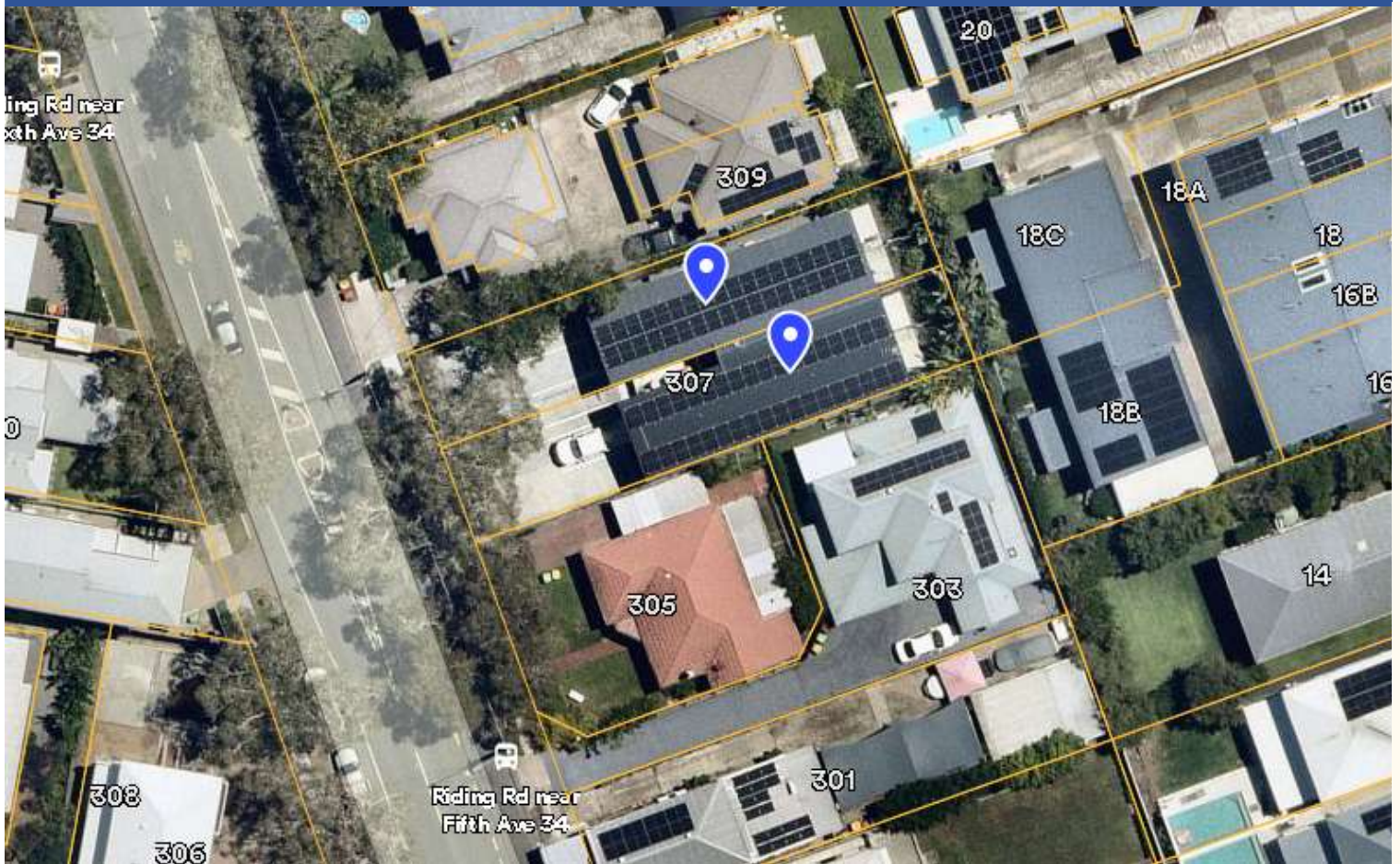


Our Ref: 8389

1 June 2026

Proposed 2 x Rooming Accommodation (6+p) in Low-medium Residential Zone.

307 & 307A Riding Rd, Balmoral QLD 4171



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Contents

1	Site Location & Background Review.....	4
1.1	Site Characteristics	5
1.2	Site History	5
2	Proposal.....	5
3	Assessment Benchmarks and Compliance	6
3.1	South East Queensland Regional Plan.....	6
3.2	State Planning Policy	6
3.3	Temporary Local Planning Instruments	6
3.4	Public Notification	6
3.5	Referral Agencies	7
3.6	Brisbane Planning Scheme and Planning Scheme Policies	7
3.7	Definition of Rooming Accommodation	8
4	Recommendation & Conclusion.....	9

Annexures

- A** **Building Plans**
- B** **Code Compliance**
- C** **Traffic Report**

Report Summary

Site Details

Applicant name	PWJB PTY LTD
Report prepared by	Ellen McDonogh
Site address	307 & 307A Riding Rd, Balmoral QLD 4171
Real Property Description (RPD)	Lots 30 & 31 on SP340912
Site area	303m ² & 303m ²
Zone	Low-Medium Density Residential Zone (2 or 3 storey mix)
Neighbourhood plan	Bulimba district neighbourhood plan
Relevant overlays	Airport environs overlay Bicycle network overlay Community purposes network overlay Critical infrastructure and movement network overlay Dwelling house character overlay Flood overlay Potential and actual acid sulphate soils overlay Road hierarchy overlay Streetscape hierarchy overlay Traditional building character overlay

Aspects of Development

Type of development	Material Change of Use
Proposed use	Two x Rooming Accommodation (6+ people each)
Brief description of proposal	Conversion of existing Rooming Accommodation (5p each) to Rooming Accommodation (6+p each)
Referral agencies	none
Specialists' reports provided	Traffic Report
Pre-lodgement advice	-

1 Site Location & Background Review

The subject land comprises 307 and 307A Riding Road, located within the suburb of Balmoral. The two subject lots were created as a result of a subdivision approved in 2022. Since that time, the lots have been further improved by the construction of dwelling houses (approved by BCC – Ref A006485845), which were subsequently converted to five-bedroom rooming accommodation, each. The sites continue to be lawfully used for rooming accommodation purposes and are situated within an established urban area characterised by a mix of low-medium density residential uses.

Due to the increasing demand for housing in Brisbane, and the site's strategic location—close to a high frequency bus stop and within convenient access to the Brisbane CBD—the applicant seeks to increase the number of people living within the existing rooming accommodation. Specifically, the proposal aims to increase the occupancy from five to ten persons per dwelling, with two persons per room for 307 & 307A Riding Rd, Balmoral QLD 4171.

The proposed increase to occupants at 307 and 307A Riding Road (Lot 31 on SP340912) is impact assessable, as it accommodates more than six residents and adjoins a dwelling house. Although being impact assessable, the proposal complies with all relevant performance outcomes, being nearby, high frequent, public transport.

It is noted the proposal does not result in any physical changes to the building and lot, however, merely allows for couples to rent rooms, if needed.

The existing shared crossover associated reciprocal access easements were approved by Council as part of the original subdivision application. In addition, the proposal complies with carparking requirements. As noted in the attached Traffic Report, the proposal exceeds the prescribed minimum number of carspaces. The proposed visitor carspace straddles the lots boundaries as such private easements are proposed to ensure both buildings have access to the visitor carspace. The private easement is extended to accommodate vehicle manoeuvring as per the provided swept paths.

The subject premises is ideally located for further development, being walking distance to Oxford Street and the Port of Brisbane.

The proposal represent infill development in an ideal location, nearby public transport and various amenities within Oxford Street, Bulimba as such is suitable to be supported by Council.

1.1 Site Characteristics

Site Shape/Dimensions	Rectangular small lots measuring 303m ² each.
Access	The lots are currently accessed from Riding Road via existing driveway crossover and associated reciprocal access easements approved as part of the previous subdivision approval.
Existing Vegetation	The site contains no protected or significant vegetation. There is no street trees impacted as existing crossovers are to be reused.
Topography	The site is generally flat.
Flooding	-
Infrastructure	Unaffected by the scope of the proposal.

1.2 Site History

The subject lots—307 and 307A Riding Road Balmoral—form part of a subdivision approved in 2022, which resulted in the creation of the two subject lots. Following the finalisation of the subdivision, a MCU application for two dwelling houses in Traditional Building character overlay was lodged and approved in 2024. The existing dwelling houses were then converted to Rooming accommodation as rooming accommodation for 5 people and under is considered acceptable as the planning regulation prohibits it from becoming assessable development.

2 Proposal

The application is for rooming accommodation (5 bedroom- 6+ people) within the existing dwellings at 307 & 307A Riding Rd, Balmoral QLD 4171.

We consider the proposal includes the following component:

- Material Change of Use – Development Permit.
- Refer to Annexure A—Building Plans
- The proposal reutilises the existing dwellings, access crossovers and carparking, as such does not result in physical changes on site. It is to be noted the tenants have been storing the bins in the central alley behind the gate- this will remain the storage location for the bins as the number of bins have not been increased.
- Easements D and E over one visitor car parking space spanning across the lot boundaries as per the plans have been proposed to allow use of that car parking space by occupants of Rooming Accommodation on both lots- 30 and 31.

The existing dwellings accommodate 5 ensuite bedrooms each, which the applicant wishes to continue renting out per room however now each room will be occupied by couples rather than individuals.

It is noted that the proposal involves the reuse of the existing buildings as is with no building or further site works required.

The application for 307A Riding Road is code assessment as it is not adjoining a dwelling house but the following uses-

- 307 Riding Road- Rooming Accommodation,
- 309 Riding Road- Multiple Dwelling,
- 18B and 18C – Single unit dwelling under City Plan 2000. Definition of a house under City Plan 2000 “...does not include a single unit dwelling”.

The application for 307 Riding Road will be Impact assessment as it adjoins dwelling houses at 303 and 306 Riding Road.

3 Assessment Benchmarks and Compliance

The proposal reflects the relevant planning outcomes set out in all applicable State and local government planning instruments, as follows.

3.1 South East Queensland Regional Plan

The development involves residential dwellings within the Urban Footprint and, as such, is consistent with the intent of the *South East Queensland Regional Plan 2023* (ShapingSEQ). In addition, the dwellings are nearby a bus stop with high frequency which connects to major employment hubs around Brisbane.

3.2 State Planning Policy

The site is located in the following *State Planning Policy* mapped areas:

SEQ REGIONAL PLAN TRIGGERS

- SEQ Regional Plan land use categories

WATER RESOURCES

- Water resource planning area boundaries

The relevant state interests are reflected in applicable *City Plan 2014* overlays. The site is not affected by the Flood overlay.

In complying with the planning scheme, the proposal is taken to comply with the *State Planning Policy*.

3.3 Temporary Local Planning Instruments

Table 1. Current TLPs in effect (Brisbane City Council).

TLPI	Description	Comments
02/23 (QLD)	Kurilpa Sustainable Growth Precinct	No effect on the site.
01/25 (QLD)	Colmslie Road Industry Precinct	No effect on the site.

3.4 Public Notification

307 Riding Road- The development is subject to code assessment as such public notification is not applicable.

307A Riding Road- The development is subject to impact assessment and therefore requires public notification under section 53 of the Planning Act 2016. For this application type, the minimum public notification period is 15 business days.

3.5 Referral Agencies

The development does not require referral.

3.6 Brisbane Planning Scheme and Planning Scheme Policies

The categories of development and assessment for the proposal are determined in accordance with Part 5 of *City Plan 2014*, as follows:

Table 4. City Plan 2014 categories of development and assessment—Material Change of Use (rooming accommodation):

	MCU (rooming accommodation)
Zone	
Low-medium Density Residential	impact assessment
Neighbourhood plan	
Bulimba district neighbourhood plan	No change
Overlays	
Airport environs overlay	Not applicable
Community purposes network overlay	Not applicable
Critical infrastructure and movement network overlay	Not applicable
Dwelling house character overlay	Not applicable
Potential and actual acid sulfate soils overlay	Not applicable
Road hierarchy overlay	Not applicable
Streetscape hierarchy overlay	Not applicable
Transport noise corridor overlay	Not applicable

Relevant assessment benchmarks are set out in the applicable planning scheme codes. Based on the tables of assessment in *City Plan 2014*, the following codes apply to this development:

Table 5. Applicable City Plan 2014 codes for the MCU and ROL area as follows:

Primary Codes	Rooming Accommodation Code
Zone Code	Low-medium density zone code
Secondary Codes	Filling and excavation code Infrastructure design code Landscape work code Outdoor Lighting code Stormwater code Transport, access, parking and servicing code Wastewater code

Overlay Codes	-
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→ Refer to Annexure B—Code Compliance.

3.7 Definition of Rooming Accommodation

“Rooming accommodation means the use of premises for—

- a. *residential accommodation, if each resident—*
 - i. *has a right to occupy 1 or more rooms on the premises; and*
 - ii. *does not have a right to occupy the whole of the premises; and*
 - iii. *does not occupy a self-contained unit, as defined under the Residential Tenancies and Rooming Accommodation Act 2008, schedule 2, or has only limited facilities available for private use; and*
 - iv. *shares other rooms, facilities, furniture or equipment outside of the resident's room with 1 or more other residents, whether or not the rooms, facilities, furniture or equipment are on the same or different premises; or*
- b. *a manager's residence, an office or providing food or other service to residents, if the use is ancillary to the use in paragraph (a).*

Examples of rooming accommodation— boarding house, hostel, monastery, off-site student accommodation”

A tenant cannot therefore occupy a self-contained unit OR has only limited private facilities. The rooming accommodation definition offers an alternative to being self-contained i.e. ***“or has only limited facilities available for private use”***.

The word limited doesn't mean 'none'. From [the dictionary definition of limited] it appears by limiting facilities, the underlying use is still there however it has limited functionality for e.g. a train is still a train, however has limited stops/capacity/services. We extract from this that the rooms can still have all the items contributing towards being self-contained however these items are limited in functionality i.e. a kitchen can still have cooking facilities, however limited in function, i.e. only undertake basic food prep.

All the residents have access to a communal (full) kitchen which contains a large fridge, standard sink, stove, oven, pantry etc. The bedrooms only have limited facilities such as short benchtop, minimal cupboards, microwave, kettle etc and a small sink.

As the proposed bedrooms contain limited facilities for private use, the proposal complies with the definition of rooming accommodation.

Council's request to no have self-contained units takes the requirements beyond what is required to have a lawful rooming accommodation use and amounts to reading the definition as though the alternative was not in the definition:

- “iii. does not occupy a self-contained unit, as defined under the *Residential Tenancies and Rooming Accommodation Act 2008*, schedule 2, ~~or has only limited facilities available for private use”~~.

As such we do not believe it is lawful for Council to mark up the plans in red and/or insert a condition which states the bedrooms cannot be self-contained or that no cooking facilities are permitted.

4 Infrastructure Charges

As each dwelling can be considered one suite of 5 bedrooms, we believe the infrastructure charges will be \$0.00 as the demand and credit are the same.

5 Recommendation & Conclusion

The proposed development provides rooming accommodation that is responsive to the specific constraints of the site while aligning with the evolving housing needs of Brisbane and the historical development patterns in the surrounding area. The proposal complies with all relevant provisions of the Rooming Accommodation Code and the Zone Code, thereby demonstrating consistency with the applicable use, zone, and overlay outcomes.

Furthermore, the development advances the strategic intent for City Plan 2014 in providing built form which protects the amenity and subtropical lifestyle of residents, while facilitating urban consolidation through residential infill, nearby public transport and employment.

With these considerations, the development should be approved by Council, subject to relevant standard conditions.