

# Planning Report

107 Lytton Road  
Bulimba QLD 4171

**Development Application for:**

Reconfiguring a Lot (1 into 2 lot subdivision)

*2 June 2026*

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# 1 Introduction

Council Approval Group has been engaged by Chris Metcalf to prepare and submit a Development Application at 107 Lytton Road, Bulimba QLD 4171 (Lot 127 on RP61722).

The application seeks approval for a Development Permit for Reconfiguring a Lot, comprising a one (1) into two (2) lot subdivision. The proposal also involves the demolition of the existing dwelling house and associated structures to facilitate the proposed subdivision layout.

The proposal has been prepared to respond to the physical characteristics of the site, its established urban setting, and the intent to provide additional residential allotments within an existing serviced area. The subdivision layout has been refined to demonstrate that each proposed lot is capable of accommodating a functional future dwelling outcome, including indicative 9m x 15m building envelopes, appropriate vehicle access, and stormwater servicing.

This report addresses the merits of the development with regard to the relevant assessment benchmarks under the Brisbane City Council Planning Scheme 2014 and the relevant provisions of the Planning Act 2016 and Planning Regulation 2017. As the application is subject to impact assessment, the assessment is to be undertaken in accordance with section 45(5) of the Planning Act 2016.

A summary of the development, submitted for approval is provided in the table below.

Component	Proposed
Local Authority	Brisbane City Council
Aspects of Development	Development Permit for Reconfiguring a Lot: One (1) into two (2) lot subdivision
Planning Scheme / Local Government Categorising Instrument	Brisbane City Council Planning Scheme 2014
Zoning and Precinct	Low Density Residential Zone
Neighbourhood / Local Plan	Bulimba District Neighbourhood Plan
Level of Assessment	Impact Assessment

This report demonstrates that the proposal provides an appropriate infill residential outcome that is compatible with the character and amenity of the locality, does not compromise infrastructure or servicing outcomes, and can be supported subject to relevant and reasonable conditions.

Council's approval of the application is therefore sought.

## 2 The Site and Surrounds

### 2.1 Description of Site and Surroundings

The subject site is located at 107 Lytton Road, Bulimba QLD 4171, legally described as Lot 127 on RP61722. The site is situated within the Brisbane City Council local government area and is located within an established residential locality characterised predominantly by detached dwelling houses and low-density urban development. The site is mapped within the Low Density Residential Zone under the Brisbane City Council Planning Scheme 2014 and is affected by the Bulimba District Neighbourhood Plan.

The site has an area of approximately 637sqm with an approximate frontage of 15.13m to Lytton Road. The land is generally regular in shape and currently improved with an existing three-bedroom dwelling house, ancillary outbuildings and associated residential improvements. Vehicle access is presently obtained directly from Lytton Road.

Existing vegetation is primarily concentrated along the side and rear boundaries and within the front setback area. The existing dwelling and associated structures are proposed to be demolished as part of the proposed redevelopment of the site.

The surrounding locality is characterised predominantly by:

- detached dwelling houses on traditional residential allotments;
- landscaped streetscapes and established vegetation;
- a mixture of older character-style dwellings and contemporary residential redevelopment; and
- emerging infill residential development outcomes in proximity to transport and services.

Whilst the immediate locality maintains a predominantly low-density residential character, the broader Bulimba area contains a mix of housing forms and urban densities, including:

- townhouse and multiple dwelling development within nearby higher density areas;
- neighbourhood and district centre activities within accessible proximity of the site; and
- industrial and commercial land uses located further to the north-east.

The site benefits from its location within an established urban area that is well serviced by existing infrastructure, public transport networks, community facilities and employment opportunities.

Details of the site are provided in the table below, and the location of the subject property is shown on the location and aerial maps at **Figures 1 and 2**. A Google street image of the property is included at **Figure 3**.

Address	Title Details	Site Area	Site Frontage
107 Lytton Road, Bulimba QLD 4171	Lot 127 RP61722	637 sqm (approx.)	15.13 metres (approx.)

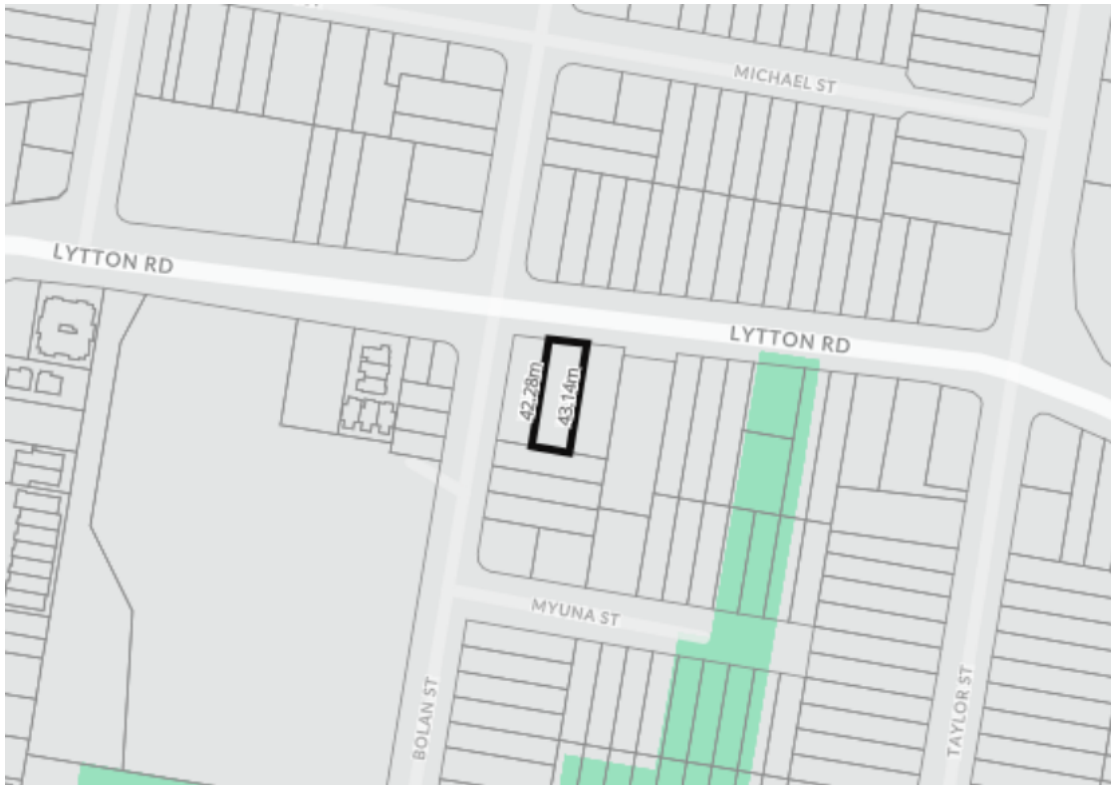
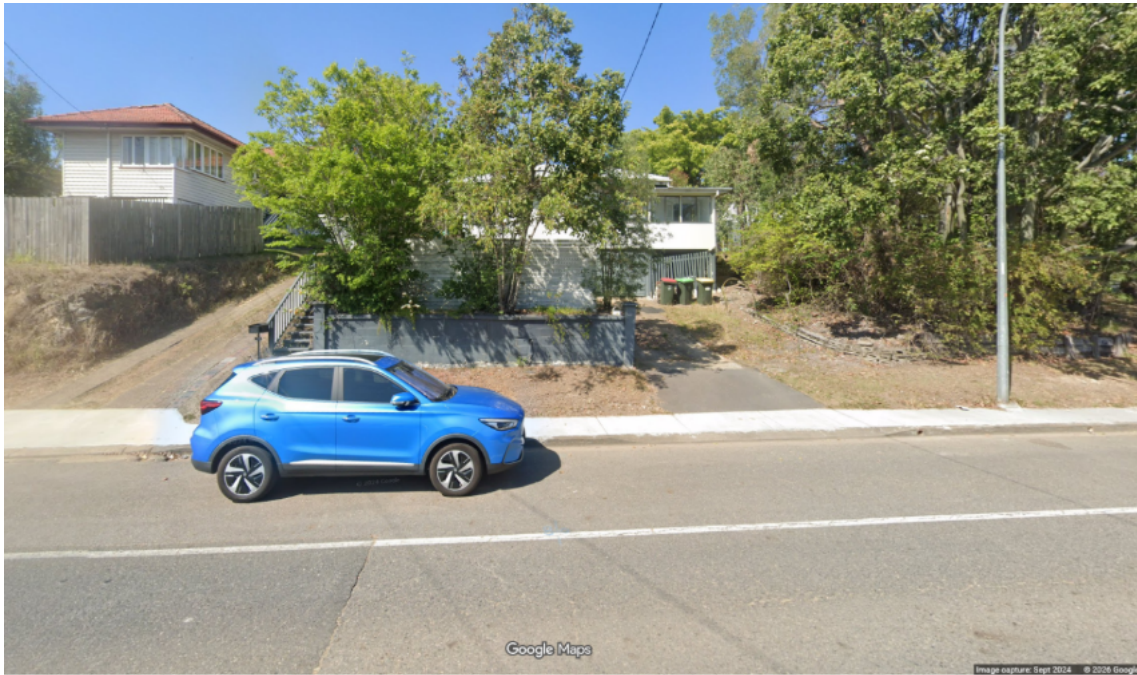


Figure 1: Site location (Source: Landchecker)



Figure 2: Site Aerial (Source: Landchecker)



*Figure 3: View of the Site from the Street – Sep 2024 (Source: Google Maps)*

## 2.2 Development history

A review of Brisbane City Council's online development application records did not identify any recent or relevant development approvals associated with the subject site.

The site is currently improved with an existing dwelling house and ancillary residential structures consistent with the established residential use of the land.

## 3 The Proposal

The application seeks approval for a Development Permit for Reconfiguring a Lot, comprising a one (1) into two (2) lot subdivision over land at 107 Lytton Road, Bulimba.

The proposal has been prepared having regard to the physical constraints of the site, the surrounding urban context, servicing considerations, and the intent to facilitate an appropriate residential infill outcome within an established urban area

### 3.1 Proposal Details

A summary of the key components of the development proposal are summarised as follows:

Key Development Parameter	Proposed Development
Aspect of Development	Development Permit for Reconfiguring a Lot: One (1) into two (2) lot subdivision
Existing Development	Existing dwelling house and associated structures to be demolished
Existing Site Area	637 sqm
Proposed Lot 21	Approximately 279sqm (front lot)
Proposed Lot 22	Approximately 357sqm (rear lot)
Rear Lot Access	3.5m wide access handle
Proposed Frontage to Lot 21	Approximately 11.6m
Indicative Building Envelopes	9 x 15m demonstrated on both allotments
Access Arrangement	Vehicle access via Lytton Road

The proposed subdivision layout has been specifically refined to demonstrate:

- functional future dwelling capability on both resultant allotments;
- practical vehicle access arrangements; and
- the ability to accommodate future residential development outcomes within the site constraints.

### 3.2 Proposed Nature of Development

The application seeks approval for the subdivision of the existing allotment into two (2) residential lots.

The proposal includes:

- demolition of the existing dwelling house and ancillary structures;
- creation of one (1) front residential allotment with direct frontage to Lytton Road; and
- creation of one (1) rear residential allotment accessed via a 3.5m wide rear access handle.

The rear allotment has been designed having regard to the rear lot internal access provisions contained within the Transport, Access, Parking and Servicing Planning Scheme Policy.

Indicative building envelopes have been demonstrated on both allotments to establish that each proposed lot is capable of accommodating a practical future dwelling outcome. The proposed layout also



### 3.3 Rationale for Development

The proposal seeks to facilitate an appropriate infill residential outcome within the Urban Footprint of Brisbane through the efficient utilisation of an existing residential allotment in an established urban area.

Whilst the proposed allotments are below the standard minimum lot size outcomes contemplated within the Low Density Residential Zone, the proposal has been carefully designed to demonstrate:

- practical and functional future residential building outcomes;
- appropriate vehicle access arrangements;
- compliance with relevant rear lot access provisions;
- compatibility with the surrounding residential character; and
- orderly urban consolidation within proximity to existing services and infrastructure.

The proposal responds to the increasing demand for diverse housing opportunities within established inner-city locations and represents a logical infill outcome within a locality already characterised by a mixture of traditional residential allotments and evolving residential redevelopment.

Importantly, the proposal demonstrates that both resultant lots are capable of accommodating functional future dwelling envelopes notwithstanding the reduced lot sizes. The development therefore represents a performance-based planning outcome that appropriately responds to the strategic intent of the planning scheme and broader urban consolidation objectives.

### 3.4 Specialist Information in Support of Proposal

The following specialist information has been prepared in support of the proposed development application:

- Survey Plan prepared by East Coast Surveys;
- Proposed Subdivision Plan prepared by East Coast Surveys; and
- Concept Stormwater Management Plan prepared by JCE Engineers.

These are included at **Appendix B, C and D**.

# 4 Outline of State and Regional Legislative Framework and Assessment

## 4.1 Legislative Framework

### 4.1.1 The Planning Act 2016

The Planning Act 2016 establishes the statutory framework for land use planning and development assessment in Queensland. The purpose of the Act is to facilitate ecological sustainability through an efficient, effective, transparent, coordinated and accountable system of development assessment and land use planning.

The proposed development comprises assessable development requiring a Development Permit for Reconfiguring a Lot.

Pursuant to the Brisbane City Council Planning Scheme 2014, the proposed one (1) into two (2) lot subdivision is subject to **Impact Assessment**. Accordingly, the application is required to be assessed in accordance with section 45(5) of the Planning Act 2016, which requires assessment against:

- the assessment benchmarks in the planning scheme;
- any matters prescribed by regulation; and
- any other relevant matters, other than a person's personal circumstances.

As an impact assessable application, the proposal is assessed against the Strategic Framework, relevant zone intent, neighbourhood plan provisions, overlay provisions, applicable planning scheme policies and other relevant assessment benchmarks contained within the Brisbane City Council Planning Scheme 2014.

This report demonstrates that, notwithstanding the proposed reduced lot sizes, the development:

- provides a functional and appropriate subdivision outcome;
- maintains compatibility with the surrounding urban character;
- facilitates orderly urban consolidation within an established serviced locality; and
- appropriately responds to the performance-based assessment framework of the planning scheme.

## 4.2 Assessment Benchmark - State Planning Policy [and Temporary State Planning Policy]

The State Planning Policy July 2017 (SPP) identifies the Queensland Government's interests in land use planning and development.

The SPP seeks to ensure that state interests are appropriately integrated within local government planning schemes and appropriately considered during the assessment of development applications.

The Brisbane City Council Planning Scheme 2014 has been prepared having regard to the SPP and is identified as appropriately integrating the relevant state interests. Accordingly, assessment of the proposed development against the planning scheme generally addresses the relevant state interests identified within the SPP.

A review of the State Planning Policy mapping identifies that the following state interests and overlays apply to the subject site and surrounding locality:

- Strategic Airports and Aviation Facilities;
- Australian Noise Exposure Forecast (ANEF);
- Bird and Bat Strike Zone;
- Obstacle Limitation Surfaces (OLS);
- Procedures for Air Navigation Services (PANS); and
- Potential Acid Sulfate Soils.

The proposal does not involve development of a nature or scale that would adversely impact upon these identified state interests.

The proposal therefore does not require referral to the State Assessment and Referral Agency (SARA) and is considered to appropriately respond to the relevant state interests applicable to the land.

### 4.3 Assessment Benchmark - Regional Plan

#### 4.3.1 ShapingSEQ 2023 – South East Queensland Regional Plan

ShapingSEQ 2023 is the Queensland Government's current regional plan for South East Queensland and establishes the long-term strategic framework for managing growth, housing, infrastructure, environmental protection and economic development across the region.

The purpose of ShapingSEQ 2023 is to guide sustainable growth and change throughout South East Queensland. The subject site is identified within the Urban Footprint under ShapingSEQ 2023.

The proposed subdivision is considered consistent with the intent of the Urban Footprint designation as it:

- facilitates additional residential housing opportunities within an existing urban area;
- utilises existing infrastructure and servicing networks;
- supports infill development within an established residential locality;
- contributes to housing supply and diversity outcomes; and
- represents orderly urban consolidation within proximity to public transport, services and employment opportunities.

Accordingly, the proposed development is considered to appropriately respond to the strategic intent and regional growth objectives of ShapingSEQ 2023.

### 4.4 State Assessment Referral Agency

The State Assessment and Referral Agency (SARA) provides a coordinated whole-of-government approach to the assessment of development applications involving matters of state interest.

The State Development Assessment Provisions (SDAP) identify circumstances where development requires referral to the State and establish the relevant assessment benchmarks for those matters.

A review of the Planning Regulation 2017 and applicable Development Assessment Mapping System (DAMS) mapping has been undertaken as part of the preparation of this application.

The proposed development:

- does not involve operational works or building works triggering airport-related referral requirements;
- does not involve development exceeding relevant height limitations;
- does not involve clearing of regulated vegetation;
- does not involve tidal works or coastal development;
- does not involve state-controlled road access;
- does not involve environmentally relevant activities; and
- does not otherwise trigger referral under Schedule 10 of the Planning Regulation 2017.

The proposed development does not require referral to SARA and assessment against the SDAP assessment benchmarks is not required.

# 5 Assessment Benchmark - Local Planning Instrument

The Brisbane City Council Planning Scheme 2014 ('Planning Scheme') is the local planning instrument that is used to assess the proposed development. The following sections of this report provide an assessment of the proposed development against the assessment benchmarks under the Planning Scheme.

## 5.1 Brisbane City Council Planning Scheme 2014

The Brisbane City Council Planning Scheme 2014 establishes the framework for managing land use and development within the Brisbane local government area.

As the proposal is subject to Impact Assessment, the application is required to be assessed against:

- the Strategic Framework;
- relevant zone intent and overall outcomes;
- neighbourhood plan provisions;
- applicable overlay codes;
- relevant development assessment codes; and
- any other applicable assessment benchmarks within the Planning Scheme.

The Planning Scheme operates as a performance-based planning instrument and therefore allows flexibility where alternative solutions can demonstrate achievement of the relevant Performance Outcomes and overall planning intent.

The proposed development has been designed having regard to this performance-based framework and is considered to appropriately respond to the relevant planning intent notwithstanding identified departures from certain acceptable outcomes relating primarily to minimum lot size requirements.

## 5.2 Definition

The proposed development is properly characterised as:

### ***Reconfiguring a Lot***

*(a) creating lots by subdividing another lot; or*

*(b) amalgamating 2 or more lots; or*

*(c) rearranging the boundaries of a lot by registering a plan of subdivision; or*

*(d) dividing land into parts by agreement (other than a lease for a term, including renewal options, not exceeding 10 years, or an agreement for the exclusive use of part of the common property for a community titles scheme under the Body Corporate and Community Management Act 1997) rendering different parts of a lot immediately available for separate disposition or separate occupation; or*

*(e) creating an easement giving access to a lot from a constructed road.*

The proposal seeks approval for a one (1) into two (2) lot subdivision and therefore falls squarely within the above definition.

The proposal does not seek approval for a dual occupancy or secondary dwelling as part of this application. Future residential development on the resultant allotments would be subject to separate development and/or building approval processes where required.

### 5.3 Strategic Outcomes of Planning Scheme

As the application is subject to Impact Assessment, the proposal is required to be assessed against the Strategic Framework contained within the Planning Scheme.

#### 5.3.1 Strategic Framework

The strategic framework sets the policy direction for the Planning Scheme and forms the basis for ensuring appropriate development occurs in the Planning Scheme area for the life of the Planning Scheme. The strategic framework outlines 5 themes that collectively represent the policy intent of the scheme:

- Brisbane’s globally competitive economy;
- Brisbane’s outstanding lifestyle;
- Brisbane’s clean and green leading environmental performance;
- Brisbane’s highly effective transport and infrastructure; and
- Brisbane’s CityShape.

The proposal is considered to appropriately respond to the relevant strategic outcomes of the Planning Scheme as outlined below.

#### 5.3.2 Brisbane’s Outstanding Lifestyle

The proposal supports the creation of additional housing opportunities within an established residential locality and contributes toward housing diversity and residential choice within Bulimba.

The proposal facilitates an additional residential allotment within a well-serviced urban area in proximity to:

- public transport;
- employment opportunities;
- retail and commercial centres;
- community facilities; and
- recreational infrastructure.

The proposal therefore contributes positively toward Brisbane’s lifestyle and liveability objectives through orderly urban consolidation.

#### 5.3.3 Brisbane’s Clean and Green Leading Environmental Performance

The proposed development represents infill urban development within an existing serviced urban area and does not involve expansion into environmentally sensitive or rural land.

The proposal promotes efficient land use outcomes and supports sustainable urban growth through utilisation of existing infrastructure and services.

Stormwater management and servicing arrangements are capable of being appropriately addressed through the accompanying engineering documentation and future operational works requirements.

#### 5.3.4 Brisbane's Highly Effective Transport and Infrastructure

The proposal supports efficient use of existing transport and infrastructure networks by facilitating additional residential development within an established urban locality.

The site benefits from access to:

- established road infrastructure;
- public transport services;
- utility servicing; and
- existing community infrastructure.

The proposed rear access arrangement has been designed having regard to the relevant rear lot access provisions of the Planning Scheme and is capable of providing safe and functional vehicle access outcomes.

#### 5.3.5 Brisbane's CityShape

The proposal is consistent with the broader strategic intent of Brisbane's CityShape by:

- supporting infill residential development within the Urban Footprint;
- facilitating efficient utilisation of land within an established suburb;
- contributing to housing supply and diversity outcomes; and
- promoting logical urban consolidation in proximity to services and infrastructure.

Whilst the proposal involves reduced lot sizes compared to the standard acceptable outcomes under the Planning Scheme, the subdivision has been carefully designed to ensure both lots remain functional and capable of accommodating future low-density residential development outcomes.

Accordingly, the proposal is considered to generally align with the Strategic Framework of the Planning Scheme.

## 5.4 Zoning

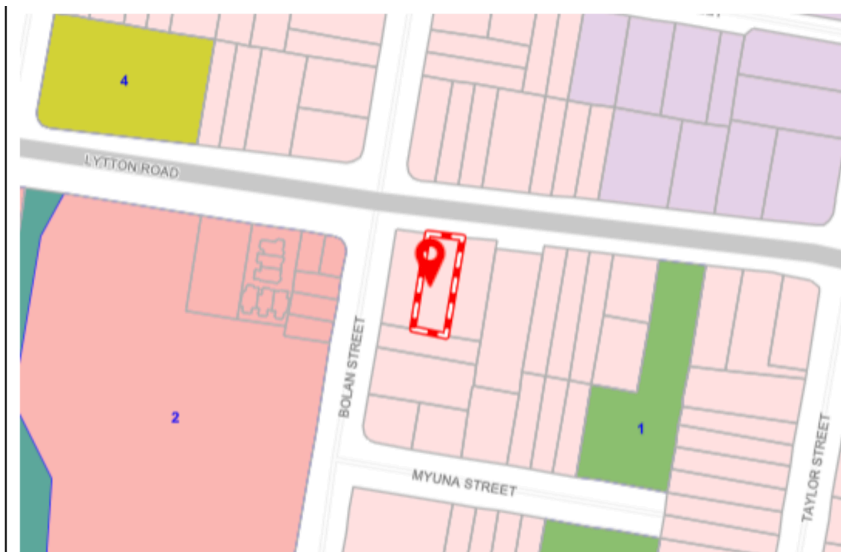
Under the Planning Scheme, the development site is included within the Low Density Residential Zone as shown in **Figure 5**, below. The purpose of the Low Density Residential is as follows:

The proposed development is consistent with the intent of the Low-Density Residential Zone by providing for:

- a) *a variety of low density dwelling types; and*
- b) *community uses, and small-scale services, facilities and infrastructure, to support local residents.*

Figure 2 – Site Zoning

Refer to Part 10 of the planning scheme	EC Emerging community
LDR Low density residential	EI Extractive industry
CR1 Character residential (Character)	MU1 Mixed use (Inner city)
CR2 Character residential (infill housing)	MU2 Mixed use (Centre frame)
LMR1 Low-medium density residential (2 storey mix)	MU3 Mixed use (Corridor)
LMR2 Low-medium density residential (2 or 3 storey mix)	RU Rural
LMR3 Low-medium density residential (Up to 3 storeys)	RR Rural residential
MDR Medium density residential	T Township
HDR1 High density residential (Up to 8 storeys)	CF1 Community facilities Major health care
HDR2 High density residential (Up to 15 storeys)	CF2 Community facilities Major sports venue
TA Tourist accommodation	CF3 Community facilities Cemetery
NC Neighbourhood centre	CF4 Community facilities Community purposes
DC1 District centre (District)	CF5 Community facilities Education purposes
DC2 District centre (Corridor)	CF6 Community facilities Emergency services
MC Major centre	CF7 Community facilities Health care purposes
PC1 Principal centre (City centre)	SC1 Specialised centre (Major education and research facility)
PC2 Principal centre (Regional centre)	SC2 Specialised centre (Entertainment and conference centre)
LI Low impact industry	SC3 Specialised centre (Brisbane Markets)
IN1 General industry A	SC4 Specialised centre (Large format retail)
IN2 General industry B	
IN3 General industry C	



**PROPERTY MAPPED AS:**  
LDR Low Density Residential Zone

Source: Brisbane City Council Mapping

Whilst the proposed allotments are below the standard 400sqm minimum lot size benchmark, the proposal demonstrates that both resultant lots are capable of accommodating functional future dwelling outcomes and appropriate residential amenity.

Importantly, the surrounding locality already contains a range of residential allotments below 400sqm, demonstrating that reduced lot sizes are not anomalous within the broader urban context.

The proposal therefore achieves the underlying intent of the zone notwithstanding technical departures from certain acceptable outcomes.

It is acknowledged that proposed Lot 22 constitutes a rear lot for the purposes of the Subdivision Code and does not achieve the minimum 600sqm lot size or 14m x 20m minimum rectangle dimensions prescribed under Table 9.4.10.3.B Part 3. Notwithstanding, the submitted concept plans demonstrate that the resultant lot remains capable of accommodating a detached dwelling outcome and should therefore be assessed having regard to the relevant Performance Outcomes and overall outcomes of the Planning Scheme.

## 5.5 Bulimba District Neighbourhood Plan

Under the Planning Scheme, the development site is included in the Bulimba District Neighbourhood Plan in the as shown in **Figure 6**, below.

The purpose of the Bulimba District Neighbourhood Plan is as follows:

- to provide finer grained planning at a local level for the Bulimba district neighbourhood plan area

The proposal is considered generally consistent with the intent of the neighbourhood plan as it:

- maintains a low-density residential character;

- facilitates orderly residential infill;
- remains compatible with the established urban form of the locality; and
- does not introduce development of a scale or intensity inconsistent with the surrounding residential context.

The proposed subdivision maintains a traditional residential streetscape presentation to Lytton Road and introduces only one additional residential allotment within an established residential setting.

Accordingly, the proposal is not considered to conflict with the intent or strategic outcomes of the Bulimba District Neighbourhood Plan.

Figure 3 – Bulimba district neighbourhood plan



Source: Brisbane City Council Mapping

## 5.6 Category of Development and Assessment

### 5.6.1 Category of Development

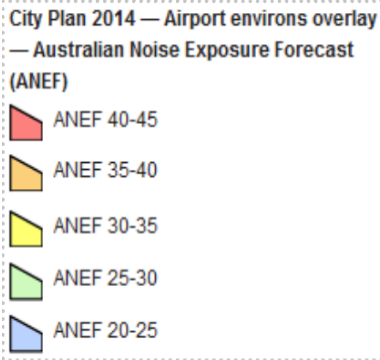
There are three categories of development under the Act. These are Accepted Development, Assessable Development and Prohibited Development.

The proposed Reconfiguring a Lot application is subject to Impact Assessment under the Planning Scheme due primarily to the proposed reduced lot sizes.

## 5.7 Overlays

The following Overlays from the Planning Scheme have been identified as applicable to the application:

- Airport environs overlay — Australian Noise Exposure Forecast (ANEF): ANEF 20-25





**PROPERTY MAPPED AS:**  
ANEF 20-25

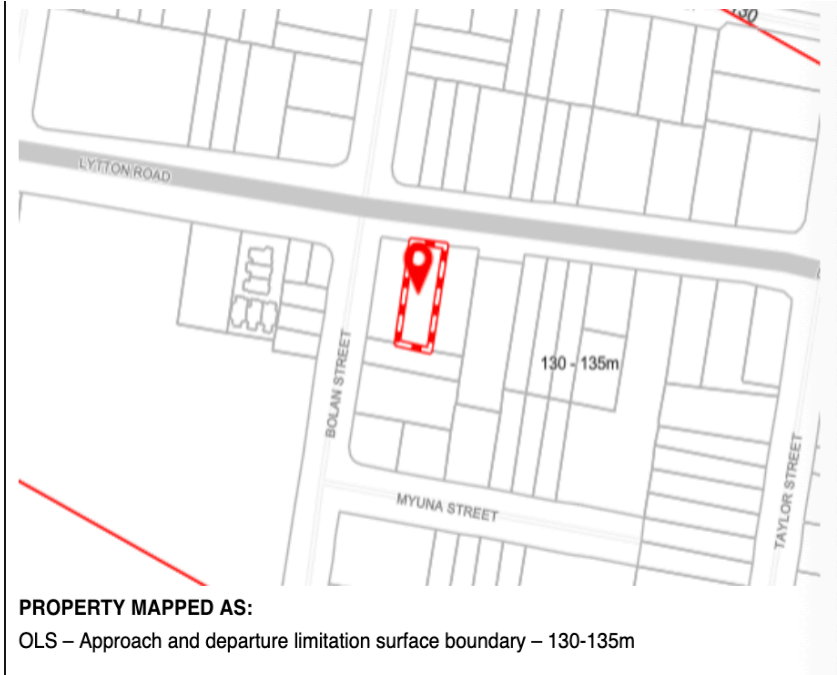
- Airport environs overlay — Bird and bat strike zone and Public safety — Bird and bat strike zone: BBS zone – Distance from airport 3-8km




**PROPERTY MAPPED AS:**  
BBS zone – Distance from airport 3-8km

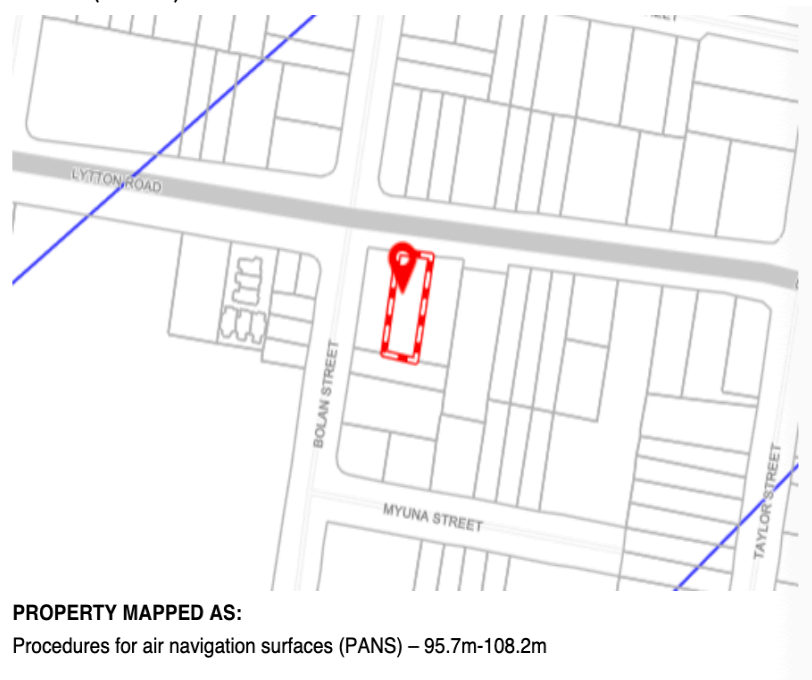
- Airport environs overlay — Obstacle Limitation Surfaces (OLS) - Approach and departure limitation surface: OLS – Approach and departure limitation surface boundary – 130-135m

-  OLS – Approach and departure limitation surface boundary
-  OLS – Approach and departure limitation surface contours



- Airport environs overlay – Procedures for Air Navigation Services – Aircraft Operations Surfaces: Procedures for air navigation surfaces (PANS) – 95.7m-108.2m

-  Procedures for air navigation surfaces (PANS)



- Critical infrastructure and movement network overlay: Critical infrastructure and movement planning area

**Critical routes**

-- Critical routes

**Interim critical routes**

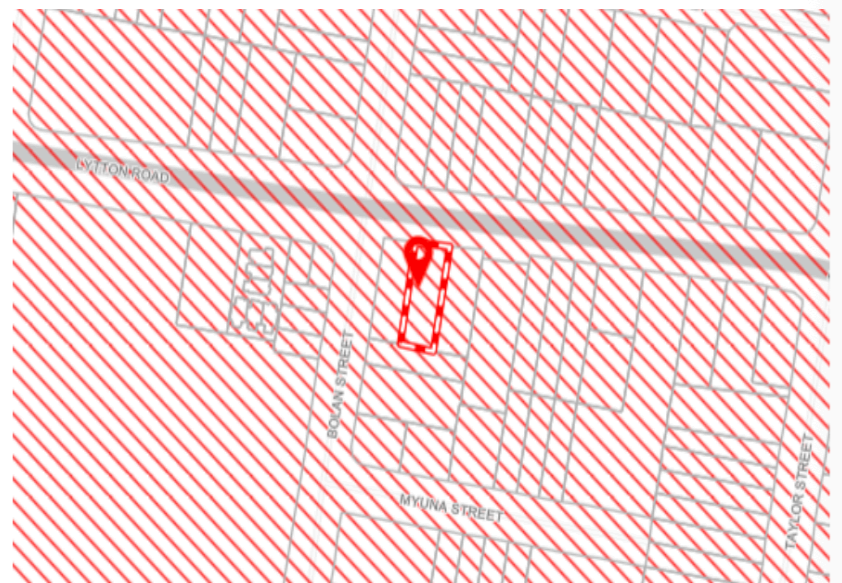
-- Interim critical routes

**Critical infrastructure and movement network - Areas**

▨ Critical assets

**Critical infrastructure and movement network - Areas**

▨ Critical infrastructure and movement planning area



**PROPERTY MAPPED AS:**  
Critical infrastructure and movement planning area

- Dwelling house character overlay: Dwelling house character




**Dwelling house character**

▨ Dwelling house character



**PROPERTY MAPPED AS:**  
Dwelling house character

- Potential and actual acid sulfate soils Overlay: Potential and actual acid sulfate soils, Land above 5m AHD and below 20m AHD


-  Potential and actual acid sulfate soils
-  Land at or below 5m AHD
-  Land above 5m AHD and below 20m AHD




**PROPERTY MAPPED AS:**  
 Potential and actual acid sulfate soils  
 Land above 5m AHD and below 20m AHD

- Local Government Infrastructure Plan maps: Priority Infrastructure Area, Balmoral Projection Area, Network Key – Plans for Trunk Infrastructure – map grid index 174

**City Plan 2014 — LGIP — Priority Infrastructure Area**

-  Priority Infrastructure Area

**City Plan 2014 — LGIP — Projection area**

-  LGIP projection areas (statistical area level 2)


**City Plan 2014 — LGIP — Network Key**

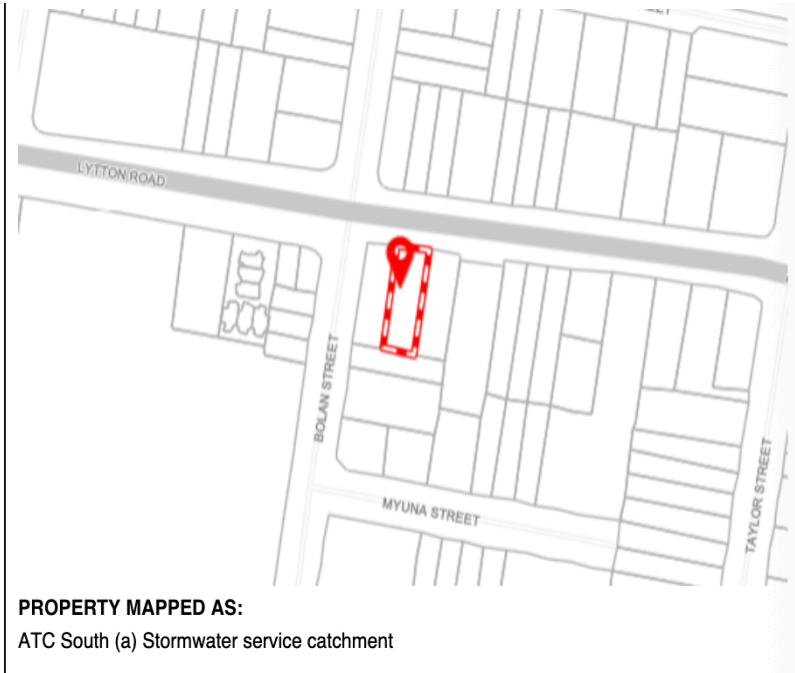
-  Plans for Trunk Infrastructure - map grid index



**PROPERTY MAPPED AS:**  
 Priority Infrastructure Area  
 Balmoral Projection Area  
 Network Key – Plans for Trunk Infrastructure – map grid index 174

- Stormwater network: ATC South (a) Stormwater service catchment

 Stormwater service catchments



The proposal is not anticipated to adversely impact upon the intent of these overlays.

In particular:

- the development does not involve building heights or activities impacting aviation operations;
- the subdivision maintains a low-density residential form;
- no unacceptable impacts upon critical infrastructure are anticipated; and
- stormwater and servicing matters can be appropriately managed through engineering design and future operational works requirements.

The overlays are therefore not considered to preclude or fundamentally constrain the proposed development.

## 5.8 Codes

The following Assessment Benchmarks are considered relevant to the proposed development:

Primary Codes	Prescribed Secondary Codes	Overlay Codes
Low Density Residential Code	Subdivision Code	Airport Environs Overlay Code
	Transport, Access, Parking and Servicing Code	Critical Infrastructure and Movement Network Overlay Code
	Stormwater Code	Dwelling House Character Overlay Code
	Filling and excavation code	

Assessment against the relevant codes is incorporated in **Appendix A**.

In summary, the assessment demonstrates that notwithstanding identified departures from certain numerical acceptable outcomes, the proposal is capable of satisfying the relevant Performance Outcomes and overall planning intent of the applicable codes through a performance-based assessment approach.

## 6 Key Performance Solutions

The proposal incorporates a number of performance-based outcomes under the Planning Scheme, particularly in relation to lot size, rear lot configuration and minimum dimensions. The following assessment outlines the key performance outcomes and demonstrates that, notwithstanding technical non-compliances with certain acceptable outcomes, the proposal achieves the intent and overall outcomes of the Subdivision Code through an appropriate performance-based planning response.

### 6.1 Subdivision Code

Component	Acceptable Outcome	Statement of Compliance
Minimum lot size - Table 9.4.10.3.B Part 2 and Part 3 – Low density residential zone	400sqm (Lot 21) / 600sqm (Lot 22 rear lot)	<b>Performance Outcome sought under PO1 and PO25.</b> Proposed Lot 21 has an area of approximately 279 sqm and proposed Lot 22 has an area of approximately 357 sqm. Despite the reduced lot sizes, the proposal demonstrates functional residential lots capable of accommodating compliant building envelopes and future dwelling houses consistent with the Low Density Residential Zone intent and principles of the Dwelling House (Small Lot) Code. The proposal achieves the intent of PO1 by providing lots suited to their intended use and responsive to the surrounding locality.
Minimum rectangle dimension - Table 9.4.10.3.B Part 2 and Part 3	9 x 15m (Lot 21) / 14m x 20m (Lot 22)	<b>Performance Outcome sought.</b> Whilst a 9m x 15m indicative building envelope has been demonstrated, proposed Lot 22 does not achieve the minimum 14m x 20m rectangle dimensions prescribed for rear lots under Table 9.4.10.3.B Part 3. The submitted plans nevertheless demonstrate that the lot remains capable of accommodating a future detached dwelling outcome.
Average Lot Width & Minimum Frontage - Table 9.4.10.3.B Part 2	10m	<b>Partially compliant.</b> Proposed Lot 21 achieves a frontage of approximately 11.6m. Proposed Lot 22 is configured as a rear lot with a 3.5m access handle arrangement. Whilst the rear lot does not achieve a traditional frontage width, the lot configuration remains functional and achieves the intent of PO1, PO3 and PO25 through provision of safe and practical access arrangements and useable lot dimensions.
Rear Lot Access Width - PO3 / AO3.3(c)(i)	3.5m	<b>Compliant.</b> The proposed rear access handle is approximately 3.5m wide, consistent with rear lot access requirements under the Planning Scheme and associated servicing provisions. The proposal achieves PO3 by providing safe and functional access arrangements for the intended residential use.
Access and manoeuvring - PO3, AO3.2, AO3.3 and AO3.4	Safe access required	<b>Compliant subject to detailed design.</b> The proposed subdivision provides practical

		vehicle access and manoeuvring arrangements capable of servicing both lots. The proposed driveway arrangement is capable of compliance with Council engineering and servicing requirements, with detailed design to be addressed at Operational Works stage.
Lot configuration and usability - PO1, PO25 and AO25.1	Lots are to be useable and capable of accommodating lawful uses	<b>Compliant.</b> The proposed lots are regular in configuration and capable of accommodating lawful residential uses. The demonstrated building envelopes confirm the lots are suitable for detached dwelling outcomes and provide appropriate opportunities for private open space, vehicle access and landscaping.
Streetscape and character - PO1(d), PO5 and Overall Outcome 2(a) and (b) of the Subdivision Code	Development complements local character	<b>Compliant.</b> The proposal maintains a low-density residential form and introduces only one additional residential lot within an established urban locality. The development remains compatible with the evolving residential character of Bulimba and supports orderly infill development outcomes anticipated within the Urban Footprint.
Infrastructure and servicing - PO4, AO4.1 and AO4.2	Development provides appropriate infrastructure and servicing	<b>Compliant.</b> A stormwater management plan has been prepared to support the development application. The proposal is capable of being adequately serviced and integrated with existing infrastructure networks.
Strategic intent - Overall Outcomes 2(a), 2(b) and PO1	Development supports orderly infill development	<b>Compliant.</b> The proposal facilitates additional housing supply within an established serviced locality and supports the strategic objectives of the Brisbane City Plan and ShapingSEQ 2023 through efficient residential infill development within the Urban Footprint.

# 7 Additional Assessment Benchmarks

## 7.1 Temporary Local Planning Instrument

At the time of preparing this application, no Temporary Local Planning Instrument (TLPI) has been identified as applying to the subject site or materially affecting the assessment of the proposed development.

The proposal is therefore assessed against the Brisbane City Council Planning Scheme 2014 and other relevant statutory instruments currently in force.

## 7.2 Variation Approval

The application does not seek a Variation Approval.

The proposed development seeks a Development Permit for Reconfiguring a Lot and is assessed against the applicable assessment benchmarks within the Brisbane City Council Planning Scheme 2014.

Whilst the proposal involves departures from certain acceptable outcomes of the Subdivision Code, particularly in relation to minimum lot size outcomes, the application does not seek to vary the effect of the Planning Scheme and is instead advanced on a performance-based assessment basis.

The proposal is considered capable of satisfying the relevant Performance Outcomes and overall outcomes of the applicable codes notwithstanding the identified technical non-compliances.

## 7.3 Matters Prescribed by Regulation

Schedule 9 of the Planning Regulation 2017 identifies matters prescribed for assessment.

A review of the Planning Regulation 2017 has been undertaken and no additional matters prescribed by regulation have been identified that would preclude or materially constrain the proposed development.

## 7.4 Local Government Infrastructure Plan

The subject site is mapped within the following Local Government Infrastructure Plan (LGIP) designations:

- Priority Infrastructure Area;
- Balmoral Projection Area; and
- Network Key – Plans for Trunk Infrastructure – Map Grid Index 174.

The proposed development represents a minor residential infill subdivision within an established urban area already serviced by existing infrastructure networks. The proposal is not anticipated to adversely impact upon the delivery or function of existing trunk infrastructure and can be adequately serviced by existing and planned infrastructure networks within the locality.

The development will contribute toward the efficient utilisation of existing infrastructure consistent with the strategic intent of the Planning Scheme and ShapingSEQ 2023.

Any applicable infrastructure charges associated with the development can be appropriately conditioned and levied by Council in accordance with the relevant infrastructure charging framework.

## 8 Other Relevant Matters

Section 45(5)(b) of the Planning Act 2016 provides that, for impact assessable development, assessment may be carried out against, or having regard to, any other relevant matter other than a person's personal circumstances.

For an application subject to Impact Assessment, these matters are

*“An impact assessment is an assessment that—*

*(a) must be carried out—*

*(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; and*

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

*Examples of another relevant matter—*

- *a planning need*
- *the current relevance of the assessment benchmarks in the light of changed circumstances*
- *whether assessment benchmarks or other prescribed matters were based on material errors”*

The proposed development is subject to Impact Assessment and accordingly Council may have regard to additional relevant matters beyond the strict application of the assessment benchmarks contained within the Planning Scheme.

In this instance, there are a number of relevant matters which support approval of the proposed development notwithstanding the identified non-compliances with certain acceptable outcomes of the Subdivision Code.

### 8.1 Planning Need

The proposed development responds to the increasing demand for additional and diverse housing opportunities within established inner-city Brisbane locations.

The site is located within the Urban Footprint under ShapingSEQ 2023 and is situated within an established residential area with access to:

- existing infrastructure and servicing;
- public transport networks;
- employment opportunities;
- community facilities;

- educational facilities; and
- commercial and retail centres.

The proposal represents a modest infill residential subdivision which facilitates more efficient utilisation of an existing residential allotment within an already serviced urban area.

Importantly, the proposal does not seek to introduce an incompatible land use or development intensity. Rather, the development maintains a low-density residential outcome consistent with the broader residential character of the locality.

The proposed subdivision supports broader strategic planning objectives relating to:

- urban consolidation;
- increased housing supply;
- housing diversity;
- efficient infrastructure utilisation; and
- sustainable infill development within established urban areas.

The proposal therefore addresses an identifiable planning need for additional housing opportunities within well-located established suburbs of Brisbane.

## 8.2 Relevance of the Assessment Benchmarks

Whilst the proposal does not strictly comply with the acceptable outcomes relating to minimum lot size and frontage dimensions under the Subdivision Code, it is important to recognise that the Brisbane City Council Planning Scheme operates as a performance-based planning instrument.

The Planning Scheme expressly contemplates alternative solutions capable of satisfying the relevant Performance Outcomes and overall outcomes of the applicable codes.

In this instance, the proposal demonstrates that:

- both proposed allotments are capable of accommodating functional future dwelling outcomes;
- indicative 9m x 15m building envelopes have been demonstrated on both lots to establish future residential development capability;
- practical vehicle access arrangements can be provided;
- the development can be appropriately serviced;
- the proposal maintains compatibility with the surrounding residential character; and
- the subdivision does not result in unacceptable amenity impacts.

The relevant acceptable outcomes relating to minimum lot size operate primarily as numerical benchmarks intended to achieve functional residential outcomes. Notwithstanding the reduced lot sizes proposed, the application demonstrates that the underlying planning intent of these provisions can still be achieved through the proposed design response.

The current application seeks approval for a one (1) into two (2) lot subdivision only and does not seek approval for a dwelling house or building work. Accordingly, assessment against the Dwelling House (Small Lot) Code is not required as part of this application. Notwithstanding, indicative building envelopes have been prepared and submitted in support of the application to demonstrate that each resultant allotment is capable of accommodating a future detached dwelling outcome. The building envelopes have

been prepared having regard to the principles of the Dwelling House (Small Lot) Code, including building setbacks, building height, vehicle access arrangements, private open space opportunities and servicing requirements.

The submitted plans demonstrate that future dwelling development can occur on each allotment without creating unreasonable amenity impacts or compromising the intended low-density residential character of the locality. As such, the proposed subdivision does not create constrained allotments and remains capable of supporting future residential development outcomes broadly consistent with the intent of the Planning Scheme.

Further, the surrounding Bulimba locality continues to experience ongoing residential infill and redevelopment, with a variety of allotment sizes, built forms and housing outcomes emerging throughout the broader area. In this context, the proposal represents a logical and orderly urban consolidation outcome within an established residential setting.

The proposal should therefore be assessed having regard to:

- the demonstrated functionality of the resultant lots;
- the strategic location of the site;
- the availability of existing infrastructure and services;
- the performance-based nature of the Planning Scheme; and
- the broader strategic planning objectives supporting infill residential development within the Urban Footprint.

It is considered that sufficient grounds and relevant matters exist to support approval of the proposed development notwithstanding the identified departures from certain acceptable outcomes of the Planning Scheme.

# 9 Reasons for Approval

## 9.1 Local Government Reasons for Approval

Under Section 45 (5) of the Act, assessment of Impact Assessable applications:

*“(a) must be carried out:*

*(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; and*

*(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 demonstrated throughout this report, the proposed development is considered to warrant approval for the following reasons:

- The proposal facilitates an appropriate residential infill outcome within an established urban area identified within the Urban Footprint under ShapingSEQ 2023.
- The proposed development supports the strategic planning objectives of promoting efficient utilisation of existing infrastructure, housing diversity and urban consolidation within serviced residential areas.
- The subdivision maintains a low-density residential outcome compatible with the existing and emerging character of the surrounding locality.
- Both proposed allotments are capable of accommodating functional future dwelling outcomes, including demonstrated 9m x 15m building envelopes. Whilst proposed Lot 22 does not achieve the prescribed rear lot dimensions under Table 9.4.10.3.B Part 3, the submitted plans demonstrate that the lot remains capable of supporting a future detached dwelling outcome.
- The proposal provides practical and safe vehicle access arrangements, including a compliant 3.5m rear access handle arrangement.
- The development can be appropriately serviced with respect to stormwater, infrastructure and utility requirements.
- The proposal does not introduce unacceptable impacts upon the amenity of adjoining properties or the broader streetscape character.
- The proposal responds appropriately to the performance-based framework of the Brisbane City Council Planning Scheme 2014 notwithstanding identified departures from certain acceptable outcomes.
- The identified non-compliances relating to minimum lot size and frontage dimensions do not result in adverse planning outcomes and are outweighed by the demonstrated functionality and suitability of the proposed lots.
- The proposal represents orderly and logical urban consolidation within proximity to public transport, employment opportunities, services and community facilities.
- The development is not anticipated to adversely impact upon matters of state interest and does not require referral to the State Assessment and Referral Agency.
- Sufficient grounds and relevant matters exist to justify approval of the development despite technical non-compliances with certain acceptable outcomes of the Planning Scheme.

It is also relevant to note that the surrounding locality already contains a variety of existing residential allotments with areas below the standard 400sqm minimum lot size outcome identified under the Subdivision Code. Examples in the vicinity of the site include:

- 122 Lytton Road – approximately 392sqm;
- 21 Michael Street – approximately 350sqm;
- 17 Michael Street – approximately 350sqm;
- 1A Michael Street – approximately 202sqm;
- 72 Lytton Street – approximately 397sqm;
- 105 Bolan Street – approximately 352sqm;
- 15A Apex Street – approximately 253sqm;
- 11A Apex Street – approximately 255sqm;
- 67 Fifth Avenue – approximately 352sqm;
- 46 Derby Street – approximately 319sqm; and
- 119A Victoria Street – approximately 278sqm.

These existing subdivision patterns demonstrate that allotments below the standard 400sqm benchmark are not anomalous within the broader locality and that a variety of smaller residential lot configurations already exist within the established urban fabric of Bulimba. In this context, the proposed development is not considered to introduce an unreasonable or incompatible subdivision outcome and instead reflects an emerging and established pattern of residential infill development within the surrounding area.

The proposed development is considered to represent an appropriate planning outcome and warrants approval subject to reasonable and relevant conditions.

# 10 Summary and Conclusion

Council Approval Group is pleased to submit this Development Application and accompanying Planning Report for a Development Permit for Reconfiguring a Lot comprising a one (1) into two (2) lot subdivision at 107 Lytton Road, Bulimba QLD.

This Planning Report for the proposed use and/or development has considered:

- the circumstances of the case;
- an analysis of the subject site and the surrounding locality;
- an analysis of the proposal against the provisions of the Planning Scheme, including all relevant statutory controls that apply to the site;
- other relevant matters.

The assessment concludes that the proposed development:

- provides an appropriate infill residential outcome within an established urban area;
- supports the strategic intent of ShapingSEQ 2023 and the Brisbane City Council Planning Scheme 2014;
- maintains compatibility with the low-density residential character of the locality;
- demonstrates functional and practical residential allotments;
- provides safe and appropriate vehicle access arrangements;
- can be adequately serviced by existing infrastructure networks; and
- does not result in unacceptable impacts upon the amenity of the surrounding area.

Whilst the proposal does not strictly comply with certain numerical acceptable outcomes relating to minimum lot size and frontage dimensions, the application demonstrates that the underlying intent and relevant Performance Outcomes of the Planning Scheme can nevertheless be achieved through the proposed design response.

The proposal therefore represents an appropriate performance-based planning outcome having regard to:

- the demonstrated functionality of the proposed lots;
- the strategic location of the site;
- the established urban context;
- the availability of infrastructure and services; and
- the broader planning objectives supporting urban consolidation and housing diversity.

## 10.1 Recommendation

Having regard to the matters outlined throughout this report, it is respectfully submitted that the proposed development represents an appropriate and supportable planning outcome.

Accordingly, Council Approval Group recommends that Brisbane City Council grant approval for the proposed Development Permit for Reconfiguring a Lot, subject to relevant and reasonable conditions.

*Appendix A. Code Compliance Tables*

*Appendix B. Survey Plan*

*Appendix C. Plan of Subdivision*

*Appendix D. Stormwater Concept Plan*