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Town Planning Report

NOVEMBER 2026



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Document Information

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Project code	TP1568-1
Report number	DA-1568-1-A
Report date	5 November 2026

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Executive Summary

Site Details	
Street Address	342 & 344 Given Terrace, Paddington
Real Property Description	Lots 6 & 7 on RP19608
Site Area	1,042m^2
Land Owner	• John Joseph De Stefani • Elizabeth Nancy De Stefani
Local Government Area	Brisbane City Council
Planning Scheme	Brisbane City Plan 2014 v37.00/2026
Zone and Precinct	Character residential zone
Neighbourhood Plan	Ithaca district neighbourhood plan
Overlay/s	• Airport environs overlay • Bicycle network overlay • Community purposes network overlay • Critical infrastructure and movement network overlay • Dwelling house character overlay • Industrial amenity overlay • Road hierarchy overlay • Streetscape hierarchy overlay • Traditional building character overlay

Aspects of Development	
Type of Development	Reconfiguring a lot (2 lot into 3 lots)
Type of Approval Sought	Development permit
Proposed Use	Reconfiguring a lot

Aspects of Development	
Category of Assessment	Impact assessment
Public Notification	Yes – 15 business days
Referral(s)	Not applicable

Applicant Details	
Applicant	John & Elizabeth De Stefani C/- Hickey Oatley Planning & Development Pty Ltd
Contact Details	P: 0401 349 601 E: mia@hickeyoatley.com.au A: PO Box 70, NEW FARM Q 4005

1. Introduction

This report has been prepared in support of a development application to subdivide land located at 342 & 344 Given Terrace, Paddington also described as Lots 6 & 7 on RP19608 referred to as the 'site' throughout this report.

Specifically, the development application seeks:

- a Development Permit for Reconfiguring a Lot (2 lots into 3 lots).

This report addresses the merits of the development with respect to the assessment benchmarks under the *Brisbane City Plan 2014* and the relevant sections of the *Planning Act 2016*. For the purposes of this report, the *Brisbane City Plan 2014* will be referred to as the 'City Plan' and the *Planning Act 2016* will be referred to as the 'Planning Act' hereon in.

This report provides the following information with respect to the assessment of the development proposal:

- Detailed site analysis;
- Description of the proposed development;
- Statutory planning overview including state and local planning frameworks; and
- A summation of the report, recommendations and conclusions.

2. The Site and Surrounds

2.1 SITE DESCRIPTION

As **Figure 1** illustrates, the site is generally rectangular in shape, comprises a total area of 1,042m² and enjoys an approximate 20m dual frontage to Given Terrace and Latona Street.

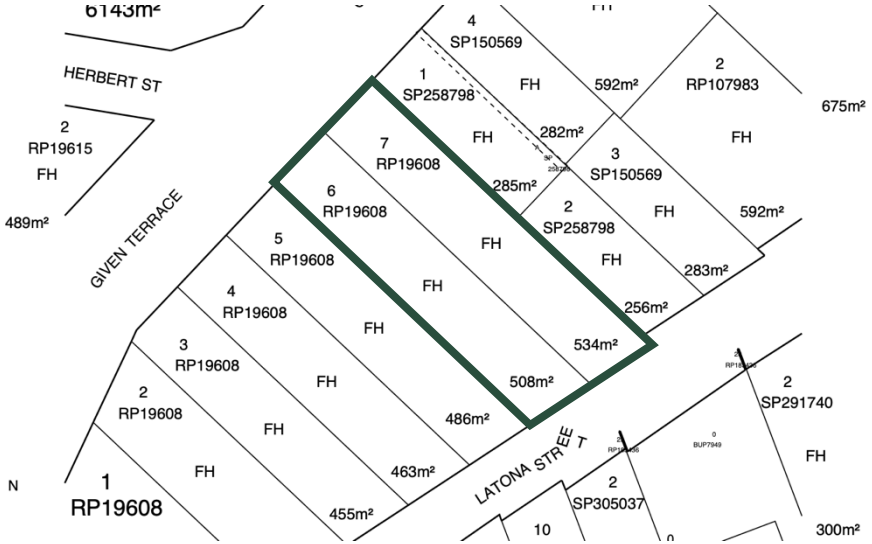


Figure 1: Site Cadastre (site outlined in green)
Source: Qld Government

The site is held in private ownership and is not burdened by any easements or covenants.

The site is not mapped as containing any vegetation protected by *Council's Natural Assets Local Law*. In terms of its topography, the site falls approximately 7.0m from its Given Terrace frontage (28.0m AHD) to its Latona Street frontage (21.0m AHD).

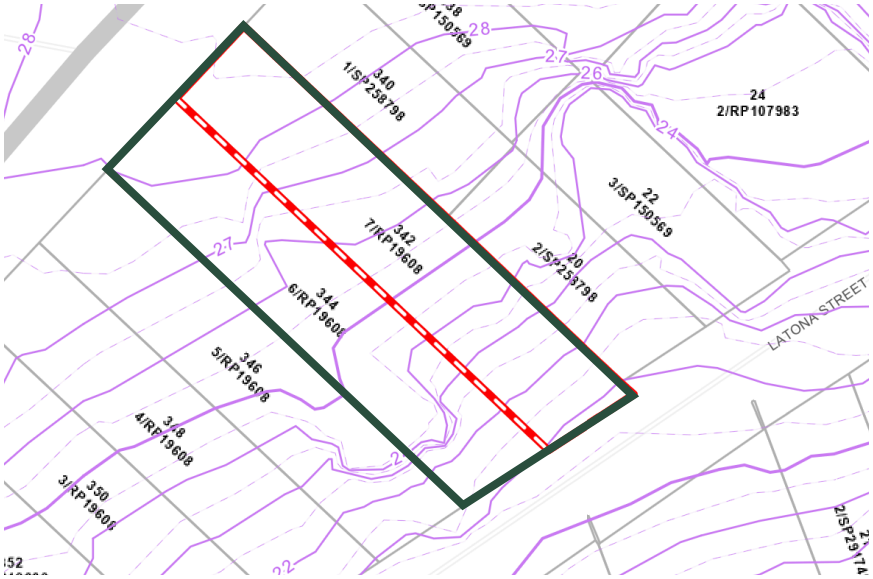


Figure 2: Site Contours (site outlined in green)
Source: Brisbane City Plan Interactive Mapping

2.2 EXISTING USE

The site is currently improved by an existing raised building which comprises:

- 2 x 2 bedroom units; and
- 2 x 1 bedroom units.

Vehicular access is obtained via an existing crossover to / from Given Terrace, with a freestanding carport located at the rear of the existing building.



Figure 3: 1946 Aerial Photography (site depicted by red outline)
Source: Brisbane City Plan 2014 Interactive Mapping



Figure 4: Current Aerial Photo (site depicted by red outline)
Source: Metromap



Figure 5: Dwelling Appearance from Given Terrace



Figure 6: View of Site from Latona Street

2.3 APPROVAL HISTORY

On 28 April 2026 Council granted the following over the site:

- A Development permit for a Material change of use for a new Dwelling house;
- A Development permit to Carry out Building work (Partial demolition of a building constructed in 1946 or earlier in the Traditional building character overlay; and
- A Development permit to Carry out Building work (Involving a Dwelling house in the Traditional building character overlay) (Council Ref: A006968488).

As **Figure 7** shows, this approval anticipated the southern portion of the site being subdivided in the future and the proposed layout is consistent with the approved Site Plan.

Construction of A006968488 is set to commence onsite imminently.

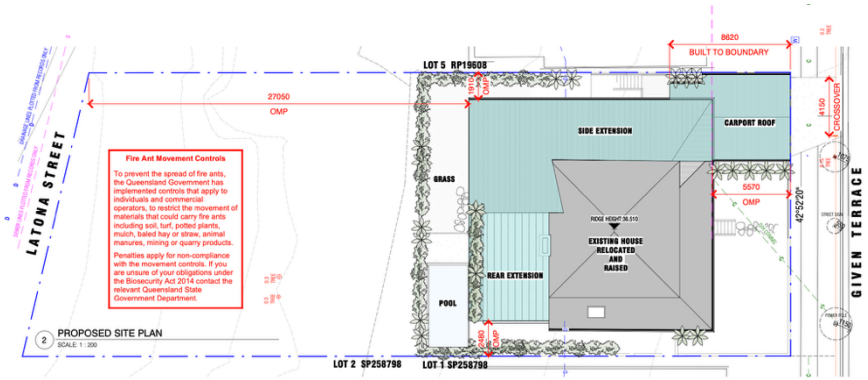


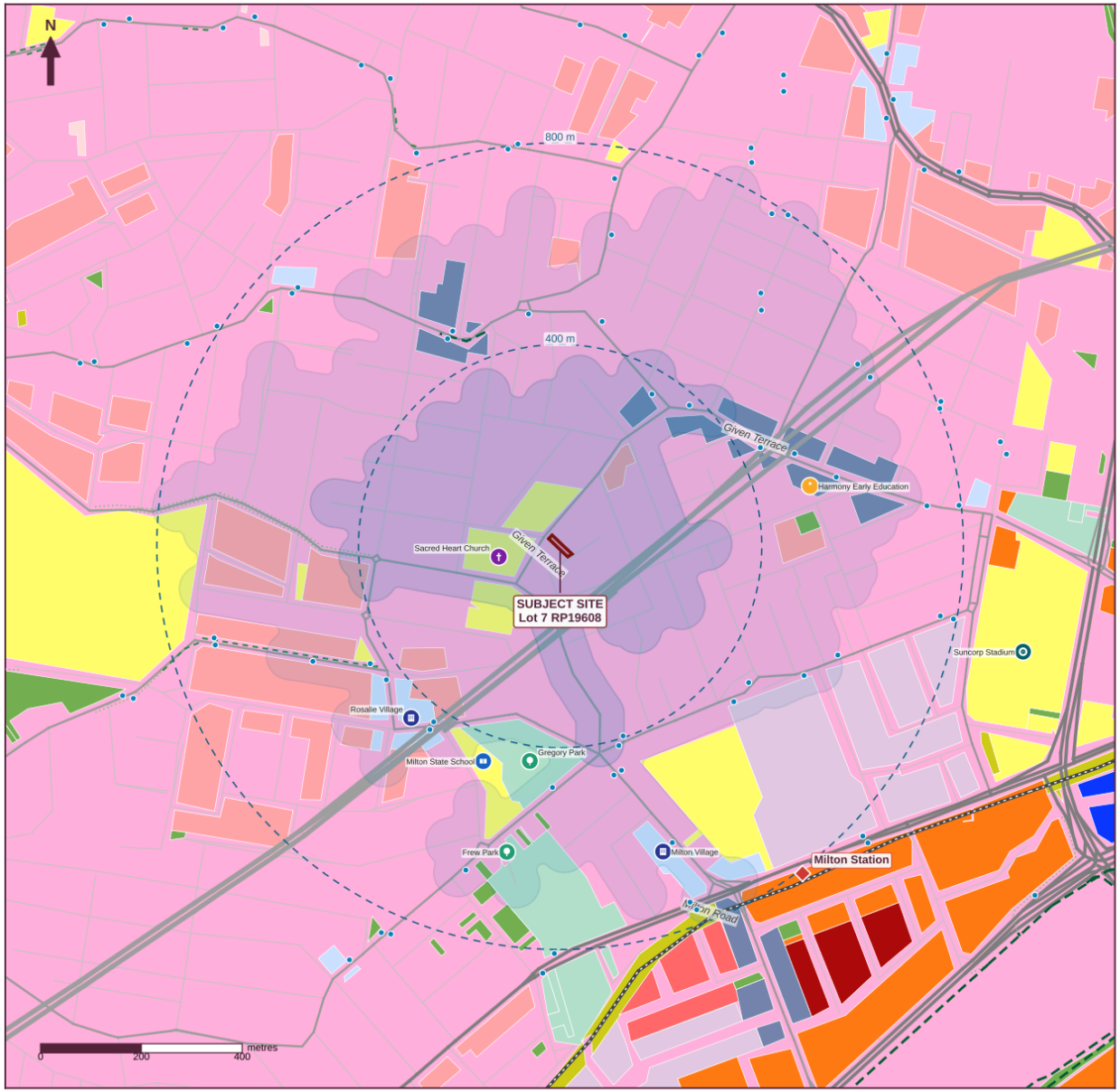
Figure 7: A006968488 Extract of Approved Site Plan
Source: PLOT Architecture

2.4 SURROUNDING CONTEXT

The site is located within the inner-city suburb of Paddington, approximately 3.5km west of Brisbane's CBD. The site is immediately surrounded by dwelling houses on a mix of lot sizes and is well-connected, within walking distance of:

- 100m of Sacred Heart Catholic Church
- 350m of local cafes, restaurants and shops on Latrobe Terrace
- 450m of Gregory Park
- 650m of Harmony Early Education
- 700m of Una Kids Paddington
- 700 of Frew Park
- 750m of Milton Village neighbourhood shopping centre
- 750m of Rosalie Village neighbourhood precinct; and
- 950m of Milton State School.

Figure 8: Walkability Catchment Plan / Context Analysis



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Walkability & Context Plan

Public & active transport · zoning context · network-isochrone analysis

SITE

342 Given Terrace
Paddington QLD 4064
Lot 7 on RP19608
Site area: 536 m²
Local authority: Brisbane City Council
Zone: Character residential (CR)

Milton rail station: ~962 m walk
Bus stops within an 800 m walk: 28

LEGEND

Subject site & catchment

- Subject site
- 400 m walk catchment (network)
- 800 m walk catchment (network)
- 400 m / 800 m radius (reference)

Transport

- Railway station
- Railway line
- Bus stop
- Primary bicycle route
- Secondary bicycle route
- Local bicycle route
- Arterial / sub-arterial road

City Plan 2014 zoning

- Character residential (CR)
- Low-medium density residential (LMR)
- High density residential (HDR)
- District centre (DC)
- Mixed use (MU)
- Open space (OS)
- Special purpose (SP)
- Low density residential (LDR)
- Medium density residential (MDR)
- Neighbourhood centre (NC)
- Principal centre (PC)
- Community facilities (CF)
- Sport and recreation (SR)
- Low impact industry (LII)

Local destinations

- Church / community
- School
- Childcare / education
- Park
- Retail village / centre
- Stadium

Scale 1:8,000 @ A3 · GDA94 / MGA Zone 56 · 05 November 2026
Walk catchments computed along the road & shared-path network from the site frontage; rings shown for reference. Base zone is Character residential; zoning colours per Brisbane City Plan 2014. Sources: QLD DCDB / Address (DNRMMRRD); BCC open data — zoning, SDRN roads, bikeways, bus stops, rail. Verify against BCC City Plan mapping before lodgement.

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3. The Proposal

3.1 GENERAL OVERVIEW

The proposal seeks to subdivide the site into three (3) residential lots as detailed in **Table A** below.

Table A – Development Summary

Lot	Proposed Lot Size	Minimum Rectangle Dimension	Minimum Frontage & Width	Proposed Use
6	536m^2	6m x 15m	20m	Residential - Retain pre-1947 building
7	238m^2	6m x 15m	10m	Residential - Vacant land
8	238m^2	6m x 15m	10m	Residential -Vacant land

3.2 DEVELOPMENT PARTICULARS

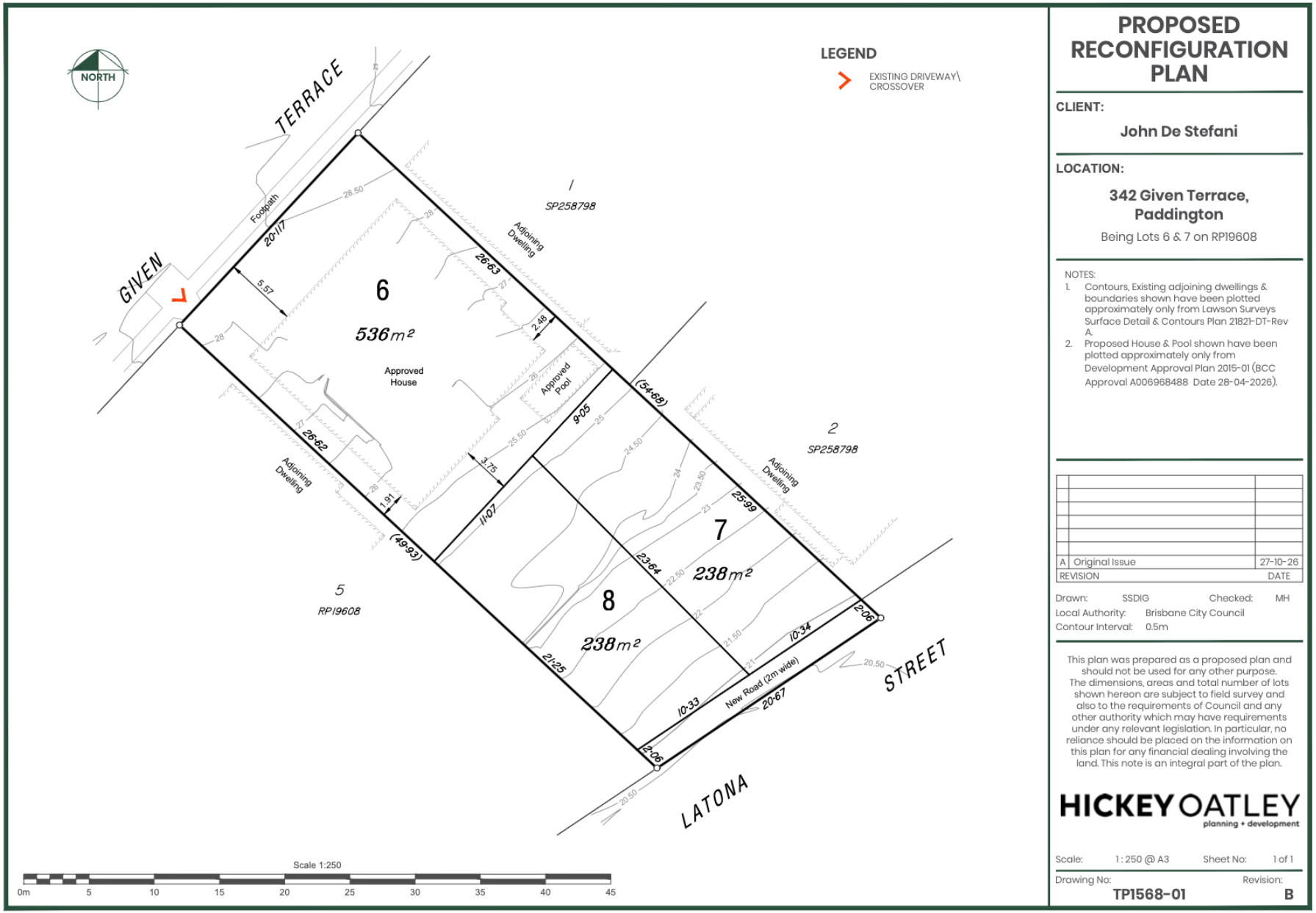
As shown in the Plan of Reconfiguration at **Appendix B**, the proposal involves:

1. realigning the site's boundaries to retain the approved Dwelling house on Lot 6 fronting Given Terrace; and
2. subdividing the southern portion of the site into two 10m-wide, 238m^2 vacant lots.

Lot 6 will retain the site's existing pre-1947 building, which is currently under construction, being converted back into a Dwelling house, with its access and servicing arrangements unchanged. The two new vacant lots will each be provided with their own infrastructure connections and crossovers.

In keeping with surrounding development, a 2.0m wide land dedication is proposed to be provided along the site's full frontage to Latona Street for future road widening purposes. No physical work is proposed, just the dedication itself. For details, refer to the Engineering Services Report at **Appendix D**.

Figure 9: Proposed Plan of Reconfiguration



PROPOSED RECONFIGURATION PLAN

CLIENT:

John De Stefani

LOCATION:

342 Given Terrace, Paddington

Being Lots 6 & 7 on RP19608

NOTES:

1. Contours, Existing adjoining dwellings & boundaries shown have been plotted approximately only from Lawson Surveys Surface Detail & Contours Plan 21821-DT-Rev A.
2. Proposed House & Pool shown have been plotted approximately only from Development Approval Plan 2015-01 (BCC Approval A006968488 Date 28-04-2026).

A	Original Issue	27-10-26
REVISION		DATE

Drawn: SSDIG Checked: MH

Local Authority: Brisbane City Council

Contour Interval: 0.5m

This plan was prepared as a proposed plan and should not be used for any other purpose. The dimensions, areas and total number of lots shown hereon are subject to field survey and also to the requirements of Council and any other authority which may have requirements under any relevant legislation. In particular, no reliance should be placed on the information on this plan for any financial dealing involving the land. This note is an integral part of the plan.

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Scale: 1:250 @ A3 Sheet No: 1 of 1

Drawing No: TP1568-01 Revision: B

4. State Planning Framework

The statutory framework for decision making in relation to land use and development in Queensland is contained in the *Planning Act 2016* and its subordinate legislation. Consideration of the Act and its subordinate legislation is explored in the following sub-sections of this report.

4.1 STATE PLANNING POLICY

The *State Planning Policy* (SPP) commenced on 3 July 2017 and expresses the State's interests in land use planning and development.

As prescribed by Section 30(2)(a)(ii) of the *Planning Regulation 2017*, the SPP is an assessment benchmark for assessable development that requires impact assessment and that the assessment manager must have regard to the SPP, Part E, to the extent it is not identified in the planning scheme as being appropriately integrated in the planning scheme.

Section 2.1 of the *City Plan* states all State interests are appropriately integrated into the City Plan, with the exemption of the following:

- Natural hazards, risk and resilience – The bushfire prone area in the City Plan does not reflect the State mapping layer; and
- Strategic airports and aviation facilities – The building restricted area is not identified in the *City Plan* and State interest policy (4) and Assessment benchmark (5), if the development and associated activities within the building restricted area, are not addressed.

An extract of the relevant SPP mapping provided in **Figure 10**, indicates that the following state interests are relevant to the site:

- Natural hazards (Flood hazard area – local government flood mapping area); and
- Strategic Airports and Aviation Facilities (Obstacle limitation surface area; Wildlife hazard buffer zone).

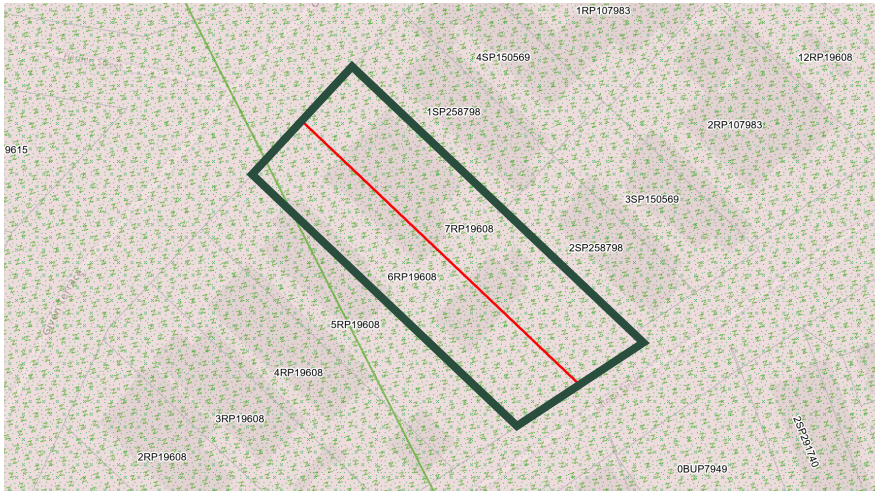


Figure 10: SPP Mapping (site depicted by green outline)
Source: Queensland Government

As the site is only affected by the State interests integrated into the *City Plan*, no further assessment against the SPP is required.

4.2 REGIONAL PLAN

The *South East Queensland Regional Plan 2023* (ShapingSEQ) provides a regional framework for growth management, and sets planning direction for sustainable growth, global economic competitiveness and high-quality living. It establishes a blueprint

for SEQ's future and notably recognises the current housing supply challenges facing the region. Specifically, ShapingSEQ identifies a requirement for 210,800 additional dwellings to be provided within the Brisbane Local Government Area between 2021 and 2046.

As **Figure 11** shows, the subject site is located within the "Urban Footprint" regional land use classification which is intended to accommodate the region's future urban growth.

As the proposal is for a residential subdivision in an urban area, it is consistent with the intent and principles set out by ShapingSEQ and does not require assessment against the associated State Planning Regulatory Provisions.



Figure 11: ShapingSEQ Mapping (site depicted by green outline)
Source: Queensland Government

4.3 REFERRALS AND STATE DEVELOPMENT ASSESSMENT PROVISIONS

Schedules 9 & 10 of the *Planning Regulation 2017* set out all referral agencies and their jurisdiction. An assessment against this criterion has been undertaken and is included in **Appendix A**. This assessment has determined that the proposal does not trigger referral to The Chief Executive or any other entity. As such an assessment against the *State Development and Assessment Provisions* is not required.

4.4 KOALA HABITAT AREAS

Schedule 11 of the *Planning Regulation 2017* seeks to regulate development based on mapping affecting the site and the nature of the proposed development. As **Figure 12** shows, the site is not located within a koala priority area or a koala broad-hectare habitat area. Furthermore, it does not contain any areas of "core" or "locally refined" koala habitat. As such, Schedule 10, part 10 and Schedule 11, part 2 of the *Planning Regulation 2017* do not apply.

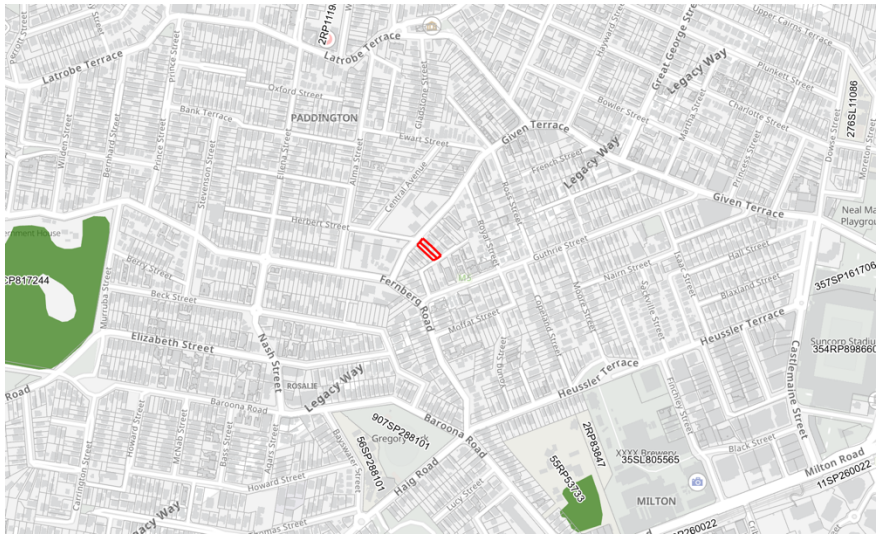


Figure 12: Koala Mapping (site depicted by red outline)
Source: Queensland Government

4.5 WALKABLE NEIGHBOURHOODS

Schedule 12A of the Planning Regulation 2017 imposes mandatory assessment benchmarks for reconfiguring a lot proposals which involve:

a) creating 2 or more lots; and
b) the lot being reconfigured is wholly or partly in a prescribed zone under a local instrument applying to the lot; and
c) no part of the lot being reconfigured is in either of the following zones under a local instrument applying to the lot –
   (i) a rural residential zone stated in schedule 2;
   (ii) a zone, other than a zone stated in schedule 2, that is of a substantially similar type to a zone mentioned in subparagraph (i); and
d) at least 1 created lot is intended mainly for a residential purpose; and
e) the reconfiguring is associated with the construction or extension of a road.

While the proposal involves reconfiguring a lot, it does not involve the construction or extension of a road. Therefore, an assessment against the assessment benchmarks in Schedule 12A, Part 1 of the *Planning Regulation 2017* is not required.

5. Local Planning Framework

The *Brisbane City Plan 2014* is the local planning instrument relevant to the assessment of this application. The *City Plan* seeks to advance state and regional policies, through more detailed local responses, taking into account local context.

A detailed assessment of the relevant provisions of the *City Plan* is carried out in the following subsections of this report.

5.1 STRATEGIC FRAMEWORK

The *City Plan* includes a Strategic Framework which sets the policy direction for the planning scheme. Of the five themes comprising the Strategic Framework, Theme 2: Brisbane's Outstanding Lifestyle and Theme 5: Brisbane's CityShape are particularly relevant to the proposed development, with the CityShape theme identifying a broad land use pattern for the site.

In response to these themes, the following is noted:

- Growth within the Suburban Living Area is consistent with the site's zoning and the intent of the Neighbourhood Plan (Specific Outcome SO1, Element 5.5 of Theme 5).
- Brisbane's housing is diverse in type and form, offering choice to different household types, income levels, and individuals with specific housing needs (Specific Outcome SO2, Element 2.2 of Theme 2).

5.2 ZONING

As **Figure 14** shows, the site and adjoining land is located in the "Infill housing precinct" of the Character residential zone.

The overall outcomes sought for the Infill housing zone precinct include:

a) "Development retains a dwelling house built in 1946 or before.

b) Development provides that a new dwelling house, dual occupancy or multiple dwelling:

i. is no more than 2 storeys in height;

ii. is located between or behind dwelling houses built in 1946 or before on an appropriately sized and configured vacant lot;

iii. is compatible in scale and design with existing dwellings built in 1946 or before;

iv. reinforces the traditional building character of the Infill housing zone precinct.

c) Development achieves a maximum dwelling yield of one dwelling per 300m^2 of site area.

d) Development for alternative housing types, such as rooming accommodation, a residential care facility or a retirement facility, which provide housing diversity and enable people to find suitable accommodation throughout their life cycle:

i. is consistent with the predominant traditional building character and amenity expectations of residents in the Infill housing zone precinct;

ii. meets the bulk and building height requirements of the Multiple dwelling code or any applicable neighbourhood plan.

e) *Development provides for a residential dwelling on a site which fronts a heavily trafficked road or other noise source to be:*

   a. *suitably located and orientated on the site;*
   b. *designed and finished to minimise noise intrusion while maintaining some opportunities for interface with and surveillance of the street."*

While Lots 7 & 8 comprise an area less than 300m^2, the proposal achieves a dwelling yield of 1 dwelling per 347m^2 of site area. It also retains the site's existing pre-1947 building on its own lot fronting Given Terrace.

5.3 NEIGHBOURHOOD PLAN

Figure 13 shows the site is located within the "Hillside character precinct" of the Ithaca district neighbourhood plan. The overall outcomes of the neighbourhood plan code seeks for the Hillside character of the precinct to be "maintained, retained and enhanced through sympathetic development that minimises visual impact within its visual catchment". Further, it seeks for "residential development in particular, to provide and/or incorporate:

i. the appearance of traditional character houses uniformly spaced and stepped across well-treed hillsides;
ii. compatible building height, bulk and proportions;
iii. construction methods, such as posts or piers, that minimise the amount of alteration to site topography".

A detailed assessment against the *Ithaca district neighbourhood plan code* is provided in **Appendix E**.

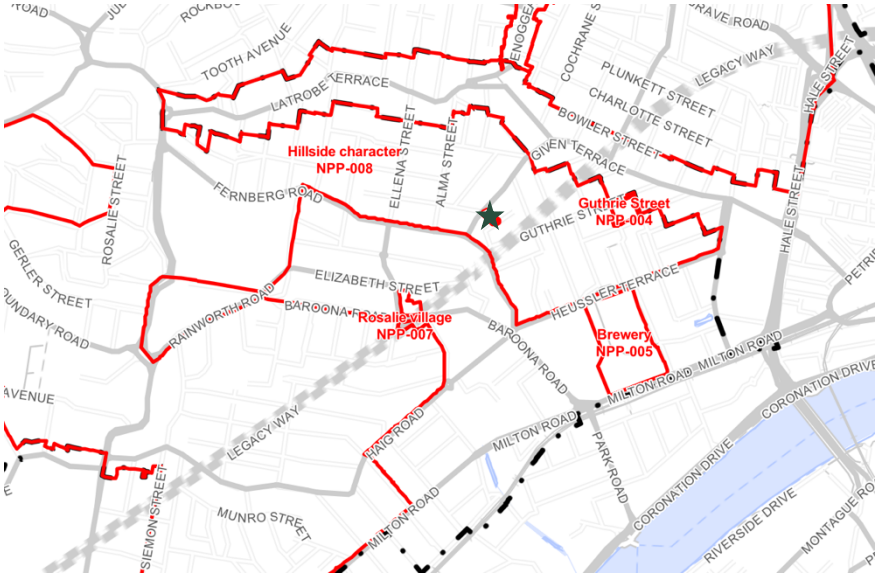


Figure 13: Extract of Neighbourhood Plan (site indicated by green star)
Source: Brisbane City Plan 2014 Interactive Mapping

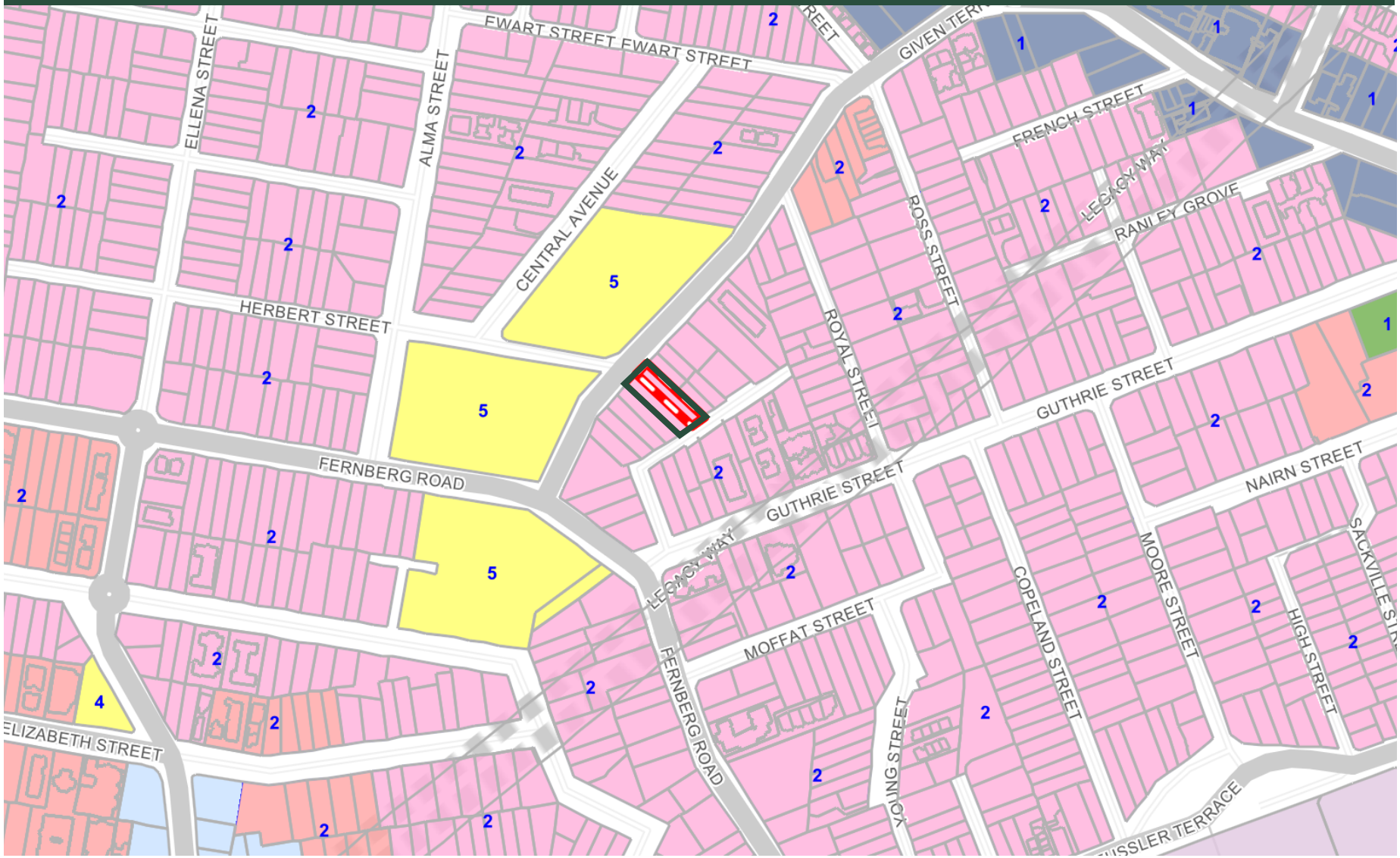
5.4 TEMPORARY LOCAL PLANNING INSTRUMENT

Table B confirms the site is not affected by any existing temporary local planning instruments (TLPI) which suspend or otherwise affect the operation of the *City Plan*.

Table B – Assessment of Applicable TLPI	TLPI's Applicability
TLPI 01/25 Colmslie Road Industry Precinct	**Not Applicable** The subject site is located at 342 & 344 Given Terrace, Paddington and therefore is

Table B – Assessment of Applicable TLPI	TLPI's Applicability
	not included in the Colmslie Road Industry Precinct.
TLPI 02/25 Kurilpa Sustainable Growth Precinct	**Not Applicable** The subject site is located at 342 & 344 Given Terrace, Paddington and therefore is not included in the Colmslie Road Industry Precinct.

Figure 14: Zoning map of site and surrounding land (site outlined in green)



Source: Brisbane City Plan 2014 Interactive Mapping

5.5 OVERLAYS

Table C below identifies all overlays applied to the land under the *City Plan* and provides a brief commentary on their applicability and effect on the proposed development.

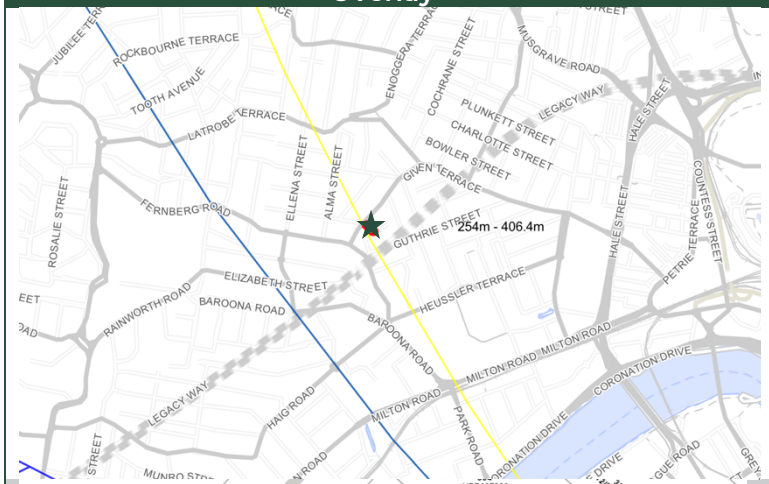
Table C – Assessment against applicable *City Plan* Overlays	
Overlay	**Our Response**
	**Airport environs overlay** The site is impacted by three (3) Airport environs categories being: • OLS – Horizontal limitation surface boundary • Procedures for Air navigation surfaces (PANS) • BBS Zone – Distance from airport 8 – 13km Reconfiguring a lot is not assessable under the Airport environs overlay table of assessment. Therefore, a response against the *Airport environs overlay code* is not required.
	**Bicycle network overlay** A secondary cycle route is mapped along Given Terrace. While the proposal does not change the number or location of access points to Given Terrace, an assessment against the *Bicycle network overlay code* is provided in **Appendix E.**

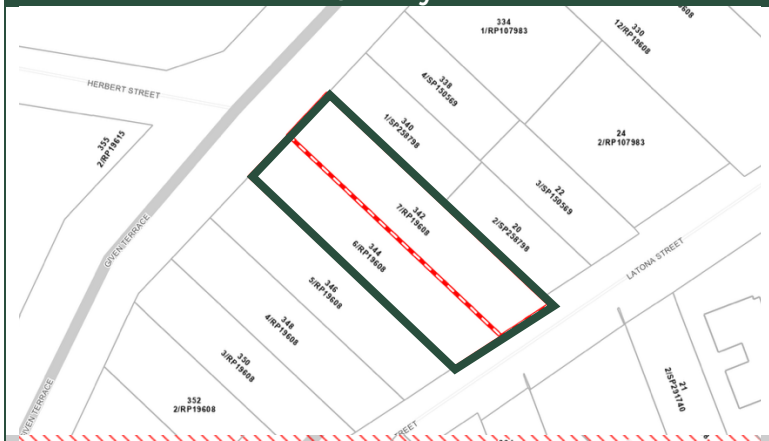
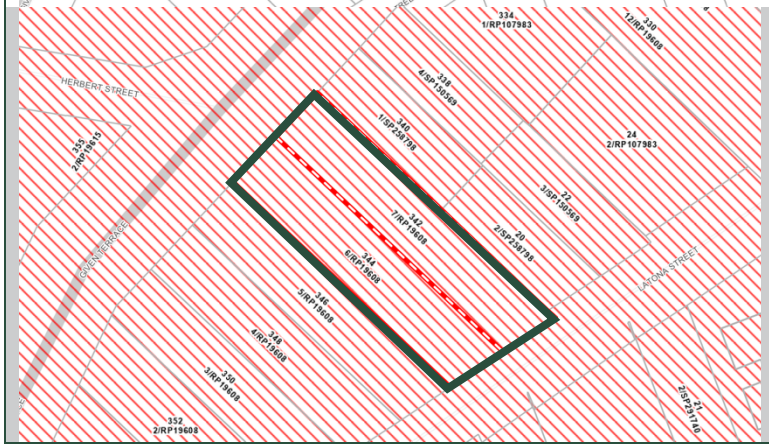
Table C – Assessment against applicable *City Plan* Overlays	
Overlay	**Our Response**
	**Community purposes network overlay** The Community purpose network overlay seeks for development which is assumed future urban development to contribute to the completion of the Community purposes network through the provision of existing and planned infrastructure for the parks network and land for the community facilities network in the Local government infrastructure plan. As the site is not mapped as being required for existing or planned long term community infrastructure, the overlay does not apply. Therefore, no further assessment of this overlay is required.
	**Critical infrastructure and movement network overlay** The site is wholly located within the Critical infrastructure and movement planning area sub-category. The Critical infrastructure and movement network overlay applies to the whole of Brisbane city, however, is relevant only to the development of specific uses including telecommunications, major electricity, emergency services and residential care As the proposal entails reconfiguring a lot, this overlay and its corresponding code is not applicable.

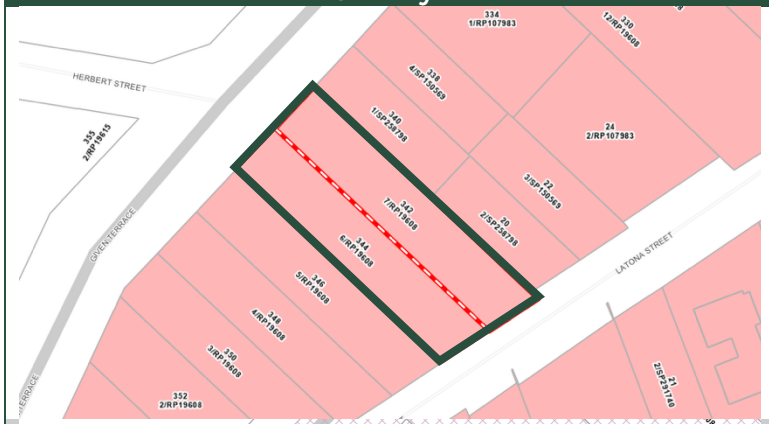
Table C – Assessment against applicable *City Plan* Overlays	
Overlay	**Our Response**
	**Dwelling house character overlay** The Dwelling house character overlay applies to all land in residential zones and specifies requirements for the design of Dwelling houses. The overlay alters the level of assessment only where not complying with the identified requirements of the applicable code. As the proposal entails reconfiguring a lot only, this overlay and its corresponding code is not applicable.
	**Industrial amenity overlay** Given the site's proximity to existing industrial zoned land south of Heussler Terrace, the site is included in an "Industrial amenity investigation area". As such, an assessment against the Industrial amenity overlay code is provided in **Appendix E.**

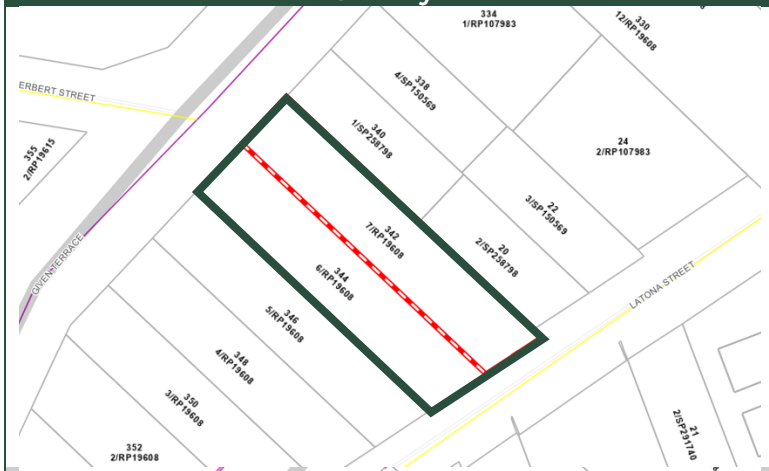
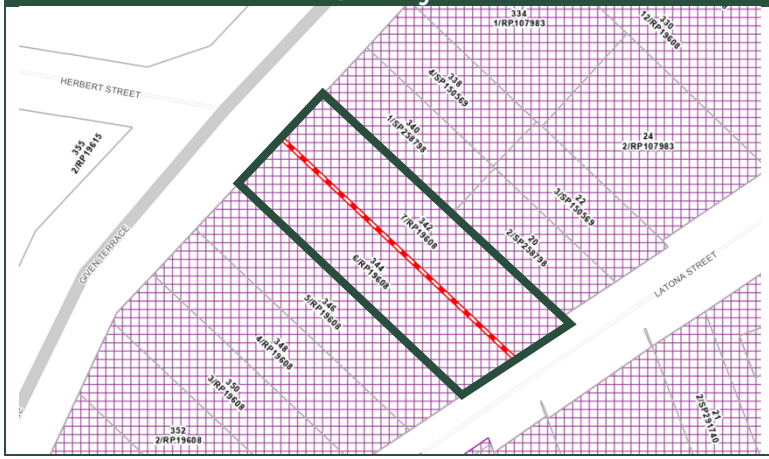
Table C – Assessment against applicable *City Plan* Overlays	
Overlay	**Our Response**
	**Road hierarchy overlay** The site has dual frontage to Given Terrace and Latona Street, which are both identified as "Neighbourhood roads" under the Road Hierarchy Overlay. The purpose of this overlay is to facilitate assessment of the suitability of development in accordance with the road hierarchy. An assessment of the *Road hierarchy overlay code* is provided in **Appendix E.**
	**Streetscape hierarchy overlay** The site's Given Terrace and Latona Street frontages are identified as "Neighbourhood street minors" under the Streetscape hierarchy overlay. The purpose of this overlay is to provide for the assessment of the suitability of development in the 'Streetscape hierarchy' overlay. An assessment of the *Streetscape hierarchy overlay code* is provided in **Appendix E**.

Table C – Assessment against applicable *City Plan* Overlays	
Overlay	**Our Response**
	**Traditional building character overlay** The site is located within the "Neighbourhood character sub-category" of the Traditional building character overlay. The purpose of the overlay is to ensure development reflects or strengthens traditional character and traditional building character through compatible form, scale, materials, and detailing. Reconfiguring a lot is not assessable under the overlay's table of assessment. As such, an assessment against the *Traditional building character (demolition) and (design) overlay codes* is not required.

5.6 CATEGORIES OF ASSESSMENT

Table D identifies the relevant category of assessment triggers under the *City Plan* applicable to the proposed development.

Having regard to these triggers, and as a consequence of creating a lot with an area less than 400m^2, the proposed development is subject to **Impact assessment**.

Table D – Assessable Development under *City Plan*		
Table of Assessment	**Category of Development & Assessment**	**Assessment Benchmark/s**
Character residential zone	**Assessable development – Impact assessment**	• Subdivision code • Character residential zone code • Filling and excavation code • Infrastructure design code • Landscape work code • Outdoor lighting code • Park planning and design code • Stormwater code • Transport access, parking and servicing code • Wastewater code
Ithaca district neighbourhood plan	No change	Ithaca district neighbourhood plan code
Airport environs overlay	Not applicable	Not applicable
Bicycle network overlay	Assessable development – code assessment	Bicycle network overlay code
Community purposes network overlay	Not applicable	Not applicable
Critical infrastructure and movement network overlay	Not applicable	Not applicable
Dwelling house character overlay	Not applicable	Not applicable
Industrial amenity overlay	Assessable development – code assessment	Industrial amenity overlay code
Road hierarchy overlay	Assessable development – code assessment	Road hierarchy overlay code
Streetscape hierarchy overlay	Assessable development – code assessment	Streetscape hierarchy overlay code
Traditional building character overlay	Not applicable	Not applicable

5.7 ASSESSMENT BENCHMARKS

In support of this application, an assessment against all relevant assessment benchmarks has been undertaken. **Table E** below identifies the response location for each applicable code.

Table E – Assessment Benchmark Response Location	
Code	Location
Character residential zone code	Appendix E
Ithaca district neighbourhood plan code	Appendix E
Subdivision code	Appendix E
Filling and excavation code	Appendix D
Infrastructure design code	Appendix D
Landscape work code	Not Applicable: While Table 5.3.5.1 of the *City Plan* identifies the *Landscape work code* as an applicable "prescribed secondary code", the proposal is for a 2 into 3 lot subdivision only.
Outdoor lighting code	Not Applicable: While Table 5.3.5.1 of the *City Plan* identifies the *Outdoor lighting code* as an applicable "prescribed secondary code", no outdoor lighting is proposed.
Park planning and design code	Not Applicable: While Table 5.3.5.1 of the *City Plan* identifies the *Park planning and design code* as an applicable "prescribed secondary code", the proposal does not involve the creation of park.
Stormwater code	Appendix D
Transport access, parking and servicing code	Complies: The proposed lots will be provided with appropriate vehicular access and sufficient space is available to park 1 or more vehicles on each individual lot.
Wastewater code	Not Applicable: While Table 5.3.5.1 of the *City Plan* identifies the *Wastewater code* as an applicable "prescribed secondary code", the site is not located outside a sewered area.
Bicycle network overlay code	Appendix E
Industrial amenity overlay code	Appendix E
Road hierarchy overlay code	Appendix E
Streetscape hierarchy overlay code	Appendix E

5.8 LOCAL GOVERNMENT INFRASTRUCTURE PLAN

The relevant Local Government Infrastructure Plan (LGIP) is the LGIP contained in Part 4 of the *City Plan*. A review of this Plan and **Figure 15** confirm:

- the site is located within the Priority infrastructure area; and
- no future trunk infrastructure is planned on or near the site.



Figure 15: LGIP Mapping (site indicated by green outline)
Source: Brisbane City Plan 2014 Interactive Mapping

5.9 INFRASTRUCTURE CHARGES

In accordance with Council's *Charges Resolution (No.15) 2026*, the applicable Council infrastructure charges applying to the development have been calculated as follows.

Table F – Estimated Infrastructure Charges

Charging Category	Development Unit	Development Demand	Local Government Adopted Charge	Charge
Credits				
Residential Uses				
Lots	Lot	2	$18,793.33	$37,586.66
Demand				
Residential Uses				
Lots	Lot	3	$18,793.33	$56,379.99
Levied Charge				**$18,793.33**

The abovementioned charges are used to fund new projects and upgrades to Council's transport, community and stormwater trunk networks. Additional charges are also set to be levied by Urban Utilities to fund similar projects and upgrades to their sewer and water trunk networks.

6. Key Planning Matters

6.1 LOT SIZES

Table 9.4.10.3.B of the *Subdivision code* prescribes the following minimum lot sizes for land in the Infill housing precinct of the Character residential zone:

- 300m^2 where a standard lot; or,
- 450m^2 where a rear lot.

Despite the above, the proposal seeks to create 2 x 238m^2 lots. In support of this, the following is noted:

- The proposal results in an average lot size of 347m^2 and enables the retention of the existing pre-1947 building on Lot 6, which is currently under construction being converted back into a single Dwelling house, while also facilitating the creation of two vacant lots in accordance with the density expectations for the zone.
- The lot sizes of Lot 22 & 23 are sufficient to enable the construction of two (2) Dwelling houses compliant with the *Dwelling house (small lot) code*, as evidenced by the Development Footprint Plan at **Appendix C**.
- Both lots can be connected to and serviced by all necessary urban infrastructure, as evidenced by the Civil Engineering Report at **Appendix D**.
- The site is well located within walking distance of public parkland, local schools, public transport, childcare facilities, neighbourhood cafes, restaurants, and shops.
- The proposal is consistent with surrounding lot sizes. As demonstrated by **Table G** and **Figure 15**, the site is surrounded by a number of Character residential zoned lots with an area of less than 300m^2. The proposal is therefore considered to complement the existing pattern of development in the locality and is consistent with community expectations, notwithstanding the underlying zone requirements, thereby complying with overall outcome (n) of the *Ithaca district neighbourhood plan code*.

Table G – List of nearby lots with an area less than 400m2

Address	Lot Size
150m^2 - 199m^2 lots	
322 Given Terrace	190m^2
200m^2 – 249m^2 Lots	
6 Ranley Terrace	202m^2
95 Guthrie Street	245m^2
1A Moore Street	245m^2
250m^2 – 299m^2 Lots	
11 Latona Street	289m^2
15 Latona Street	271m^2
20 Latona Street	256m^2
22 Latona Street	283m^2
338 Given Terrace	282m^2
340 Given Terrace	285m^2
93 Guthrie Street	272m^2
1 Royal Street	268m^2
30A Royal Street	261m^2
8 Ranley Terrace	261m^2

Figure 15: Identification of Surrounding Similar Sized & Dimensioned Lots



7. Planning Assessment

7.1 PRE-LODGEMENT ADVICE

A pre-lodgement meeting was not held with Council or any other relevant entity.

7.2 TYPE OF APPROVAL SOUGHT

This application seeks development approval under the City Plan for:

- Development Permit for Reconfiguring a Lot (2 lots into 3 lots).

7.3 REASON FOR APPROVAL

Section 45(5) of the Act specifies that the assessment of Impact Assessable applications –

(a) "must be carried out only –
   i. against the assessment benchmarks in a categorising instrument for the development; and
   ii. having regard to any matters prescribed by regulation for this subparagraph".

(b) may be carried out against, or having regard to, any other relevant matter, other than a person's personal circumstances, financial or otherwise".

As detailed in the preceding sections of this report and supporting Appendices, the proposed development:

- is considered to satisfy all relevant assessment benchmarks identified by the *City Plan* despite the proposal's non-compliance with the minimum lot size requirement; and
- complies with all relevant matters prescribed by the regulation.

While we are of the opinion that the proposal satisfies all relevant assessment benchmarks identified by the *City Plan* despite its non-compliance with the lower-order development code, should Council disagree, we believe regard should be given to the following relevant matters:

- There is a well-documented housing affordability and supply issue affecting Brisbane and the greater South-East Queensland region; and
- The proposed development seeks to provide additional housing and increased choice in Paddington which has a strong housing demand and is within close proximity to high frequency public transport and centre uses.

7.4 RECOMMENDED CONDITIONS OF APPROVAL

It is recommended that this development application be approved subject to reasonable and relevant standard Council conditions and that the list of Approved Drawings and Documents reflect **Table I**.

Table I – Recommended List of Approved Plans / Documents

Drawing or Document	Number	Date
Proposed Reconfiguration Plan	TP1568-01 Revision B	27-OCT-2026
Development Footprint Plan	TP1568-DFP Revision A	28-OCT-2026
Servicing Layout	5955-SK01 Revision PD	05-NOV-2026
Concept Earthworks	5955-SK02 Revision PD	05-NOV-2026
Earthworks Section	5955-SK03 Revision PD	05-NOV-2026

8. Conclusion & Recommendations

The development application seeks a Development Permit to subdivide land located at 342 & 344 Given Terrace, Paddington also described as Lots 6 & 7 on RP19608 into 3 residential lots.

The proposal has been assessed against all relevant assessment benchmarks and based on the assessment undertaken, it is considered to comply.

Given the facts and circumstances, it is therefore **recommended that this development application be approved** subject to reasonable and relevant conditions.

Disclaimer

This report is dated 5 November 2026 and incorporates information and events up to that date only and excludes any information arising, or event occurring, after that date which may affect the validity of Hickey Oatley opinion in this report. Hickey Oatley prepared this report on the instructions and for the benefit only of Coen Ladewig for the purpose of a development application (Purpose) and not for any other purpose or use. To the extent permitted by applicable law, Hickey Oatley expressly disclaims all liability, whether direct or indirect, to the Instructing Party which relies or purports to reply on this report for any purpose other than the Purpose, and to any other person which relies or purports to rely on this report for any purpose whatsoever (including the Purpose).

In preparing this report, Hickey Oatley 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 surveys, forecasts, projections and recommendations contained in or associated with this report are made in good faith and on the basis of information supplied to Hickey Oatley at the date of this report, and upon which Hickey Oatley relied. Achievement of the projections and budgets set out in this report will depend, among other things, on the actions of others over which Hickey Oatley has no control.

Whilst Hickey Oatley 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. Hickey Oatley (including its officers and personnel) is not liable for any errors or omissions, including in information provided by the Instructing Party or another person or upon which Hickey Oatley relies, provided that such errors or omissions are not made by Hickey Oatley recklessly or in bad faith.

This report has been prepared with due care and diligence by Hickey Oatley and the statements and opinions given by Hickey Oatley in this report are given in good faith and in the reasonable belief that they are correct and not misleading, subject to the limitations above.

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