



**City Planning and Economic Development Services
Development Services**

Brisbane Square, 266 George Street, Brisbane Qld 4000

GPO Box 1434 Brisbane QLD 4001

T 07 3403 8888

brisbane.qld.gov.au

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25 August 2026

Mitchelton Development Pty Ltd
C/- Saunders Havill Group Pty Ltd
9 Thompson Street
BOWEN HILLS QLD 4006

ATTENTION: Grace Marchant

Application Reference: A007054790

Address of Site: 520 SAMFORD RD MITCHELTON QLD 4053

Dear Grace

RE: Information request in accordance with the Development Assessment Rules

Council has carried out an initial assessment of the above application and has identified that further information is required to progress the application to a decision.

The proposed development is categorised as Impact assessable and public notification is required to be undertaken for this development application in accordance with the Planning Act 2016. All submissions received regarding the development application will be considered as part of Council's assessment and further information or changes may be required following the completion of public notification and upon review of any submissions received.

Hours of operation

1. The proposed Food and drink outlet is located within the Low density residential zone and shares an adjoining boundary with a sensitive use. Whilst there are similar commercial uses nearby, they do not operate 24-hours a day and the proposal for 24-hour operations is not considered to be suitable or supportable for a Food and drink outlet in this location which incorporates a drive through service. Whilst a Noise Impact Assessment has been submitted and reviewed as part of the initial assessment, compliance with PO1 of the Centre or mixed use code is not considered to be met. Given the surrounding sensitive uses, there is concern that the development will produce noise that could detrimentally impact on the amenity of adjoining residents.
 - a. Revise the hours of operation for the development to between 6am and 8pm to meet AO1.1 of the Centre or mixed use code. Where any performance outcome is sought, further justification of the compliance with the performance outcome is required. Please see the below item.

Noise – Centre Emissions

2. The proposal is for a 24-hour Food and Drink Outlet and includes drive-through activities. The site is located within the Low density residential zone. AO1.1 of the Centre or mixed use code limit the use in this zoning between 6:00am and 8:00pm, and the proposal therefore needs to demonstrate compliance with PO1 of the Centre or mixed use code. A Noise Impact Assessment prepared by Assured Environmental dated 25 June 2026 has been submitted and reviewed. Despite this, compliance with PO1 of the Centre or mixed use code is not achieved as stated previously.

It is strongly recommended to amend the proposed hours of operation to be compliant with AO1.1 of the Centre or mixed use code (6:00am and 8:00pm, including for deliveries). Where any performance outcome is sought for hours outside of the aforementioned, further

information is required to demonstrate compliance with PO1 of the Centre or mixed use code in accordance with the *Noise Impact Assessment Planning Scheme Policy*.

Address the following:

- a. Demonstrate that the assessment methodology adopted within the Noise Impact Assessment is consistent with the *Noise Impact Assessment Planning Scheme Policy*, including justification for the adoption of alternative shoulder periods between 6:00am-7:00am and 6:00pm-7:00pm and any associated assessment criteria. Where necessary, provide a revised assessment.
- b. Demonstrate that the adopted receptor locations and receptor heights appropriately represent the most affected sensitive zoning and nearby sensitive uses, including development reasonably expected within the adjoining Low Density Residential Zone. Provide a revised/addendum assessment as applicable.
- c. Confirm and justify the utilisation rates, frequencies and operational assumptions adopted within the acoustic model, particularly for evening and night-time periods. Demonstrate that these assumptions, including the 20% night-time utilisation rates adopted for key drive-through activities, represent a reasonable worst-case operating scenario for the proposed 24-hour operation. Provide a revised/addendum assessment as applicable.
- d. Confirm and justify all key acoustic assumptions adopted within the assessment, including the location and orientation of drive-through speakers, building layout, screening effects, acoustic treatments and any other assumptions relied upon to achieve compliance. Demonstrate that the adopted assumptions appropriately represent a reasonable worst-case scenario for the most affected sensitive zoning and nearby sensitive uses. Where necessary, provide a revised/addendum assessment.
- e. Demonstrate that the proposed locations and acoustic performance of mechanical plant and equipment adopted within the acoustic assessment represent a reasonable worst-case scenario for the proposed development. Where compliance is reliant upon these assumptions, ensure they are clearly reflected within the report recommendations to facilitate future conditioning and ongoing compliance.
- f. Demonstrate how compliance with the adopted noise criteria is achieved, including any assumptions, mitigation measures, operational controls and design requirements relied upon within the acoustic assessment. Where compliance is reliant upon such measures, ensure they are clearly reflected within the report recommendations to facilitate future conditioning and ongoing compliance. Where compliance cannot be demonstrated, identify any additional acoustic mitigation measures, operational restrictions and/or amended operating hours required to achieve compliance.

Pedestrian access

3. The provided plans have not demonstrated pedestrian access to the proposed food outlet building, resulting in the pedestrian access being diverted through traffic and service areas, demonstrating non-compliance with PO7/AO7 of the Transport, access, parking and servicing Code.
 - a. Submit revised plans showing a dedicated pedestrian access to the main entrance provided clear of the traffic and service aisles, for pedestrians approaching from Samford Road, Heliopolis Parade and from car parking areas to the main entrance.
 - b. Ensure the pedestrian access is clearly visible to pedestrians and is treated with anti-slip treatment in accordance with Reference Specification S155, Road Pavement Markings.
 - c. Ensure step-free and wheelchair friendly access is maintained.

Traffic

4. The proposed development is noted to be located on Samford Rd, a State Controlled arterial road.
 - a. Consultation from the Department Transport and Main Roads is required with regard to the corresponding traffic volumes impacting the State controlled road.

Refuse

5. In accordance with PO63/AO63.1 & AO63.2 of the Centre or mixed use code and PO8/AO8.1, AO8.2 of the Infrastructure design code, provide amended plans which address the following:

- a. Demonstrate the BIN STORE is a minimum internal area of 16.36m (4,590mm x 3,565mm), noting dimensions are to be clearly demonstrated on amended plans.
 - b. To facilitate the transfer of bins, demonstrate the BIN STORE is on grade with the adjoining aisle i.e. no steps or obstructions are to be present within the bin transfer path.
6. It is also acknowledged that the loading bay is located within the exit area of the drive-through and plans show that loading is to take place after hours. As the current proposal has a request of 24 hour operation, further information is required in order to determine there will be no conflict between vehicles and loading operations.
 - a. Where the development changes hours of operation to be in accordance with the AO1.1 of the Centre or mixed use code, this item would be suitably addressed.

Earthworks

7. The provided earthworks plans have not clearly demonstrated the extent of earthworks proposed.
 - a. Provide amended Earthworks drawings in accordance with Chapter 1, Introduction, Section 1.8, Earthworks drawings of the Infrastructure Design Planning Scheme Policy.
 - i. Demonstrate existing surface contours and levels;
 - ii. Finished surface contours and levels;
 - iii. Slopes of batters
 - iv. Ensure drawings are RPEQ certified

Right Turn Restriction

8. The provided traffic report mentions the restriction of right turn movements during peak periods onto Heliopolis Pde. This arrangement is not supported by Council considering right turn volumes during peak periods is relatively low and as such, this restriction will provide limited relief. Reference of this arrangement should be removed from the Traffic Report.

Site layout design

9. Although the Landscape concept plan has been provided it doesn't demonstrate verge widening nor adequate buffering with residential property.
 - a. Amend the plans in accordance with the Streetscape Hierarchy Overlay Code (AO1) to show the required land dedication for the provision of a minimum 3.75 m wide verge along the eastern side of Samford Road.
 - b. The Landscape work code PO3 include a min 1.5m wide landscape buffer to the southern boundary that incorporates advanced screening trees and shrubs;
 - c. Driveway crossover including driveway splay to be fully within property boundary and min of 2m away from the existing street tree.

Fencing

10. It is understood from the submitted materials that the proposal includes up to a 2.7m high timber paling fence adjoining the existing sensitive use on the southwestern elevation. As this fence is along the property boundary, and the adjoining property has identified vegetation along the same boundary. It is recommended to review the proposed fencing arrangement to ensure that the construction of the fencing will not adversely impact the health of the adjoining vegetation. It is understood that any potential cut or fill could impact on the fencing height as well. Please identify if this is the case.
11. It is also recommended to ensure that the fence is of an appropriate height and is constructed of appropriate materials to assist in the reduction of noise and light disturbance to the adjoining property.

Existing Lawful Use

12. Where the application was to be approved, an infrastructure charges notice would be issued. Should you wish to request credits associated with the gross floor area and impervious area of an existing land use, details of the existing lawful use on the site, including the applicable land use category listed in the Brisbane Infrastructure Charges Resolution 2015 (BICR15), must be submitted by completing Prescribed Form B, as required under section 16 of BICR15. Prescribed Form B is available on Council's website. Any credit request must be supported by

plans that accurately identify and measure the relevant GFA and impervious areas for which credits are sought.

- a. If the existing use commenced as a result of being either *exempt development*, and/or *self assessable development* provide the following evidence:
 - The zoning at the time the use commenced; and
 - The relevant sections of Council's Planning Scheme which allowed the use to become lawful at the time the use commenced.

ADVICE - Contaminated Land – Qld Department of Environment & Science (DES)

13. Council records indicate that the proposed site is listed on the Contaminated Land Register (CLR), Environmental Management Register (EMR) and/or was previously a Notifiable Activity as per Schedule 3 of the *Environmental Protection Act 1994*. Contaminated Land matters are administered by the State - **Qld Department of Environment & Science (DES)**. The applicant is therefore advised to consult DES website or contact DES to ascertain the CLR/EMR status of the site, applicable requirements on compliance permit, and provide DES with any other applicable mandatory documents such as an investigation document prepared by a suitably qualified person (SQP) and certified by an approved auditor.

Urban Utilities (UU)

Council does not undertake water and sewer assessment of any planning applications. Contact UU on (07) 3432 2200 to discuss any water and sewer issues and whether you are required to submit an application to UU for assessment.

Responding to this request

Your response should include a summary table which outlines any changes to performance outcomes and plans that have resulted from addressing the issues outlined above. The table should also include details of any supporting documentation.

If a response is not provided within the prescribed response period of three (3) months assessment of the application will continue from the day after the day on which the response period would have otherwise ended.

Email your response to DSPlanningSupport@brisbane.qld.gov.au quoting the application reference number A007054790.

Please phone me on the telephone number below during normal business hours if you have any queries regarding this matter.

Yours sincerely



Abby Bannan
Senior Urban Planner
Planning Services North
Phone: 31782418
Email: Abby.Bannan@brisbane.qld.gov.au
Development Services
Brisbane City Council