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TOWN PLANNING REPORT

Development Permit for a Material Change of Use
Multiple Dwelling (5 x Units)

31 Arnold Street, Manly
Lot 136 on RP33032

*Prepared for **RK Pty Ltd***

Table of Contents

1.0 Executive Summary ..... - 3 -
2.0 Development Overview ..... - 4 -
2.1 Application Details ..... - 4 -
2.2 Planning Instrument Details ..... - 4 -
2.3 Referral ..... - 5 -
2.4 Common Material ..... - 6 -
3.0 Site Analysis ..... - 7 -
3.1.1 Location ..... - 7 -
3.1.2 Existing Land Use ..... - 7 -
3.1.3 Land Ownership, Easements and Encumbrances ..... - 7 -
3.1.4 Topography ..... - 7 -
3.1.5 Surrounding Land Use ..... - 8 -
3.1.6 Vegetation ..... - 8 -
3.1.7 Infrastructure ..... - 8 -
4.0 Proposal Summary ..... - 9 -
4.1 Development Type and Definition ..... - 9 -
4.1.1 Description ..... - 9 -
4.1.2 Definition under the Planning Act ..... - 9 -
4.1.3 Proposal Details ..... - 9 -
5.0 State Planning Framework ..... - 19 -
5.1 Matters Established in the Planning Regulation ..... - 19 -
5.1.1 Planning Act 2016 – Framework ..... - 19 -
5.1.2 Referral Agencies ..... - 19 -
5.1.3 State Planning Policies ..... - 19 -
5.1.4 Regional Plan ..... - 19 -
6.0 Local Planning Framework ..... - 20 -
6.1 Matters Established in the Planning Scheme ..... - 20 -
6.1.1 Category of Assessment ..... - 20 -
6.1.2 Strategic Framework ..... - 21 -
6.1.3 Zone ..... - 22 -
6.1.4 Neighbourhood Plan ..... - 22 -
6.1.5 Relevant Codes ..... - 22 -
6.1.6 Planning Scheme Policies ..... - 22 -
6.1.7 Temporary Local Planning Instruments ..... - 22 -
6.1.8 Infrastructure Charges ..... - 22 -
7.0 Recommendation ..... - 23 -
Appendix A: DA Form 1 - Development Application Details ..... - 24 -
Appendix B: Assessment Benchmarks (*Brisbane City Plan 2014*) ..... - 25 -
Appendix C: Architectural Plans ..... - 26 -
Appendix D: Landscape Concept Plans ..... - 27 -
Appendix E: Civil Engineering Assessment Report ..... - 28 -
Appendix F: Stormwater Management Plan ..... - 29 -
Appendix G: Traffic Engineering Report ..... - 30 -
Appendix H: Waste Management Letter ..... - 31 -
Appendix I: Land Owners Consent & Current Title Document ..... - 32 -

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1.0 Executive Summary

This report is in support of an application seeking a Development Permit for a Material Change of Use for a Multiple Dwelling (5 x Units) at 31 Arnold Street, Manly on land described as Lot 136 on RP33032, subject to Impact Assessment.

This application is made in the approved form to the Brisbane City Council as the assessment manager, subject to the relevant assessment benchmarks for act Assessment under the *Planning Act 2016*. The application does not trigger referral to a Referral Agency under the *Planning Regulation 2017*.

Under the Brisbane City Plan 2014 (Version 35), the subject site is identified as being contained within the Low-Medium Density Residential Zone. The purpose of the Low-Medium Density Residential Zone is to "*provide for a variety of low to medium density dwelling types and community uses, and small-scale services, facilities and infrastructure, to support local residents."*

As detailed on the Architectural Plans, prepared by Marlowe Architecture Pty Ltd, included within Appendix C, the proposed development is considered to be consistent with the Overall Outcomes of the Low-Medium Density Residential Zone and Wynnum-Manly Neighbourhood Plan as the proposed development seeks to provide for a Multiple Dwelling (5 x Units).

The proposed development is for the provision of five (5) units with a ground level carpark, basement carpark and lobby area and a stair /lift lobby shaft area over 4 storeys. Each unit will provide alternative layouts that delivers 2-3 bedrooms with Walk-in-Robes and Ensuites, bathrooms, laundries, shared kitchen/living areas, powder rooms, patio and balconies.

The proposal involves a maximum height of 14.01m and four (4) Storeys, with an overall built form is generally consistent with the bulk, density and intensity with the Low-Medium Density Residential Zone and the Wynnum-Manly Neighbourhood Plan.

The development has a total gross floor area of 1,013m^2 with an overall site cover of 72m% which includes the first and second floor balconies. In addition to the site cover and GFA the development provides 11 car spaces, 154.95m^2 of landscaping (19.2%), and 87.8m^2 of Deep Planting (10.9%).

The proposed development will be connected to all appropriate urban services and infrastructure networks, including the reticulated water supply network, reticulated sewage network, stormwater management, telecommunication services and an electricity supply, in accordance with the relevant standards.

A full assessment of the proposed development against the assessment benchmarks has determined that the proposal generally complies. Any alternative solutions proposed are justified and provide an appropriate design response. The proposed development should be considered appropriate, and the application should be supported by Council in this instance.

It is recommended that the Brisbane City Council approve the proposed development subject to relevant and reasonably required conditions, having regard for details of this application.

This planning report, together with the accompanying plans, demonstrate that the application should be supported by the Council, subject to relevant and reasonably required conditions, and that approval of this application is warranted.

2.0 Development Overview

2.1 Application Details

Applicant:	RK Pty Ltd C/- VMS Town Planning & Development Consultants Pty Ltd
Address:	31 Arnold Street, Manly QLD 4179
Lot / Plan Description:	Lot 136 on RP33032
Proposed Development:	Development Permit for a Material Change of Use for Multiple Dwelling (5 x Units)
Area:	809m²
Easements:	NIL
Owner of the Premises:	RK PTY LTD A.C.N. 065 152 034
Local Government Area:	Brisbane City Council
Pre-lodgement Meeting:	Yes – A006574427 (dated 29 August 2024)

2.2 Planning Instrument Details

QLD Planning Legislation:	*Planning Act 2016* *Planning Regulation 2017*
State Planning Policy:	*State Planning Policy* (July 2017): • State Interest – Natural Hazards Risk and Resilience • State Interest – Strategic Airports and Aviation Facilities
Regional Plan Designation:	*South East Queensland Regional Plan 2023* *Shaping SEQ* – Urban Footprint
Temporary Local Planning Instrument:	N/A
Existing Variation Approval:	N/A
Planning Scheme:	*Brisbane City Plan 2014 (Version 35)*
Zone:	Low-Medium Density Residential Zone (2 or 3 Storey Mix Precinct)

Neighbourhood Plan:	Wynnum-Manly Neighbourhood Plan
Overlays:	• Airport Environs Overlay • Community Purposes Network Overlay • Critical Infrastructure and Movement Network Overlay • Dwelling House Character Overlay • Road Hierarchy Overlay • Streetscape Hierarchy Overlay
Category of Assessment:	Impact Assessment (15 business days public notification)
Assessment Benchmarks:	• Strategic Framework • Low-Medium Density Residential Zone Code • Wynnum-Manly Neighbourhood Plan • Multiple Dwelling Code • Filling and Excavation Code • Infrastructure Design Code • Landscape Work Code • Stormwater Code • Transport, Access, Parking and Servicing Code • Community Purposes Network Overlay Code • Road Hierarchy Overlay Code • Streetscape Hierarchy Overlay Code
Infrastructure Charges:	*Brisbane Infrastructure Charges Resolution (No. 14) 2025* *Queensland Urban Utilities (QUU) Water Netserv Plan Part A*

2.3 Referral

Referral Agency:	N/A
State Development Assessment Provisions:	N/A

2.4 Common Material

In addition to this Planning Report, the following documents have been attached in support of the application as appendices for Council consideration:

Appendix A
DA Form 1 - Development Application Details

Appendix B
Assessment Benchmarks (*Brisbane City Plan 2014 (Version 35))*

Appendix C
Architectural Plans, prepared by Marlow Architecture Pty Ltd

Appendix D
Landscape Concept Plans prepared by Laudink Pty Ltd

Appendix E
Civil Engineering Assessment Report, prepared by HCE Engineers Pty Ltd

Appendix F
Stormwater Management Plan, prepared by HCE Engineers Pty Ltd

Appendix G
Traffic Engineering Report, prepared by Modus Pty Ltd

Appendix H
Waste Management Letter, prepared by Modus Pty Ltd

Appendix I
Current Title Document

3.0 Site Analysis

3.1.1 Location

As shown on Figures 1 below, the premises (identified in red below) is located at 31 Arnold Street, Manly on land described as Lot 136 on RP33032. The premises is identified as one (1) allotment on a total land area of 809m² and has street frontage of approximately 22.90m to Arnold Street. Arnold Street is categorised as Neighbourhood Roads (minor road).

Figure 1 – Subject Site

3.1.2 Existing Land Use

The premises is currently occupied by an existing post-1946 dwelling with associated structures.

3.1.3 Land Ownership, Easements and Encumbrances

The premises is freehold land, owned by RK PTY LTD A.C.N. 065 152 034, as per the Current Title Search enclosed within this application (Appendix I). The premises is not identified as containing any registered easements.

3.1.4 Topography

The site is identified as being sloped toward the western boundary. The highest point in the site of approximately R.L.34m AHD located at the northeastern corner of the front boundary toward Arnold Street. The lowest point in the site of approximately R.L.31m AHD occurring towards the western boundary of the premises representing a fall of 3m.

3.1.5 Surrounding Land Use

Under the *Brisbane City Plan 2014 (Version 35)*, the subject site (identified in red below) is located within the Character Residential Zone and a number of notable overlays.

As demonstrated in Figure 2, the surrounding locality is identified as comprising of land predominately designated within the Low-Medium Density Residential Zone, Low Density Residential Zone, District Centre Zone, Character Residential Zone, Open Space Zone, Sport and Recreation Zone (District Precinct) and Community Facilities (Education and Community Purposes Precincts) Zoned land.

We note, the premises is well located, with the Manly train station within 400m walking distance to the west of the premises, with the main commercial precinct of Manly within 300m walking distance to the east of the premises towards the manly foreshore and parklands.

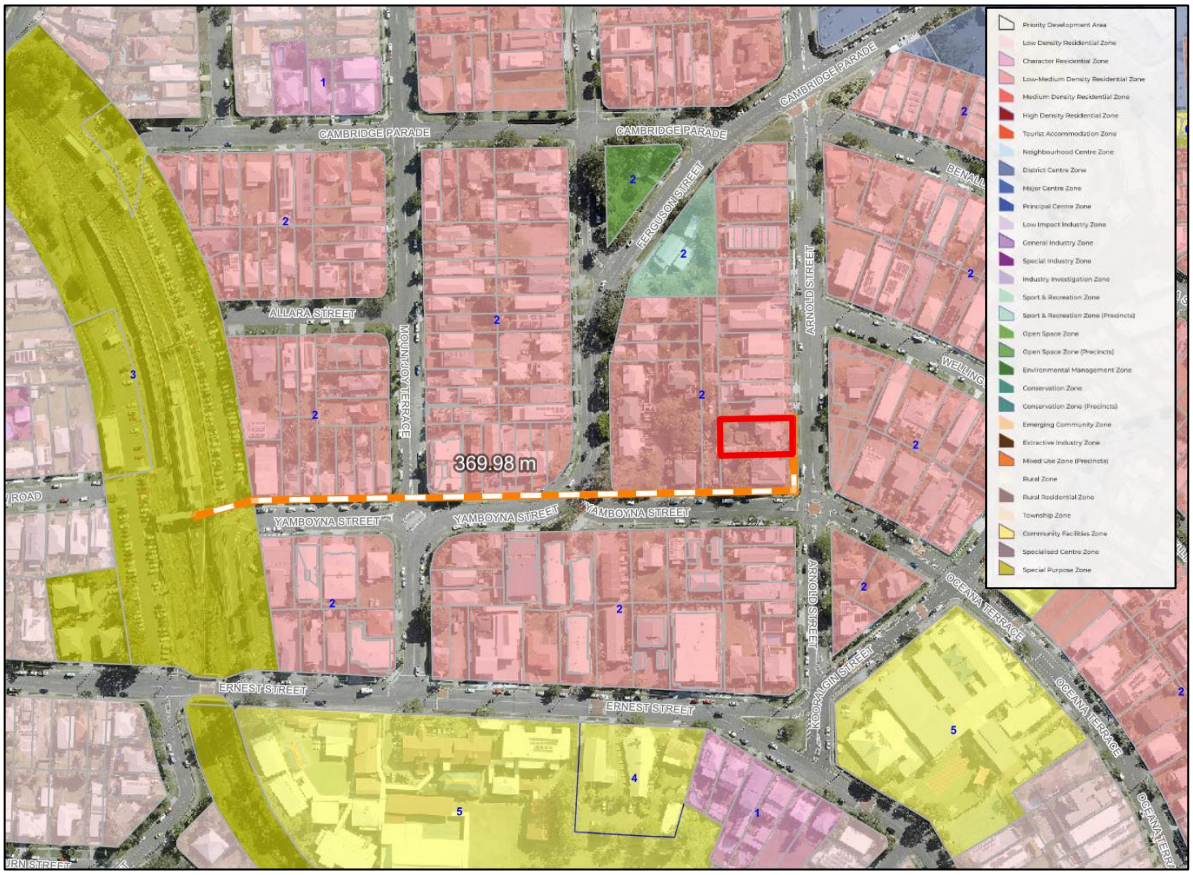

Figure 2: Surrounding Land Use Designation

3.1.6 Vegetation

The subject site does not contain any significant vegetation. Notwithstanding this, the proposed development does not involve the removal of significant vegetation.

3.1.7 Infrastructure

The subject site is located within a well-established area and therefore has adequate access to all necessary services, including Council's reticulated water supply, electricity, sewer, telecommunications and transport.

4.0 Proposal Summary

4.1 Development Type and Definition

4.1.1 Description

The proposal seeks a Development Permit for Material Change of Use for Multiple Dwelling (5 x Units).

4.1.2 Definition under the Planning Act

The proposal constitutes development, as defined under schedule 2 of the *Planning Act 2016,* as it involves-

> ***material change of use****, of premises, means any of the following that a regulation made under section 284(2)(a) does not prescribe to be minor change of use–*
> ***(a) the start of a new use of the premises;***
> *(b) the re-establishment on the premises of a use that has been abandoned;*
> *(c) a material increase in the intensity or scale of the use of the premises.*

The proposed development is for a Dwelling House as defined under schedule 1 of the *Brisbane City Plan 2014 (Version 35) –*

> ***Multiple dwelling*** *means a residential use of premises involving 3 or more dwellings, whether attached or detached.*

4.1.3 Proposal Details

The proposed development is for a Development Permit for a Material Change of Use for Multiple Dwelling (5 x Units) across a 4 storey built form at 31 Arnold Street, Manly.

As detailed on the Architectural Plans, prepared by Marlowe Architecture Pty Ltd, included within Appendix C, the proposed development is considered to be consistent with the Overall Outcomes of the Low-Medium Density Residential Zone and Wynnum-Manly Neighbourhood Plan as the proposed development seeks to provide for a Multiple Dwelling (5 x Units).

The Architectural Plans demonstrates the development will consist of:

- 4-storey built form, achieving a compatible height interfacing with Arnolds Street and the northern, southern and western adjoining properties;
- 5 x 3-bedroom units;
- Delivery of Private Open Spaces which includes a Patio and Balconies;
- basement carparking is available for each unit with 11 resident spaces including 5 standard individual spaces, and 3 x 2 tandem carparks;
- Minimum 15.48m² Patio (Unit 1 only) and a minimum of 15.65m^2 balcony for each Unit;
- 87.8m^2 of the site area provided as deep planting (2 x areas), being 10.9% of site area;
- 154.95m^2 of the site area provided as landscaping, being 19.2% of site area;
- 1.5m landscape buffer along the western rear boundary, southern side boundary and northern side boundary; and
- 72% site coverage.

The proposed development responds to the constraints and opportunities of the site and promotes a well-articulated built form through the exterior building design and landscaping choices. Deep planting where available on site will provide natural elements, along with landscaping buffers along the ground level and elevated planters at the exterior of the first and second levels that will provide more greenery on site and an improved amenity for the property owners.

Figure 3: Proposed Built Form and Landscaping

Setbacks and Building Separation

The proposal provides for internal and external separation distances which are generally consistent with the surrounding buildings, scale of proposed and existing developments and Multiple Dwelling Code requirements. The development achieves a design that mitigates potential impacts upon the amenity of the surrounding residential area and privacy of residents. Sufficient visual and acoustic amenity is expected to be achieved through the building design and articulation, siting, landscaping and deep planting proposed.

Front Setback

The Multiple Dwelling Code requires a development to provide a minimum 4m to balcony and 6m to wall setback from the front boundary. The proposed development has provided a setback of 1.3m to Patio, 3.3m to balcony and 6m to wall. Given Units 1-5 are below the required setbacks, an assessment against PO6 of the Multiple Dwelling Code is required.

An accessible enclosed services area, 87.8m^2 deep planting and concrete fencing with a height maximum height of 2.4m is proposed along southern section of the Arnold Street frontage. These features create a clear separation between public and private space, and to provide noise mitigation to Unit 1's Patio. It is noted that the distance of the front boundary to the front Units 1-5 provide a compliant 6m setback that are buffered by the balconies which it can be argued that the transition from public to private space is coherently achieved.

The balconies of the above identified units provide casual surveillance to 31 Arnold Street, with the delivery of design choices ensure privacy for residents – refer to **Figure 4**).

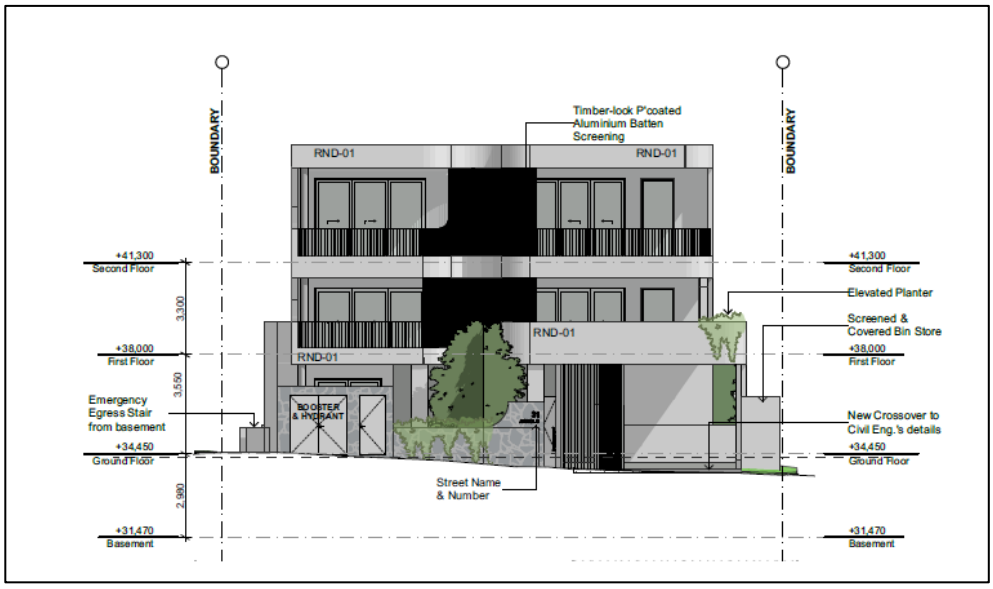

Figure 4: East Elevation Orientated to Arnold Street

Side Setbacks

The Multiple Dwelling Code requires a development to provide a minimum 4m setback to the side boundary. The proposed development has been strategically designed and provides for a minimum side setback of 1.3m from GF and FF addressing the northern boundary, and 0.83m to the BF and 1.5m from the FF addressing the southern boundary. Given the proposed Multiple Dwelling development delivers setbacks alternate to the prescribed 4m, an assessment against PO7 of the Multiple Dwelling Code is required.

It is noted that the Refuse enclosure is built to boundary along the northern side boundary, however given the built form of the refuse enclosure is minor, minimal amenity impacts will occur to the adjoining northern residence.

The proposed northern and southern side boundary encroaches and affects only a small portion of the side boundaries only on the First Floor. The alternative setbacks in lieu of the prescribed 4m setbacks are limited to the First Floor which is due to the extruding elevated planters. The elevated planters buffer the proposed habitable rooms and balconies which minimises the impacts to future and existing adjoining allotments amenity and privacy – refer to **Figure 5**.

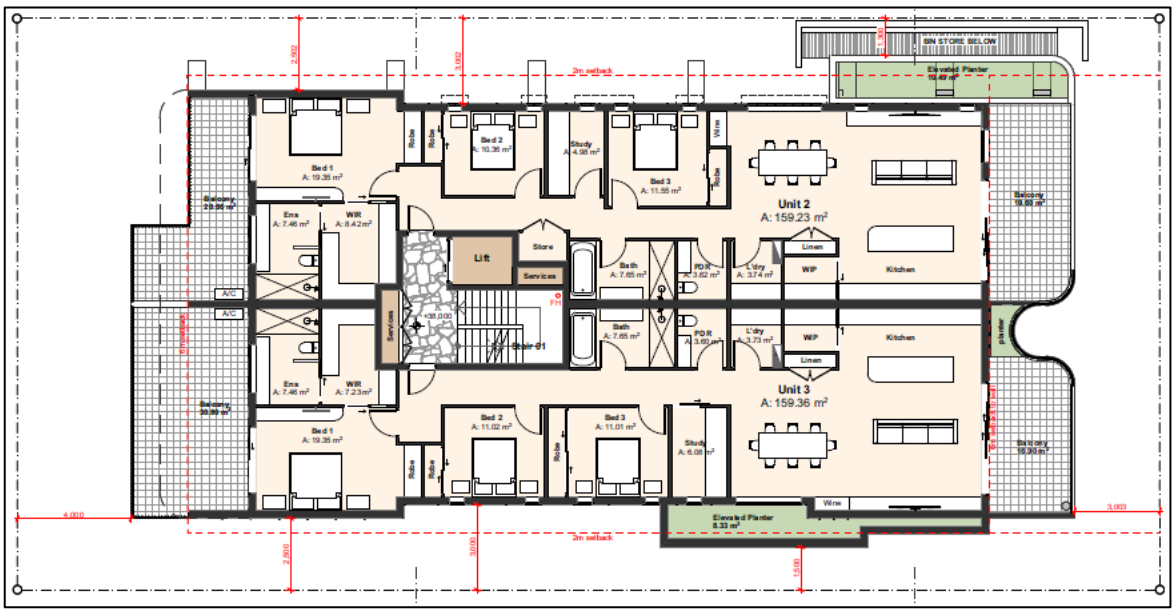

Figure 5: First Floor Side Setbacks

The proposed First Floor habitable rooms (bedrooms, ensuites, walk-in-robes, bathrooms and laundries) deliver privacy through window screening and 1.5m above floor level and compliant setbacks. These features support the separation of buildings to provide visual privacy of both the development and adjoining existing residential dwellings. The development provides appropriate separation of 3.5m to the existing northern adjoining dwelling and 6.5m to the existing adjoining northern dwelling which ensures minimal impacts from the proposed built forms shade across the solstices – refer to **Figure 6**.

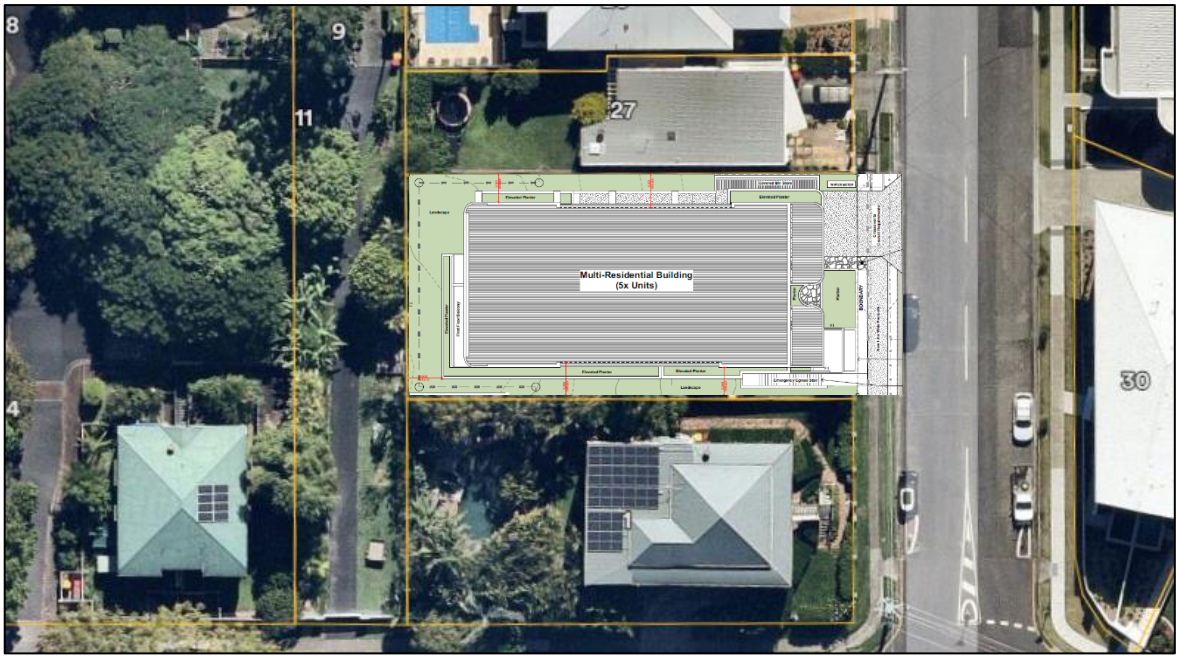

Figure 6: Separation Distances to Adjoining Dwellings

The proposal demonstrates well-articulated dwellings which delivers appropriate breaks in form with appropriate colour tones, alternative roof pitches contributing to the rhythm and pattern of the streetscape and local character – refer to **Figure 6**. All units will have access to natural light, sunlight and breezes through the current design.

The proposed design of the development will ensure that the adjoining parcels maintain an appropriate level of privacy and access to sunlight. Despite the development resulting in reduced side setback arrangements, the development provides for a built form of appropriate building height and will not result in significant shadows or an overbearing design to the adjoining parcels. The proposed development provides for a varying side setbacks along the southern and northern elevations, incorporating breaks in form to provide for appropriate articulation and present an attractive design, refer to Figures 7 & 8 below.

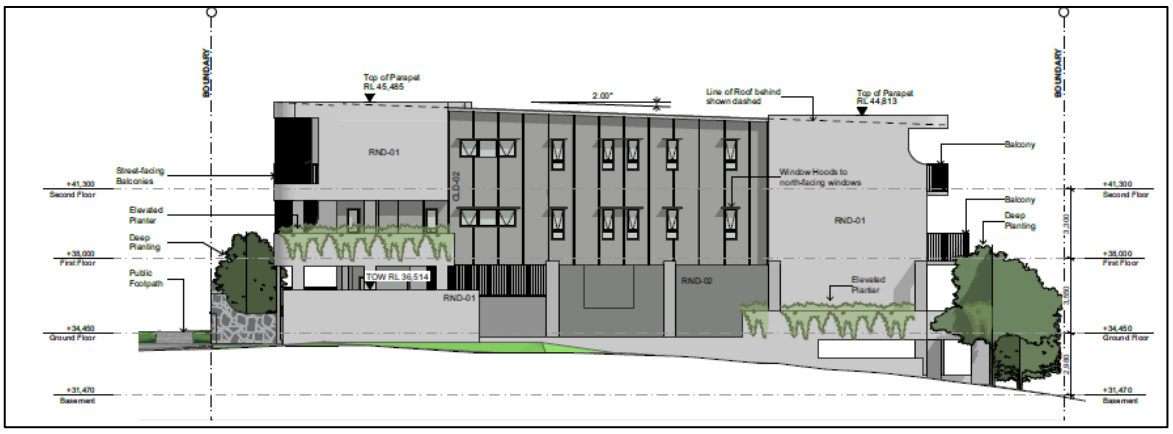

Figure 7: Northern Orientation Articulation

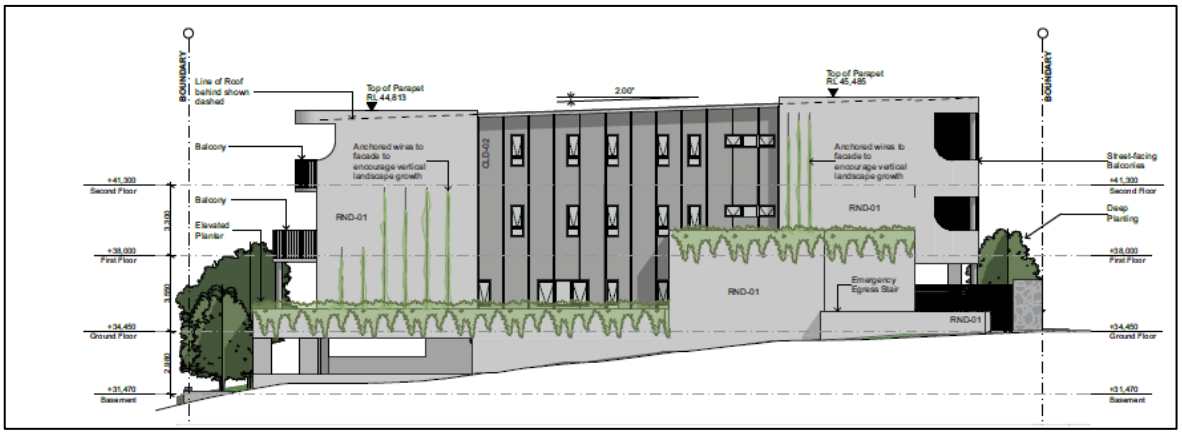

Figure 8: Southern Orientation Articulation

Despite the proposed side setbacks, the development has been appropriately designed to reflect the intent for the surrounding locality.

Deep planting will be provided along sections of the eastern front and western rear boundaries which will soften the impact of the built form on the surrounding streetscape. Despite the proposed minor northern and southern side setbacks, the development provides for a sufficient overall building height and presents an attractive built form.

Rear Setback

In accordance with the Multiple Dwelling Codes Table 9.3.14.3.C, the proposed development is required to have a minimum rear setback of 6m to wall and balcony. The proposed development provides for a minimum 3.09m setback from the Ground Floor and First Floor Balconies to the western rear boundary in lieu of the 6m prescribed rear setback. While the development results in an alternative rear setback arrangement against the Multiple Dwelling Code, an assessment against PO7 of the code has been provided.

The proposed development seeks to provide for a minimum rear setback of 6m to wall and 3.09m to balcony, resulting in an alternative rear setback to the prescribed rear setback requirement of the Multiple Dwelling code. Despite the proposed alternative rear setback, the development has been strategically designed and is not expected to negatively impact on the adjoining western parcel which will not impact future development of the parcels to the south of the site. It is noted that the proposed development is not located in proximity to the dwelling on the western adjoining parcel. The proposed development is located directly to the driveway on the adjoining western lot which mitigates the adverse impacts to the residents onsite.

Despite the proposed rear setbacks, the development does not deter from the existing built form or intended character of the local area. The Units (Units 1-5) located at the rear of site deliver appropriately sized private open spaces to each dwelling which will be individually sectioned off by balustrading along the rear boundaries. It is noted that proposed landscaping and deep planting will be delivered along the western boundary to further minimise any impacts to the existing western allotment. The overlooking impacts of each rear balcony (Units 1-5) will be largely mitigated through the provision of compliant balustrading, proposed vegetation and the existing placement of the adjoining dwellings situated on 9 Yamboyna Street.

Currently, there is a 47.04m distance between the built form and 9 Yamboyna Street, providing a rough total setback of 47m between both built forms. This 47m distance is also the envisaged distance where the properties facing Yamboyna street where to redevelop. The separation exceeds the minimum separation of 12m for a 3-5 storey building, as per Table 9.3.14.3.F of the Multiple Dwelling Code.

The exterior design of the proposed built form will not cause any shadow impacts due to the distance between the built form and the dwelling house on Lot 9 Yamboyna Street. Air circulation and breezes will also not be impacted by the proposed development. The building height being 3 storeys rather than the maximum 5 storeys creates less of an impact on sunlight and breezes.

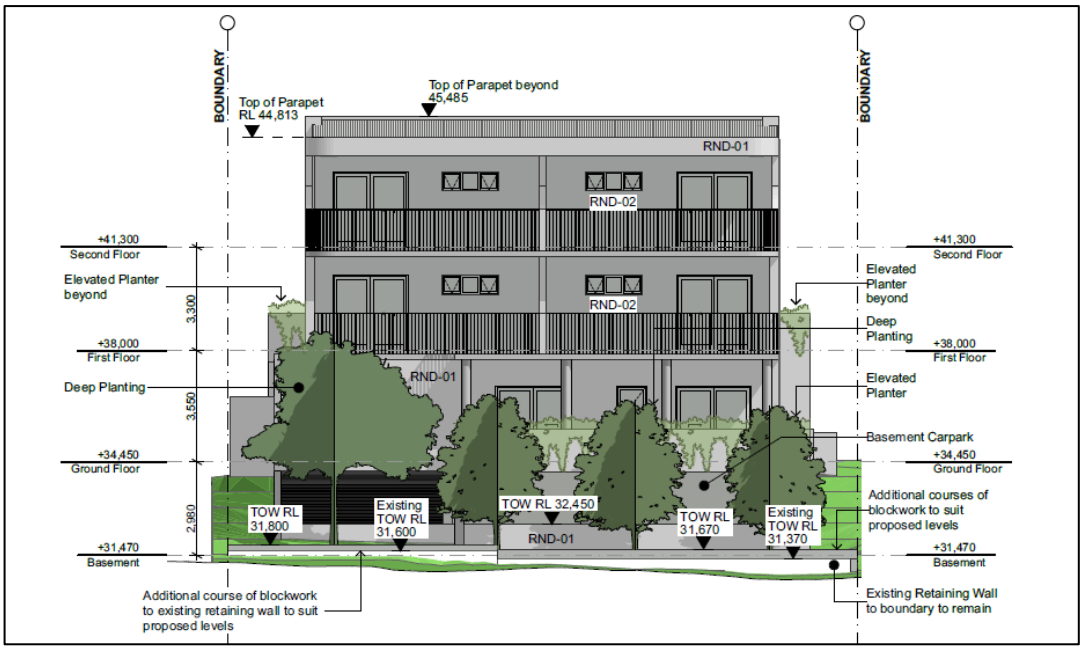

Figure 9: Western Orientation Articulation

Built Form – Bulk and Scale

The Multiple Dwelling provides a well-articulated built form for which is generally consistent with the surrounding buildings, scale of proposed and existing developments and Multiple Dwelling Code requirements and acts as a transition in height between the 2 storey and 3 storey residential buildings within the area. The development achieves a design that mitigates potential impacts upon the amenity of the surrounding residential area and privacy of residents. Sufficient visual and acoustic amenity is expected to be achieved through the building design and articulation by addressing the topography of the site.

Building Storeys and Height

The Multiple Dwelling Code requires a development to provide a minimum 3 Storey and 11.5m height from the natural ground level (NGL). The proposed development delivers a peak height of 14.01m (12.64m from NGL) and maximum number of 4 storeys. The buildings built form provide a peak height of 14.01m and 4 storeys in lieu of the prescribed minimum 3 Storey and 11.5m height requirements, an assessment against PO4 of the Multiple Dwelling Code is required.

The bulk, scale and density of the proposed Multiple Dwelling delivers 5x units, 4 storeys and a maximum height of 14.01m (12.64m from NGL) which is consistent with the anticipated density and generally aligns with the community expectations with number of storeys (at the frontage), height and intent of the low-medium density zone. It is noted the Multiple Dwelling will provide a 3 storey built form when viewed from the street and 4 storeys at the rear of the site. As discussed in the rear setback section, the 4 storey component is orientated to the western allotment which adjoins 9 Yamboyna Streets driveway with no dwelling or associated structures in proximity to the proposed development, and therefore, does not overbear the western residential dwelling.

The development provides an appropriate separation of 3.5m to the existing northern adjoining dwelling and 6.5m to the existing adjoining northern dwelling which ensures minimal impacts and acts as transitional built form to 9 Yamboyna Street, 27 Arnold Street and 35 Arnold Street. – refer to Figure 6. The development provides similar built forms and delivers appropriate

separations to the northern and southern adjoining dwellings which does provide an overbearing design that creates significant and undue adverse amenity impacts the streetscape or adjacent allotments. In addition to the proposed developments separation distances, the development does not prevent future development on the three adjoining allotments.

The Multiple Dwelling has been designed to address the topography of the site and street conditions which has delivered a 3 storey built form at the front of the site and a 4 storey built form to the rear of the allotment. The development will maintain and provide significant viewpoints and corridors and ensures the building is orientated to maintain solar access to the adjoining dwellings. In addition to the orientation, the proposed designs minimise sunshade to the adjoining dwellings to the north and south of the site.

Site Cover

The Multiple Dwelling Code requires an overall site cover of 45%. The proposed development provides a maximum site cover of 73%. The site cover proposes is 73% in lieu of the prescribed maximum site cover of 45%, an assessment against PO8 of the Multiple Dwelling Code is required. Whilst an alternative site cover is proposed, the development provides a built form, landscaping and deep planting which contributes and enhances the intended form, character and intensity of the streetscape, surrounding area and the intent of the zone.

The design of the Multiple Dwelling incorporates modulation and articulation which supports a positive acoustic and visual amenity to both the occupants of the development and the adjoining residents. The development provides appropriately sized private open space in the form of the patios and balconies, landscaping and deep planting supporting subtropical living.

Vehicle Access, Servicing and Carparking

Access and Servicing

As illustrated on the Architectural Plans attached under Appendix C, the proposed development gains access to the external road network via a proposed crossover to Arnold Street. The development seeks to utilise and upgrade the current crossover to a Type B2 which is located along the eastern street frontage. The crossover will provide for both vehicle and pedestrian access to the ground level hardstand area of the development, containing one (1) visitor parking space, vehicle hold point, and pedestrian access to the lobby of the building facilitating entry to each unit.

The proposal accommodates a service bay for occasional access for a LRV and RCV on the southern side of the driveway. The position of the service bay will not prohibit any cars from entering or exiting the property. The service bay has been designed to permit LRV and RCV vehicles enter, manoeuvre and exit safely in a forward gear and to allow for light vehicles to access the site while service vehicles are stationary. It is noted that the Traffic Report (Appendix F) demonstrates the proposed development is expected to have negligible traffic impacts on the surrounding road network.

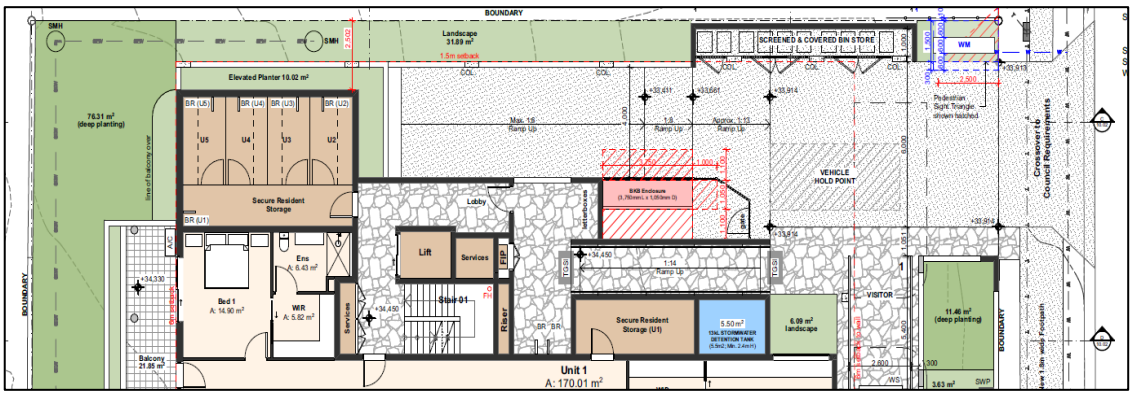

Figure 10: Development Access

Carparking

The proposed development offers a total of 10 parking bays within the ground level and basement carparking including 4 standard carparks, 2 x 3 tandem carparking spaces and two small spaces and two visitor carparks delivering a total of 10 residential spaces and 1 visitor spaces which are compliant with TAPS requirements of 1 visitor space and 9.5 residential spaces. The parking spaces proposed are considered to be appropriate for the development as the proposed rate of on-site car parking spaces takes into account the location of the site within close proximity to the Manly train station. The number of car parking spaces are compliant and will accommodate the design peak demand without any overflow onto an adjacent street.

The car parking layout has been designed to achieve compliance with the Transport, Access, Parking and Servicing (TAPS) Planning Scheme Policy (PSP) and/or the Australian Standard AS2890.1. The design of the car parking area achieves efficient and safe movement for both residents and visitors.

Private Open Space

The proposal includes highly functional private open space which is directly accessible from each Unit. The layout provides private open space on all levels of each unit for outdoor recreation. Each Unit will have a private open space being balconies either at the front or rear of the building with areas that vary from 15.65m^2 to 30.80m^2, as well as a patio area on the first level with a dimension of 15.48m^2. The balconies are compliant with AO31.1(b) of the Multiple Dwelling Code however, the proposed patio delivers an alternate area in lieu of the 35m^2 which requires assessment against PO31 of the Multiple Dwelling Code.

The patio area for Unit 1 provides suitable and appropriately sized functional open space which is designed to enhance the amenity and liveability for the residents. The proposed patio is designed to deliver an attractive space which is function for the use of the number of residents within the Unit 1 and contributes to the articulation of the overall built form.

Waste Management

The proposed development includes 10 bins in total, comprising 5 general waste and 5 recycling bins (all 240L). Each dwelling will have its own internal waste storage and residents will dispose of waste directly into the shared refuse enclosure on a daily or as needed basis. The refuse enclosure is adequately sized to store all bins and includes nearby bin wash facilities. For collection, residents will move bins about 10 metres to the kerb along a compliant gradient (max 1:20), then return them after servicing. Waste collection will be undertaken by Brisbane City Council using a side loading truck from Arnold Street. General waste will be collected weekly and recycling fortnightly, consistent with the surrounding area.

Overall, the waste management arrangement is considered sufficient and compliant with the relevant refuse planning requirements.

Civil Engineering

The Civil Engineering Assessment Report for 31 Arnold Street, Manly supports a proposed 5-unit, 3-storey multiple dwelling development with a partial basement. The site is not affected by river, creek, storm tide flooding, or overland flow, and is therefore considered to have a very low flood risk.

Earthworks are required to facilitate basement excavation and service infrastructure, resulting in a net export of approximately 1,100m³ of material. Retaining walls are proposed to remain under 1.0m in height. An Erosion Hazard Assessment classifies the site as low risk, with standard erosion and sediment control measures to be implemented during construction.

The site is already serviced by existing road infrastructure, with access proposed via Arnold Street. Stormwater will be discharged to the street kerb and channel, with a detention system

limiting discharge rates to acceptable levels and ensuring no adverse impacts on surrounding properties.

Existing sewer infrastructure traverses the site and will require diversion around the proposed basement, with appropriate approvals and easements to be obtained. Water supply is available from an existing main in Arnold Street and can adequately service the development.

Overall, the proposed development can be appropriately serviced and is capable of complying with relevant Brisbane City Plan requirements, subject to standard conditions of approval.

Landscaping

A Landscape Concept Plan and supporting Landscape Maintenance Manual have been prepared for the proposed development at 31 Arnold Street, Manly, demonstrating compliance with the Landscaping Code and associated planning scheme policies.

The proposed landscaping achieves a high-quality subtropical outcome that integrates the built form with the surrounding streetscape and adjoining residential context. The design incorporates a combination of deep planting, boundary screening, podium planting, and street frontage landscaping to soften the development and enhance visual amenity.

At ground level, landscaping is provided around the site perimeter, including deep planting zones and buffer planting along boundaries. This ensures effective screening of built form, contributes to privacy outcomes, and provides a vegetated interface to adjoining properties. The frontage to Arnold Street incorporates feature planting and low-level landscaping to enhance the streetscape and provide an attractive pedestrian environment, consistent with the established character of the locality.

Podium and upper-level landscaping is integrated through the use of planter boxes, cascading planting, and balcony landscaping, which contribute to building articulation and visual softening. These elements provide additional green infrastructure, improve residential amenity, and reinforce a subtropical design response. Planter depths and soil volumes have been designed to support healthy plant growth, including provision for trees, shrubs, and groundcovers.

The landscaping design incorporates a diverse planting palette, including feature trees, shrubs, and groundcovers, which will contribute to urban greening, biodiversity, and shading outcomes. Tree planting is positioned to provide shade to outdoor areas and assist in mitigating urban heat impacts, while maintaining appropriate sightlines for safety and access.

The proposal also includes appropriate irrigation, soil preparation, and drainage design to ensure the long-term viability of the landscaping. A detailed Landscape Maintenance Manual has been prepared, outlining ongoing maintenance requirements including irrigation, pruning, fertilising, weed control, and plant replacement to ensure landscaping is established and maintained to a high standard over time.

Overall, the proposed landscaping:

- enhances the visual amenity of the development and surrounding streetscape
- provides appropriate screening and privacy to adjoining properties
- contributes to a subtropical, green urban character
- integrates with the built form through podium and vertical planting
- ensures long-term sustainability through appropriate design and maintenance

Accordingly, the proposal achieves the intent and performance outcomes of the Landscaping Code and is considered an appropriate and high-quality landscape response.

The proposed development will be connected to all appropriate urban services and infrastructure networks, including the reticulated water supply network, reticulated sewage network, stormwater management, telecommunication services and an electricity supply, in accordance with the relevant standards.

A full assessment of the proposed development against the assessment benchmarks has determined that the proposal generally complies. Any alternative solutions proposed are justified and provide an appropriate design response. The proposed development should be considered appropriate, and the application should be supported by Council in this instance.

5.0 State Planning Framework

5.1 Matters Established in the Planning Regulation

The following are the key considerations under Schedule 10 of the *Planning Regulation 2017*, as relevant to the application. It is noted that the proposed development does not constitute prohibited development under the regulation.

5.1.1 Planning Act 2016 – Framework

The *Planning Act 2016* which replaced the *Sustainable Planning Act 2009* (SPA) on the 3 July 2017 provides the statutory planning framework for the State of Queensland. As outlined within the Planning Act 2016 all Local Government Areas must prepare *Planning Act 2016* compliant Planning Schemes that advance the purpose of the Act. It is noted that the Brisbane City Plan 2014 was prepared in accordance with *Sustainable Planning Act 2009*.

On 3 July 2017 a major amendment became effective to align *Brisbane City Plan 2014* with the *Planning Act 2016* (under the Alignment amendment rules made by the Planning Minister under section 293 of the *Planning Act 2016*). The proposal will be assessed in accordance with the Development Assessment Rules under section 68(1) of the *Planning Act 2016*.

5.1.2 Referral Agencies

In accordance with Section 54 and 55 of the Act, Schedule 9 and 10 of the Planning Regulation 2017 prescribe any referral agencies applicable to a development application, as well as the matters a referral agency may, must or must only have regard to in their assessment. A review of Schedule 9 and 10 confirms the proposed development does not trigger referral to a Referral Agency under Schedule 10 of the *Planning Regulation 2017*.

5.1.3 State Planning Policies

The State Planning Policy 2017 relates to 17 separate State interests grouped together under 5 broad themes and provides direction to local governments in the preparation of planning documents and assessment of development applications.

Of the 17 separate State interests, the premises is mapped as the following:

- Natural Hazards Risk and Resilience; and
- Strategic Airports and Aviation Facilities.

In accordance with section 2.1 of the *Brisbane City Plan 2014 (Version 35)*, at the time of commencement of the planning scheme the Minister had identified that the state planning policy was integrated in the planning scheme. Having regard for the above, it is considered the State Government overlays identified over the premises are aspects which are appropriately addressed in the *Brisbane City Plan 2014 (Version 35),* and therefore further assessment of the proposed development against the current State Planning Policy 2017 is not required in this instance.

5.1.4 Regional Plan

The premises are identified within the Urban Footprint of the *SEQ Regional Plan 2023* (‘*ShapingSEQ’*). The stated intent for the Urban footprint is to identify ‘land in which the region’s urban development needs to 2046 can be accommodated in a way consistent with the outcomes and strategies of ShapingSEQ 2023’ Therefore, it is considered that the proposal is in keeping with the intent of the regional plan and further assessment is not required in this instance.

6.0 Local Planning Framework

6.1 Matters Established in the Planning Scheme

The following are the key considerations under the *Brisbane City Plan 2014 (Version 35)*, as relevant to the application.

6.1.1 Category of Assessment

Under the *Brisbane City Plan 2014 (Version 35)*, the site is identified as being contained within the Character Residential Zone.

Additionally, the site is located in the following overlays:

- Airport Environs Overlay
- Community Purposes Network Overlay
- Critical Infrastructure and Movement Network Overlay
- Dwelling House Character Overlay
- Road Hierarchy Overlay
- Streetscape Hierarchy Overlay

In accordance with Part 5 of the *Brisbane City Plan 2014 (Version 35)*, the proposed development is subject to the following category of assessment:

CATEGORY OF ASSESSMENT	
ZONE	
LOW-MEDIUM RESIDENTIAL ZONE	
Impact Assessment	In accordance with Section 5.5.2 – Category of Assessment Material Change of Use, Impact Assessment is triggered for the Low-Medium Density Residential Zone if a Reconfigured Lot is: If no greater than: • 3 storeys and 11.5m in building height in the 2 or 3 storey mix zone precinct, where the site has frontage to a road with a reserve width of 15.5m or more and any part of the site is within 400m walking distance of a dedicated public pedestrian access point of a railway or busway station. The proposed development provides for a Multiple Dwelling (5 x Units) provide a height of 12.64m and four (4) storeys. As such, the proposal is identified as triggering Impact Assessment.
NEIGHBOURHOOD PLAN	
WYNNUM-MANLY NEIGHBOURHOOD PLAN	
No Change	In accordance with Table 5.9.72.A – Category of Assessment for Wynnum-Manly Neighbourhood Plan, a Material Change of Use for a Multiple Dwelling is listed as No Change. As such, the application is assessable against the Wynnum—Manly neighbourhood plan code.
OVERLAYS	
AIRPORT ENVIRONS OVERLAY	
Not Applicable	In accordance with Table 5.10.2 – Category of Assessment for Airport Environs Overlay, Material Change of Use for a Multiple Dwelling is listed as Accepted Subjected to Requirements. As such, the application is not assessable against the Airport Environs Overlay Code.

CATEGORY OF ASSESSMENT	
COMMUNITY PURPOSES NETWORK OVERLAY	
Not Applicable	In accordance with Table 5.10.7A – Category of Assessment for Community Purposes Network Overlay, Material Change of Use for a Multiple Dwelling is listed as Code Assessable. As such, the application is assessable against the Community Purposes Network Overlay Code.
CRITICAL INFRASTRUCTURE AND MOVEMENT NETWORK OVERLAY	
No Change	In accordance with Table 5.10.8 – Category of Assessment for Critical Infrastructure and Movement Network Overlay, Building Work for a Multiple Dwelling is not listed as being subject to change. However, The table does not identify the Critical Infrastructure and Movement Network Overlay Code as an assessment benchmark for the development and therefore, is not addressed as part of this application.
DWELLING HOUSE CHARACTER OVERLAY	
Code Assessment	In accordance with Table 5.10.9 – Category of Assessment for Dwelling House Character Overlay, a Material Change of Use for a Multiple Dwelling is not listed. As such assessment against the Dwelling House Character Overlay is not addressed as part of this application.
ROAD HIERARCHY OVERLAY	
Code Assessable	In accordance with Table 5.10.18 – Category of Assessment for Road Hierarchy Overlay, Reconfiguring a Lot and Material Change of Use for a Multiple Dwelling is listed as being subject to compliance with identified requirements. As such, there is no change to the Category of Assessment and the application is assessable and addressed against the Road Hierarchy Overlay Code.
STREETSCAPE HIERARCHY OVERLAY	
Code Assessment	In accordance with Table 5.10.20 – Category of Assessment for Streetscape Hierarchy Overlay, Reconfiguring a Lot and Material Change of Use for a Multiple Dwelling is not listed as being subject to change. As such, there is no change to the Category of Assessment and the application is assessable and addressed against the Streetscape Hierarchy Overlay Code.

Pursuant to Section 53 of the Planning Act 2016, this application is to be assessed using the Code Assessment procedures of the Development Assessment Rules (DA Rules) and does require public notification.

6.1.2 Strategic Framework

The strategic framework of the *Brisbane City Plan 2014 (Version 35)* identifies the policy direction for the *Brisbane City Plan 2014 (Version 35)* and forms the basis for ensuring appropriate development occurs.

In accordance with the relevant codes, the strategic intent of the planning scheme is to be achieved through compliance with the following key elements:

- Theme 2 – Element 2.1, 2.2
- Theme 5 – Elements 5.3, 5.5 & 5.8

It is considered the proposed development will achieve the specific outcomes and land use strategies identified in the strategic framework.

6.1.3 Zone

Under the Brisbane City Plan 2014 (Version 35), the subject site is identified as being contained within the Low-Medium Density Residential Zone. The purpose of the Low-Medium Density Residential Zone is to *"provide for a variety of low to medium density dwelling types and community uses, and small-scale services, facilities and infrastructure, to support local residents".* The proposed development is considered to be consistent with the Overall Outcomes of the Low-Medium Density Residential Zone.

6.1.4 Neighbourhood Plan

Under the Brisbane City Plan 2014 (Version 35), the subject site is identified as being contained within the Wynnum-Manly Neighbourhood Plan. The purpose of the Wynnum-Manly Neighbourhood Plan is to *"provide for finer grained planning at a local level".* The proposed development is considered to be consistent with the Overall Outcomes of the Wynnum-Manly Neighbourhood Plan as the proposed Multiple Dwelling development enhances the character of a residential area is protected or enhanced and support local residents.

6.1.5 Relevant Codes

In accordance with Part 5 of the Brisbane City Plan 2014 (Version 35), the following Codes are identified as being applicable to the proposal:

APPLICABLE CODES	
Zone Code	Low-Medium Residential Zone Code
Neighbourhood Plan	Wynnum-Manly Neighbourhood Plan
Use Code	Multiple Dwelling Code
Prescribed Secondary Codes	Filling and Excavation Code Infrastructure Design Code Landscape Work Code Stormwater Code Transport, Access, Parking and Servicing Code
Overlay Codes	Community Purposes Network Overlay Code Road Hierarchy Overlay Code Streetscape Hierarchy Overlay Code

The codes mentioned above have been addressed and included in Appendix B of this report.

6.1.6 Planning Scheme Policies

It is considered that the Planning Scheme Policies have been appropriately incorporated as part of the assessment of the relevant Codes; therefore, further assessment against these documents is considered unnecessary in this instance.

6.1.7 Temporary Local Planning Instruments

There are no Temporary Local Planning Instruments currently in effect in the Brisbane City Council that affects the premises or this development application.

6.1.8 Infrastructure Charges

The proposed development is for a Reconfiguring a Lot and Material Change of Use and therefore is subject to infrastructure charges, to be calculated based on the *Brisbane Infrastructure Charges Resolution (No. 14) 2025* and the *Queensland Urban Utilities (QUU) Water Netserv Plan Part A.*

7.0 Recommendation

This report is in support of an application seeking a Development Permit for a Material Change of Use for a Multiple Dwelling (5 x Units) at 31 Arnold Street, Manly on land described as Lot 136 on RP33032, subject to Impact Assessment.

This application is made in the approved form to the Brisbane City Council as the assessment manager, subject to the relevant assessment benchmarks for act Assessment under the *Planning Act 2016*. The application does not trigger referral to a Referral Agency under the *Planning Regulation 2017*.

Under the Brisbane City Plan 2014 (Version 35), the subject site is identified as being contained within the Low-Medium Density Residential Zone. The purpose of the Low-Medium Density Residential Zone is to "*provide for a variety of low to medium density dwelling types and community uses, and small-scale services, facilities and infrastructure, to support local residents."*

As detailed on the Architectural Plans, prepared by Marlowe Architecture Pty Ltd, included within Appendix C, the proposed development is considered to be consistent with the Overall Outcomes of the Low-Medium Density Residential Zone and Wynnum-Manly Neighbourhood Plan as the proposed development seeks to provide for a Multiple Dwelling (5 x Units).

The proposed development is for the provision of five (5) units with a ground level carpark, basement carpark and lobby area and a stair /lift lobby shaft area over 4 storeys. Each unit will provide alternative layouts that delivers 2-3 bedrooms with Walk-in-Robes and Ensuites, bathrooms, laundries, shared kitchen/living areas, powder rooms, patio and balconies.

The proposal involves a maximum height of 14.01m and four (4) Storeys, with an overall built form is generally consistent with the bulk, density and intensity with the Low-Medium Density Residential Zone and the Wynnum-Manly Neighbourhood Plan.

The development has a total gross floor area of 1,013m^2 with an overall site cover of 72m% which includes the first and second floor balconies. In addition to the site cover and GFA the development provides 11 car spaces, 154.95m^2 of landscaping (19.2%), and 87.8m^2 of Deep Planting (10.9%).

The proposed development will be connected to all appropriate urban services and infrastructure networks, including the reticulated water supply network, reticulated sewage network, stormwater management, telecommunication services and an electricity supply, in accordance with the relevant standards.

A full assessment of the proposed development against the assessment benchmarks has determined that the proposal generally complies. Any alternative solutions proposed are justified and provide an appropriate design response. The proposed development should be considered appropriate, and the application should be supported by Council in this instance.

It is recommended that the Brisbane City Council approve the proposed development subject to relevant and reasonably required conditions, having regard for details of this application.

This planning report, together with the accompanying plans, demonstrate that the application should be supported by the Council, subject to relevant and reasonably required conditions, and that approval of this application is warranted.