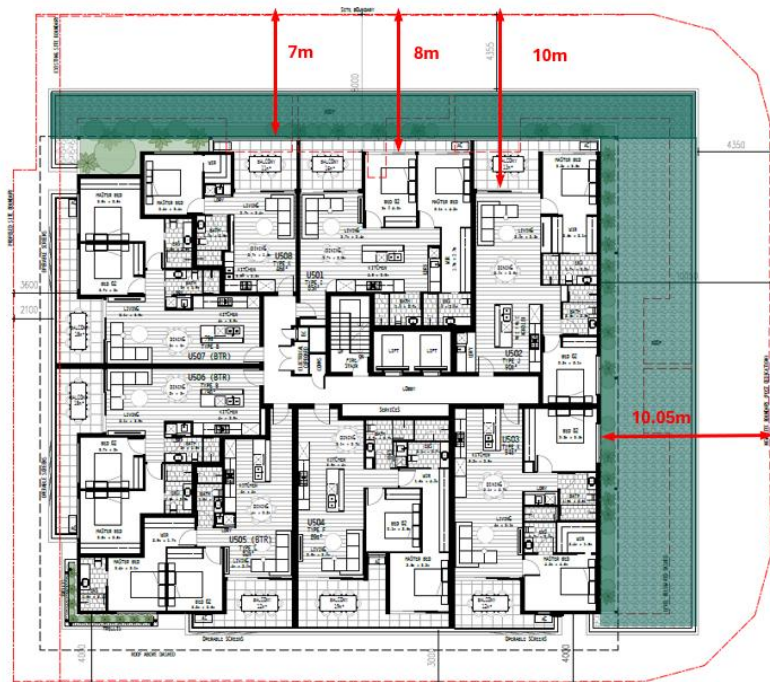


Figure 7 – Increased Setback from Level Below Identified in Green (Source: Gatehouse Architects)

- The recess to Maryland Street and Springvale Street reduces the visibility of the additional storey from both of these frontages, maintaining the four (4) storey presentation that is under the approval and responds to the building height transition provision.
- **Figure 8** illustrates the presentation of level 5 to both Maryland Street and Springvale Street and demonstrates that the proposed development remains comparable to the approved development. The architectural form remains consistent with the approved scheme and the additional level is visually integrated into the approved building envelope and presents as a roofcap when viewed from the street. Accordingly, the new level maintain the four (4) storey presentation to both frontages.



Current Approval



Proposed

Figure 8 – Visual Comparison: Illustrative Human Perspective from Maryland Street/Springvale Street Intersection (Source: Gatehouse Architects)

- To support the additional building height Gatehouse Architects have prepared comparative shadow diagrams (refer to **Appendix C**) that demonstrate the following.
 - The shadow cast by the proposed development are coherent with the development approval.

- The proposal facilitates fast-moving shadows, with adjoining development maintaining access to sunlight throughout the day.
- The diagrams show that there is no scenario whereby the houses on the opposite side of Maryland Street are affected by shadow cast by the development (either the approval or proposal).
- There is a limited circumstance (i.e. winter solstice 3pm) where a shadow is cast over the dwelling houses opposite the site on Springvale Street. The shadow cast by the proposal and approval is coherent.

Having regard to the comparative shadow diagrams the additional storey will not result in an adverse amenity impact on the immediate context.

The development's compliance with **PO22** and **PO23**, is set out below.

- The development is proportionate to and commensurate with the utility and site area, which is demonstrated by the proposals ability to provide adequate on-site services including car parking, vehicle access and servicing, landscaping, private open space and communal open space.
- The scale of the development reinforces the preferred city-wide form, which includes concentrating residential density within well-located and serviced district centres, such as the Stafford Heights District Centre.
- The proposed development represents a medium density scale, consistent with the Overall Outcomes of the Zone.
- The topography of the site and the deliberate positioning of the built form delivers a sensitive transition in building height, focussing the building height to Appleby Road and immediately adjoining the existing shopping centre and mediating the scale to the Low Density Residential Zone.
- The broader District Centre Zone has the same medium density development opportunities, which over time will create a coherent centre outcome.
- The Applicant's engineer has confirmed that there is sufficient infrastructure capacity to support the proposed development.
- The site is not mapped as being within a significant view corridor and therefore the scale of the proposed development will not impact on view points or corridors.
- The site is not located adjacent to a key public space and therefore will not impact on access to natural light.
- The recessed position of Level 5 will minimise any potential overlooking and privacy concerns and ensure that the development is not overbearing on the streetscape (refer to **Figure 8**).
- As demonstrated by the shadow diagrams the additional level will not have an adverse impact on access to nature light in the immediate context.

Having regard to the response provided in **Appendix A** the proposed development complies with the Performance Outcomes, Overall Outcomes and Purpose of the Centre or Mixed Use Code.

A detailed assessment of the Centre or Mixed Use Code is provided in **Appendix B**.

Setbacks (Appleby Road)

As discussed in this report no changes are proposed to the setbacks of the current development approval, noting that Level 4 to Appleby Road represented an alternative outcome that was accepted by Council

Proposed level 5 provides a 3m – 4m front setback to Appleby Road, consistent with the approved levels below and therefore proposes the same alternative outcome to the approved setback at level 4 to Appleby Road.

The development proposes to maintain the setback pattern to Appleby Road for the following reasons.

- Appleby Road is the higher order frontage and is classified as a suburban road.
- The frontage does not have a sensitive interface to a lower intensity residential area.
- The setback achieves an integrated and coherent built form and design response that maintains the same architectural language, façade articulation and balcony treatment as the approved development. Accordingly, the proposal maintains a consistent streetscape presentation and reinforces the established character and form of the development.
- The setback does not represent a dominant or overbearing outcome to the street, noting that the scale is coherent with the approval. Please refer to the building height discussion above and illustrated in **Figure X**.



Figure 9 – Visual Comparison: Approved and Proposed Elevations (Appleby Road) (Source: Gatehouse Architects)

The proposed setback therefore provides an appropriate interface with the Major Road frontage, which is capable of accommodating a greater intensity of built form without adverse amenity or character outcomes in the streetscape. The development continues to provide an appropriate separation between the building and the public realm, with the existing landscaped setback, deep planting and street trees retained and additional planting proposed along the Appleby Road frontage.

Accordingly, the proposed development achieves **PO24** of the Centre or Mixed Use Code.

5.2.9.3 Multiple Dwelling Code

The proposed development complies with most of the applicable Acceptable Outcome and Performance Outcomes (where previously approved by Council) in the Multiple Dwelling Code. The proposed changes involve a new residential storey above Level 04. The code assessment has been contained to the extent of the changes proposed as part of this Other Change application. Alternate solutions are provided for Building Height, Building Height Transition and Setbacks (Appleby Road frontage).

Refer to the corresponding responses above in Section 5.2.9.2 – Centre or Mixed use Zone regarding the alternate solutions sought.

A detailed assessment of the Multiple Dwelling Code is provided in **Appendix B**.

5.2.9.4 Landscape Work Code

The proposed development complies with the applicable Acceptable Outcomes and Performance Outcomes (where previously approved by Council) in the Multiple Dwelling Code. The proposed changes do not introduce a new performance outcome from this code.

Please refer to the Landscape Concept Plan, prepared by Andrew Gold Landscape Architecture and included in **Appendix D** for further details.

5.2.9.5 Transport, Access, Parking and Servicing Code

The development has been assessed against all applicable Acceptable Outcomes and Performance outcomes in accordance with the extent of the proposed changes. An alternate solution is sought regarding to the overall quantum of car parking as per the Transport, access, parking and servicing Planning Scheme Policy (**AO1**).

Car Parking Quantum

The proposed development provides **72 resident car parking spaces and 12 visitor car parking spaces** for the 47 multiple dwelling units.

The Citywide Amendment – *More Homes, Sooner – Car parking for multiple dwellings* became effective in Brisbane City Plan 2014 on 12 June 2026. The site is located within the District Centre Zone and is therefore identified as a Key Location for the purposes of the revised car parking provisions. The applicable rate for two-bedroom multiple dwellings in a Key Location is 1.2 spaces per dwelling, while the visitor parking rate is 0.25 spaces per dwelling.

On this basis, the development requires 56 resident car parking spaces and 12 visitor car parking spaces. The proposed provision of 75 resident spaces therefore **exceeds the applicable resident parking requirement by 19 spaces**. The proposed nine visitor spaces are three (3) spaces below the applicable visitor parking requirement.

The reduced visitor parking provision is appropriate having regard to the strategic location and characteristics of the site and the nature of the residential development. The site is located within the District Centre Zone, providing an established centre-based location for higher density residential development and direct access to a range of existing services and facilities. Specifically, the site immediately adjoins an established shopping centre and is located within a broader centre environment providing convenient access to retail, food and drink, commercial and other local services. The location therefore provides residents and visitors with a range of day-to-day services within convenient walking distance, reducing reliance on private vehicle trips.

The site is also well located in relation to public and active transport. Bus stops are located immediately adjoining the Appleby Road frontage, providing high-frequency services at approximately 10 – 15 minute intervals, with additional services available along Rode Road. The site is also well connected to the surrounding pedestrian and active transport network. These characteristics support the suitability of the site for additional residential intensity and a reduced reliance on private vehicle use.

This locational context is particularly relevant given the purpose of the More Homes, Sooner – Car parking for multiple dwellings amendment, which identifies Key Locations such as District Centres as appropriate locations for reduced residential car parking rates. The development already provides a substantial surplus of resident parking against the applicable rate, with 75 spaces provided where 56 spaces are required. The proposed visitor parking shortfall is therefore limited to three (3) spaces and should be viewed in the context of the site's accessibility to services, public transport and alternative modes of transport.

The Traffic Impact Assessment provides further confirmation that the proposed provision of nine visitor spaces is capable of accommodating the likely visitor demand. The assessment identifies expected simultaneous demand of approximately 4.2 spaces on a weekday and 5.6 spaces on a

weekend, with the nine spaces proposed therefore providing capacity above the forecast peak demand.

The assessment further identifies that the probability of demand exceeding the nine spaces is approximately 1% during weekday peak periods and 6% during conservative weekend peak periods. Given the short duration of visitor stays and the intermittent nature of visitor arrivals, the assessment concludes that the provision of nine visitor spaces is sufficient to accommodate realistic visitor parking demand and is unlikely to result in material overflow onto the surrounding street network.

In relation to traffic generation, the additional eight dwellings are anticipated to generate only a minor increase in traffic compared with the approved development. The Traffic Impact Assessment identifies an additional five vehicles during the AM peak hour and three vehicles during the PM peak hour. This equates to approximately one additional vehicle on the surrounding road network every 2.3 minutes and the assessment concludes that the additional traffic generation is insignificant and will have no impact on external intersection operations.

The approved vehicular access arrangements are maintained, including access from Springvale Street and the existing access arrangement associated with Appleby Road. The additional residential level does not require any change to the approved access or servicing arrangements.

On balance, the proposed parking outcome provides a substantial surplus of resident parking above the applicable statutory requirement, while the reduced visitor parking provision remains capable of accommodating the anticipated peak visitor parking demand having regard to the site's District Centre location, proximity to services and facilities, accessibility to high-frequency public transport.

Accordingly, the proposed development achieves the relevant Performance Outcome of the Transport, Access, Parking and Servicing Code.

Please Refer to the revised Traffic Impact Assessment (**Attachment E**), prepared by ITE Consulting for further details regarding the proposed car parking arrangement.

6 Conclusion and Recommendations

This Town Planning Assessment in respect of the proposed Change Application (Other Change) for the development approval at 45 Maryland Street and Rode Road, Stafford Heights, has assessed the proposed changes having regard to the relevant statutory town planning framework for a Change Application.

Our assessment of the proposed change demonstrates that the change application ought to be approved by Brisbane City Council, as the responsible entity, having regard to the relevant matters prescribed in section 82 of the Planning Act, against which an Other Change application is required to be assessed.

We recommend that the Change Application be approved, with the drawings and documents, conditions and infrastructure charges notice updated as per the recommendations identified within this Town Planning Assessment.

Disclaimer

Mewing Planning Consultants prepared this report for the applicant stated in the report, for the purpose of the development application and not for any other purpose or use.

This report incorporates and relies upon information and assessment up to the date of preparation of this report and excludes any information arising, or event occurring, after that date which may affect the validity of the opinion of Mewing Planning Consultants stated in this report.

In preparing this report, Mewing Planning Consultants 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 information and recommendations contained in or associated with this report are made in good faith and on the basis of information supplied to Mewing Planning Consultants at the date of this report, and upon which Mewing Planning Consultants relied.

Whilst Mewing Planning Consultants 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. Mewing Planning Consultants is not liable for any errors or omissions, including in information provided by another person or company.