



Brisbane City Council RiskSMART Report

Report summary

This report is submitted on behalf of *Jianfeng Mo & Yanfen Zhou* in support of the proposed Reconfiguring a Lot (1 into 2 lots) upon land at 35 Kuring-Gai Avenue, Tarragindi QLD 4121, more formally described as Lot 13 on RP86009.

The application addresses all relevant town planning requirements associated with the current proposal. It addresses the merits of the proposed development with regards to the provisions of the *Brisbane City Plan 2014* and the relevant *State Planning Provisions* and the assessment and decision-making rules under the *Planning Act 2016*.

The proposed development is considered to achieve the intent of the Low density residential zone as it will provide suitably sized allotments that will retain the existing dwelling whilst accommodating sufficient size and space for a new Dwelling on the rear lot. Furthermore, the proposal has taken into account key site particulars such as vehicle access, civil connections, natural topography and site hydraulics. The subdivision plan has been refined to reflect the requirements of the City Plan and its key assessment benchmarks.

Overall, the proposal is identified as meeting the relevant requirements of the *Brisbane City Plan 2014*. As such, the application should be approved subject to reasonable and relevant conditions.

Site details

Applicant name	Jianfeng Mo & Yanfen Zhou C/- Amelior Development Services
Report prepared by	Phillip Ng
Site address	35 Kuring-Gai Avenue, Tarragindi QLD 4121
Real Property Description (RPD)	Lot 13 on RP86009
Site area	607m ²
Zone and precinct	Low Density Residential Zone
Neighbourhood plan and precinct	Holland Park-Tarragindi district neighbourhood plan
Relevant overlays	<ul style="list-style-type: none">• Airport environs overlay;• Community purposes network overlay;• Critical infrastructure and movement network overlay;• Dwelling house character overlay;• Industrial amenity overlay;• Road hierarchy overlay;• Streetscape hierarchy overlay;• Transport noise corridor overlay.

Aspects of development

Type of development	Reconfiguring a Lot
Proposed use as defined by <i>Brisbane City Plan 2014</i>	Subdivision – 1 into 2 lots
Brief description of proposal	Reconfiguration of a Lot – 1 into 2 lots
Referral agencies	No.
Specialists reports provided	Subdivision Plan prepared by <i>Survey 360</i> Civil Engineering Report prepared by <i>Civil Works Engineers</i>
Pre-Lodgement advice/RiskSMART enquiry advice	No.

1. SITE LOCATION AND BACKGROUND REVIEW

1.1 SITE DETAILS

Site address:	35 Kuring-Gai Avenue, Tarragindi QLD 4121
RPD:	Lot 13 on RP86009
Site area:	607m ²
Zone:	Low Density Residential Zone
Neighbourhood Plan:	Holland Park-Tarragindi district neighbourhood plan

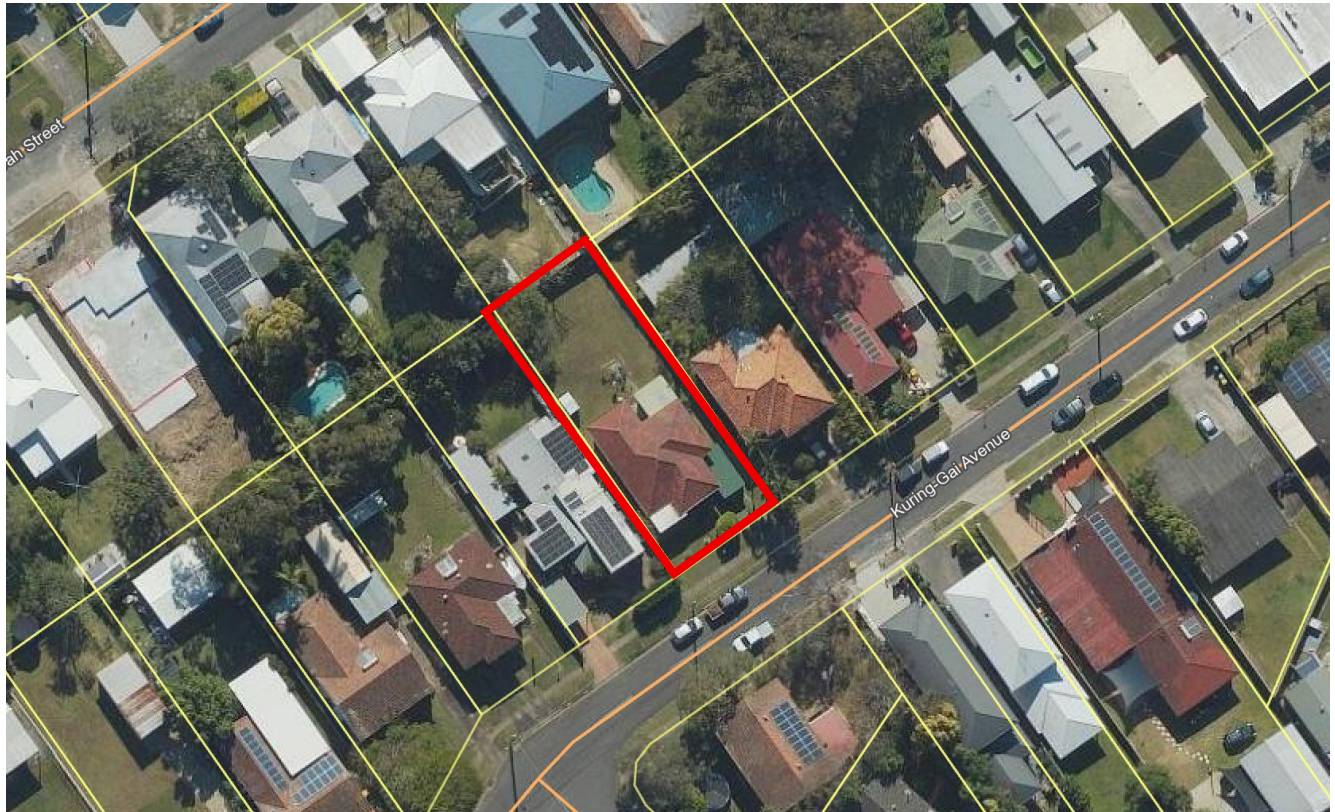


Figure 1: Aerial Photograph of Subject Site

The subject site comprises of a rectangular configuration encompassing a total area of 607m². The site benefits from a frontage to Kuring-Gai Avenue of approximately 15m. The site currently achieves access via a single driveway.

Vegetation

The subject site is not mapped within the Biodiversity overlay and does not contain any significant vegetation protected by local laws or conditions relating to recent development history.

Infrastructure

The subject site is located within an established area. As such, adequate access to all necessary services, including Council's reticulated water supply, electricity, sewer, telecommunications and transport can be achieved. Please refer to the Civil Engineering Report prepared by *Civil Works Engineers* for further detail.

Topography

The subject site contains a minor topographical variance ranging from 29.5m AHD from the rear boundary to 27m AHD along the front.

Flooding

The subject sites are not affected by flooding from any source.

Easements

The subject site is not encumbered by easements.

1.2 SITE HISTORY

The subject site is currently improved by a Dwelling house which is to be retained as part of the subdivision.

A search of Council's records indicates that there are no relevant development approvals or applications over the subject site.

1.3 SURROUNDING DEVELOPMENT IN THE LOCALITY

The subject site is located on land at 35 Kuring-Gai Avenue, Tarragindi QLD 4121, and more particularly described as Lot 13 on RP86009

Under the City Plan, the subject site is identified as being contained within the Low density residential zone. As illustrated within Figure 2 below, the surrounding locality is predominately characterized within Low density residential zone.



Figure 2: Brisbane City Plan 2014 – Zone Map

1.4 SITE PHOTOS

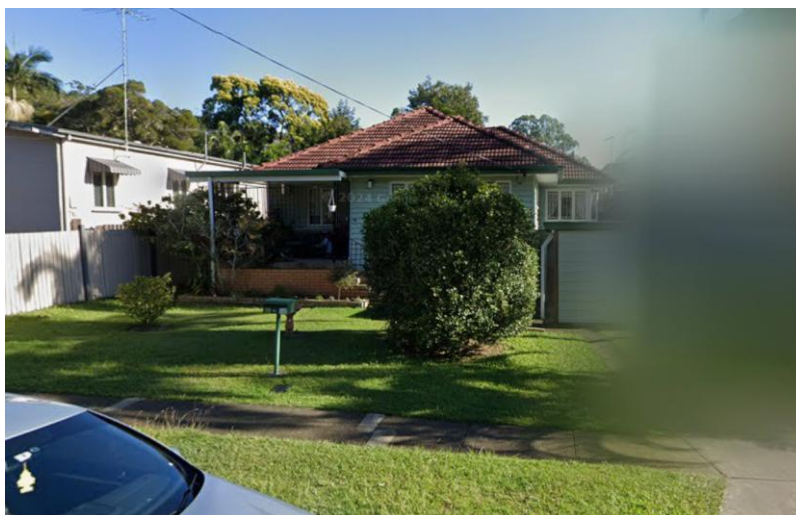


Figure 3: Recent Site Photos

2.1 KEY DETAILS – RECONFIGURING A LOT

Proposed lot sizes	Lot 1: 304m ² Lot 2: 304m ²
Proposed lot dimensions	Lot 1: 7.5m x 40m (average) Lot 2: 7.5m x 40m (average)
Servicing requirements	Sufficient frontage and verge width to cater for kerbside collection
Access arrangements / crossover	Lot 1: New crossover Lot 2 : New crossover
Existing/Proposed built improvements	Existing dwelling house to be removed
Lawful point of discharge	Lawful point of discharge to the kerb
Removal of street trees	N/A
Filling and/or cutting	N/A
Distance from fire hydrant (rear lot subdivision only)	No rear lot proposed
Current verge width	Minimum 3.75m verge width is achieved in accordance with the Streetscape hierarchy overlay code
Width and quality of existing footpath (where relevant)	Existing 1.2m footpath in good quality
Minimum Flood levels (if applicable)	N/A
Other key details relevant to this development proposal (e.g. distance to centre zone or acid sulfate soil)	108m walking distance to neighbourhood centre with a size greater than 2,000m ²

2. ASSESSMENT BENCHMARKS AND COMPLIANCE

The *Planning Act 2016* which replaced the *Sustainable Planning Act 2009 (SPA)* on the 3 July 2017 provides the statutory planning framework for the State of Queensland.

As outlined within the *Planning Act 2016* all Local Government Areas must prepare *Planning Act 2016* compliant Planning Schemes that advance the purpose of the Act. It is noted that the *Brisbane City Plan 2014* was prepared in accordance with *Sustainable Planning Act 2009*. On 3 July 2017 a major amendment became effective to align *Brisbane City Plan 2014* with the *Planning Act 2016* (under the Alignment amendment rules made by the Planning Minister under section 293 of the *Planning Act 2016*).

The proposal will be assessed in accordance with the Development Assessment Rules under section 68(1) of the *Planning Act 2016*.

3.1 SOUTH EAST QUEENSLAND REGIONAL PLAN

The subject site is identified within the Urban Footprint designation of SEQ Regional Plan 2017. Land within the Urban Footprint is intended to incorporate the full range of urban uses including housing, industry, business, infrastructure, community facilities and other integral components of well-planned urban environments, such as local areas for sport and recreation and urban open space. The proposal is consistent with the intent of the Regional Plan.

3.2 STATE PLANNING POLICY

The State Planning Policy is identified in the *Brisbane City Plan 2014* as being appropriately integrated, excluding the following policies:

- State Interest – Natural hazards, risk and resilience; and
- State Interest – Strategic airports and aviation facilities.

As such, the State interest policies and assessment benchmarks are addressed below.

CATEGORY OF ASSESSMENT	RESPONSE	COMPLIANCE
SAFETY AND RESILIENCE TO HAZARDS		

CATEGORY OF ASSESSMENT	RESPONSE	COMPLIANCE
Natural hazards, risk and resilience	The proposal is appropriately designed and located to mitigate any potential risks or damages from natural hazards.	✓
INFRASTRUCTURE		
Strategic airports and aviation facilities	The proposal will maintain the safety, efficiently and operational integrity of strategic airports.	✓

3.3 TEMPORARY LOCAL PLANNING INSTRUMENTS

The subject site is not encumbered by a temporary local planning instrument. As such, this element of the report is not applicable.

3.4 REFERRAL AGENCIES

As of 3 July 2017, the Department of State Development, Infrastructure and Planning launched the State Assessment and Referral Agency (SARA). In accordance with the *Planning Act 2016*, a Referral Agency is responsible for the assessment of development application.

In accordance with the *Planning Regulation 2017*, the application does not trigger referral to the State Assessment and Referral Agency.

3.5 BRISBANE PLANNING SCHEME AND PLANING SCHEME POLICIES

Under the *Brisbane City Plan 2014*, the site is identified as being contained within the Low density residential zone and the Holland Park-Tarragindi district neighbourhood plan. Additionally, the site is in the following overlays:

- Airport environs overlay
- Community purposes network overlay
- Critical infrastructure and movement network overlay
- Dwelling house character overlay
- Industrial amenity overlay
- Road hierarchy overlay
- Streetscape hierarchy overlay
- Transport noise corridor overlay

CATEGORY OF ASSESSMENT	
ZONE	
LOW DENSITY RESIDENTIAL ZONE	
Code assessable	<p>In accordance with Section 5.6 – Level of assessment for Reconfiguring a lot, Impact assessment is triggered for the Low density residential zone if a Reconfigured lot is:</p> <ul style="list-style-type: none"> a) less than 300m², where any part of the lot frontage is within 200m walking distance of any part of the lot frontage of a site or sites in a zone in the centre zones category with a combined site area of more than 2,000m²; or b) less than 400m², where any part of the lot frontage is greater than 200m walking distance of any part of the lot frontage of a site or sites in a zone in the centre zones category with a combined site area of more than 2,000m²; or c) less than 600m², where a rear lot

CATEGORY OF ASSESSMENT	
	The subject site is located within 200m walking distance of a centre zone category with a lot size greater than 2,000m ² . As such, the application triggers Code assessment.
NEIGHBOURHOOD PLAN	
HOLLAND PARK – TARRAGINDI DISTRICT NEIGHBOURHOOD PLAN	
No Change	In accordance with Table 5.9.29.B – Holland Park-Tarragindi district neighbourhood plan, a Reconfiguration of a Lot reflects no change to the level of assessment where assessable development not listed in the table.
OVERLAYS	
AIRPORT ENVIRONS OVERLAY	
Not applicable	In accordance with Table 5.10.2 – Level of assessment for Airport Environs Overlay, a Reconfiguration of a Lot is not listed. As such, the Airport Environs Overlay code is not applicable to the application.
COMMUNITY PURPOSES NETWORK OVERLAY	
Code assessable	In accordance with Table 5.10.7A – Community Purposes Network Overlay, the Reconfiguration of a Lot triggers Code Assessment. As such, the Community Purposes Network Overlay Code is addressed as part of this application.
CRITICAL INFRASTRUCTURE AND MOVEMENT NETWORK OVERLAY	
Not applicable	In accordance with Table 5.10.8 – Level of Assessment for Critical Infrastructure and Movement Network Overlay, the Reconfiguration of a Lot is not listed in the table. As such, there is no change to the level of assessment and the application is not assessable against the Critical Infrastructure and Movement Network Overlay Code.
DWELLING HOUSE CHARACTER OVERLAY	
Not applicable	In accordance with Table 5.10.9 – Level of Assessment for Dwelling house character overlay – the Reconfiguration of a Lot is not listed in the table. As such, there is no change of the level of assessment and the application is not assessable against the Dwelling house character overlay code.
INDUSTRIAL AMENITY OVERLAY	
Code assessable	In accordance with Table 5.10.13 – Level of Assessment for Industrial amenity overlay, the Reconfiguration of a Lot triggers code assessment. As such, the Industrial amenity overlay code is addressed as part of this application.
ROAD HIERARCHY OVERLAY	
Code assessable	In accordance with Table 5.10.18 – Level of Assessment for Road Hierarchy Overlay, the Reconfiguration of a Lot triggers code assessment. As such, the Road Hierarchy Overlay Code is addressed as part of this application.
STREETSCAPE HIERARCHY OVERLAY	
Code assessable	In accordance with Table 5.10.20 – Level of Assessment for Streetscape Hierarchy Overlay, the Reconfiguration of a Lot triggers code assessment. As such, the Streetscape Hierarchy Overlay Code is addressed as part of this application.
TRANSPORT NOISE CORRIDOR OVERLAY	
Not Applicable	In accordance with Table 5.10.23 – Level of Assessment for Transport Noise Corridor Overlay, the Reconfiguring a Lot is not listed in the table. As such, there is no change to the level of assessment and the application is not assessable against the Transport noise corridor overlay code.

Pursuant to Section 53 of the *Planning Act 2016*, this application is to be assessed using the Code Assessment procedure of the Development Assessment Rules (DA Rules) and does not require public

notification. In accordance with Part 5 of the *Brisbane City Plan 2014*, the following Codes are identified as being applicable to the proposal:

APPLICABLE CODE	
Zone code	Low density residential zone code
Neighbourhood Plan Code	Holland Park-Tarragindi district neighbourhood plan code
Use code	Subdivision code
Overlay code	Community Purposes Network Overlay Code Industrial amenity overlay code Road Hierarchy Overlay Code Streetscape Hierarchy Overlay Code
Prescribed secondary codes	Filling and excavation code Infrastructure design code Landscape work code Outdoor lighting code Stormwater code Transport, access, parking and services code

The codes mentioned above have been addressed and can be found in Appendix 1 of this report. It is noted the following codes have been addressed in the supporting consultant reports:

- Filling and Excavation Code;
- Infrastructure Design Code;
- Stormwater Design Code.

3.5.1 JUSTIFICATION AGAINST PERFORMANCE OUTCOMES

AO11.1 Stormwater Code - Upstream Stormwater Connection

In accordance with AO11.1 of the Stormwater Code, the acceptable outcome requires the provision of an up-slope connection to cater for ultimate catchment conditions. A review of the up-slope property (24 Kogarah Street, Tarragindi) confirms that the site is located within the Low density residential zone with a lot size of 607m². Unlike the subject site, the rear property is not located within 200m walking distance of a centre with a size of 2,000m² or greater. As such, the rear property does not qualify for any further reconfiguration of a lot and the exiting conditions are considered to be the ultimate catchment conditions. As such, the provision of an up-slope connection is not necessary or applicable to the application.



Figure 5: Rear property (24 Kogarah Street) failing to meet walking distance for future subdivision

4.0 RECOMMENDATION AND CONCLUSION

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The proposed development is considered to achieve the intent of the Low density residential zone as it will provide suitably size and space for two (2) new dwelling houses over the site. Furthermore, the proposal has taken into account key site particulars such as vehicle access, civil connections, natural topography and site hydraulics. The subdivision plan has been refined to reflect the requirements of the City Plan and its key assessment benchmarks.

Overall, the proposal is identified as meeting the relevant requirements of the *Brisbane City Plan 2014*. As such, the application should be approved subject to reasonable and relevant conditions.