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Development Application Report

63 - 67 Bayview Terrace, Clayfield

Development Permit for a Material Change of Use for Multiple Dwellings (13 x Apartments)



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Disclaimer

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Executive Summary

This development application seeks a Development Permit for a Material Change of Use to establish Multiple Dwellings at 63, 65 and 67 Bayview Terrace, Clayfield (the **Subject Site**). The premises is formally referred to as Lot 2 on RP49607, Lot 24 on RP34279 and Lots 17 and 18 on RP34278.

Our office has been engaged by the Applicant, Clay Bay Pty Ltd, to prepare and lodge this development application over the Subject Site. The Brisbane City Plan 2014 (the **Planning Scheme**) includes the Subject Site within the Low-medium Density Residential (3 or 4 Storey Mix) Zone and the Clayfield-Wooloowin District Neighbourhood Plan. The Subject Site is not identified within any environment overlays that would constrain the land (e.g. biodiversity, bushfire, environmental significance, etc.). There are no easements or environmental covenants registered on title.

Figure 1 – Artist Impression (Street Frontage – Bayview Terrace)



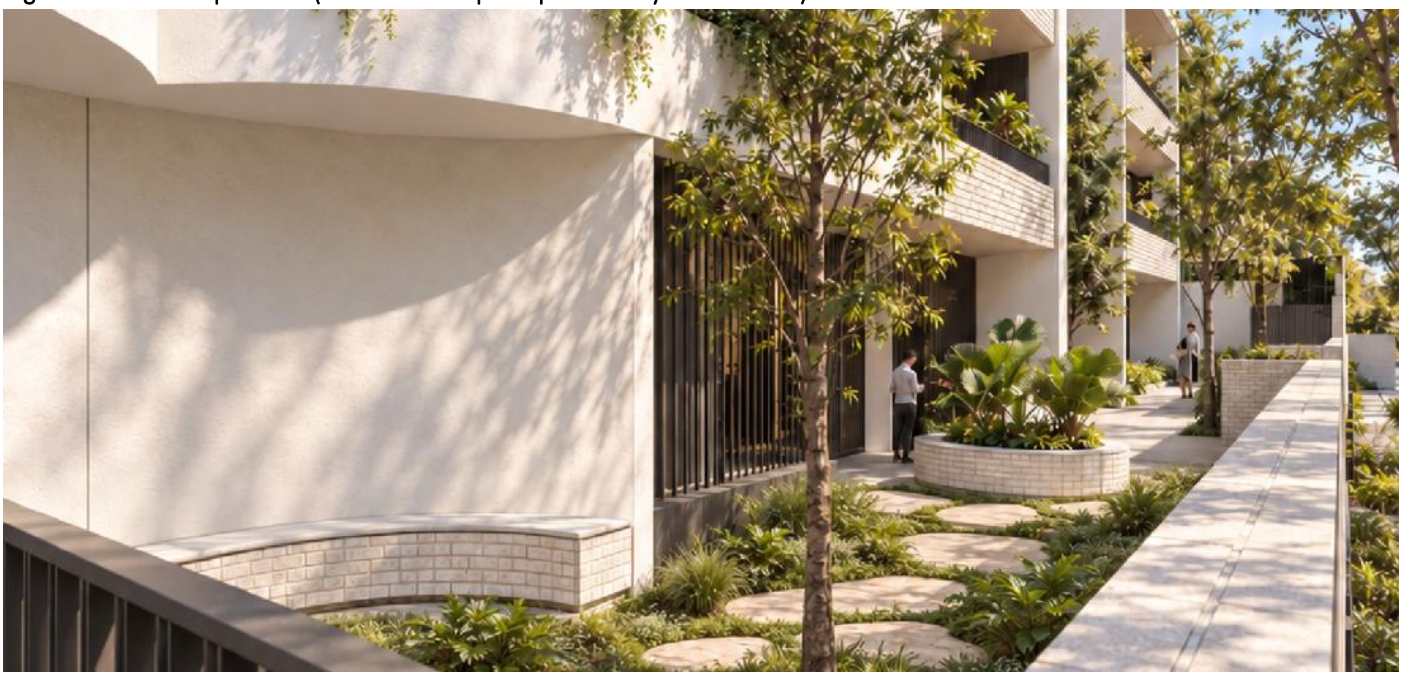
The subject site presents an opportunity to deliver much-needed, high-quality residential accommodation within a well-serviced and highly accessible location. The development will feature 13 spacious three-bedroom apartments, thoughtfully designed to respond to the needs of a broad range of households, lifestyles and demographics, whilst contributing to housing choice and supply within the established Clayfield locality.

Future building occupants will have the opportunity to enjoy the many benefits of suburban living within well-designed, functional and attractive apartments that provide a comfortable and welcoming place to live. With convenient access to established services, facilities and amenities, including the nearby Clayfield Neighbourhood Centre, public transport and educational facilities, the development will create a connected and desirable residential environment, providing residents with quality housing and the opportunity to enjoy a well-balanced and convenient lifestyle.

The proposal involves the redevelopment of the Subject Site to establish a single four-storey residential building, comprising ground-level car parking and three levels of apartments above. The design provides 13 apartments, a consolidated crossover and driveway to Bayview Terrace, 34 resident and four visitor car parking spaces, generous private open spaces, communal recreation areas interspersed with high quality landscaped areas. The proposal incorporates approximately 157m^2 of deep planting and 263m^2 of communal open space, contributing to the subtropical landscape character of the locality. The building has been thoughtfully designed to incorporate

substantial articulation, landscaped balconies and a recessed uppermost storey, reducing its perceived bulk and scale whilst delivering an attractive and high-quality built form that responds positively to the surrounding streetscape.

Figure 2 – Artist Impression (Communal Open Space – Bayview Terrace)



Whilst some Performance Outcomes are proposed relating to building height and site cover, the development has been intentionally designed to respect the surrounding locality, residential amenity and the outcomes sought by the Planning Scheme for the Subject Site. In particular, the proposed four-storey building represents a modest increase above the three-storey height anticipated by the Planning Scheme, with the additional storey appropriately accommodated through substantial recessing, architectural articulation and integrated landscaping. The proposed built form is consistent with the existing and emerging residential character of the locality, which already accommodates numerous three-storey and some four-storey multiple dwelling developments. It is relevant to note that the site would be deemed to be within a 'key location' that supports 4 storeys in height as an acceptable outcome, were it not for the nearest bus stop having a single interval of 33 minutes on the weekend rather than 30 minutes. The proposal supports appropriate residential consolidation within an established urban area, in proximity to public transport, amenities and employment opportunities.

The applicable categorising instrument under Chapter 3, Part 1, s41 of the *Planning Act 2016* is the Brisbane City Plan 2014 (the **Planning Scheme**), which is the local categorising instrument. The local categorising instrument nominates the development as Impact Assessable as per Table 5.5.5 of the Planning Scheme, owing to the exceedance of the prescribed building height. The development application requires public notification for a minimum period of 15 business days. The development application does not trigger referral to any external agencies.

This office has undertaken a thorough assessment of all the relevant provisions of the Planning Scheme and recommends that this development application be approved subject to reasonable and relevant conditions.

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Appendices

Appendix	Title	Author
A	Proposal Plans	GK Architects
B	Code Assessment	Murray Bell Planning Co.
C	Traffic Technical Memorandum	Waymaker Traffic Engineering
D	Site Based Stormwater Management Plan	Naxos Engineers
E	Concept Engineering Plans	Naxos Engineers
F	Engineering Code Response	Naxos Engineers
G	Concept Landscape Plans	LaudInk

1.0 Site and Application Details

Subject Site	
Address:	63, 65 and 67 Bayview Terrace, Clayfield
Lot Description:	Lots 17 and 18 on RP34278, Lot 24 on RP34279, and Lot 2 on RP49607
Area:	1,479m^2 (412m^2 + 412m^2 + 569m^2 + 86m^2)
Easement(s):	Nil
Land Classification:	Low-medium Density Residential (3 or 4 Storey Mix) Zone
Neighbourhood Plan:	Clayfield-Wooloowin District Neighbourhood Plan
Overlay(s):	Airport Environs Overlay Bicycle Network Overlay Community Purposes Network Overlay Critical Infrastructure and Movement Network Overlay Dwelling House Character Overlay Road Hierarchy Overlay Streetscape Hierarchy Overlay
SEQRP:	Urban Footprint
Applicant	
Applicant:	Clay Bay Pty Ltd C/- Murray Bell Planning Co.
Contact Details:	Name: Tamara Katai Address: Level 10, 167 Eagle Street, Brisbane QLD 4000 Phone: 0404 125 012 Email: tamara@mbplanning.com.au
Registered Landowner(s):	Clay Bay Pty Ltd
Application	
Development Application:	Development Permit for a Material Change of Use for Multiple Dwellings (13 Apartments)
Level of Assessment:	Impact Assessable
Public Notification Period:	15 Days
Referral Agencies:	Nil

2.0 Subject Site and Locality Description

2.1 Site Description

The Subject Site is located at 63 – 67 Bayview Terrace, Clayfield, and is more particularly described as Lots 18 and 17 on RP34278, Lot 24 on RP34279, and Lot 2 on RP49607.

The Planning Scheme includes the property within the Low-medium Density Residential (3 or 4 Storey Mix) Zone and the Clayfield-Wooloowin District Neighbourhood Plan. The property is not constrained by any mapped overlays, nor it is burdened by any easements or covenants.

The four individual allotments that comprise the Subject Site are rectangular in shape and have a combined site area of 1,479m^2. The property is located in a particularly advantageous position, as it is located within one of Brisbane's most established and highly sought-after inner-northern suburbs. Unlike many residential sites that rely on broader suburb-wide attributes, the subject land enjoys direct access to the Eagle Junction activity node, with Eagle Junction State School located directly opposite the site, Clayfield College approximately 450 metres away, and Eagle Junction Railway Station approximately 750 metres to the north. These distances place a significant range of daily needs comfortably within walking distance, reinforcing the site's suitability for higher-density residential development and providing future residents with an exceptionally convenient urban lifestyle.

The site is located within a 5-minute walk (approximately 360 metres) of the Bonney Avenue bus stop at Bayview Terrace and 400m of the London Road bus stop on Sandgate Road, which provide high frequency (5-10min services in peak periods) connecting to the Brisbane CBD, Chermside and other major destinations. The site is also within a 8-minute walk (approximately 570m) of the Eagle Junction Railway Station, offering direct access to the CBD, Brisbane Airport, the Sunshine Coast line and the broader South East Queensland rail network. Whilst the aforementioned bus stops have a single service that exceeds the 30min threshold on the weekend (i.e. a 9am and 9:33am service, being a 33 minute interval), the site is clearly well located in proximity to high frequency public transport despite not achieving the definition of a Key Location. This level of public transport accessibility strongly aligns with strategic planning objectives that encourage residential growth in locations where residents can reduce reliance on private vehicles and access employment, education and services via sustainable transport options.

Beyond transport connectivity, the site is exceptionally well positioned relative to major retail, community and lifestyle facilities. The nearby Eagle Junction and Clayfield commercial centres provide convenient access to supermarkets, specialty retail, medical services, cafés and day-to-day commercial services, while Sandgate Road and Junction Road offer a concentration of local businesses and community infrastructure. The location is also surrounded by some of Brisbane's most prestigious educational institutions, including Clayfield College, St Rita's College, St Agatha's Primary School and St Margaret's Anglican Girls School, contributing to strong ongoing residential demand. The combination of walkable public transport, high-quality educational facilities, established neighbourhood amenity and proximity to both the Brisbane CBD and Brisbane Airport creates a compelling planning rationale for residential apartment development, representing an efficient and logical intensification opportunity in a location already supported by significant existing infrastructure.

The Subject Site is provided with two frontages, being 46.9m to Bayview Terrace and 30.0m to Jolly Street. The land falls to the north-east (39mAHD to 35mAHD), and is fully serviced by all urban reticulated infrastructure (water,

sewer, electricity, telecommunications). Stormwater infrastructure is located within the Bayliss Street reserve. Access is currently provided to 67 Bayview Terrace via concrete crossover to Jolly Street whilst access to 67 Bayview Terrace is provided via concrete crossover to Bayview Terrace.

The property is adjoined by a detached dwelling house to the south, with Multiple Dwellings adjoining the remaining boundaries to the east and south east. More broadly, the locality contains a diverse mixture of dwellings, dual occupancies, multiple dwellings, and education establishments.

Figure 2– June 2026 Aerial Photograph

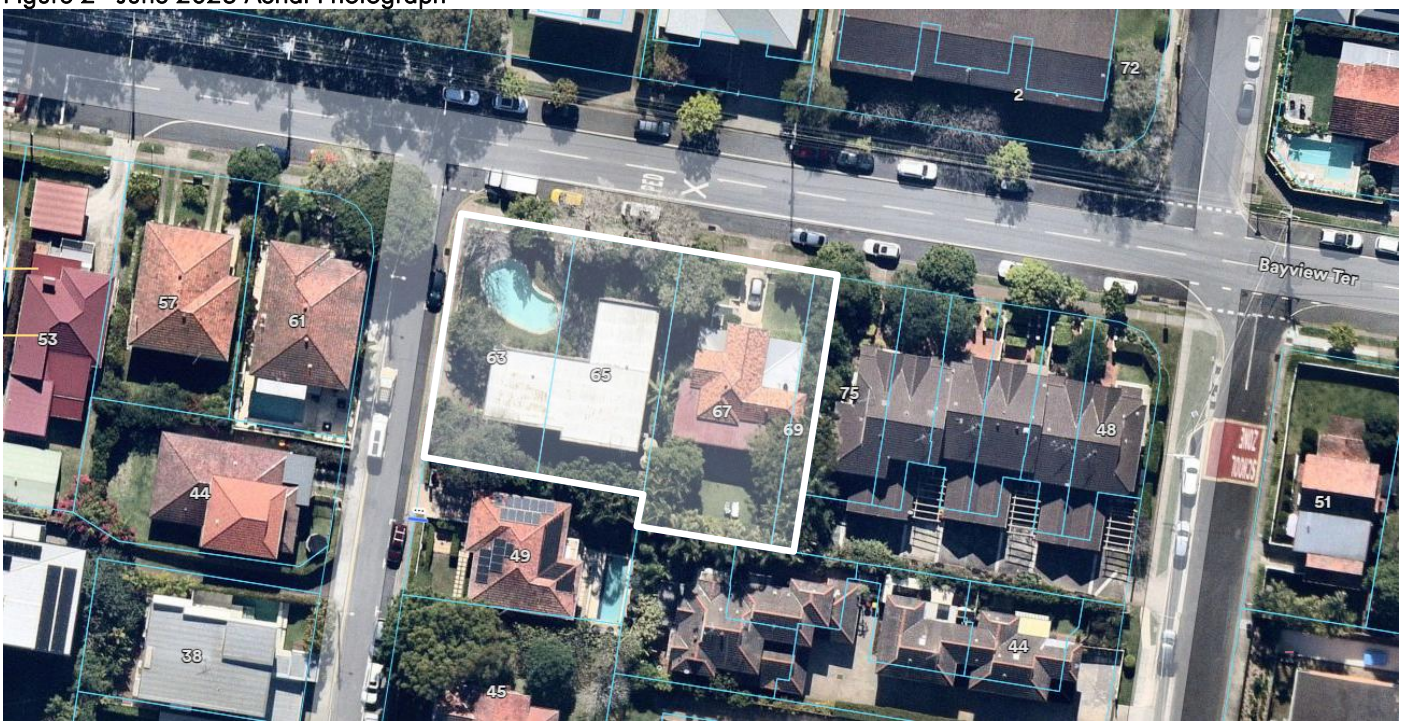


Figure 3 – Planning Scheme Zone Mapping (Source: BCC mapping, 2025)



2.2 Flood Hazard

A review of Council's Flood Overlay mapping confirms that the Subject Site is not impacted by flooding from any source.

2.3 Biodiversity Constraints

The Planning Scheme does not regulate the removal of vegetation on the premises, as the site is not included within the Biodiversity Overlay or Significant Landscape Tree Overlay. The site is not identified as containing protected vegetation by the Natural Asset Local Law. Similarly, the State does not make the removal of vegetation assessable under the Vegetation Management Act.

2.4 Heritage

A review of Council's Planning Scheme mapping confirms the Subject Site is not identified in the Heritage Overlay. Similarly, the State Government Development Assessment mapping system does not identify the Subject Site as containing, nor adjoining, a Queensland Heritage place.

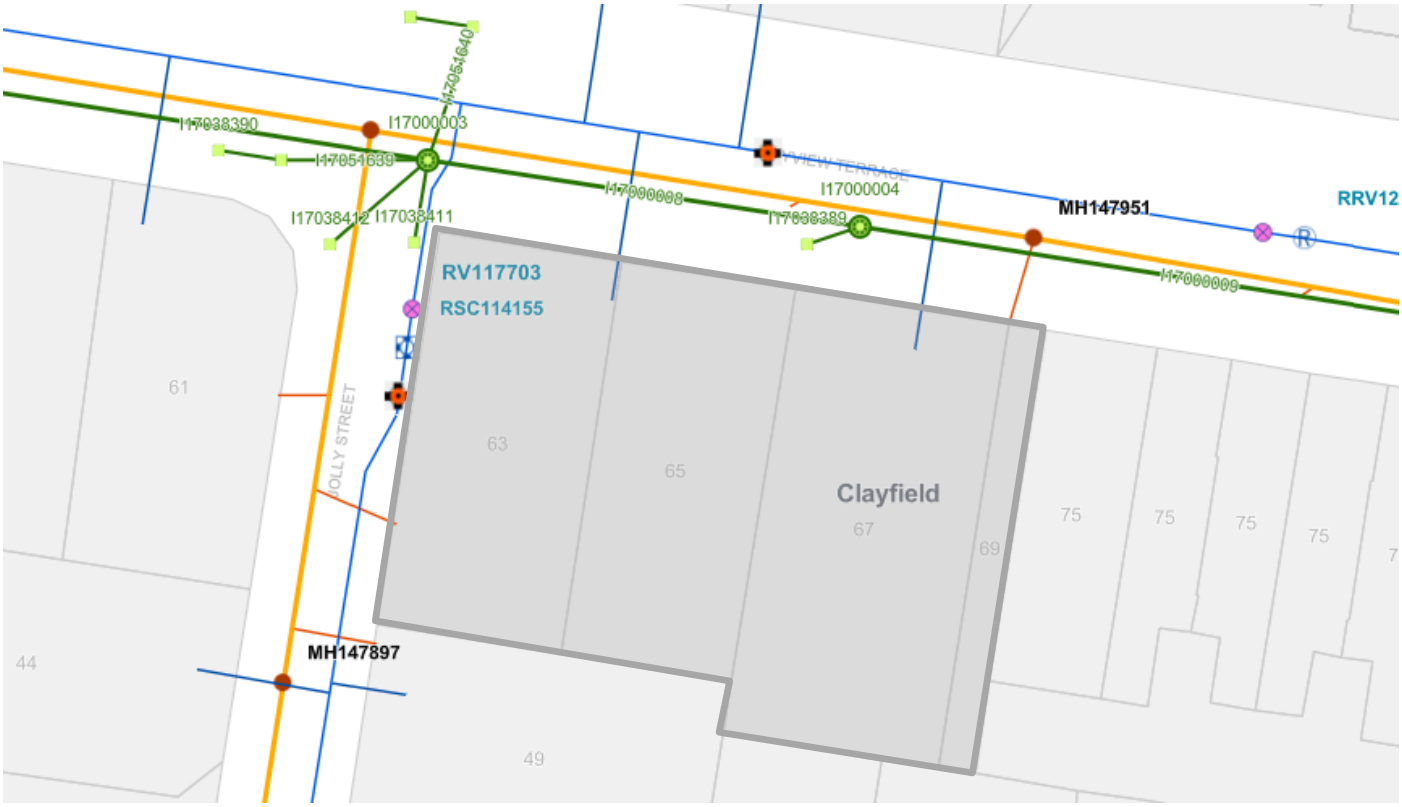
2.5 Bushfire Constraints

A review of the Council's Bushfire Overlay mapping confirms that the Subject Site is not located within a bushfire hazard area. Additionally, the Subject Site is not located within the bushfire risk area of the State Planning Policy.

2.6 Services and Infrastructure

The Subject Site is currently connected to all essential services and infrastructure. Reticulated water and sewer infrastructure, alongside telecommunications and electricity infrastructure, is located within the Bayview Terrace and Jolly Street road reserves. A stormwater main with maintenance hole is located under the Bayview Terrace road pavement. Refer to Figure 4 below.

Figure 4 – Infrastructure Mapping



2.7 Development Application History

A review of Council's Development.i system confirms that no development applications have been submitted over the Subject Site since January 2004.

3.0 Proposal

This development application seeks a Development Permit for a Material Change of Use to establish a Multiple Dwelling consisting of 13 Apartments. The proposal includes a single 4-storey building located on the consolidated landholding, with the parking located on the ground level and the units provided on the above-ground floors. Access to the car parking will be provided via a consolidated crossover and driveway to Bayview Terrace.

The concept has been thoughtfully designed to include a vast array of building materials including brick cladding, rendered walls, and sheet metal roofing; to strike a rationalised and genuine balance between soft and hardstand areas; and, to promote a high-quality outcome that will deliver a positive contribution to the established streetscape along Bayview Terrace, Jolly Street and to the broader locality. The proposal will also deliver additional housing stock that is suitable for a range of demographics and lifestyles within a high-amenity and highly accessible part of the Clayfield.

Figure 5 – Artist Impression (Street Frontage – Bayview Terrace)



The proposal includes the following:

- Ground Floor: 34 car parking spaces, 4 visitor spaces, service and lobby areas, communal bin store, communal open spaces, and a significant extent of soft-stand and deep-landscaping areas dispersed throughout the development site.
- Floors 1 to 3: 13 apartments. Each apartment contains 3 bedrooms, an ensuite and main bathroom, a combined living, dining and kitchen area, and private balcony. Apartments 11 and 13 on the uppermost floor are provided with enhanced private open space areas, complemented with a plunge pool, whilst Apartment 12 is provided with an enlarged balcony to Bayview Terrace.

The floor plans are shown in Figure 6, Figure 7 and Figure 8.

Figure 6 – Ground Floor Plan

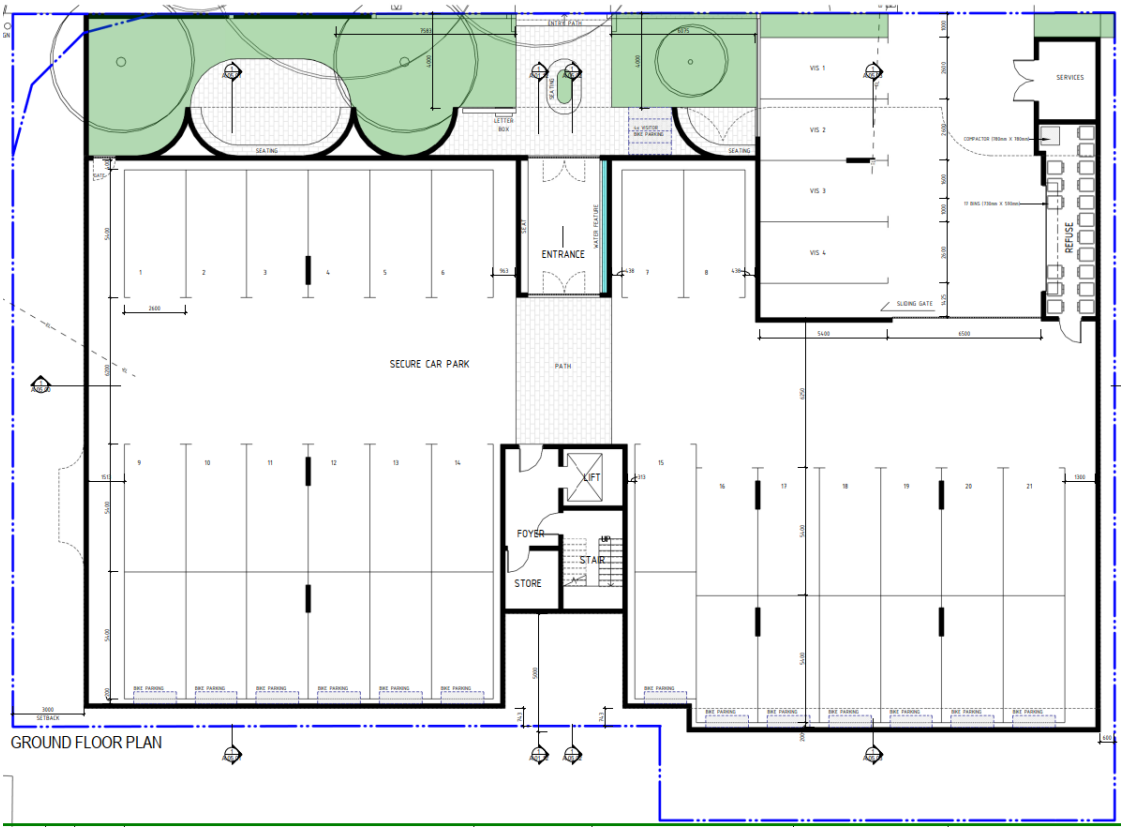
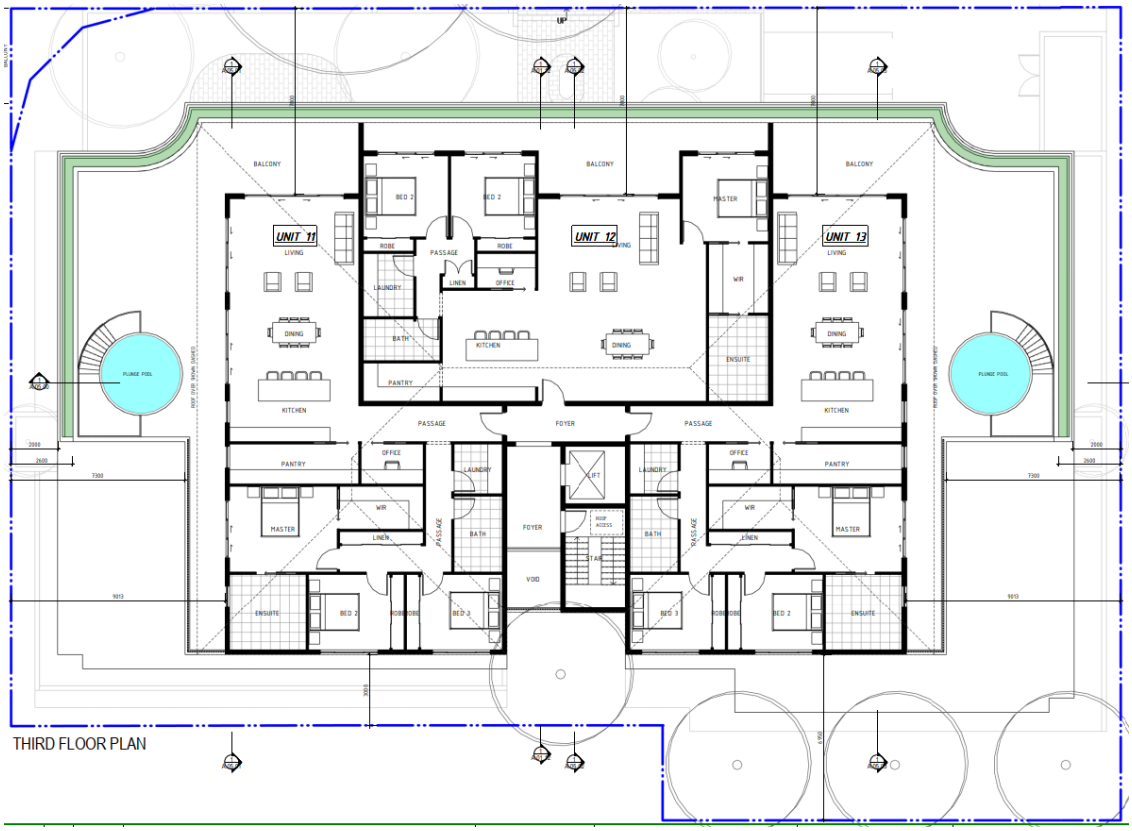


Figure 7 – Typical First and Second Floor Plan



Figure 8 – Typical Third Floor Plan



The built form parameters of the proposal are listed in **Table 1**, and design particulars are discussed in the following sections.

Table 1 – Built Form Parameters

Dwelling Types:	Proposal
▪ 3 Bedroom	13
Building Height:	
▪ Storeys	4 Storeys
▪ Metres	12.99m
Site Cover:	66.2%
Private Open Space:	
▪ Townhouse 1	44.33m^2
▪ Townhouse 2	18.08m^2
▪ Townhouse 3	57.76m^2
▪ Townhouse 4	63.14m^2
▪ Townhouse 5	85.16m^2
▪ Townhouse 6	21.44m^2
▪ Townhouse 7	18.08m^2
▪ Townhouse 8	24.07m^2
▪ Townhouse 9	18.17m^2
▪ Townhouse 10	25.57m^2
▪ Townhouse 11	103.57m^2
▪ Townhouse 12	31.62m^2
▪ Townhouse 13	103.57m^2

Deep Planting:	158.459m^2 / 10.71%
Carparks:	
▪ Resident	34 (5 x apartments: 2 spaces, 8 x apartments: 3 spaces)
▪ Visitor	4

3.1 Building Height

Table 9.3.14.3.B of the Multiple Dwelling Code prescribes a maximum building height of 3-storeys and 11.5m. As the development involves an additional storey (4-storeys) and an overall building height of 12.99m above natural ground level. Noting this non-compliance, a performance solution is sought under Performance Outcome PO4 of the code.

Performance Outcome PO4 reads:

PO4
Development has a building height, scale and form that improves the amenity and achieves the intended outcomes of the zone or neighbourhood plan area, contributes to a cohesive streetscape and built form character and is:

a. consistent with the anticipated density and assumed infrastructure demand;
b. aligned to community expectations about the number of storeys to be built, having regard to the intent for the zone precinct and the predominant height of approved buildings in the street;
c. proportionate to and commensurate with the site area and frontage width so as not to be overbearing on the street or adjoining development;
d. designed to avoid a significant and undue adverse amenity impact to adjoining development;
e. sited to enable existing and future buildings to be well separated from each other and to avoid affecting the potential development of adjoining sites;
f. considerate of street conditions, the topography of the area and site slope;
g. designed to maintain significant view points and corridors;
h. designed and orientated to retain solar access to key public spaces and adjoining buildings.

In this instance, the proposed four-storey built form and 12.9m building height represents a modest increase above the acceptable outcome for building height of three-storeys and 11.5m for this particular site (being outside of a Key Location). Notwithstanding, the development is appropriate having regard to the established development pattern, site characteristics, and both proposed and surrounding built form. As illustrated in Figure 9, a number of three-storey multiple dwelling developments have been established along Bayview Terrace and adjoining streets to the north and south, including a four-storey multiple dwelling development at 106 Bayview Terrace, on the corner of Drane Street. In conjunction with this, the Planning Scheme identifies a four-storey built form as being contemplated within the Low-medium Density Residential Zone, subject to being well located. As noted in Section 2.31 above, the site is exceptionally well located and if not for a single service on the weekend being 33 minutes rather than 30 minutes apart, the site would be defined as a Key Location. This affirms that a four-storey built form is not fundamentally inconsistent with the intent of the zone itself. Accordingly, the proposed building height is not only consistent with the existing 3 – 4 storey built form in the area, but also the underlying intent for the Zone. The large corner allotment is also able to easily accommodate the proposed built form and density without resulting in any significant or undue adverse impacts on residential amenity or the established streetscape character.

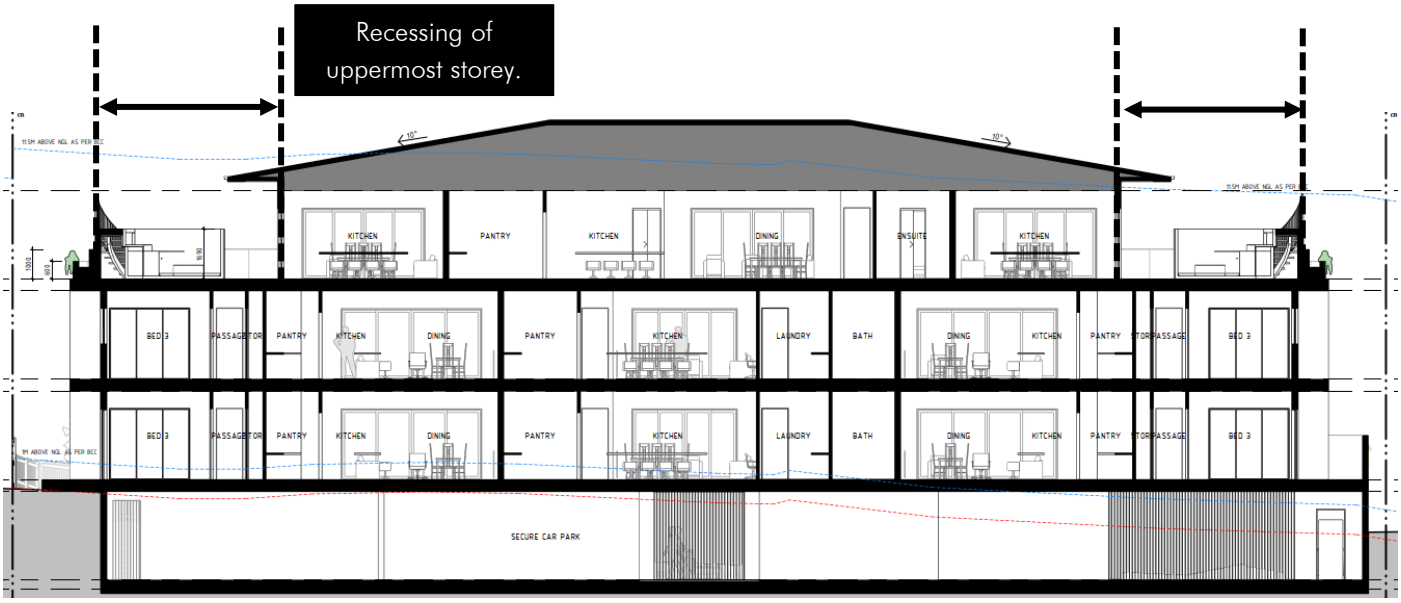
Figure 9 – Building Heights (White Denotes Building Forms 3 Storeys or Greater)



Importantly, the proposed development has been carefully designed to minimise its perceived building height, bulk and scale when viewed from the public realm and adjoining properties. The design, particularly the uppermost floor, incorporates wraparound verandahs and landscaped balconies along the northern, eastern and western elevations, providing articulation and recessing to the principal building walls. This reduces the extent of solid built form visible from both Bayview Terrace and Jolly Street. This is further reinforced by a substantially reduced footprint of the uppermost storey, which occupies approximately 47.8% of the site in comparison to 62.9% for the lower residential levels. The development has also been designed to respond to the natural topography of the site, which rises from approximately 35m AHD along Bayview Terrace to 39m AHD towards the rear. Collectively, the recessed upper level, articulated façades, landscaped setbacks and considered response to the site's topography assist in minimising the visual presence of the additional storey within the Bayview Terrace and Jolly Street streetscapes, and ensuring the development presents as a proportionate and cohesive three-storey built form within the surrounding street setting (refer to **Figure 10**).

It is noted the performance solution requires developments to retain solar access and maintain a high-degree of privacy anticipated within residential areas. The proposed development has been designed to protect the residential amenity of adjoining properties through appropriate privacy treatments and generous boundary setbacks. In particular, the incorporation of high sill heights and deliberate limitation of balcony lengths along the eastern elevation minimise opportunities for direct overlooking of neighbouring properties. The generous boundary setbacks further provide adequate building separation, assisting in preserving access to natural sunlight and minimising overshadowing impacts on adjoining dwellings. These design measures ensure that the proposed building height and scale can be accommodated without resulting in significant or undue adverse amenity impacts on surrounding residential properties.

Figure 10 – Proposed Long Section



3.2 Setbacks – Front and Side

3.2.1 Front Setbacks

The development achieves compliant setbacks to the primary frontage (Bayview Terrace) however, encroaches within the minimum setbacks prescribed for the secondary frontage (Jolly Street) under Acceptable Outcome AO6 of the Multiple Dwelling Code. A performance solution is sought under relevant Performance Outcome PO6 for a 3m setback to both the balcony and wall of the building, rather than 3m to the balcony and 4m to the wall.

Performance Outcome PO6 reads:

PO6
Development provides a front boundary setback that:
a. defines the street edge;
b. creates a clear threshold and transition from public to private space;
c. assists in achieving visual privacy to ground-floor dwellings from the street;
d. supports the location of balconies for casual surveillance of the street and modulation of the facade;
e. allows for built form and facade articulation that contributes to the streetscape character and landscape;
f. is consistent with the intended streetscape and setback pattern;
g. facilitates landscaping appropriate to soften and screen the built form of the development from the street.

The proposed development incorporates a setback arrangement that appropriately responds to the site's dual street frontage, reinforces Bayview Terrace as the primary street frontage, and delivers positive contribution to Jolly Street (as the secondary frontage).

As shown on the plans, the development delivers a compliant primary front setback to Bayview Terrace. The proposed 3.0m setback to Jolly Street promotes architectural articulation, integrated landscaping, and balconies overlooking the street. The uppermost floor has also been deeply recessed behind the front building line therefore, reducing the overall visual presence of the building at street level. These elements assist in softening the building's

presentation to Jolly Street, providing opportunities for casual surveillance, and contributing to an attractive and visually engaging streetscape. The design also creates a clear threshold and transition between public to private space and delivers a clearly defined street edge.

More broadly, the proposed secondary setback promotes a built form pattern which has already been established along Jolly Street including 61 Bayview Terrace, 12 and 38 Jolly Street, and 64 and 70 Adelaide Street. Thus, the development will deliver an outcome which is consistent with the streetscape.

3.2.2 Side Setbacks

The development encroaches within the side setbacks prescribed under Acceptable Outcomes AO7.1 of the Multiple Dwelling Code. As illustrated within **Figure 11** below, the extent of this encroachment is limited to the planter box and minor portion of a blade privacy wall on the upper floors.

Figure 11 – Side Setbacks (acceptable outcome for setbacks shown in red)



The relevant Performance Outcome PO7 reads:

PO7

Development provides side and rear boundary setbacks that:

a. consider future development;

b. minimise the impacts of development on the amenity and privacy of future and existing neighbourhood residents;

c. support the separation of buildings to provide visual and acoustic privacy without reliance on screening, and ensure access to natural light, sunlight and breezes;

d. contribute to the rhythm and pattern of the streetscape in keeping with the intended neighbourhood character;

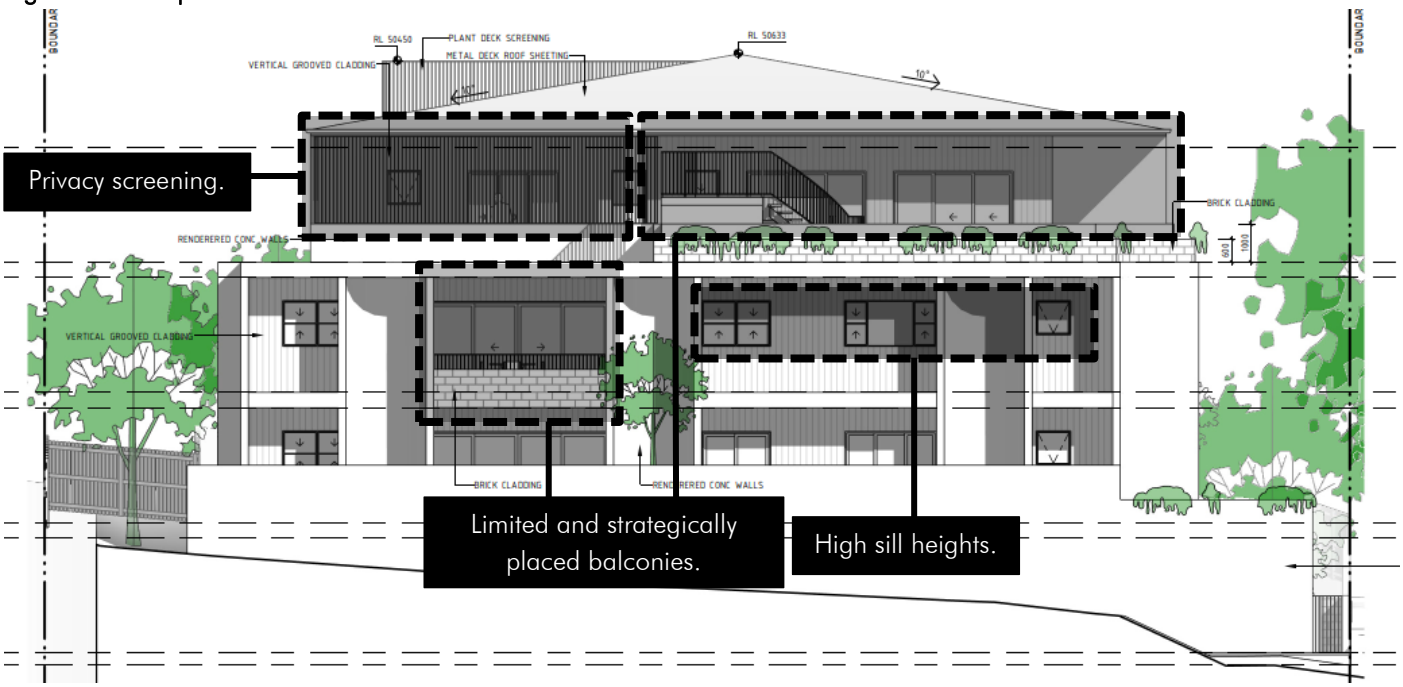
e. maximise the opportunity to retain significant vegetation and protect or establish large subtropical shade trees in deep-planting areas.

The proposed development incorporates side boundary setbacks that are appropriate having regard site-specific characteristics, surrounding development pattern, and the design measures incorporated to protect adjoining residential amenity. The development has been carefully designed to provide appropriate building separation, minimise opportunities for overlooking and maintain reasonable access to natural light, sunlight and breezes for adjoining properties.

In particular, the proposed building design incorporates a number of deliberate architectural treatments to minimise potential privacy impacts associated with the reduced eastern boundary setbacks. These include high sill heights to habitable room windows and the intentional limitation of balcony lengths along the eastern elevation. These measures are complemented by the positioning and orientation of habitable spaces and balconies, ensuring that privacy is achieved through intentional building design and integrated architectural elements rather than relying solely on screening treatments. In conjunction, these design features reduce opportunities for direct overlooking of adjoining residential properties and ensure a high-level of residential amenity and privacy is maintained throughout the development and to adjoining residences (refer Figure 11).

Lastly, the proposed development has been purposefully designed to reduce impacts to adjoining residences, and to maintain the existing streetscape rhythm and pattern through the minimisation of built-to-boundary walls, particularly along the eastern and southern boundaries. The development intentionally delivers additional landscaping to these areas, providing reinforced visual separation between buildings within the Bayview Terrace and Jolly Street streetscape, providing increased access to natural light and ventilation, and maintaining the existing detached development pattern. This outcome also presents an increased opportunity to achieve enhanced landscaping outcomes therefore, incorporating Brisbane's unique sub-tropical climate and urban greenery into an overall holistic and integrated design.

Figure 11 – Proposed Eastern Elevation



The proposed development also incorporates substantial articulation and recessing of the uppermost storey, complimented with a diverse range of building materials, reducing the extent of solid built form interfacing with adjoining properties. The recessing of the uppermost storey and variation in building materials minimises the perceived building bulk and scale, while the setbacks between buildings provide separation that supports access to natural light and ventilation and thus, reducing dependency on mechanical means. Furthermore, landscaped areas and opportunities for deep planting along the site boundaries and the front setback provide additional visual softening and a positive addition within the streetscape, and contributes to the subtropical landscape character of the locality and the broader Brisbane area.

Having regard to the above, the proposed side boundary setbacks represent an appropriate design response that balances the intended density and built form outcomes of the locality with the amenity of existing and future adjoining development.

3.3 Site Cover

The design provides a site cover of 63.3% which does not comply with Acceptable Outcome AO8 of the Medium Density Residential Code. The relevant Performance Outcome PO8 reads:

PO8
Development ensures that the proportion of buildings to open space and landscaping on a site:
a. is consistent with the intended form, character and intensity of the local area and immediate streetscape;
b. facilitates modulation and articulation of the building form;
c. supports residential amenity for occupants and adjoining properties;
d. supports private outdoor subtropical living;
e. provides for well-located and functional communal open space areas;
f. provides for deep planting areas to retain significant vegetation and protect or establish large subtropical shade trees.

The proposed building footprint is considered appropriate having regard to the site's size, corner configuration, surrounding development pattern and the overall design response. Whilst the development incorporates an increased site cover, has not prejudiced the design from delivering a high-level of residential amenity, functional open spaces (both private and communal), and landscaping across the site. Thus, the development incorporates a considered balance between the built form and landscaping.

As shown on the plans, the proposed development has been carefully designed to minimise its perceived building bulk and scale through substantial architectural articulation, recessed building elements and landscaped balconies. In particular, the uppermost storey incorporates wraparound verandahs and landscaped balconies along the northern, eastern and western elevations, with a substantially reduced building footprint of approximately 47.8% compared to 62.9% for the lower residential levels. These design measures reduce the extent of solid built form visible from both Bayview Terrace and Jolly Street, allowing the development to present predominantly as a three-storey building that is proportionate to and consistent with the surrounding streetscape. Accordingly, the increased site cover does not equate to an excessively bulky or visually dominant building form.

The development maintains generous and functional private open spaces in the form of balconies, verandahs and landscaped balconies distributed throughout the residential levels. These areas, combined with appropriate side and front setbacks, provide opportunities for outdoor subtropical living, while supporting access to natural light, breezes and outlook for future residents. The development also incorporates approximately 263m^2 of communal open space, exceeding the minimum 5% site area requirement. The communal space provides landscaped areas and seating opportunities that provide functional spaces for passive recreation and social interaction, and enable residents and guests to enjoy Brisbane's sub-tropical climate.

In addition to the private and communal spaces, the proposal maintains genuine landscaping throughout the site, which has been integrated throughout the development at both ground and upper levels. The development incorporates 156m^2 of dedicated deep planting, exceeding the minimum 10% site area requirement. This deep landscaping is complemented with additional landscaped areas along the street frontages, site boundaries and upper-level balconies. These landscaped areas provide opportunities for the establishment of subtropical shade trees and vegetation, soften the appearance of the built form and improve the interface with adjoining properties, and deliver a meaningful contribution to the subtropical landscape character of the locality.

4.0 Legislative Requirements

The Planning Act 2016 (the Act) and supporting legislation replaced the Sustainable Planning Act 2009 on 3 July 2017. The legislation establishes the framework of planning instruments that supports the operation of the planning system, including:

4.1 State Planning Policy

A single State Planning Policy was introduced by the Department of State Development, Infrastructure and Planning on the 2 December 2013, with the most recent amendment dated July 2017. Section 2.1 of the Planning Scheme confirms that the State Planning Policy has been integrated into the Planning Scheme, with the exception of:

- State interest – Natural hazards, risk and resilience – The bushfire prone area in the planning scheme does not reflect the State mapping layer.
- State interest – Strategic airports and aviation facilities – The building restricted area is not identified in the planning scheme.

A review of the State Planning Policy mapping confirms that the site is not mapped within a Bushfire hazard area. The proposed building height does not intrude into the building restricted area of the Brisbane Airport.

4.2 South-East Queensland Regional Plan

The Subject Site is located within the "Urban Footprint" of the South-East Queensland (SEQ) Regional Plan 2023 (SEQRP)('Regional Plan'). The principles of the Urban Footprint include:

- *The Urban Footprint is a tool for managing, rather than simply accommodating, regional growth.*
- *The Urban Footprint promotes a compact growth pattern and consolidates urban development within established communities.*
- *Opportunities to increase capacity within the Urban Footprint take priority over expanding its boundaries in subsequent regional plan review processes.*

In addition to the abovementioned principles, the Regional Plan also includes a number of goals, including 'Grow'. This goal is underpinned by a number of aspired strategies, including:

- *1.1 Maintain a minimum 60/40 consolidation/expansion dwelling growth ratio across the region while moving towards a dwelling growth ratio of 70/30 consolidation/expansion.*
- *1.2 Prioritise unlocking underutilised land in the Urban Footprint.*
- *3.2 Facilitate increased gentle density across SEQ in consolidation and expansion areas (such as free-standing small lots or freehold title terrace-style development).*
- *3.3 Facilitate the achievement of attached medium-rise development in population, community walkable catchments along high frequency public transport networks.*

As demonstrated throughout this Planning Report, the proposal seeks to establish 13 apartments within the Urban Footprint, representing an opportunity to accommodate additional residential growth within an established urban area. The development is considered consistent with the overarching intent of the Regional Plan by facilitating

residential consolidation in a location that benefits from existing infrastructure, public transport, employment opportunities and community services.

In a site-specific context, the Subject Site is well-positioned to accommodate increased residential density, noting its proximity to established centres, educational facilities and public transport infrastructure. A number of schools and childcare centres are located within convenient proximity to the site, including a primary school directly to the north. Furthermore, the Clayfield Neighbourhood Centre, located along Sandgate Road approximately 300m to the east, provides a range of retail outlets, commercial services and other facilities that cater for the daily needs of local residents.

The Subject Site also benefits from convenient access to public transport, with bus stops located approximately 400m to the east and west and Eagle Junction Railway Station situated approximately 400m to the north. The railway station provides convenient and frequent high-frequency and high-capacity connections to the Brisbane CBD and broader rail network, offering residents access to employment, education and services beyond the immediate locality. This accessibility supports alternative modes of transport and promotes the reduction in reliance on private vehicles, consistent with the Regional Plan's intent to encourage residential consolidation in accessible and well-serviced locations.

Holistically, the proposal facilitates an appropriate increase in residential density within an established urban area that already accommodates a range of multiple dwelling developments. As illustrated in Figure 7, the surrounding locality includes several established three-storey multiple dwelling developments, together with an existing four-storey development along Bayview Terrace. Accordingly, the proposed development represents a logical continuation of the established development pattern, rather than introducing a fundamentally different form or intensity of residential development. Furthermore, the Subject Site is located within an established urban area serviced by reticulated infrastructure, providing an appropriate setting for additional residential growth without necessitating the outward expansion of the Urban Footprint. The proposal therefore makes efficient use of existing urban land and infrastructure while contributing to housing diversity and supply in a highly accessible location.

Having regard to the above, the proposed development is considered consistent with the overarching principles and strategic outcomes of the SEQ Regional Plan 2023. In particular, the proposal supports the Regional Plan's principles and strategies of prioritising urban consolidation, making efficient use of underutilised land and accommodating additional housing in locations with convenient access to public transport, employment, services and community facilities. Accordingly, the Subject Site represents a logical and appropriate location for residential intensification, contributing to the delivery of additional housing within South East Queensland's established urban footprint.

4.3 Temporary Local Planning Instruments

There are two Temporary Local Planning Instrument (TLPI) currently in effect for the Brisbane Local Government Area:

- TLPI 02/2023 – Kurilpa Sustainable Growth Precinct; and
- TLPI 01/2025 – Colmslie Road Industry Precinct.

The above listed TLPI's do not apply to the Subject Site or the proposed development

4.4 Planning Regulation 2017

The Planning Regulation 2017 'the regulation' sets out the triggers for assessable development, the category of assessment required and the relevant Assessment Benchmarks. Schedule 10 of the Regulation prescribed certain assessable development. An analysis of these provisions area provided in Table 2 below.

Table 2 – Schedule 10 of the Regulation

Part	Response
Part 1 – Airport Land	Not Applicable The Subject Site is not located on airport land.
Part 2 – Battery Storage Facility	Not Applicable The proposal is not for a battery storage facility.
Part 2A – Caboolture West Interim Structure Plan	Not Applicable The proposal is not located within the Caboolture West investigation area.
Part 3 – Clearing Native Vegetation	Not Applicable The proposal does not involve clearing any vegetation.
Part 4 – Contaminated Land	Not Applicable The Subject Site is not on the environmental management register or contaminated land register
Part 5 – Environmentally Relevant Activity	Not Applicable The proposed use is not an environmentally relevant activity.
Part 6 – Fisheries	Not Applicable The proposal is not for aquaculture. The Subject Site is not located within a Declared Fish Habitat Area. The site does not contain marine plants.
Part 7 – Hazardous Chemical Facilities	Not Applicable The proposal does not involve a hazardous chemical facility
Part 8 – Heritage Places	Not Applicable The proposal does not involve a Heritage Place.
Part 9 – Infrastructure-related Referrals	Not Applicable The Subject Site is not designated premises, subject to an electrical easement or substation, within a pipeline easement or State transport infrastructure.
Part 10 – Koala Habitat in SEQ Region	Not Applicable The Subject Site is not in a koala priority area or koala habitat area.
Part 11 – Noise Sensitive Place on Noise Attenuation Land	Not Applicable The Subject Site is not on noise attenuation land.
Part 12 – Operational Work for Reconfiguring a Lot	Not Applicable The proposal does not involve reconfiguring a lot.
Part 13 – Ports	Not Applicable The Subject Site is not on Brisbane port land, Brisbane port limits, another port or strategic port land.
Part 14 – Reconfiguring a Lot under Land Title Act	Not Applicable The proposal does not involve reconfiguring a lot.
Part 15 – SEQ development area	Not Applicable The Subject Site is not within an SEQ major development area.
Part 16 – SEQ Regional Landscape and Rural Production Area and Rural Living Area	Not Applicable The Subject Site is within the Urban Area.
Part 16A – Southport Spit	Not Applicable The Subject Site is not located within the Southport Spit.
Part 16AA – Solar Farms	Not Applicable The Subject Site does not involve a solar farm.
Part 16B – SEQ Northern Inter-Urban Break	Not Applicable The Subject Site is not located within the SEQ Northern Inter-Urban Break area.
Part 17 – Tidal Works in a Coastal Management District	Not Applicable The Subject Site is not identified within a Coastal Management District.

Part 18 – Urban Design	Not Applicable The proposal does not exceed the development thresholds for this trigger.
Part 19 – Water-related Development	Not Applicable The proposal does not involve taking or interfering with water.
Part 20 – Wetland Protection Area	Not Applicable The Subject Site is not mapped within a Wetland Protection Area.
Part 21 – Wind Farms	Not Applicable The proposal is not for a wind farm.

4.4.1 State Development Assessment Provisions

The State Development Assessment Provisions (SDAP) provide assessment benchmarks for the assessment of development applications where the chief executive is the assessment manager or a referral agency. Following review of the Planning Regulation 2017, the application does not require referral to the State Assessment and Referral Agency (SARA) and thus, no consideration against SDAP is required.

4.4.2 Category of Development

The Category of Development for this development application is determined by assessing the proposal against the Category of Assessment for the zone, neighbourhood plan and applicable overlays as outlined in Table 3 below. The proposed development is Assessable Development (Impact Assessment) due to exceedances of the prescribed building height.

Table 3 – Applicable Level of Assessment

Neighbourhood Plan	Category of Development (Category of Assessment)
Clayfield-Wooloowin District Neighbourhood Plan	No Change
Zone	
Low-Medium Density Residential Zone	Impact Assessable
Overlays	
Airport Environs Overlay	Accepted Development
Community Purposes Network Overlay	Code Assessable
Critical Infrastructure and Movement Network Overlay	Not Applicable
Dwelling House Character Overlay	Not Applicable
Road Hierarchy Overlay	Code Assessable
Streetscape Hierarchy Overlay	Code Assessable

4.4.3 Assessment Benchmarks

Whilst the Park Planning and Design Code is nominated as a prescribed secondary code for Multiple Dwellings, section 9.3.17.1 of the Planning Scheme clarifies that this use code only applies where a proposal involves the creation of a 'park'. As the proposal does not involve the creation of a park, an assessment against this code is not required. The development application has been assessed against the following Codes:

Table 4 – Assessment Benchmarks

Zone	
Low-Medium Density Residential Zone Code	Appendix B – Code Compliance
Neighbourhood Plan	
Clayfield-Wooloowin District Neighbourhood Plan	Appendix B – Code Compliance
Development Code	
Multiple Dwelling Code	Appendix B – Code Compliance
Overlay Code	
Community Purposes Network Overlay Code	Appendix B – Code Compliance
Road Hierarchy Overlay Code	Appendix B – Code Compliance

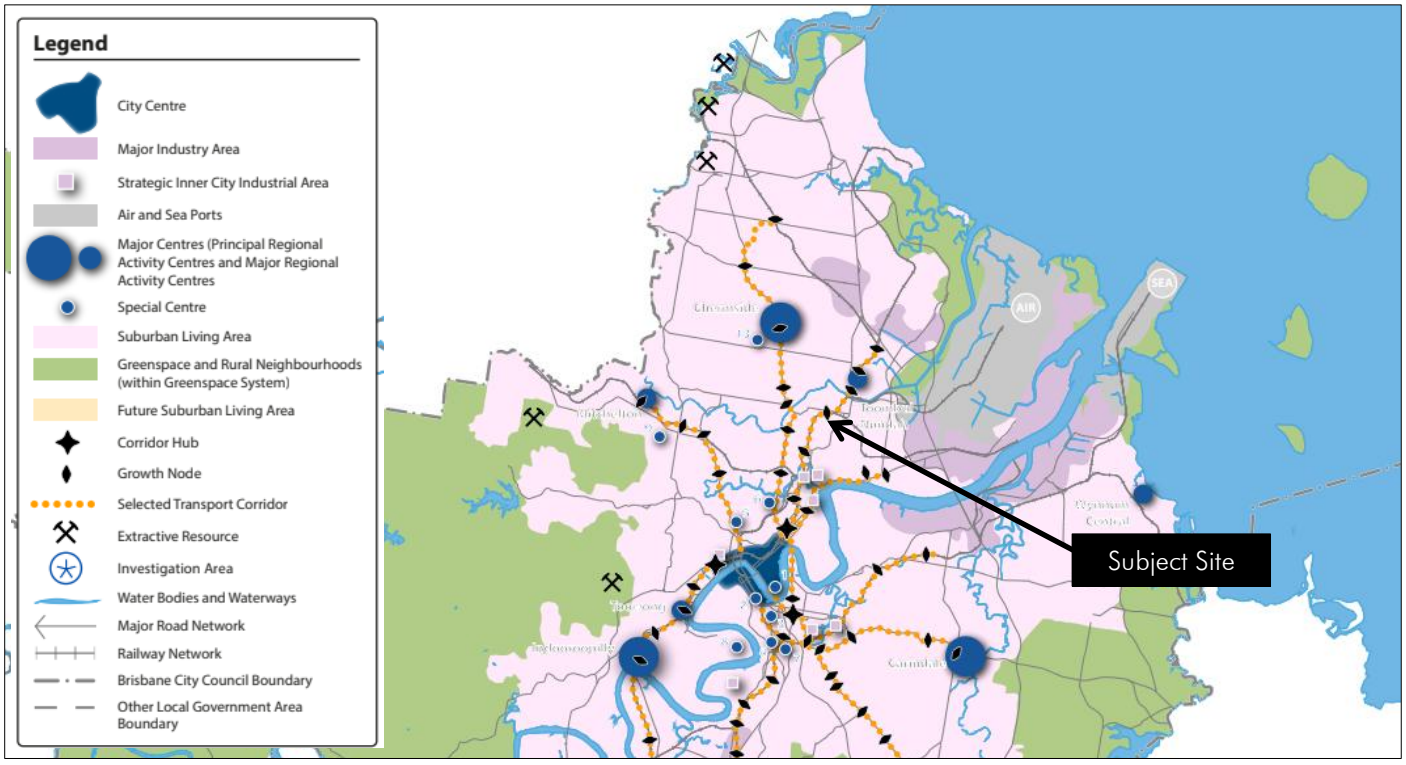
Streetscape Hierarchy Overlay Code	Appendix B – Code Compliance
Prescribed Secondary Codes	
Filling and Excavation Code	Appendix F – Engineering Code Response
Infrastructure Design Code	Appendix F – Engineering Code Response
Landscape Work Code	Applicable. Landscaping will be constructed and maintained in accordance with Appendix G Landscape Plan.
Outdoor Lighting Code	Appendix B – Code Compliance
Stormwater Code	Appendix F – Engineering Code Response
Transport, Access, Parking and Servicing Code	Appendix B – Code Compliance
Wastewater Code	Appendix B – Code Compliance

An assessment against the relevant codes is provided in **Appendix B**.

4.4.4 Strategic Framework

As per Table 5.5.5 – Material Change of Use of the Planning Scheme, this Impact Assessable development application is to be assessed against, inter alia, the Strategy Framework. The Strategic Framework is comprised of five key theme, each containing elements, specific outcomes and land use strategies.

Figure 12 – Strategic Framework Land Use Map



The Strategic Framework sets the policy direction for the life of the Planning Scheme, and broadly applies to the entirety of the local government area. A review of the Strategic Framework as a whole has been completed and the proposal is consistent with, and does not compromise, the Strategic Framework or the relevant elements of the themes. The Subject Site identified within the Character Residential Zone which supports the implementation of the policy direction set in the Strategic Framework, in particular:

- **Theme 2:** Brisbane's outstanding lifestyle, Element 2.1 – Brisbane's identity and Element 2.2 – Brisbane's housing and accommodation choices;

- Theme 5: Brisbane's CityShape and Element 5.5 – Brisbane's Suburban Living Areas.

The proposal achieves the intent of the Strategic Framework in that:

- The development is located within proximity to a Major Regional Activity Centre, Selected Transport Corridor and Growth Nodes as shown on SFM-002 Land Use Strategic Framework Map. Further, the site is identified within the Suburban Living Area. A specific outcome of the Suburban Living Area is to allow for adaptable small-scale multiple dwellings […] on well-located sites to provide for intergenerational housing and support ageing in place. The proposal is well-located within the vicinity of a commercial node and alternative high-frequency, high-capacity public transport options. Accordingly, the servicing of the site is suited to support a gentle increase in density whilst contributing to housing choice and providing opportunities to age in place.

- The development proposes a gentle increase in residential density (i.e. growth) within proximity to an identified Growth Node on a Selected Transport Corridor. This enables appropriate densification within a locality that is suitably serviced.

- The development has been purposefully designed to adopt a built form which is comparable to existing multiple unit developments within the surrounding area.

- The proposal includes thoughtful and useable private open spaces to embrace Brisbane's sub-tropical climate and facilitate private outdoor spaces and recreation opportunities.

4.4.5 Assessment Manager

In accordance with s21 of the Planning Regulation 2017, as the proposed development is assessable development under the Planning Scheme, the Assessment Manager for this application is Brisbane City Council.

4.5 Adopted Charges

The State Planning Regulatory Provision (Adopted Charges) and Brisbane Adopted Infrastructure Charges Resolution (No. 14) 2025 do levy infrastructure charges for the proposal. The applicable demand and credit are calculated in Table below.

Table 5 – Adopted Charges

Demand	Demand Unit	Charge per unit	Charge
Multiple Dwelling (3 or More Bedroom Dwelling)	13	$18,026.28	$234,341.64
Credit			
Residential Allotment	4	$18,026.28	-$72,105.12
Total			$162,236.52

It is noted that Queensland Urban Utilities will also levy additional infrastructure charges for the development.

5.0 Conclusion

This report has identified and analysed the relevant town planning issues that are associated with the proposed development and determined this development application for Multiple Dwelling at 63, 65 &67 Bayview Terrace, Clayfield, should be supported as:

- The development application has been structured in accordance with the requirements of the Planning Act 2016, Planning Regulation 2017 and associated Development Assessment Rules;
- The proposal accords with the intent of the relevant planning scheme provisions of the Planning Scheme;
- The built form and overall building height is generally consistent with established multiple dwellingss within the streetscape and surrounding locality;
- The proposal has been designed to deliver a high-quality architectural outcome and a positive contribution to the Bayview Terrace and Jolly Street streetscapes;
- An appropriate balance between built form and open space is provided on site;
- All private open space areas a functional, attractive and allow future building occupants to engage in passive recreational activities on site;
- The proposal delivers additional housing stock in close proximity to higher frequency public transport, commercial nodes, and community amenities;
- Nominated deep planting areas are sufficiently dimensioned to allow the establishment of large subtropical shade trees which will shade hardstand areas and the verge;
- Lawful vehicular access to Bayview Terrace will be provided;
- A lawful point of discharge to the kerb and channel of Bayview Terrace can be appropriately achieved;
- The necessary infrastructure, including water, reticulated sewerage, electricity and telecommunications are available to the site.

This office trusts that the information supplied comprehensively addresses all the issues that are to be considered by the Brisbane City Council and recommends that the development be approved subject to reasonable and relevant conditions.