

Dear Councillor

We have taken an interest in development in Racecourse Road since planning to move there from our home of 30 years at . We have purchased 'off the plan' in a development on the corner of

We mention this because we are not against well planned and executed development, and increasing housing choices available in Brisbane. We are however concerned about insensitive development that grossly exceeds the zoning and planning codes of the area. The proposal for 13-15 Kent St is such a development. Among its many excesses the current proposal;

- doubles the maximum height and halves some boundary setbacks
- reduces the required width of landscape available for deep planting by 40%
- is generally an unsympathetic built form (7 storey high blank walls - western side) with none of the design subtlety of recent development in the precinct. (It would be at home on the Gold Coast!)

The proposal seeks to justify increased density with reference to recent developments in Racecourse Road. However, allowing the density of Racecourse Rd to creep into surrounding streets will weaken the significance of the activity centre, and reduce the amenity of surround residential streets.

Approval of this development would set a worrying precedent. Residents present and future should be able to rely on the provision of the City Plan zones and codes. We have attached our detailed submission made to the public advertising period.

Submission

Date 1 July 2026

Application Number A006992815

13 KENT ST HAMILTON QLD 4007 - Carry Out Building Work; Material
Change of Use

MALFI DEVELOPMENTS PTY LTD (Primary Applicant)

Planning Initiatives (Consultant)

Submitters details

General

This proposal would be over development of the site and exhibits none of the design subtly of recently approved developments in Racecourse Road Centre. Symptoms of the overdevelopment include:

- Multiple departures from Multiple Dwelling Code, in particular height and boundary setbacks, leading to adverse liveability impacts on adjoining properties.
- The large unarticulated form with little response to context, such as recessed upper floors, is a poor response to design led development.
- Ineffective and inadequate provision for sub-tropical landscape.
- Reliance on adjoining developments to make up for amenity not provided by the proposal, in particular height and boundary setbacks.
- In ability to provide required visitors carparking in accordance with planning scheme

The proposal seeks multiple relaxation that are orders of magnitude outside the provisions of the planning scheme for the zoning, e.g. twice the height provided for the boundary setback to the west, and half the width of deep planning area to the south.

Justifications for relaxations frequently cite the adjacent mixed use development 63 – 71 Racecourse Rd which is in an Activity Centre zone with a design response appropriate to that zone and that site. For example, the east elevation is activated with apartments and outdoor living spaces, and upper floors are setback from the main façade line. The transitioning of height in the proposed development is not required.

Above all the proposal is grossly inappropriate in LMR2 zone. Current and future residents should expect proposals that so blatantly flout the planning scheme to be rejected.

To support this position I have reviewed the proposal and provide the attached detailed response to matters in the Assessment Report prepared by Planning Initiatives and dated 25 March 2026.

Response to Assessment Report prepared by Planning Initiatives and dated 25 March 2026.

Assessment report section Submitter comments and objection

LMR2 Zone Code

A - Development form overall outcomes	The height, bulk, and scale of the proposal is inappropriate in the LMR2 Zone. • The 6(+1) storey building is not a credible transition from the 6 storey mixed use development (west) and the 3 storey LMR2 (east) • Levels 5 and 6 of the 6 storey mixed use development (to the west) are setback from the main façade line and the eastern boundary. The proposal does not attempt to reduce the bulk and scale in a similar manner. • The 27.3.5m height proposed building is not a credible transition from the 32.4m height mixed use development (west) and the 11.5m LMR2 (east)
C - Setback and buffers	The proposal's setback to west provided (3m to wall, 2.5m to projection and large areas of full height screening) comply only with Multiple Dwelling Code for a 10.5m high building. No credible case is offered for such a substantial reduction to the same setback to apply to the 27.25M high western wall of the proposal. Page 55 of the assessment report seeks to justify the 3m / 2.5m setback of the proposal (west boundary) by citing the setback from that boundary provided by the mixed use development, 63-71 Racecourse Rd. This argument must be rejected as setbacks in the Multiple Dwelling Code 9.3.14.3.C refer to distance from boundary not from structures on adjoining land .

Assessment report section Submitter comments and objection

D – Sub – tropical character of proposed development.

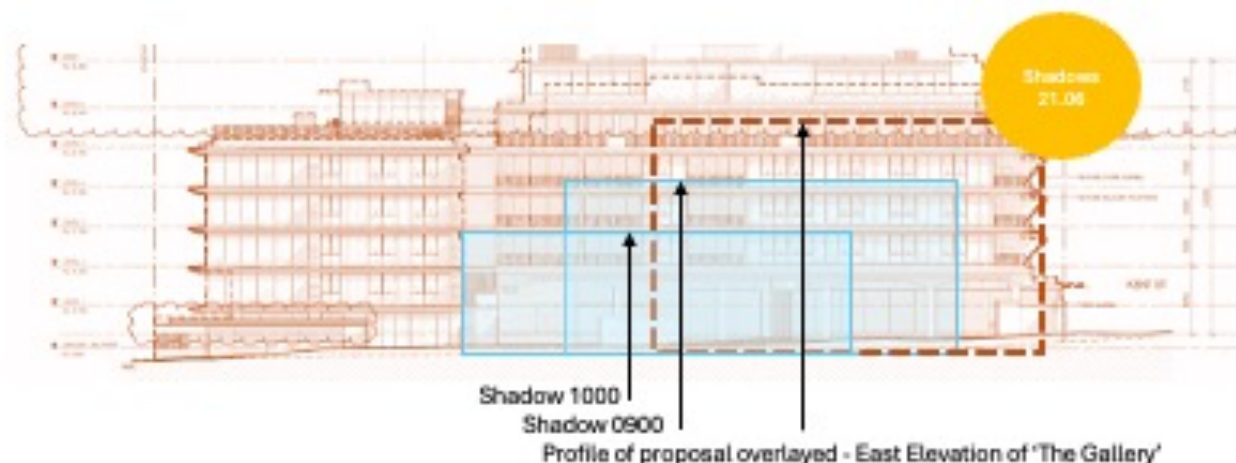
The proposal will adversely impact the residents of the mixed use development to the west (63-71 Racecourse Rd) and their enjoyment of the subtropical climate. Levels 2-5 have apartments facing east. For 10 of these apartments the only access for natural light and ventilation is the eastern elevation of the building.

The height above 11.5m and reduced boundary clearance of the proposal will have adverse climatic impacts. As follows

- 6 apartments will not receive winter sun (21.July) before 0900 am
- 3 apartments will not receive winter sun (21.July) before 1015 am (note that winter sun on this elevation ceases at 1140 am)
- access to favourable north-east and south-east breezes will be disrupted.

These impacts would be substantially mitigated if the proposal complied with LMR2 and Multiple Dwelling Code height and setback requirements.

SEE DIAGRAM BELOW



East Elavation of The Gallery with approximate winter morning sun shadows from proposed development 13 Kent Street

Assessment report section Submitter comments and objection

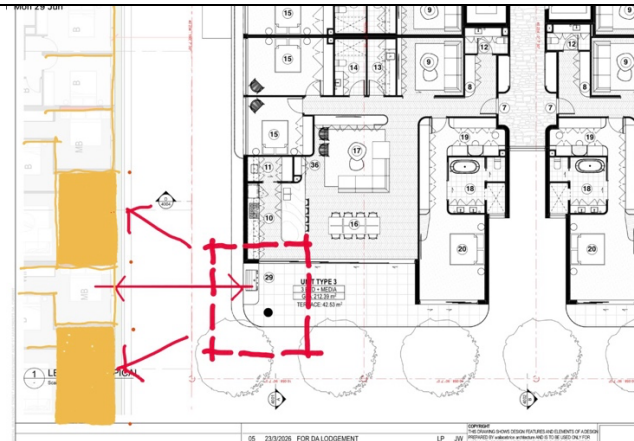
E – Quality and private open space and landscape

Balconies on the south-western corner of the proposal are:

- open and unscreened to the west.
- 2.5m from boundary and 7m from balconies of adjoining units

The site planning in this vicinity provides no possibility for screen planting or deep planting.

SEE SNIP BELOW:



Applicants Drawing A-2103

South West corner of proposal in red. Adjacent outdoor living areas in yellow

2 or 3 storey mixed zone precinct overall outcomes

A - Development types and scale

The proposal relies heavily on reference to the adjoining Centre Zone to justify over development. However, the proposal is in the LMR2 zone and should not be assessed with reference to the adjacent Centre Zone that has been developed for the context of Racecourse Rd.

The adjacent mixed use developments facing Racecourse Road are predominantly residential buildings with mixed uses at street level.

The 27.3.5m height proposed building at 13 Kent St is not a credible transition from the 32.4m height mixed use development (west) and the 11.5m LMR2 (east). The justification of increased scale and bulk relies on selective analysis of the adjacent Centre Zone developments. For example;

- The mixed use development to the west has a 4.5m setback from the side boundary, the proposal's is 2.5

Assessment report section Submitter comments and objection

- The mixed use development to the west has upper floors setback from the main façade line, the proposal does not.

A transition from Centre to LMR2 is not necessary because

- The east elevation of 63-71 Racecourse Rd is an is activated with apartments and outdoor living spaces, and maintains the same design standards as other facades of the building
- The Activity Centre should be identifiable, with viewed from a distance in the neighbourhood, by an increase in building height and quality.

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B – low-medium rise buildings
Performance solution

The suggestion that proximity to a centre should is a justification to extend the development standards of the centre to the adjacent area is spurious. Such an approach would result in the diluting the existence of the ‘the Centre’ as a distinct place in the neighbourhood.

The doubling of height and / or halving of boundary setbacks has not been justified.

C – Scale and bulk, co-existing
streetscape

The bulk and scale of the proposal would represent an abrupt change to the scale of development east along Kent St. The proposal displays none of the sensitivity of the mixed use development to the west such as;

- Setting back upper levels from street above 4 storeys; the proposal is vertical for 7 storeys with no setbacks to the west
- Set back from side boundary of 4.5m; the proposal is 2.5m and 3.0m to a blank wall
- Setting back upper levels from side boundary above 4 storeys; the proposal is vertical for 7 storeys on west side.

D – Transition of height and
setbacks between zones

The proposal provides no justification for ignoring side and rear boundary setbacks provided in Multiple Dwelling Code, 19.3.14.C.3, or building separation 19.3.14.3.F.

Note previous comment regarding impacts on east facing apartments.

Assessment report section Submitter comments and objection

E – Provision of landscape and protection of view corridors

The setback to the rear boundary of 2.5m is unlikely to provide a viable environment for a thriving landscaped habitat. It is on the southern side of a 7 storey building and large areas will receive no direct sunlight for months of the year.

The pattern of landscape across the suburb is for a continuous connected green space along rear boundaries with trees to provide screening shade and wildlife habitat. A minimum of 4m is required to establish such an environment. This is the dimension for deep planting required by the Multiple Dwelling Code, AO29. The proposal provide 2.5m.

The planned location of the driveway is to the western boundary where there is only a 2.5m setback from the boundary. Landscaped area is reduced to 1.0m or less for most of the western boundary and no deep planting.

Attachment D
Traffic report

Provision of less than the TAP PSP required visitor parking spaces is not an acceptable in adjacent an Activity Centre. It is claimed that kerbside parking will be increased by the removal of existing crossovers, however the addition of an 8m(+) wide crossover will result in a net loss of kerbside parking.

The location of the proposed cross over immediately adjacent that of the mixed use development to the west will create traffic movement conflicts from vehicles using the respective driveways. The eastern boundary of the proposed development would be a better location for the crossover and access to the property.

Residents cycle store is accessible only by steps. This a poor solution and symptomatic of an over developed site.
