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APPLICATION REF

A007111976

TOWN PLANNING ASSESSMENT REPORT

Impact Assessment
Application for
Reconfiguring a Lot

2 into 2 Lot Subdivision

99 Herron Road Pullenvale



BRIAN MATTHEWS
PRIVATE TOWN PLANNER

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1 Application Summary

1.1 Site Details

Applicant name:	Dr Alan Monaghan
Site address:	99 and 99A Herron Road Pullenvale
Real property description:	Lot 4 RP95342 and Lot 5 RP77764
Site area:	24,400 m ²
Zone:	Rural Residential
Neighbourhood plan:	Not applicable
Applicable overlays:	– Airport environs overlay – Biodiversity areas overlay – Bushfire overlay – Community purposes network overlay – Critical infrastructure & movement network overlay – Dwelling house character overlay – Flood overlay – Road hierarchy overlay – Streetscape hierarchy overlay

1.2 Aspects of Development

Type of development:	Reconfiguration of a Lot
Approval Type:	Development Permit
Proposed use as defined by Brisbane City Plan 2014:	Subdivision
Description of proposal:	Boundary realignment (2 into 2 lot subdivision)
Category of assessment:	Impact assessment
Public notification:	Yes: 15 business days
Referral agencies:	Not applicable
Specialist reports provided:	Arborist Report Bushfire Assessment
Pre-lodgement advice	Not applicable

1.3 Consultant Details

Consultant:	Brian Matthews Private Town Planner
Contact:	Brian Matthews
Contact details:	PO Box 193 Paddington Qld 4064 general@privatetownplanner.com.au 1300 616 200
Report Date:	15 September 2026

2 Site Description

2.1 Site Details

The subject site is located at 99 Herron Road, Pullenvale. The site comprises two allotments of with 99A Herron Road having an area of 3,197 m² and 99 Herron Road having an area of 21,203 m². The total site area is 24,400 m². The existing house and ancillary structures will be retained.



Figure 1: Aerial photo of the subject site. (Source: Brisbane City Council, City Plan 2014)

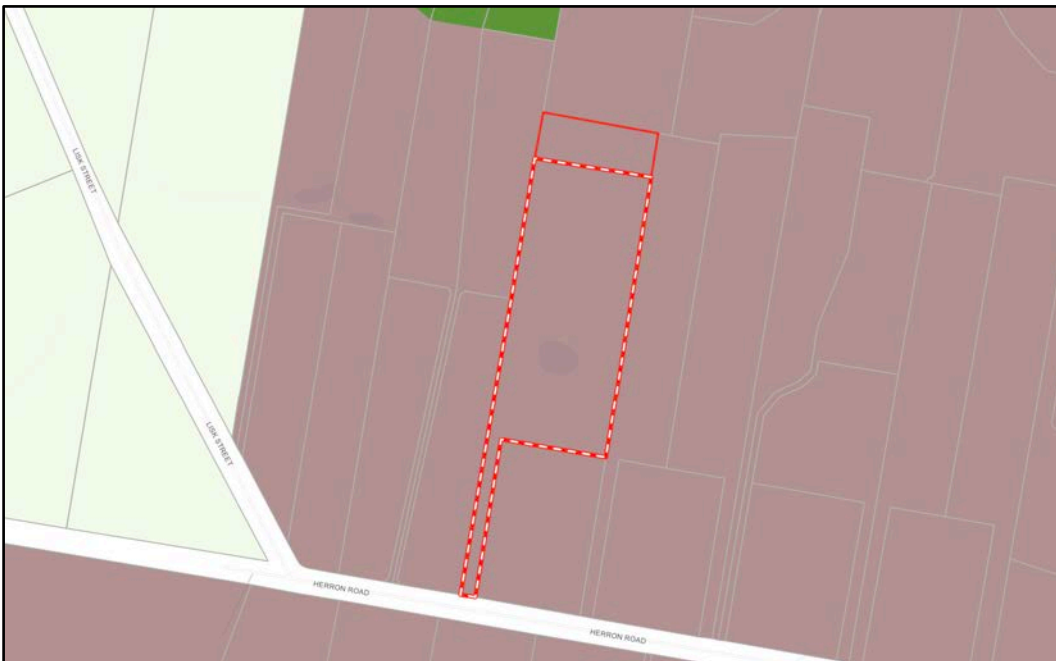


Figure 2: The site is zoned Rural Residential (Source: Brisbane City Council, City Plan 2014)

2.2 Site History

There is no known site history relevant to this proposal.

2.3 Site Dimensions

The subject site is generally rectangular in shape and has maximum dimensions of approximately 374 m x 92 m.

2.4 Access

The subject site has access from Herron Road via an access handle that forms part of the property.

2.5 Vegetation

The property is mapped for the *Biodiversity overlay*, *Matters of state environmental significance (MSES) sub-category* and the *Natural Assets Local Law (NALL)*. Eighteen trees are proposed for removal to facilitate an appropriate building envelope for proposed Lot 5.

An arborist report prepared by Heritage Tree Care is provided with this application and assesses the trees proposed for removal.



Figure 3: The site is mapped for the High ecological significance sub-category and Matters of state environmental significance (MSES) sub-category.
(Source: Brisbane City Council, City Plan 2014)

2.6 Topography

The site contour levels are approximately 83 m AHD to 107 m AHD.

2.7 Site Flooding

The site is mapped for overland flow, which follows the natural topography of the land. The mapped overland flow path is primarily contained in proposed Lot 5 and has no material impact on the proposed building envelope.



2.8 Infrastructure

The subject property currently has access to water, electricity and telecommunications services. The new lots will be able to make connections to these services. Stormwater will be managed on site.

2.9 Road Widening

There is no known road widening requirement for this property.

2.10 Easements

There are no known easements on the subject land.

2.11 Surrounding Development in the Locality

The property is surrounded by rural residential development in all directions.

3 Site Photos



Photo 1: The subject site and entrance from Herron Road.



Photo 2: The existing frontage along Herron Road.



Photo 3: The view looking north from the proposed BLE on proposed Lot 5 toward the existing dam.



Photo 4: Looking south with the existing access driveway visible.



Photo 5: Looking south-east into the area of the proposed BLE for Lot 5.



Photo 6: Looking north along the existing access driveway toward proposed Lot 4. The driveway will be retained to provide access for both lots.

4 Background

4.1 Site and Project Background

There is no relevant background for this proposal.

4.2 Previous Approvals

There are no relevant previous approvals.

4.3 Pre-lodgement Meeting

A pre-lodgement meeting was not held.

5 Proposed Development

5.1 Proposal

It is proposed to realign the existing lots into two functional rural residential lots. The existing house will be retained on Lot 4. The proposed lot sizes will be:

Lot	Size	Width	Length	Type	Minimum Rectangle
4	13,049 m ²	92.38 m	126.71 m	Rural res lot	14 x 20 m
5	11,365 m ²	88.07 m	112.12 m	Rural res lot	14 x 20 m

5.2 Lot Size

The proposed development seeks to realign the existing lots to make Lot 4 a suitable size for rural residential purposes. Lot 4 will change from a 3,197 m² lot to a 13,049 m², and Lot 5 will change from a 21,203 m² lot to an 11,365 m² lot.

The Subdivision Code requires a rural residential lot to be 10,000 m² and this area is excluding the access way to a rear lot or the area of any easement that also serves as an access way. Proposed Lot 4 achieves 13,049 m² clear of the access handle. Proposed Lot 5 achieves 9,502 m² clear of the access handle and requires a performance outcome against PO1 of the code.

While Lot 5 is less than the minimum area, it improves on the existing lot arrangement which renders one lot unusable. Further, it is consistent in shape and size with surrounding properties and is consistent with the intended rural residential use of the land. The proposed BLE demonstrates functional and useable area for a future house.

Overall, the proposed lots are consistent with the local context and character of the locality and address development constraints resulting in functional and practical lots.

5.3 Building Envelope (BLE)

A building envelope of 2,149 m² is proposed for Lot 5. The envelope defines the area for a future house and ancillary structures. The position and shape of the envelope maximise the use of the existing cleared area available and minimises the need to clear trees. Tree clearing is limited to small trees that contribute minimal tree canopy and significance to the site. Large, mature trees are retained and are to be protected from building encroachment through the shape of the BLE.

5.4 Access

The existing access handle and bitumen driveway will provide access to both lots. Legal access will be defined by an access easement. The access handle is 10 m wide and provides adequate access. The 10 m width is reduced to 6 m along the western edge of proposed Lot 5. This provides more useable space for the lot whilst maintaining a suitable width for access. The reduced width also assists to minimise maintenance along this section of the access easement by reducing the grassed area within the easement.

5.5 Bushfire

A bushfire assessment was undertaken by Bushfire Risk Reducers. Refer **attached** report. The assessment concludes a “Low Hazard” and therefore the associated BAL rating is BAL-LOW, and there are no further bushfire related planning or construction implications.

5.6 Key Details of the Proposal

Proposed lot sizes:	The minimum lot size will be 11,365 m ² .
Proposed lot dimensions:	Refer table above for dimensions.
Servicing requirements:	All proposed lots can connect to water, electricity and telecommunications.
Access arrangements/cross over:	The existing access and driveway will be used.
Existing/Proposed built improvements:	The existing house will be retained.
Lawful point of discharge:	The lawful point of discharge will be managed on site.
Removal of street trees:	No street trees are affected.
Filling and/or cutting:	No filling or retaining is proposed.
Current verge width:	Not applicable for rural residential
Minimum Flood levels (if applicable):	The site is mapped for overland flow.

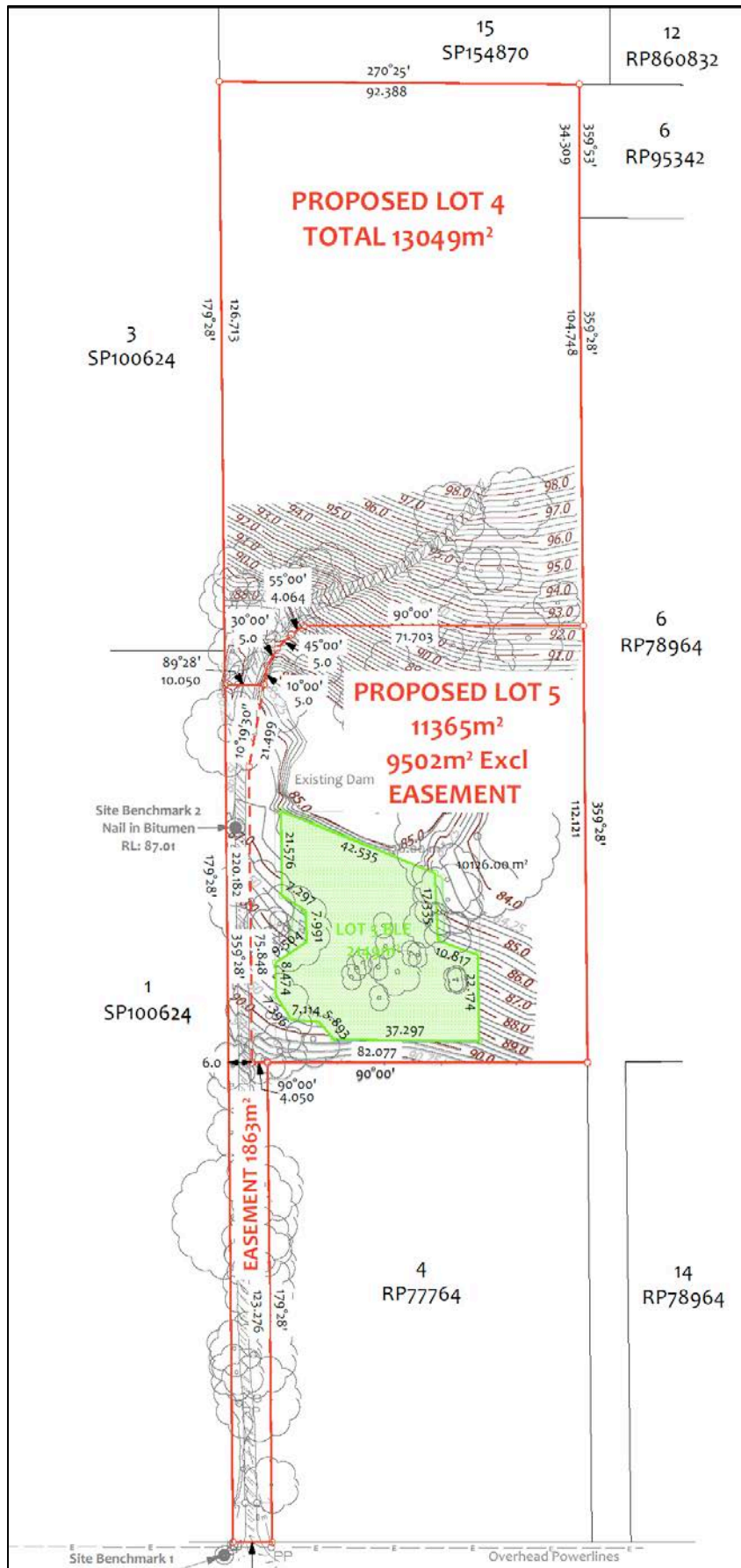


Figure 4: The proposed lot layout.

6 State Legislation

This section addresses the relevant State legislation that is applicable to this development application.

6.1 State Planning Policy

The proposal complies with the applicable benchmarks set by the State Planning Policy.

6.2 South East Queensland Regional Plan

The subject site is located within the Regional Landscape and Rural Production Area (RLRPA). Under Schedule 10, Part 16, Division 1, section 23 of the Planning Regulation 2017, reconfiguring a lot in the RLRPA is prohibited development unless it is an "exempt subdivision."

As the proposal seeks only to realign two existing lots without creating an additional lot, it qualifies as an exempt subdivision. Consequently, the application is not prohibited by the State and is subject to assessment against the City Plan.

6.3 Temporary Local Planning Instruments

Not applicable.

6.4 Referral Agencies

Local Government Referral

The proposal is not identified in the Planning Regulation as requiring referral to the local government.

State Development Assessment Provisions (SDAP)

The State Development Assessment Provisions (SDAP) set out matters of interest to the State for development proposals. The State Assessment and Referral Agency (SARA) assess development applications against the State Development Assessment Provisions.

The proposed development does not trigger referral to the Department and therefore does not require assessment against the State development assessment provisions.

7 City Plan

This section provides a detailed response to the key areas of the City Plan that apply to the proposed development.

7.1 Strategic Framework

The strategic framework sets the policy direction for the planning scheme and forms the basis for ensuring appropriate development occurs in the planning scheme area for the life of the planning scheme.

For the purpose of describing the policy direction for the planning scheme, the strategic framework is structured across five themes. For this application the most relevant themes are *Theme 3: Brisbane's clean and green leading environmental performance* and *Theme 5: Brisbane's CityShape*.

The applicable elements of these themes are outlined below with a discussion below each element section.

Element 3.1 – Brisbane's environmental values

Specific Outcomes	Land Use Strategies
Overall environmental values	
SO1 Brisbane's Greenspace System's biodiversity, recreational and cultural values and functions are protected, restored and enhanced.	L1 The Greenspace System, the majority of which occurs outside the urban footprint in the SEQ Regional Plan, also extends throughout the urban footprint through a series of district and metropolitan parks, waterway networks, sport and recreation areas and lands supporting biodiversity areas or scenic amenity values. Zones that occur within the Greenspace System are: a. Conservation; b. Environmental management; c. Rural; d. Rural residential; e. Open space; f. Sport and recreation
SO2 Brisbane's Greenspace System provides an effective network of greenspace links and contributes to a regional network.	L2.1 Development does not fragment environmental management, rural residential or rural lands.
	L2.2 Development in the Emerging Community Zone and Industry Investigation Zone protects the Greenspace System's values of those areas.
	L2.3 Development protects the inter-urban breaks between Brisbane and the Moreton Bay region, Somerset region, Redland City and Logan City which form part of the regional Greenspace System and provide links to greenspace in other local government areas.
SO3	L3

Brisbane's ecosystems provide ecosystem services which are maintained and enhanced.	Development protects identified areas with high levels of ecosystem services which are to be integrated into the Greenspace System and infrastructure network of the city.
Biodiversity values	
SO4 Brisbane has an ecologically resilient and robust network of well- connected habitats containing a comprehensive, adequate and representative sample of ecosystems and species.	L4.1 Development protects areas of high ecological significance or high strategic biodiversity value, including koala habitats, in a network of biodiversity areas that also link into biodiversity areas, networks and systems in adjoining local government areas. L4.2 Development for an urban purpose is located outside areas of high ecological significance or high strategic biodiversity value. L4.3 Roads and other infrastructure corridors avoid areas of significant biodiversity value and if overriding needs result in infrastructure being developed in areas of significant biodiversity value, the development offsets the lost values in locations enabling a net positive biodiversity outcome by providing compensatory habitat that restores degraded areas within the identified network of habitat and ecological corridors.
SO5 Brisbane achieves positive biodiversity development outcomes, where interface areas are provided by the development and offsets enable restoration of areas that form part of the Greenspace System and the city's biodiversity values.	L5.1 Development provides an interface area to buffer against edge effects. L5.2 Development which results in the loss of native vegetation provides compensatory habitat that restores degraded areas within the identified network of habitat and ecological corridors. L5.3 Biodiversity areas are identified and incrementally restored, including through the use of environmental offsets.
SO6 Brisbane has safe movement routes and corridors for wildlife that are suited to species and benefit multiple species.	L6 Development for urban infrastructure provides for wildlife movement solutions at strategic locations as identified in the Streetscape hierarchy overlay.
River, waterways, wetlands and bay values	
SO7 Brisbane's waterways, wetlands and foreshores are protected, in particular their natural drainage, stormwater conveyance, visual amenity, landscape character, recreational, cultural and biodiversity values.	L7.1 Development along the Brisbane River corridor is managed on section by section, responding to the diverse local characteristics and values along its length. L7.2 Development continues to contribute towards an extended public open space network along the river. L7.3

	Development in identified waterway corridors, wetlands and the Brisbane foreshore is sited, designed and managed to retain and enhance the performance of these locations for drainage, amenity, recreational, cultural and biodiversity values.
Natural economic resources and rural lands	
SO8 Brisbane's natural resource assets, including extractive resources such as quarries, are identified and protected from encroachment by incompatible development, including sensitive uses.	L8 Brisbane's natural economic resource areas for extractive resources and agricultural lands are identified and protected from fragmentation and inappropriate use.
SO9 Brisbane's agricultural production, scenic amenity and environmental values of rural lands are protected.	L9 Development of Brisbane's rural areas balances the demands for use of rural lands for a broad range of rural industries and food production with the biodiversity, scenic amenity, outdoor recreation, landscape character and rural lifestyle values of those rural areas.
SO10 Brisbane's aquatic habitats and fisheries are protected.	L10 Development incorporates site measures that protect water habitats, aquatic quality, fish passages and downstream fisheries from water pollution and sedimentation.
SO11 Water quality is protected from adverse impacts of development.	L11 Waterway corridors, wetlands, drinking water catchments including receiving waters, water supply buffer areas, water resource catchments and high ecological value water areas as indicated on the State Planning Policy Interactive Mapping System, and areas of potential and actual acid sulfate soil are managed to contribute to protecting water quality by: a. overlays; b. siting and design; c. specification management.

Discussion:

The proposed realignment reshapes the existing two lots to create two functional rural residential lots. The development does not change the function or intended purpose of the land and will not impact the surrounding rural residential area. The proposal will retain and protect the existing biodiversity and environmental values of the land. The development retains mature vegetation, and the existing network of green linkages and wildlife corridors will remain intact.

Element 3.2 — Brisbane's environmental quality and sustainable design

Specific Outcomes	Land Use Strategies
Air and noise	
SO1 Brisbane's activity centres and Growth Nodes on Selected Transport Corridors experience reasonable indoor noise levels and air quality.	L1.1 Development provides a mix of uses in individual centres and Growth Nodes on Selected Transport Corridors to maximise urban amenity.
	L1.2 Development in centres and Growth Nodes on Selected Transport Corridors separate incompatible uses and minimise the impacts of non-residential land uses in mixed-use environments.
	L1.3 New commercial and other non-residential development complies with air and noise pollution emission levels.
	L1.4 New residential development and other sensitive development such as aged and childcare facilities in centres and Growth Nodes on Selected Transport Corridors is designed, built and landscaped to enable building occupants to have reasonable indoor noise levels and to improve their air quality.
	L1.5 Special entertainment precincts manage noise issues in specialised precincts.
Health and amenity	
SO2 Brisbane provides an amenity which is appropriate to the uses and development intensity planned for the different parts of the city.	L2.1 Development accords with the pattern of zones, neighbourhood plans and overlays which provide the basis for managing health and amenity impacts and interfaces between land uses and activities.
	L2.2 Development in areas of the city affected by transport corridor air quality and noise impacts as identified on the Transport air quality corridor overlay map or Transport noise corridor overlay map, achieve the amenity outcomes described for those overlays.
	L2.3 Development involving an interface between a residential use and non-residential use achieves the level of residential amenity specified in an applicable overlay and neighbourhood plan and does not otherwise affect reasonable health expectations.
SO3 Brisbane's interface areas between industry or major gas, waste and sewerage infrastructure and sensitive	L3.1 Development for new industry is separated from and does not encroach upon existing sensitive zones.

uses are effectively managed in terms of industrial hazards and air and noise impacts.	L3.2 Development of sensitive uses is prevented from encroaching upon industrial areas.
	L3.3 Development does not intensify within an area of risk from existing major hazard facilities without demonstrating and implementing measures to mitigate the risk.
	L3.4 Development manages the transition of industrial areas to residential areas (or vice versa) to prevent conflict between incompatible uses.
	L3.5 New industrial development incorporates best-practice technology and practices to control hazards and noise and air pollution.
Energy security	
SO4 Brisbane has reduced reliance on non-renewable energy sources.	L4 Development layout, design, building siting and orientation integrates subtropical design principles and reduces the need to use energy for cooling and heating.
SO5 Brisbane is serviced by increased generation and distribution of energy from renewable or low-carbon intense sources.	L5 Development layout, design, building siting and orientation provide opportunities for incorporation of alternative energy technologies.
Low carbon city	
SO6 Brisbane has reduced greenhouse gas emissions from transport and energy use.	L6.1 Brisbane's urban structure, form and land use mix reduces car dependency.
	L6.2 High-speed broadband infrastructure is prioritised to facilitate telecommuting to work and leisure to reduce demand for travelling by car.
	L6.3 Development layout, design, building siting and orientation provide opportunities for energy-efficient design.
SO7 Brisbane has increased stored carbon.	L7.1 Existing mature vegetation and bushland is protected and revegetation is promoted via environmental offsets in areas of high ecological significance, high strategic biodiversity value or koala habitat areas.
	L7.2 Streetscapes incorporate street tree planting to increase carbon sequestration.

Sustainable water management	
SO8 Brisbane's development exhibits a diverse mix of alternative water sources and water efficiency measures.	L8 Development incorporates, where appropriate, a range of possible water management features to reduce the demand for reticulated water including water capture, treatment and re-use.

Discussion:

The development will maintain the existing environmental qualities and values of the land. The realignment of the lots and use for detached houses is consistent with the strategic intent for this area and the Rural Residential Zone. The use of the land for a house will not impact the environmental qualities or values of the local area. The existing bushland and natural flow paths and waterways are maintained.

Element 5.6 — Brisbane's Greenspace System

Specific Outcomes	Land Use Strategies
Greenspace System	
SO1 The Greenspace System's values and functions are identified, retained and enhanced.	L1.1 Development protects land allocated for nature conservation, public open space and sporting and recreation uses.
	L1.2 Development intensity, land use allocation, siting and design protect the multiple values and functions of the Greenspace System.
	L1.3 Development does not fragment high-value biodiversity areas, areas for large-scale rehabilitation, fauna movement and rural activities.
SO2 The Greenspace System is expanded to protect areas with green space values.	L2 Development in the Greenspace System appropriately reflects the values of the site and ensures those areas of the site are protected or enhanced.
SO3 The Greenspace System provides an effective network of green	L3.1 Development supports the linkage of Greenspace System areas with open space and recreational and biodiversity values.
	L3.2 Development enhances the Greenspace System to enable green space areas to connect with communities, and integrate with regional green space in surrounding local government areas.
	L3.3 Development protects the inter-urban breaks between Brisbane City and Moreton Bay Region, Somerset Region, Redland City and Logan City, as part of the Brisbane Greenspace System.
	L3.4

	Development is designed and managed to ensure Greenspace System areas provide physical breaks and buffers within the urban footprint. L3.5 Corridors within the Greenspace System reinforce the sense of identity of local communities and assist in floodway and drainage functions and safe wildlife movement.
SO4 The Greenspace System protects koala habitats.	L4 Development protects koala habitat in biodiversity areas as mapped in the Biodiversity areas overlay.
SO5 The Greenspace System maintains and enhances the capacity of ecosystems to provide ecosystem services.	L5 Development identifies and protects areas with high levels of ecosystem services from development impacts.
SO6 Brisbane's existing extractive industry operations are managed to protect the Greenspace System.	L6 Existing extractive industry operations are managed to best-practice environmental standards to protect the values and functions of the Greenspace System.
Rural Neighbourhoods within the Greenspace System	
SO7 Rural Neighbourhoods are a very low-density setting of houses in a rural-like or natural landscape.	L7 Development does not further fragment viable rural land.
SO8 Rural Neighbourhoods allow viable rural industries to operate within the context of rural activities, the Greenspace System rural living areas.	L8.1 Development is not adversely impacted by the edge impacts of rural production areas. L8.2 Development protects rural residential amenity.
SO9 Rural Neighbourhoods protect biodiversity and landscape values and water quality.	L9 Development is residential in terms of building access, extent and siting and building design and landscaping is appropriately managed to protect biodiversity, landscape values and water quality.

Discussion:

The proposal protects the existing bushland and maintains the landscape values and vegetated corridors on the land. The use of a BLE ensures a house can be suitably located with minimal impact on the environmental values of the land. The development is consistent with the intent and long term maintenance of the Brisbane greenspace system.

7.2 Land Use

The proposal is for reconfiguring a lot. The City Plan uses the definition contained within the Planning Act, which states:

Reconfiguring a lot means—

- (a) creating lots by subdividing another lot; or
- (b) amalgamating 2 or more lots; or
- (c) rearranging the boundaries of a lot by registering a plan of subdivision under the Land Act or Land Title Act; or
- (d) dividing land into parts by agreement rendering different parts of a lot immediately available for separate disposition or separate occupation, other than by an agreement that is—
 - (i) a lease for a term, including renewal options, not exceeding 10 years; or
 - (ii) an agreement for the exclusive use of part of the common property for a community titles scheme under the Body Corporate and Community Management Act 1997; or
- (e) creating an easement giving access to a lot from a constructed road.

7.3 Category of Assessment

The proposed development is **code assessable** in accordance with Part 5 of the Brisbane City Plan 2014, as detailed in the following category of assessment table.

Zone	Category of Assessment	Applicable Code
Rural residential	Table 5.6.1—Reconfiguring a lot: A subdivision is impact assessable	Subdivision code Rural residential zone code Prescribed secondary code
Neighbourhood Plan	Category of Assessment	Applicable Code
Not applicable	Not applicable	Not applicable
Overlay	Category of Assessment	Applicable Code
Airport environs overlay	Table 5.10.2— Reconfiguring a Lot (ROL) is impact assessable	Airport environs overlay code
Biodiversity areas overlay	Table 5.10.4— Reconfiguring a Lot (ROL) is impact assessable	Biodiversity areas overlay code
Bushfire overlay	Table 5.10.5— Reconfiguring a Lot (ROL) is impact assessable	Bushfire network overlay code
Community purposes network overlay	Table 5.10.7A—Reconfiguring a Lot (ROL) is impact assessable	Community purposes network overlay code
Critical infrastructure and movement network overlay	Table 5.10.8— Reconfiguring a Lot (ROL) is impact assessable	Critical infrastructure and movement network overlay code
Dwelling house character overlay	Table 5.10.9—Not applicable	Not applicable
Flood overlay	Table 5.10.11— Reconfiguring a Lot (ROL) is impact assessable	Flood overlay code

Road hierarchy overlay	Table 5.10.18—Reconfiguring a Lot (ROL) is impact assessable	Road hierarchy overlay code
Streetscape hierarchy overlay	Table 5.10.20—Reconfiguring a Lot (ROL) is impact assessable	Streetscape hierarchy overlay code

7.4 Prescribed Secondary Codes

A summary of the secondary codes that apply to the development is provided in the table below. The applicable codes are addressed in the **Code Responses** document.

Code	Applicable	Comment
Childcare centre code	No	Not applicable
Filling and excavation code	No	No filling or retaining walls are proposed.
Infrastructure design code	Yes	Assessment provided in the code responses.
Landscape work code	No	No landscaping is proposed.
Multiple dwelling code	No	Multiple dwellings are not proposed.
Outdoor lighting code	No	No outdoor lighting is proposed.
Park planning and design code	No	This is a small subdivision only.
Retirement and residential care facility code	No	This is a small subdivision only.
Stormwater code	Yes	Assessment provided in the code responses.
Transport, access, parking and servicing code	Yes	Assessment provided in the code responses.
Wastewater code	No	The code only applies if the property is outside a sewerage area. This property is not sewerage.

7.5 Neighbourhood Plan

The subject site is included in a neighbourhood plan.

8 Recommendation and Conclusion

This application seeks a development permit for a **Reconfiguring a Lot (2 into 2 Lots)**.

This report has provided details of the proposal and demonstrated compliance with the required provisions of the City Plan 2014.

The proposal is considered suitable on the following grounds:

- The proposal complies with all relevant codes, specifically the acceptable outcomes of the *Subdivision code* and the *Prescribed secondary code*.
- The proposed subdivision is consistent with the intent for the *Rural residential zone* and is consistent with the existing and intended pattern of development.
- Two existing lots are to be realigned. Proposed Lot 4 achieves the minimum lot size and proposed Lot 5 proposes a performance outcome for a rural lot that is 498 m² less than the 10,000 m² minimum.

This report recommends approval be granted for the proposed subdivision with reasonable conditions.