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18/11/2026
APPLICATION REF
A007067229

Gaskell Planning Consultants

18 November 2026

Chief Executive Officer
Brisbane City Council
C/- Steve Zhou, Planning Services
Emailed to steve.zhou@brisbane.qld.gov.au

GPC Job Reference: 26.2580

Dear Steve,

RE: SUMMARY OF SUBMISSIONS RECEIVED DURING PUBLIC NOTIFICATION AT 17 GUNNER STREET, KEDRON QLD 4031 AND DESCRIBED AS LOT 3 ON RP77165 (APPLICATION REFERENCE: A007067229)

RECONFIGURING A LOT (1 LOT INTO 2 LOTS)

1. INTRODUCTION

This correspondence provides a summary of the submissions received during public notification of the proposed Reconfiguring a Lot application at 17 Gunner Street, Kedron

Public notification was undertaken in accordance with the *Planning Act 2016* from 6 October 2026 to 4 November 2026.

Following the conclusions of the notification period, a total of eleven (11) public submissions were received in relation to the proposed development. Of the 11 submissions received a total of (4) supported the development. The submissions received primarily raised matters relating to neighbourhood character, amenity, stormwater drainage and future development outcomes.

These matters have been reviewed and a summary of the main themes and our response to each of the items in provided below.

2. APPLICANT'S RESPONSE TO SUBMISSIONS

2.1 Neighbouring character and amenity

Concerns have been raised regarding the lot size, loss of traditional character and other associated impacts including that the proposed development will result in:

- Lots that are not a sufficient size to accommodate a suitable building envelope including compliant setbacks, site cover and separation from adjoining dwellings

T 07 3392 1911
E info@jgplan.com.au
W www.jgplan.com.au
A PO Box 8103
Woolloongabba Q 4102
ABN 14 648 572 990

- Impacts on privacy and amenity of adjoining residents due to building separation and overlooking
- Homes sitting substantially higher than surrounding properties due to elevated building platforms
- Reduced opportunities for landscaping and mature trees and the loss of the traditional backyard
- Narrow lots do not reflect the traditional character and established subdivision pattern of the locality
- A built form that does not align with the prevailing scale, spacing and setting of existing dwellings.

In addition, submitters raised concerns regarding the proposal's compliance with relevant provisions of the Brisbane City Plan 2014 ('the City Plan'), including the Subdivision code and Character residential zone code. In our opinion, these matters have already been adequately addressed through the applicant's original application material and the subsequent response to Council's information request dated 31 August 2026 and repeating these matters does not introduce any new planning issues for Council's consideration and largely reiterates concerns that have already been addressed through the application material and information request.

Importantly, the City Plan is a performance-based scheme, allowing flexibility in how development proposals achieve compliance. Accordingly, a departure from a prescribed acceptable outcome does not represent non-compliance, provided it can be demonstrated that the relevant performance outcomes and/or overall planning intent of the scheme are satisfactorily achieved.

Lot size, building envelopes and site cover:

The proposed development does not create constrained or unusable lots which will require excessive concessions at the building approval stage. Lots of this size and scale are increasingly common across SEQ and there are many examples, including within a 2 block radius of the subject land where it can be demonstrated that small lots can suitably accommodate a dwelling house while retaining open space for recreation and landscaping, refer to **Figure 1.**

In fact, the original subdivision of the surrounding area reveals a large number of 10m wide lots and indicates that the initial intent for the area was that the majority of lots were less than 14m wide. This is evidenced by a number of the pre-1946 homes (particularly on Wood Street and Somerset Street) being located over two property titles.

Figure 1: Small and narrow lots in the surrounding area



Source: Nearmap & GPC

In addition, the proposed new lots are intended to accommodate detached dwelling houses which will be designed in accordance with Council requirements, including the building envelope and site cover requirements outlined in the Dwelling house (small lot) code. In many instances, Council imposes more restrictive provisions regarding built form parameters for small lots (<450m²) than standard lots (≥450m²).

While site cover is slightly larger for small lots (60% compared to 50%) the Dwelling house (small lot) code imposes more restrictive provisions on building height, building separation, building length and rear setbacks. A comparison of the building parameters for standard and small lots is provided as **Table 1** below.

On this basis the proposed development, does not create constrained or unusable lots requiring excessive concessions at the building envelope stage and future development can occur in a manner consistent with the City Plan outcomes which reflects the surrounding area while providing an efficient use of urban land, supporting consolidation within an established serviced area. Furthermore, future dwelling applications will remain subject to separate assessment against applicable planning controls including the Traditional building character overlay code.

Table 1: Comparison of building parameters for Standard lots and Small lots

Building parameters	Standard Lots (Lot 450m² and greater)	Small Lots (Lots less than 450m²)
Building height	Maximum 2 storeys and 9.5m above ground level.[1]	Maximum 2 storeys and 7.5m above ground level (at the side and rear walls) increased at no more than 30 degrees to maximum height of 9.5m above ground level.[2]
Front setbacks	Within 20% of the average front setback of the nearest residential buildings constructed in 1946 or earlier fronting the same street.	Within 20% of the average front setback of the nearest residential buildings constructed in 1946 or earlier fronting the same street.
Side setbacks	• 1.5m (where the height is <4.5m) • 2m (where the height is >4.5m to 7.5m) • +0.5m (for every 3m exceeding 7.5m)[3]	Minimum side setback: 1m for habitable spaces; 0.5m for non-habitable spaces with a maximum height of 3.5m and length of 9m.
Rear setbacks	As above	Min. 6m[4]
Site cover	Max. 50%[5] (existing lot maximum site cover = 361m²)	Max. 60%[6] (Proposed lots maximum site cover = 433m² or 60% of 721m²)
Building length	Not applicable	Max. 25m[7]
Crossover width	Not applicable	4m (ex. apron tapers)[8]

[1] Dwelling house code (AO2)
[2] Dwelling house (small lot) code (AO3)
[3] QDC MP1.2
[4] Dwelling house (small lot) code (AO7)
[5] QDC MP1.2
[6] Dwelling house (small lot) code (AO8)
[7] Dwelling house (small lot) code (AO10)
[8] Dwelling house (small lot) code (AO12.2)

Separation from adjoining dwelling house	Where the distance between a window or balcony from the side or rear is less than 1.5m the design should incorporate screening, sill windows or obscure glazing.[9]	Min. 2m (storey closest to ground) and 9m (storeys above). Alternatively, windows of habitable rooms from adjacent dwelling houses should be offset or windows design to limit overlooking (e.g. sill windows, fixed screening, obscure glazing etc.)[10]

Privacy and amenity impacts:

Regarding privacy and amenity impacts, these concerns arise primarily from future building design rather than the subdivision layout. The subject land is located within the Traditional building character overlay a development application will be required to be lodged with Council. The City Plan contains specific provisions regulating setbacks, window placement, building separation and screening. In fact, as noted in the section above, as small lots, the provisions related to building separation and screening are more restrictive than those for standard lots.

Elevated building platforms:

Regarding elevated building platforms and impacts on overlooking and built form. As shown on the concept earthworks plans included with the applicant's response to Council's information request, the development proposes a modest increase in earthworks levels with fill levels only exceeding 1m in the southeast corner of the subject land. Combined with the requirements of the Dwelling house (small lot) code including building height being limited to 7.5m above ground level at the side and rear boundaries, generous rear setback requirements and building separation provisions, future dwellings will be designed to ensure privacy and amenity impacts align with Council requirements and do not unduly impact adjoining residents.

The loss of the traditional backyard:

While the Character residential zone, Character precinct, typically requires a minimum lot size of 450m^2, the intent of these requirements is to ensure the zone maintains a block pattern that accommodates traditional backyards and large trees. The subject land does not include any large trees and as previously noted, the City Plan does not mandate a particular backyard size for standard lots (450m^2 +). Based on a review of recent aerial imagery in the immediate surrounds, and particularly evidence at 80 & 88 Somerset Road, it is evident that it may not be lot size that is eroding the loss of the 'traditional backyard' but rather personal preferences and expanding building footprints.

As small lots (<450m^2) the future dwelling houses will be required to limit building length to 25m and provide rear setbacks of at least 6m. Based on our review, the combination of a 6m front setback to align with adjoining dwelling house and maximum building length, future dwelling house will likely require a rear setback of almost 9m. In our opinion this is sufficient space to facilitate the planting of large vegetation and provide a useable and appropriately configured backyard space.

Indicative building footprint plans have been provided as **Appendix A**.

Traditional character and established subdivision pattern:

As previously identified as part of the original application material, the applicant's response to Council's information request and as outlined above (including in **Figure 1)**, a varied pattern of lot sizes and frontages

[9] QDC MP1.2

[10] Dwelling house (small lot) code (AO14.1)

currently exist within the immediate surrounding area and the proposed subdivision is reflective of both this original pattern of development and the historic pattern of subdivision in the locality.

It is important to note, that character is influenced by a combination of factors, including built form, landscaping and streetscape presentation. Furthermore, as the future dwelling houses will be subject to a separate development application process they will be assessed against both the character zone and traditional character provisions. These additional requirements will ensure that the future built form and landscaping outcomes can be appropriately designed to align with Council's character provisions.

Built form that does not reflect the character of surrounding development:

As previously noted, the subdivision itself does not determine the architectural style or detailed built form of future dwellings. The proposal retains the ability for future development to contribute positively to the streetscape, and the built form will be subject to a separate planning application including assessment against Council's traditional character and building envelope provisions. Indicative building envelopes, included as **Appendix A** demonstrate that future dwellings can incorporate appropriate setbacks and open space requirements.

Summary:

Brisbane City Council's character provisions are not intended to freeze neighbourhoods in time, but rather ensure that future development is sympathetic to, and reinforces, the intended character outcomes. Accordingly, the key question is not whether the proposed lots are smaller than the acceptable outcomes, but whether the subdivision will enable future development to positively contribute to the low density, landscaped and detached housing character envisaged by the City Plan.

The surrounding area already contains examples of smaller lots including those with narrow frontage, in addition to contemporary residential development. Accordingly, the proposal is neither an isolated or unprecedented development with the broader area, and the assessment of future dwelling houses against the Dwelling house (small lot) code and Traditional building character (design) overlay code will ensure that future built form is appropriately assessed against the relevant planning provisions.

2.2 Public notification

On 28 October 2026, Council advised that bins had obstructed the sign during the notification period and requested an extension of five business days. The sign was updated and notification closed on 4 November 2026.

The Notice of Compliance lodged on 11 November 2026 included copies of the notices to adjoining owners and records showing that the notices were sent by registered post on 2 October 2026. Those records address the concern that an adjoining owner did not receive a notice.

2.3 Vegetation and Street Tree Removal

We understand Council removed the street tree in the verge fronting the site in July or August 2026. A replacement tree was observed in the verge during a site inspection in late October. Any additional verge planting Council considers necessary can be addressed by conditions.

2.4 Application documentation

The original code assessment included references to the Sunshine Coast Planning Scheme due to a document compilation error. A corrected assessment was lodged on 27 August 2026 and included with the information request response.

The original planning report relied on Council's available contour mapping. The subsequent civil drawings were prepared by an RPEQ using a detailed site and contour survey and provide the current basis for assessing drainage and earthworks.

2.5 Stormwater Management, Earthworks and Other Civil matters

Overview:

Concerns were raised regarding stormwater management, earthworks and other civil matters including:

- Failure to adequately demonstrate a lawful point of discharge
- Unresolved downstream risks including directing stormwater impacts onto adjoining properties
- Increased impervious surface area associated with two dwellings
- Comprehensive stormwater management and overland-flow assessment should be provided.
- Detailed survey information identifying the existing and proposed ground levels should be provided.
- Concerns regarding the volume of earthworks and height of retaining walls.

Lawful point of discharge:

Following Council's information request dated 20 August 2026 the applicant undertook additional works including surveying the property and engaging an RPEQ to prepare concept earthworks and a stormwater drainage plan. Updated application material was submitted to Council on 23 September 2026 and included lawful point of discharge for both proposed Lot 1 and 2, being Outlets A & B shown on the concept stormwater drainage layout plan drawing no. SK01 Rev A.

Downstream risks:

The concept stormwater drainage layout plan submitted with the application is considered to sufficiently demonstrate that the proposed development can achieve a lawful point of discharge to Gunner Street. Furthermore, it is anticipated that Council will impose reasonable and relevant conditions as part of any development approval, including standard conditions requiring stormwater runoff from all roofed and developed surfaces to be collected on site and conveyed via a piped drainage system to the kerb and channel in Gunner Street. Similarly, conditions can be included to ensure that the final development outcome achieves a non-worsening impact on upstream and downstream properties, both during construction and following completion of the development.

Comprehensive stormwater management and overland-flow assessment:

The concept stormwater drainage layout plan and the concept bulk earthworks plan demonstrate how the proposed development can achieve a lawful point of discharge without significant earthworks or retaining walls. Detailed stormwater management, earthworks and drainage plans will be required to be submitted as part of the future operational works applications. Council's City Plan maps do not identify any overland flow paths on the subject land.

Detailed survey information:

The concept stormwater and earthworks plans submitted with the response to Council's information request were prepared based on a site detail and contour survey undertaken by a registered surveyor. Existing survey information is shown on the civil plans which also include details showing the proposed ground levels.

Concerns regarding extent of earthworks and retaining wall heights:

The concept earthworks plan submitted with the response to Council's information request show that a small amount of fill across the site is required to achieve a lawful point of discharge to Gunner Street. In accordance with the earthworks table included Drawing No. SK02 Revision A a total of 498m³ of fill is proposed. This equates to an average level of fill of less than 0.75m across the whole site.

Fill volumes at specific locations over the site can also be calculated using the existing and proposed ground levels shown on the concept earthworks plans. Along the northern boundary of the site and rear (eastern) boundary, fill levels are shown with a maximum vertical dimension less than 1m and a retaining wall height

of less than 1m. Complying with AO2.1(a) and (c) & AO3.5(b) of the Subdivision Code and AO1 and AO2.1 of the Filling and excavation code.

Along the southern boundary, fill depths exceed 1m by less than 200mm at the south eastern corner of the site. This exceedance arises where the proposed earthworks have been designed to tie into an existing retaining wall which, following completion of the development, will have a maximum height of 1.2m.

We acknowledge that detailed design has not been provided and will be addressed as part of future operational works applications. However, Council may impose reasonable and relevant conditions as part of the development approval, including a requirement that the final earthworks be undertaken generally in accordance with the submitted concept earthworks plans. Conditions of this nature are a standard component of the development assessment process and provide Council with a mechanism to ensure that future approvals and work are carried out consistently with the approved design and associated requirements.

2.6 Access and traffic

Concerns were raised regarding the access and traffic matters including the following:

- The location of driveways including clearances from street trees
- Increased crossover points result in an increased risk for pedestrians
- Increased crossover points result in a loss of on-street parking
- Conflict with the broader objects of the Kedron Safer School Precinct initiatives.

The location of driveways including clearances from street trees

The proposed subdivision application does not seek approval for any future dwelling or driveway locations. Given the site is located within the Traditional building character overlay, the design and siting of any future dwelling, including the location of vehicle access arrangements, will be subject to assessment as part of a future development application. This future assessment process will provide an opportunity for Council to consider the relationship between any proposed driveway and existing street trees. Furthermore, the street trees located adjacent to the site are relatively juvenile specimens and, if necessary, can be relocated or replanted to facilitate an appropriate development outcome.

Increased crossover points result in an increased risk for pedestrians

The proposed subdivision will facilitate one additional dwelling and is expected to result in only a single additional residential driveway crossover. Given the low volume of vehicle movements typically associated with detached dwelling houses, the introduction of one additional crossover is unlikely to materially increase pedestrian safety risks. The proposed access arrangements are consistent with those commonly found throughout the surrounding residential area and are not expected to give rise to any significant adverse impacts on pedestrian safety.

Increased crossover points result in a loss of on-street parking

While the proposed subdivision may result in the loss of a single on street parking space associated with the additional driveway crossover, this impact is considered minor in the context of the surrounding road network. The proposal will facilitate an additional dwelling in an established urban area with convenient access to schools, shops, public transport and other services, thereby contributing to the efficient use of existing infrastructure and housing supply. Furthermore, future dwellings on the site will be required to provide onsite parking in accordance with the relevant City Plan requirements. On balance, the public benefit associated with providing an additional dwelling in a well-located residential area is considered to outweigh the minor loss of on street parking.

Kedron Safer School Precinct initiatives:

The Kedron Safer School Precinct initiatives are not a relevant assessment benchmarks or a relevant matter which requires assessment as part of the planning application process.

2.7 Summary

The matters raised during public notification have been considered and are not thought to detract from the planning merits of the proposal. The proposed subdivision creates two appropriately configured residential lots capable of accommodating detached dwelling houses, while maintaining the low-density residential function and established character within Kedron.

Overall, the proposed development represents a reasonable and well-considered infill outcome that is consistent with the established residential character of the surrounding area. Having regard to the proposal's planning merits, the applicant respectfully requests that Council approve the development application, subject to reasonable and relevant conditions.

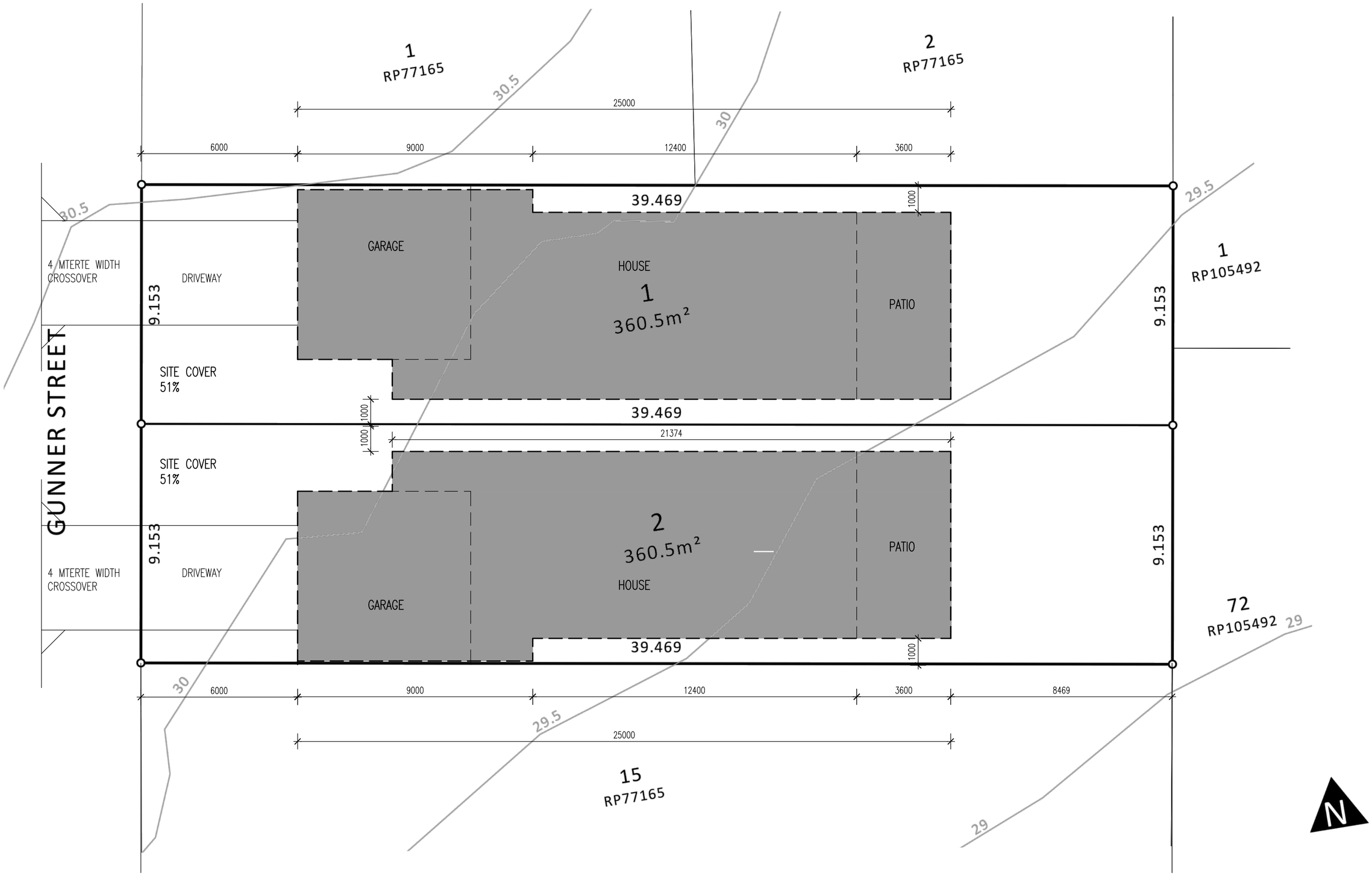
Yours sincerely,



Luke Butler

Principal Planner

APPENDIX A: INDICATIVE BUILDING FOOTPRINT PLANS



DRAWING 1:100 @A2

ISSUE:	DATE:	DESCRIPTION:

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NOTE: figured dimensions to be taken in preference to scaled readings. confirm on site all dimensions and rl's before the commencement of any work.

b m a
biagio martinelli architects pty ltd
biagio martinelli & architects pty ltd
acn 063 367 402
po box 7372
east brisbane 4169
[t] 0412 696 272
[e] biagio@bmarchitects.com.au

TITLE
PROPOSED RESIDENCES
for EDC PTY LTD

JOB NAME
17 GUNNER STREET
KEDRON

PROPOSED
SITE PLAN - SUBDIVISON
BUILDING FOOTPRINTS

DATE: SEPT 2026
DRAWN: BIAGIO
SCALE: 1:100 AT A2 SIZE; 1:200 AT A4 SIZE

DRAWING NO. 228- 007- SD01

AMNDT -