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Development Application under the *Planning Act 2016* for a Development Permit for Reconfiguring a Lot (2 into 3 lots subdivision) on land at 165-167 Trouts Road, Stafford Heights (Lots 379 and 380 on Registered Plan 113760) for Beaven Group Pty Ltd.

February 2026

PROPOSED SUBDIVISION PLANNING REPORT

165-167 Trouts Road, Stafford

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Report Summary

Table 1 – Site details	
Applicant name	Beaven Group Pty Ltd
Report prepared by	Aaron Sweet
Site address	165-167 Trouts Road, Stafford
Real Property Description [RPD]	Lots 379 and 380 on Registered Plan 113760
Site area	1136m ²
Zone and Precinct	Low Density Residential Zone [LDR]
Neighbourhood Plan and Precinct	<i>None applicable</i>
Relevant Overlays	Airport Environs Overlay: • Obstacle Limitation Surface (OLS) • Procedures for air navigation surfaces (PANS) • BBS Zone – Distance from airport 8-13km Community Purposes Network Overlay Critical Infrastructure and Movement Network Overlay: • Critical Infrastructure and Movement Planning Area sub-category Dwelling House Character Overlay Road Hierarchy Overlay • Neighbourhood Road sub-category Streetscape Hierarchy Overlay • Neighbourhood street minor
Table 2 – Aspects of development	
Type of development	Reconfiguring a Lot
Proposed use as defined by <i>Brisbane City Plan 2014</i>	Not applicable
Brief description of proposal	2 into 3 lot subdivision creating lots of 336m ² – 400m ² . Existing Dwelling House, pool and minor structures to be removed.
Referral agencies	None applicable
Specialist reports provided	Nil
Pre-Lodgement advice/RiskSMART enquiry advice	Nil



SECTION – 1

1.0 Site Location and Background Review

1.1 Site Details

The site is located at 165-167 Trouts Road, Stafford being described as Lots 379 and 380 on Registered Plan 113760 and having an area of 1136m².

The site is currently improved by a large single storey Dwelling House and a swimming pool. The site has been previously filled with a retaining wall located along approximately 50% of the site frontage having a maximum height of approximately 1.32 metres. There are some rock walls around the north eastern corner of the site with the remainder of the site having a gentle fall from the north east corner to the south western corner.

Under City Plan 2014 the site is included within the Low Density Residential Zone and is subject to a number of Overlays as identified in *Table 1* above.

1.2 Surrounding Development in the Locality

The site is located within an established Low Density Residential area and land surrounding the site is generally included within the Low Density Residential Zone [LDR]. Development in the surrounding area generally consists of detached Dwelling Houses of varying ages. A sizeable District Centre Zone is located along Flockton Street to the north west of the site. The site context is shown in *Photo 1* below.

1.3 Site Photos



SUBJECT SITE ★

Photo 1 – Aerial Photo (2021)

SOURCE: [HTTPS://CITYPLAN.BRISBANE.QLD.GOV.AU/EPLAN](https://cityplan.brisbane.qld.gov.au/epln)



Photo 2 – The subject site looking north east from Trouts Road

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Photo 3 – The subject site looking south east from Trouts Road

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SECTION – 2

2.0 Proposal

The proposal is for Reconfiguring a Lot to create three allotments of varying sizes, all of which will be unimproved other than existing retaining walls which are to be retained.

Proposed Lot 1 is located will have an area of 336m² and a width of 10.1 metres and will be located on the northernmost portion of the site.

Proposed Lot 2 is located centrally to the site and will have an area of 400m² and a width of 12.05 metres. There is an existing retaining wall along the frontage with height varying between approximately 0.15 metres and 1 metre which will be retained.

Proposed Lot 3 is located on the southernmost portion of the site and will have an area of 400m² and a width of 12.049 metres. There is an existing retaining wall along the frontage with height varying between approximately 1 metre and 1.32 metres which will be retained.

No earthworks are proposed other than required for construction of the relevant service connections. All roofwater will discharge to Trouts Road as a lawful point of discharge.

Each lot is proposed to take direct access from Trouts Road with the bus stop having been relocated to the north of the Flockton Street intersection with a parking lane provided along the site frontage and good sight lines and separation distance from the closest intersection.

A full assessment against all relevant assessment benchmarks is undertaken in Section 3.0.

Further details of the proposal are provided in *Table 3* below.



2.1 Key Details

Table 3 – Key details for reconfiguring a lot			
	Proposed Lot 1	Proposed Lot 2	Proposed Lot 3
Proposed lot sizes	336m ²	400m ²	400m ²
Proposed lot dimensions	10.1 metres wide x 33.222 metres deep.	12.05 metres wide x 33.222 metres deep.	12.049 metres wide x 33.222 metres deep.
Access arrangements/crossover	An individual driveway crossover is proposed.	An individual driveway crossover is proposed.	An individual driveway crossover is proposed.
Existing/Proposed built improvements	The lot will be unimproved.	The lot will be unimproved however the existing front retaining wall will be retained.	The lot will be unimproved however the existing front retaining wall will be retained.
Lawful point of discharge	Yes, kerb and channel in Trouts Road.	Yes, kerb and channel in Trouts Road.	Yes, kerb and channel in Trouts Road.
Removal of street trees	None, there are no street trees along the lot frontage.	None, there are no street trees along the lot frontage.	None, there are no street trees along the lot frontage.
Filling and/or cutting	No earthworks are proposed other for installation of services.	No earthworks are proposed other for installation of services	No earthworks are proposed other for installation of services
Current verge width	Minimum verge widths of between 3.59 metres and 3.62 metres exist along the site frontage.	Minimum verge widths of between 3.59 metres and 3.62 metres exist along the site frontage.	Minimum verge widths of between 3.59 metres and 3.62 metres exist along the site frontage.
Width and quality of existing footpath	There is a 1.2 metre wide footpath along the site frontage which is in good repair.	There is a 1.2 metre wide footpath along the site frontage which is in good repair.	There is a 1.2 metre wide footpath along the site frontage which is in good repair.
Minimum Flood levels	N/A as the site is not susceptible to flooding	N/A as the site is not susceptible to flooding	N/A as the site is not susceptible to flooding
Other key detailed relevant to this development proposal	The lot is able to be provided with all required services.	The lot is able to be provided with all required services.	The lot is able to be provided with all required services.



SECTION – 3

3.0 Assessment Benchmarks and Compliance

The applicable assessment benchmarks identified for the assessment of the proposal are included within the following documents:

- *State Development Assessment Provisions*
- *South East Queensland Regional Plan 2017*
- *State Planning Policy*
- *City Plan 2014*

Section 45(3) of the *Planning Act 2016* [the Act] states that code assessment is a bounded assessment and consideration is limited to specific requirements identified:

“(3) A code assessment is an assessment that must be carried out only—

- (a) against the assessment benchmarks in a categorising instrument for the development; and*
- (b) having regard to any matters prescribed by regulation for this paragraph.”*

The *Planning Regulation 2017* [Planning Reg] in section 26 prescribes the following requirements with respect to assessment benchmarks:

“(1) For section 45(3)(a) of the Act, the code assessment must be carried out against the assessment benchmarks for the development stated in schedules 9 and 10.

(2) Also, if the prescribed assessment manager is the local government, the code assessment must be carried out against the following assessment benchmarks—

(a) the assessment benchmarks stated in—

- (i) the regional plan for a region, to the extent the regional plan is not identified in the planning scheme as being appropriately integrated in the planning scheme; and*
- (ii) the State Planning Policy, part E, to the extent part E is not identified in the planning scheme as being appropriately integrated in the planning scheme; and*
- (iii) any temporary State planning policy applying to the premises;*

(b) if the local government is an infrastructure provider—the local government’s LGIP.

(3) However, an assessment manager may, in assessing development requiring code assessment, consider an assessment benchmark only to the extent the assessment benchmark is relevant to the development.”

The assessment of the proposal has been undertaken against all identified assessment benchmarks to the extent they are considered relevant to the development.

Section 60 of the Act provides the decision rules for code assessable development as follows:

“(2) To the extent the application involves development that requires code assessment, and subject to section 62, the assessment manager, after carrying out the assessment—

- (a) must decide to approve the application to the extent the development complies with all of the assessment benchmarks for the development; and*
- (b) may decide to approve the application even if the development does not comply with some of the assessment benchmarks; and*



- (c) *may impose development conditions on an approval; and*
- (d) *may, to the extent the development does not comply with some or all the assessment benchmarks, decide to refuse the application only if compliance can not be achieved by imposing development conditions."*

The proposal does not conflict with the intent of City Plan being code assessable and meets the applicable assessment benchmarks and has sufficient planning merit to warrant approval.

Assessment against the relevant assessment benchmarks is provided below and in *Appendix A*.

3.1 Referral Agencies

Sections 44 and 45 of the *Planning Act 2016* [the Act] provide that a categorising instrument may prescribe that development is prohibited development or assessable development and this is given effect by sections 19 and 20 of the *Planning Regulation 2017* [Planning Reg].

Section 19 identifies that development if stated in schedule 10 of the Planning Reg as prohibited development is prohibited. Section 20 identifies that development stated in schedules 9 and 10 is assessable development. Schedule 10 also identifies assessment benchmarks and referral agency triggers for assessable development.

An assessment of the application of schedule 10 as applicable to the proposal has identified that there are no relevant triggers.

3.2 SEQ Regional Plan

The site is included within the "Urban Footprint" under *ShapingSEQ South East Queensland Regional Plan 2023* [SEQRP] whose intent is:

"The Urban Footprint identifies land within which the region's urban development needs to 2046 can be accommodated in a way consistent with the outcomes and strategies of ShapingSEQ 2023."

The proposal is consistent with the intent for development within the Urban Footprint envisaged under the SEQRP and there are no relevant assessment benchmarks identified.



3.3 State Planning Policy

The State Planning Policy [SPP] commenced on 2 December 2013 and repeals the previous State Planning Policies. The SPP was updated in July 2017 for integration with the *Planning Act 2016*. *City Plan 2014* reflects and is fully compliant with the relevant aspects of the SPP. The interactive mapping associated with the SPP has indicated that the following State Interests are applicable to the proposal:

WATER QUALITY

- Climatic regions - stormwater management design objectives

NATURAL HAZARDS RISK AND RESILIENCE

- Flood hazard area - Local Government flood mapping area
- Bushfire Prone Area

STRATEGIC AIRPORTS AND AVIATION FACILITIES

- Obstacle limitation surface area
- Wildlife hazard buffer zone
- Aviation facility

Water Quality

The state interest intent for Water Quality is as follows:

"The environmental values and quality of Queensland waters are protected and enhanced."

The SPP provides the following triggers with respect to this State Interest:

"For receiving waters, a development application for:

- (1) a material change of use for an urban purpose that involves premises 2500 metres² or greater in size and;
 - (a) will result in six or more dwellings; or*
 - (b) will result in an impervious area greater than 25 per cent of the net developable area; or**
- (2) reconfiguring a lot for an urban purpose that involves premises 2500 metres² or greater in size and will result in six or more lots; or*
- (3) operational works for an urban purpose that involves disturbing a land area 2500 metres² or greater in size."*

The applicable assessment benchmarks are outlined as follows:

- "(1) Development is located, designed, constructed and operated to avoid or minimise adverse impacts on environmental values arising from:
 - (a) altered stormwater quality and hydrology*
 - (b) waste water*
 - (c) the creation or expansion of non-tidal artificial waterways*
 - (d) the release and mobilization of nutrients and sediments.**
- (2) Development achieves the applicable stormwater management design objectives outlined in tables A and B (appendix 2)*
- (3) Development in a water supply buffer area avoids adverse impacts on drinking water supply environmental values."*

As the proposal does not involve six or more lots there is no assessment required against this State Interest.



Natural Hazards, Risk and Resilience

The state interest intent for Natural Hazards, Risk and Resilience is as follows:

"The risks associated with natural hazards, including the projected impacts of climate change, are avoided or mitigated to protect people and property and enhance the community's resilience to natural hazards."

The SPP provides the following triggers with respect to this State Interest:

"A development application for a material change of use, reconfiguration of a lot or operational works on premises in any of the following:

- (1) bushfire prone areas*
- (2) flood hazard areas*
- (3) landslide hazard areas*
- (4) storm tide inundation areas*
- (5) erosion prone area.*

The following are assessment benchmarks for this state interest in relation to the subject site:

All of the following requirements are assessment benchmarks for the development:

Bushfire, flood, landslide, storm tide inundation, and erosion prone areas outside the coastal management district:

- (3) Development other than that assessed against (1) above, avoids natural hazard areas, or where it is not possible to avoid the natural hazard area, development mitigates the risks to people and property to an acceptable or tolerable level.*

All natural hazard areas:

- (4) Development supports and does not hinder disaster management response or recovery capacity and capabilities.*
- (5) Development directly, indirectly and cumulatively avoids an increase in the severity of the natural hazard and the potential for damage on the site or to other properties.*
- (6) Risks to public safety and the environment from the location of hazardous materials and the release of these materials as a result of a natural hazard are avoided.*
- (7) The natural processes and the protective function of landforms and the vegetation that can mitigate risks associated with the natural hazard are maintained or enhanced."*

The site is not identified as being within the Flood Overlay or Bushfire Hazard Overlay under City Plan 2014 which is consistent with the State Planning Policy and therefore no further assessment is required against this State Interest.



Strategic Airports and Aviation Facilities

The state interest intent for Strategic Airports and Aviation Facilities is as follows:

"The operation of strategic airports and aviation facilities is protected, and the growth and development of Queensland's aviation industry is supported."

The following are the assessment benchmarks for this state interest:

"All of the following requirements are assessment benchmarks:

- (1) Development and associated activities do not create a permanent or temporary physical or transient intrusion into a strategic airport's operational airspace, unless the intrusion is approved in accordance with the relevant federal legislation.*
- (2) Development and associated activities do not include light sources or reflective surfaces that could distract or confuse pilots within a light restriction zone or lighting area buffer.*
- (3) Emissions do not significantly increase air turbulence, reduce visibility or compromise the operation of aircraft engines in a strategic airport's operational airspace.*
- (4) Development and associated activities do not attract wildlife or increase wildlife hazards within a wildlife hazard buffer zone.*
- (5) Development and associated activities within a building restricted area do not interfere with the function of aviation facilities.*
- (6) Development does not increase the risk to public safety within a public safety area.*
- (7) Development within the 20 ANEF contour or greater is appropriately located and designed to prevent adverse impacts from aircraft noise."*

The proposal is fully compliant with the assessment benchmarks applicable to this state interest.

3.4 Temporary Local Planning Instruments

There are no temporary local planning instruments applicable to either the subject site or the proposed development.



3.5 Brisbane City Plan and Planning Scheme Policies

3.5.1 Level of Assessment

Table 5.6.1 provides the Level of Assessment [LOA] Table for Reconfiguring a Lot [ROL] and in Low Density Residential Zone the following trigger is applicable.

"If a reconfigured lot is:

- a. less than 300m², where any part of the lot frontage is within 200m walking distance of any part of the lot frontage of a site or sites in a zone in the centre zones category with a combined site area of more than 2,000m²; or*
- b. less than 400m², where any part of the lot frontage is greater than 200m walking distance of any part of the lot frontage of a site or sites in a zone in the centre zones category with a combined site area of more than 2,000m²; or"*

is impact assessable.

Any other reconfiguring a lot not listed above is code assessable.

Walking distance is defined as follows:

"The distance between two places, measured from reasonable pedestrian access points and along roads with verges, off-road pathways or other reasonable pedestrian connections."

Proposed Lot 1 is located within 200 metres walking distance of the closest District Centre Zone as confirmed by the walking distance survey provided as Appendix B.

As the site meets the walking distance requirement for providing lots of between 300m² and 400m² the application is code assessable against the following codes:

- Subdivision Code
- Prescribed secondary codes
- Low Density Residential Zone Code

For the City Plan 2014 Overlays the applicability of these are identified in *Table 4* below.

An assessment to determine the relevant provisions applicable to the assessment of the proposal has been completed and the relevant assessment benchmarks along with a comment regarding compliance is included within *Table 4* below. A full assessment in detail of all applicable codes is included in Appendix A.



Table 4 – Applicable Codes and Compliance

<i>Applicable Code</i>	<i>Relevance</i>	<i>Compliance</i>
Low Density Residential Zone Code	Yes	The proposal satisfies the Overall Outcomes of this Code.
Subdivision Code	Yes	The proposal satisfies the Overall Outcomes and demonstrates a high level of compliance with all relevant Acceptable Outcomes of this Code. An Alternative Solution with respect to taking individual access from a major road is proposed.
<i>Airport Environs Overlay</i>	<i>No</i>	<i>Not applicable to a subdivision.</i>
<i>Community Purposes Network Overlay Code</i>	<i>No</i>	<i>Not applicable to a small infill subdivision.</i>
<i>Critical Infrastructure and Movement Network Overlay Code</i>	<i>No</i>	<i>Not applicable to a subdivision.</i>
<i>Dwelling House Character Overlay</i>	<i>No</i>	<i>Not applicable to a subdivision. The Dwelling House to be retained complies with building setback and site coverage requirements.</i>
Road Hierarchy Overlay Code	Yes	The proposal satisfies the Overall Outcomes however an Alternative Solution regarding individual site access to a major road in proposed.
Streetscape Hierarchy Overlay Code	Yes	The proposal satisfies the Overall Outcomes however an Alternative Solution regarding verge width is proposed.
Filling and Excavation Code	Yes	The proposal satisfies the Overall Outcomes and all relevant Acceptable Outcomes considering no filling or excavation is proposed other than for services.
Infrastructure Design Code	Yes	The proposal satisfies the Overall Outcomes however an Alternative Solution regarding verge width is proposed.
<i>Landscape Work Code</i>	<i>No</i>	<i>Not applicable to a small infill subdivision.</i>
<i>Outdoor Lighting Code</i>	<i>No</i>	<i>Not applicable to a subdivision.</i>
<i>Park Planning and Design Code</i>	<i>No</i>	<i>Not applicable to a subdivision which does not involve the provision of parkland.</i>
Stormwater Code	Yes	The proposal satisfies the Overall Outcomes and is fully compliant with all relevant Acceptable Outcomes of this Code.



Transport, Access, Parking and Servicing Code	Yes	The proposal satisfies the Overall Outcomes however Alternative Solutions regarding verge width and taking individual access from a major road are proposed.
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3.5.2 Justification Against Performance Outcomes

This section addresses aspects of the applicable codes where compliance with the Acceptable Outcomes is not achieved, and a Performance Solution is proposed.

Road Hierarchy Overlay Code

Performance Outcomes	Acceptable Outcomes	Compliance	Status
PO7 Development ensures that premises and vehicle access are located and controlled so as to have no significant impact on the safety, efficiency, function, convenience of use or capacity of the major road network and preserves the function of the road hierarchy.	AO7 Development ensures that residential lots are laid out to ensure a future use does not directly ingress from or egress to a major road.	Alternative Solution. The proposal involves individual driveways fronting a major road (district road) however in this location the bus stop has been relocated to north of Flockton Street, there is a parking lane in front of the site allowing vehicles to safely reverse into and there is a minimum 40 metre separation from the intersection and clear sight lines. The proposal does not compromise achievement of Performance Outcome PO7.	A/S

Streetscape Hierarchy Overlay Code

Performance Outcomes	Acceptable Outcomes	Compliance	Status
PO1 Development must improve pedestrian movement and amenity by providing for verges to a width that is appropriate to accommodate large subtropical street tree planting and high levels of pedestrian movement.	AO1 Development ensures that a verge is provided via a linear land dedication to create a minimum verge width as specified in Table 8.2.20.3.B and the streetscape locality advice and road corridor design standards in the Infrastructure design planning scheme policy.	Alternative Solution. The existing verge width varies between 3.59 and 3.62 metres along Trouts Road. These widths are consistent with that in the surrounding area. The existing verge width satisfies Performance Criteria PO1.	A/S



Subdivision Code

Performance Outcomes	Acceptable Outcomes	Compliance	Status
PO3 Development provides roads, associated pavement and concrete kerb and channel to every road the development has frontage to and lot access, that is designed and constructed: a. in compliance with the road corridor design standards in the Infrastructure design planning scheme policy; b. for the type of vehicle, pedestrian and cyclist use appropriate to the site and intended use; c. to be safe for the vehicles, buses, pedestrians and cyclists expected to be accessing the lot; d. to maintain the safety and efficiency of the transport network for vehicles, buses, pedestrians and cyclists; e. at an adequate width, suitable gradient and appropriate construction standard; f. to avoid unreasonable detriment or nuisance to an adjacent premises; g. to preserve the amenity and function of the public realm in accommodating: i. high levels of pedestrian traffic; ii. large subtropical street trees; iii. on-street parking.	AO3.3 Development provides each lot with access to a public road other than a major road, that is: a. direct; or b. via a formal access arrangement that is: i. registered on a title over another lot; or ii. a reciprocal access easement; or iii. over common property; iv. located as far away as practicable from an existing or proposed dwelling; v. compliant with the road corridor design standards in the Infrastructure design planning scheme policy; c. the width specified: i. in the Transport, access, parking and servicing planning scheme policy where an access way to a rear lot in the Low density residential zone, Character residential zone, Low-medium density residential zone or Emerging community zone; or ii. in Table 9.4.10.3.B where in any other zone; d. compliant with the standard vehicle type requirements for the zone and zone precinct applicable to the site and intended use.	Alternative Solution. The proposed lots will take access from a major road (district route) as there is no alternative available.	A/S
	AO3.5 Development provides grades within a lot that: a. enable vehicular access to be achieved in accordance with the Transport, access, parking and servicing planning scheme policy; b. do not require cut and fill in excess of 1m in height.	Alternative Solution. Site access to each lot will achieve appropriate standards. Some alteration to the existing retaining walls will be required to provide driveway access however this is proposed subsequent to the ROL.	A/S



Infrastructure Design Code

Performance Outcomes	Acceptable Outcomes	Compliance	Status
PO4 Development provides verges which are designed and constructed to: - provide safe access for pedestrians clear of obstructions and access areas for vehicles onto properties; - provide a sufficient area for public utility services; - be maintainable by the Council.	AO4 Development provides verges which are designed and constructed in compliance with the road corridor design and streetscape locality advice standards in the Infrastructure design planning scheme policy.	Alternative Solution. The existing verge widths are between 3.59 and 3.62 metres along Trouts Road. These widths are consistent with that in the surrounding area and can readily accommodate street trees. The existing verge width satisfies Performance Criteria PO4.	A/S

Transport, Access, Parking and Servicing Code

Performance Outcomes	Acceptable Outcomes	Compliance	Status
PO3 Development provides vehicle access that is located and designed so as to have no significant impact on the safety, efficiency, function, convenience of use or capacity of the road network.	AO3.1 Development provides site access that is located and designed in compliance with the standards in the Transport, access, parking and servicing planning scheme policy.	Alternative Solution. Access to each lot will comply and will be taken from a major road (district route). Given the presence of a parking lane, good sight lines and separation from the intersection with Flockton Street the proposal satisfies Performance Criteria PO3.	A/S
PO9 Development provides access driveways in the road area that are located, designed and controlled to: - minimise adverse impacts on the safety and operation of the transport network, including the movement of pedestrians and cyclists; - ensure the amenity of adjacent premises, from impacts such as noise and light.	AO9.5 Development makes provision for shared access arrangements particularly where it is necessary to limit access points to a major road.	Alternative Solution. Each lot will take access from a major road (district route). Given the presence of a parking lane, good sight lines and separation from the closest intersection, individual driveways are appropriate and do not compromise achievement of Performance Outcome PO9.	A/S



SECTION – 4

4.0 Recommendation and Conclusion

The proposal is for a 2 into 3 lot subdivision creating lots which meet the intent and general requirements for development in the Low Density Residential Zone. The site has access to all required urban services and the lots will be provided with connections in accordance with the relevant standards. The site is able to accommodate individual driveways to each allotment given the good sight lines, separation of the site from the nearest intersection and the presence of a parking lane along the full site frontage.

The application is code assessable and the proposed demonstrates compliance with all relevant assessment benchmarks.

The proposal is consistent with development anticipated in the area and represents an appropriate outcome and is recommended for approval subject to reasonable and relevant conditions.

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