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APPLICATION REF

A007121868

ZoiQ
Smart Planning

PLANNING ASSESSMENT REPORT

Accompanying a Development Application for

MATERIAL CHANGE OF USE OF PREMISES FOR
ROOMING ACCOMMODATION (6 ROOMS
INCLUDING COUPLES)

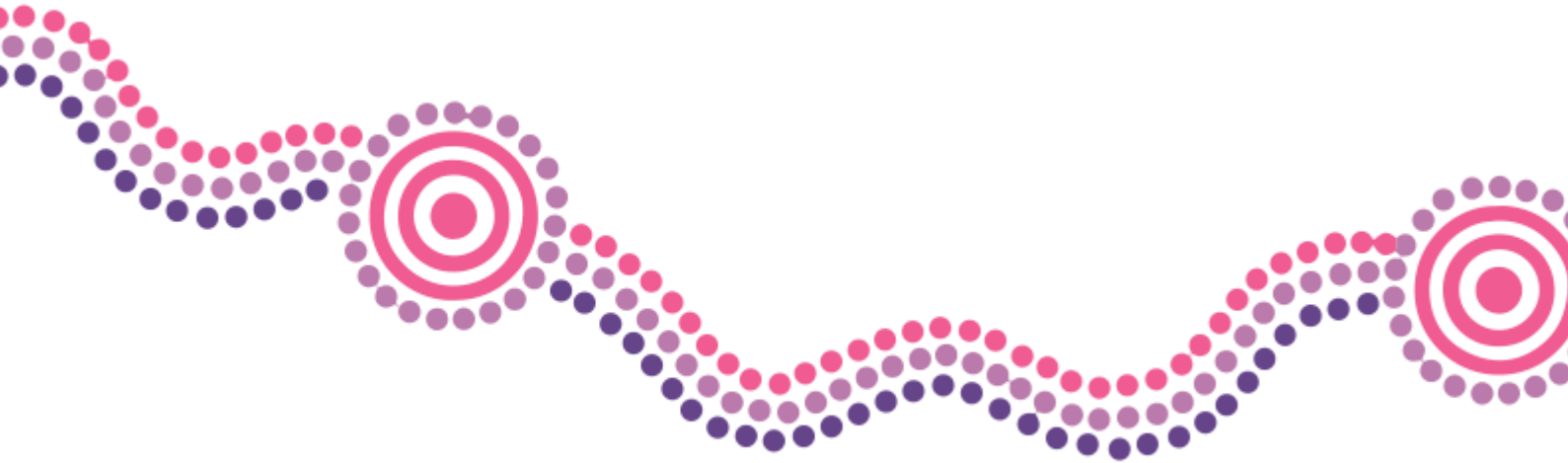
Lot 124 on RP806393

DEVELOPMENT PERMIT

September 2026

ACKNOWLEDGEMENT OF COUNTRY

ZoiQ acknowledges the Traditional Owners and Custodians of the land on which this Development Application is submitted and pays respect to Elders past, present and emerging, for they hold the memories and traditions of Indigenous and Torres Strait Islander people.



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Advisory Notice:

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EXECUTIVE SUMMARY

ZoiQ acts on behalf of the Applicant, Mantu Sarkar, in preparing this Planning Assessment Report to accompany a Development Application for a Development Permit for a Material Change of Use of Premises for Rooming Accommodation (6 rooms including couples). On Lot 124 in RP806393, addressed as 97 Sherwood Road, Rocklea QLD 4106. The Development Application details are briefly summarised.

Table 1: Development application details

Details	Particulars
Development Proposal	Material Change of Use of Premises for Rooming Accommodation (6 rooms including couples)
Type of approval sought:	Development Permit
Site address:	97 Sherwood Road, Rocklea QLD 4106
Real property description:	Lot 124 in RP806393
Site area:	498 sqm
Assessment manager:	Brisbane City Council
Owner details:	Mantu Sarkar
Applicant details:	Mantu Sarkar C/- ZoiQ

Pursuant to the *Brisbane City Plan V37* (Planning Scheme), the site is contained within the Low Density Residential Zone. Rooming Accommodation is listed in the Table of Assessment as Accepted Development subject to requirements. However, due to non-compliance with the Acceptable Outcomes for the total number of persons (five persons or less), the proposal is made Assessable Development under the current Planning Scheme. As such, an Impact Assessable Development Application is triggered, and the following statutory assessment benchmarks apply to the site and the development proposed.

Table 2: Planning instrument details

Benchmarks	Provisions
Regional Plan and Designation:	State interests in the State Planning Policy are appropriately integrated
Planning Schemes:	ShapingSEQ 2023, Urban Footprint
Applicable Preliminary Approval	Brisbane City Plan 2014 V37
Zone	Low Density Residential Zone
Local Plan	Stephens District Neighbourhood Plan
Level of Assessment	Impact Assessable
Applicable Overlays	 Airport environs overlay code  Bicycle network overlay  Community purposes network overlay  Critical infrastructure and movement network overlay  Flood overlay  Potential and actual acid sulfate soils overlay  Streetscape hierarchy overlay  Transport air quality corridor overlay  Transport noise corridor overlay  Dwelling house overlay
Applicable Code	 Rooming accommodation code  Dwelling house code

The proposal for a Material Change of Use of Premises for Rooming Accommodation (6 rooms including couples) was assessed against the relevant provisions under the Planning Scheme and *ShapingSEQ 2023* and within the parameters of the *Planning Act 2016* (Act) and the *Planning Regulation 2017* (Regulation). In this regard, the proposal is deemed to comply with all the relevant planning provisions applying to the site and development. Considering Schedules 9, 10, 11 and 21 of the Regulation, the Development Application for a Rooming Accommodation does not trigger a referral to any concurrence or third-party referral agencies. It is, therefore, considered reasonable in the circumstances and is requested that the Council consider the application favourably.

1. SITE DESCRIPTION AND ANALYSIS

1.1 Location and property description

The subject site is located within the northern portion of the Rocklea locality, adjacent to the Sherwood Road corridor. **Figure One** provides an extract to depict the site locality.

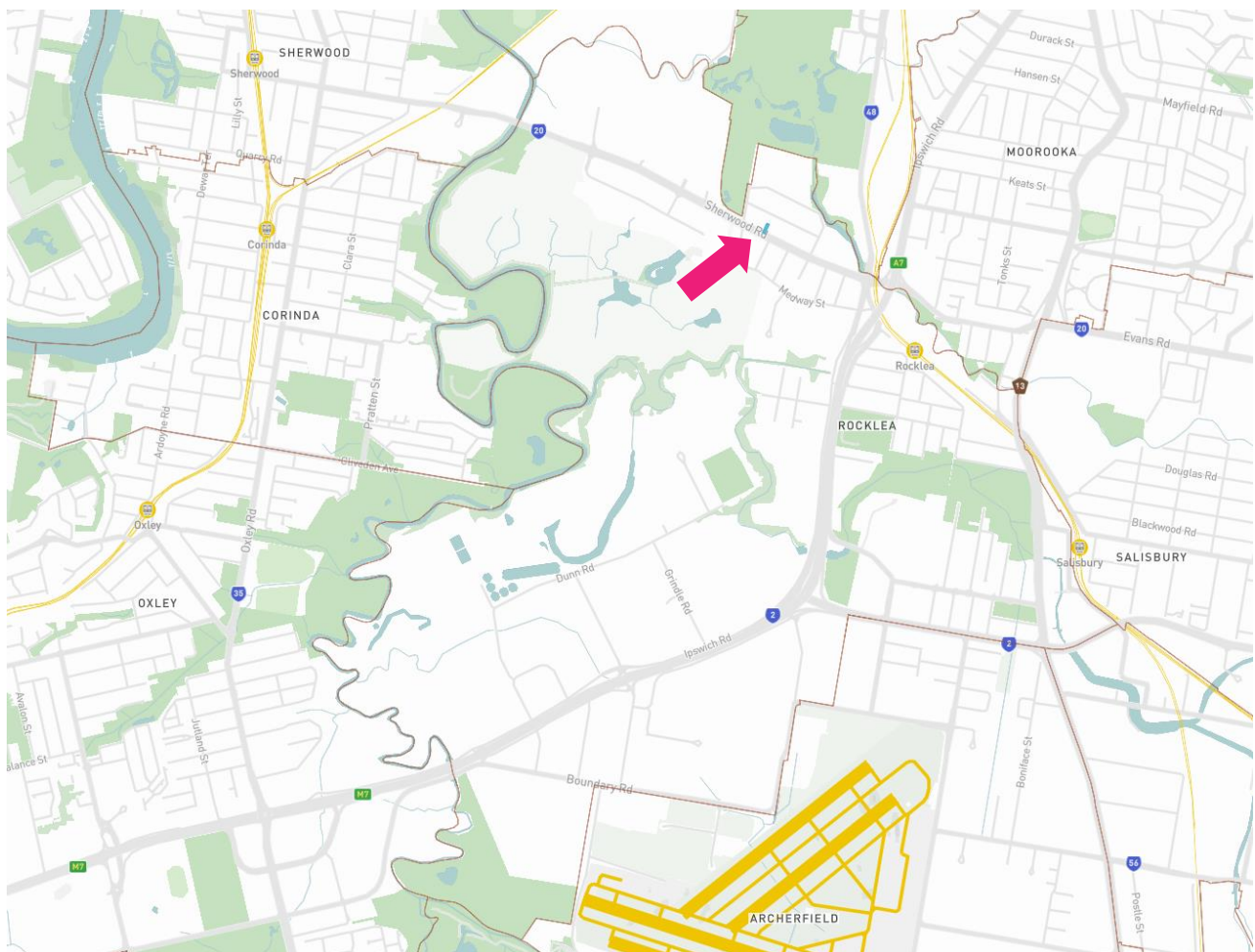


Figure One: Site Locality Map Extract (Archistar, 2026)

1.2 Site characteristics

The site subject to this Development Application is land formally described as Lot 124 on RP806393, addressed as 97 Sherwood Road, Rocklea QLD 4106. It comprises a single allotment, 468 sqm in total area, regular in shape and with principal street frontage to Sherwood Road. Specifically, the site contains 10.09m of principal street frontage and 49.79m of depth.

As per the current site conditions, a Multi Unit Dwelling (City Plan 2000 definition) currently improves the site.

On-site vehicle access is facilitated by the provision of a single driveway along the principal road frontage. Additionally, the topography of the site is generally flat and slopes northwest from the front property boundary. **Figure Two** provides an aerial photograph to overview the site in light of the above details.



Figure Two: Site Aerial Photograph Extract (QLD Globe, 2026).

The site is not burdened by an existing easement as per the public records. **Table 3** provides a summary of the key site details.

Table 3: Site Description

Site Characteristic	Description
Existing land use	Dwelling House (Rooming Accommodation)
Existing structures	Dwelling house
Frontage and access	Sherwood Road (10.09m), single driveway (approximately 5m)
Topography and views	Slopes to the rear from 7m AHD
Existing vegetation	Not applicable
Existing waterways	Not applicable

Pursuant to the *Brisbane City Plan V37* (Planning Scheme), the site is contained within the Low Density Residential. **Figure Three** provides an extract of the Planning Scheme zoning map to depict the zoning of the site, including the immediate surrounding properties.

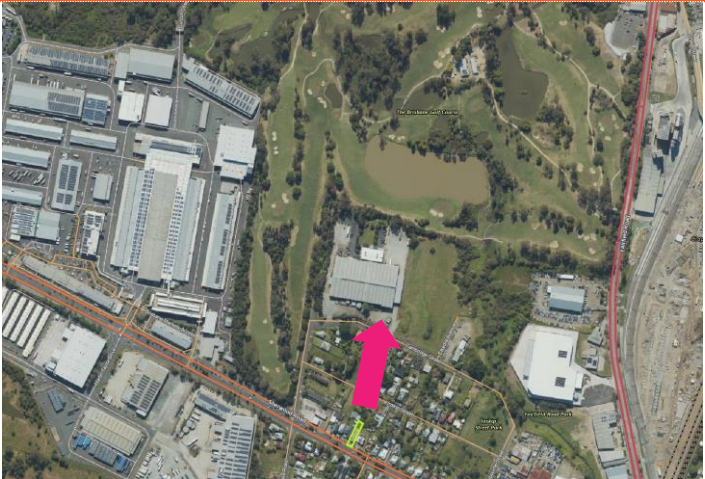


Figure Three: Planning Scheme Zoning Map Extract

1.3 Surrounding development

The immediate surrounding land uses are detailed in **Table 4** below, with photographs provided to further depict the locality in which the development is situated.

Table 4: Surrounding land uses

Surrounding Landuses		Photos
North	- Established low-density residential uses comprised of dwelling houses and ancillary, multiple dwelling developments. - Open space and recreation - Low impact industry comprised of warehouses	
South	- Established residential uses comprised of dwelling houses and ancillary and rooming accommodation developments - Low impact industry comprised of warehouses - Open space and recreation	

Surrounding Landuses		Photos
East	- Established residential uses comprised of dwelling houses and ancillary developments. - Open space and recreation reserve. - Warehousing and low-impact industry - Queensland Rail and Ipswich Motorway transport corridor.	
West	- Established residential uses comprised of dwelling houses and ancillary and rooming accommodation developments - Open space and recreation reserve. - Warehousing and low-impact industry	

The immediate surrounding areas are characterised by established dwelling uses and ancillary developments, conservation and recreation areas and low-impact industry.

2. DETAILS OF PROPOSAL

2.1 Proposed Development

The proposed development seeks Development Permit approval for Rooming Accommodation (6 rooms including couples). Rooming Accommodation has the following definition under the Planning Scheme —

- 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

The proposal seeks to formalise the current land use on the site as Rooming Accommodation pursuant to the current City Plan provisions. It is noted that the proposal benefits from existing use rights pursuant to the superseded *City Plan 2000* for a Dwelling House. A Dwelling House could be occupied by six (6) unrelated persons, under the superseded City Plan definition. It is noted that Building works are not proposed as part of the proposal.

Table 5 provides a summary of the development aspects to overview the proposal.

Table 5: Summary of development aspects

Development Aspects	Proposed Dwelling	Compliant
Building Height (ceiling height)	4.88m (to ceiling)	Yes
On-site car parking	6 Spaces	Yes
Site Access	Sherwood Road	Yes

To summarise, the Rooming Accommodation comprises the existing double-storey building on the premises. Minor alterations are proposed to facilitate the provision of a kitchenette within the northern building aspect. Further, the proposal seeks a Development Permit for a six (6) bedroom Rooming Accommodation (including couples). **Figure Four** provides the development plans to illustrate the Rooming Accommodation proposed over the subject site.

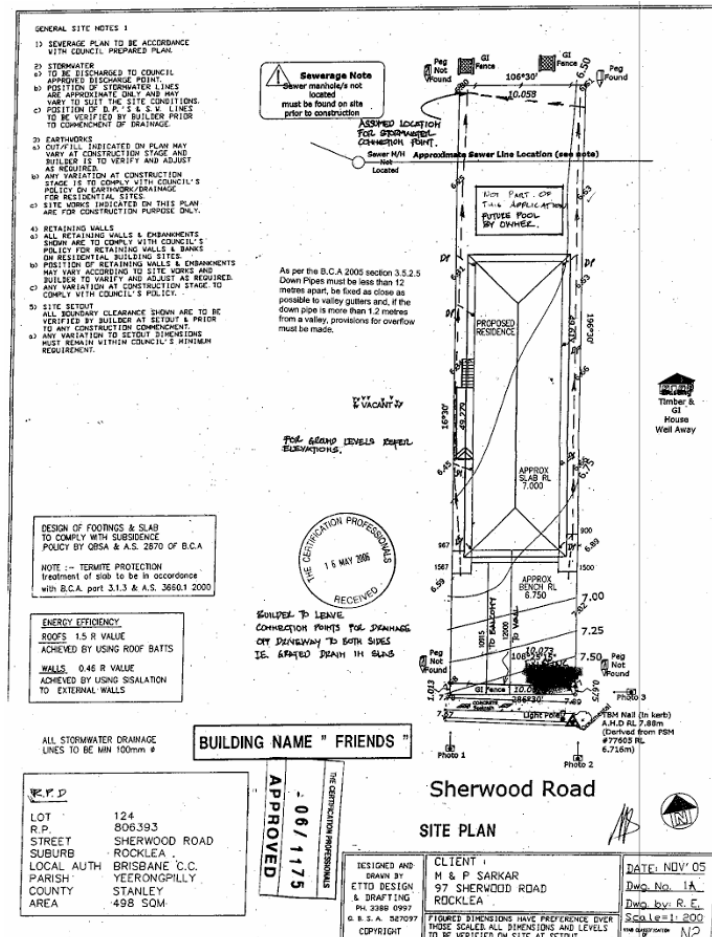


Figure Four: Proposed Site Plan



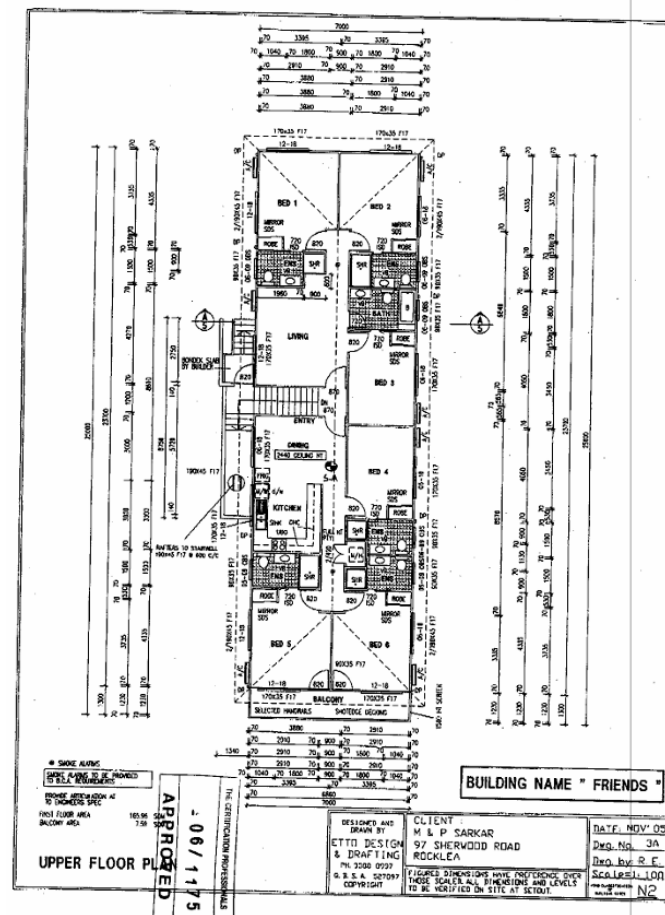
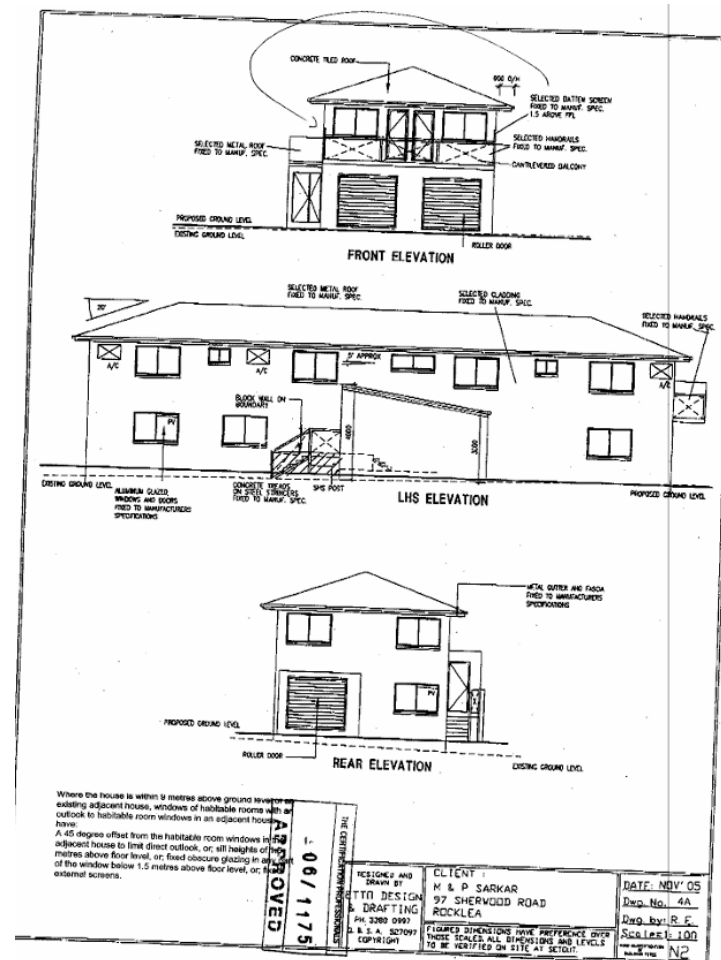


Figure Six: Upper Floor Plan





2.2 Site Access

The proposed development is to be accessed via the principal road frontage to Sherwood Road.

2.3 Site Services

Changes are not proposed to the existing site services. New connections and extensions are not proposed as per the proposed development plans.

3. PLANNING ASSESSMENT

3.1 Pre-lodgement

A request was made for a pre-lodgement meeting to discuss the proposal in light of the minor intensification proposed over the site by the development. The Council issued meeting minutes on 23 July 2023, and the following summary is provided:

- ✚ The site obtained a Building Approval (BA) for a class 1A structure in 2006.
- ✚ A Dwelling House could be occupied by 6 unrelated persons as per the definition of Dwelling House under the superseded City Plan 2000.
- ✚ the property has been operated as a boarding house since approximately 2009, by renting out each of the 6 rooms individually.
- ✚ The site has never had a Building Approval (from a private building certifier) for Class 1b. includes Boarding house use.
- ✚ The site therefore only has existing use rights for a Dwelling house (Class 1a) and does not have approval for use as Boarding house / Rooming Accommodation.
- ✚ The property can have 6 persons living in the house arranged as a Dwelling house in accordance with the original Building Approval.

3.2 Key issues

Key planning issues have not been identified for the proposed development for Rooming Accommodation beyond the category of the development under the current planning scheme.

3.3 Variations to planning provisions

Variations are not proposed to the Planning Scheme provisions by the development for Rooming Accommodation (6 rooms including couples).

3.4 Grounds for approval despite any conflicts

Conflicts with the planning scheme and the reasons the development application should be approved despite those conflicts are outlined in **Table 6**.

Table 6: Grounds for Approval Despite Conflicts

Planning Provision	Conflict and grounds for approval despite the conflict
Brisbane City Plan 2014 v37	
Acceptable outcomes AO7.1 of the Rooming Accommodation Code	The proposal complies with Performance Outcome PO4 of the Rooming Accommodation Code. The proposal complies with purpose 2 (a) of the Rooming Accommodation Code.

4. STATUTORY ASSESSMENT AND OTHER MATTERS

4.1 State interests

4.1.1 Matters established in the Planning Regulation 2017

The proposal for a Rooming Accommodation has been reviewed against the relevant matters in the Regulation that are relevant to this Development Application. Further assessment is not required in this regard; Schedules 9, 10, 11 and 21 of the Regulation are not triggered by the proposal.

4.2 State Planning Policy

The State Planning Policy (SPP) includes assessment benchmarks that may be applicable where a local government planning scheme does not adequately reflect the SPP. In this regard, the assessment benchmarks are not applicable as all the state interests have been integrated into the planning scheme.

4.3 South East Queensland Regional Plan 2023

The proposal is deemed to comply with the ShapingSEQ 2023, as it provides land for residential use over the subject site.

4.4 Referral requirement

Schedule 9 of the *Planning Regulation 2017* provide referral requirements for development assessment. The proposed development does not trigger a referral to any concurrence or third-party referral agencies.

5. OTHER CONSIDERATIONS

5.1 Existing Use Rights

Pursuant to the *Planning Act 2016*, Chapter 7 – Miscellaneous, Part 1, if a use of premises was lawful immediately before the commencement of the Act (or immediately before a new planning instrument takes effect), the use may continue, even if the planning scheme would otherwise prohibit it. The existing use of the premises is for a Dwelling House, and the superseded Planning Scheme 2000 permitted individuals not related by blood to occupy the premises. As such, the proposal seeks to formalise the existing lawful use of the premises under the current City Plan and to enable a building approval for a Class 1b.

6. SUMMARY OF SUPPORTING INFORMATION

The Development Application for a Rooming Accommodation is supported by proposed development plans and written justification. **Table 7** provides a summary of the supporting information for the application.

Table 7: Supporting documentation

Documentation	Author
Proposed Development Plans	Etto Design and Drafting
Plan of Management	Mantu Sarkar
Traffic Response	Mantu Sarkar

7. CONCLUSION

In assessing the proposed Material Change of Use for a Rooming Accommodation (6 rooms including couples) against the relevant benchmarks, the statutory planning framework, contextual conditions and operational circumstances all clearly support approval of the application. Where minor inconsistencies with Acceptable Outcomes were identified, appropriate alternative solutions have been provided to demonstrate compliance with the relevant Performance Outcomes.

Overall, the proposal delivers a well-located infill development that contributes positively to the residential amenity within the locality. Accordingly, the Rooming Accommodation (6 rooms including couples) is considered reasonable in the circumstances, and it is respectfully requested that Council consider the application favourably.

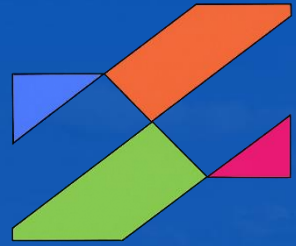
8. APPENDIX

APPENDIX A – RESPONSE TO PLANNING SCHEME CODES

APPENDIX B – PROPOSED DEVELOPMENT PLANS

APPENDIX C – PLAN OF MANAGEMENT

APPENDIX D – TRAFFIC RESPONSE



THANK YOU

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