



TOWN PLANNING REPORT IMPACT ASSESSMENT

RECONFIGURING A LOT (DEVELOPMENT PERMIT)
1 LOT INTO 2 LOT SUBDIVISION
UPON LAND AT
23 BUCKLAND ROAD, NUNDAH
(LOT 1 ON RP61181)

ON BEHALF OF
EBRAHIM MAHBOOBI

OUR REFERENCE: 260854



PROJECT DETAILS

Applicant: Ebrahim Mahboobi

Project Address: 23 Buckland Road, Nundah

TPA Project Number: 260854

TPA Project Contact: Vu Nguyen
Chelsea Poulsen-Smith

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1	2	Ebrahim Mahboobi

TABLE OF CONTENTS

1	EXECUTIVE SUMMARY	4
2	PROJECT OVERVIEW	5
3	BACKGROUND & SITE CHARACTERISTICS	6
3.1	Site Details	6
3.2	Location.....	7
3.3	Site Characteristics	7
4	PROPOSAL	9
4.1	Overview	9
4.2	Earthworks.....	9
4.3	Stormwater	9
4.4	Access	10
4.5	Other infrastructure	10
5	TOWN PLANNING FRAMEWORK.....	11
5.1	State Government.....	11
5.2	Local Government.....	11
6	CONCLUSION.....	13
7	APPENDIX 1 – CODE ASSESSMENT	14

1 EXECUTIVE SUMMARY

This report is submitted on behalf of *Ebrahim Mahboobi* in support of a development application for Reconfiguring a Lot (1 into 2 Lots) upon land at 23 Buckland Road, Nundah. The report addresses the merits of the proposed development with respect to the provisions of the *Brisbane City Plan 2014* and the relevant components of the *Planning Act 2016*.

The proposal involves the creation of two small lots of 304m², each with a 9.88m frontage to Buckland Road. The site is within the Traditional building character overlay and contains an existing dwelling which received building approval from Council on 16 October 1946. The dwelling does not appear on Council's 1946 aerial photography from May 1946. A search of the State Archives found the original rates record which verifies that the existing dwelling was not constructed until 1947 and was not formally classified as a dwelling for rating purposes until 23 February 1948. Therefore, full demolition of the existing dwelling is accepted development as it is not a pre-1947 dwelling.

The proposed subdivision is consistent with the intent and code provisions for subdivision within the Character residential (infill) zone. In particular, the proposed lots achieve the minimum required 300m² area for the zone and are of a regular shape and size consistent with other small lots in the vicinity. Each lot has direct vehicle access off Buckland Road and can be readily serviced with all essential urban infrastructure.

Overall, the proposal is considered to achieve the planning intent and assessment requirements of the *Brisbane City Plan 2014*. As such, the proposed subdivision is recommended for approval, subject to reasonable and relevant conditions.

2 PROJECT OVERVIEW

Applicant Name	Ebrahim Mahboobi		
Site Address	23 Buckland Road, Nundah Qld 4012		
Real Property Description	Lot 1 on RP61181		
Area of Site	608m²		
Development Scheme	Brisbane City Plan 2014		
Zone	Character Residential (Infill) Zone		
Proposed Development	Reconfiguring a Lot (1 into 2 Lots)		
Application Type	Aspects of Development	Type of Approval Required	
		Preliminary Approval	Development Permit
	Material Change of Use		
	Reconfiguration of a Lot		✓
	Building Work		
	Operational Work		
Level of Assessment	Code Assessment		
Pre-lodgement / Consultation History	N/A		
Public Notification	N/A		
Referral Agencies	Referral Agency	Trigger	
	N/A	N/A	
Specialist Plans / Reports	▪ Detail & Level Survey, prepared by <i>JW Surveys</i> ▪ Proposed Subdivision Plan, prepared by <i>JW Surveys</i> ▪ Technical Memorandum, prepared by <i>Create Engineers</i>		
Applicant Contact	Chelsea Poulsen-Smith & Vu Nguyen		
Applicant Email	eda@tpalliance.com.au		

3 BACKGROUND & SITE CHARACTERISTICS

3.1 Site Details

Site Address	23 Buckland Road, Nundah Qld 4012
Real property description	Lot 1 on RP61181
Area of site	608m ²
Zone	Character Residential (Infill) Zone
Neighbourhood Plan	Banyo - Northgate neighbourhood plan
Overlays	▪ Airport environs overlay ▪ Community purposes network overlay ▪ Critical infrastructure and movement network overlay ▪ Dwelling house character overlay ▪ Potential and actual acid sulfate soils overlay ▪ Road hierarchy overlay ▪ Streetscape hierarchy overlay ▪ Traditional building character overlay <i>Note: Not all overlays are relevant to this development application. Only relevant overlays are discussed further within this report.</i>

Figure 1 below shows the subject site and immediate surrounds.

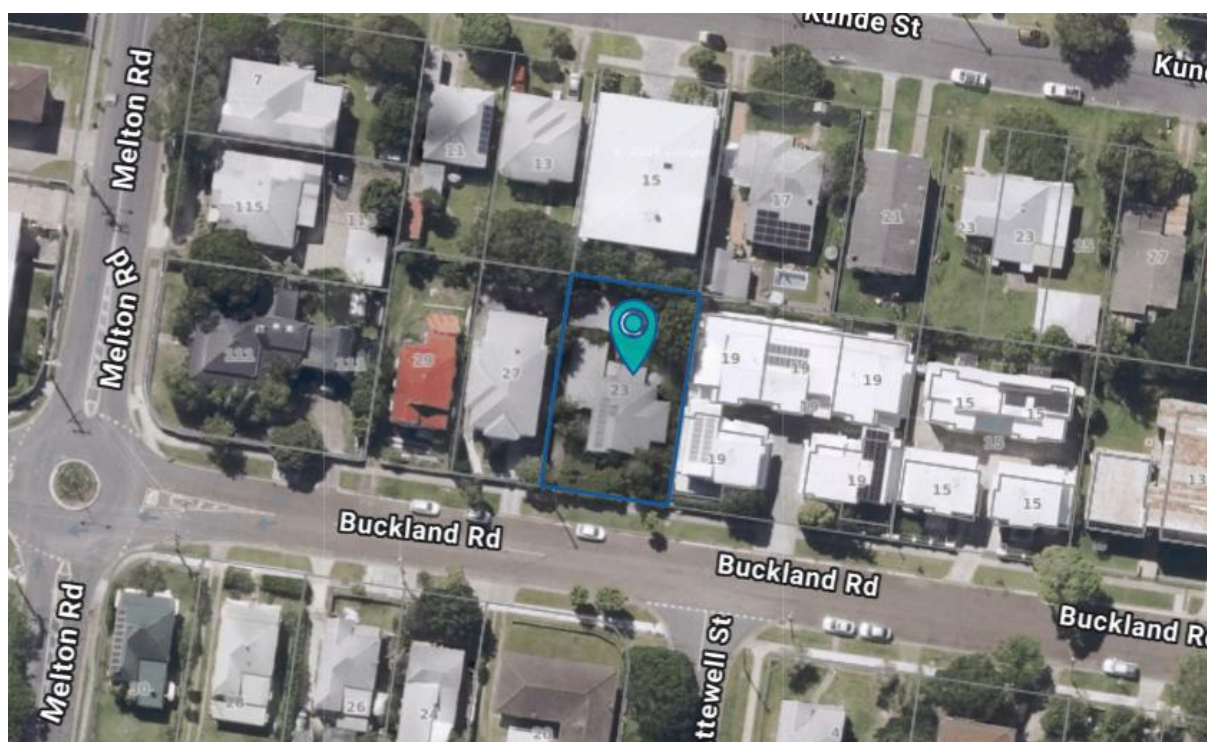


Figure 1: Subject site and surrounding properties (BCC Development.i)

3.2 Location

The site is located approximately 550m east of Sandgate Road and approximately 1km west of the Gateway Motorway. The locality is characterised by a mix of detached houses and multiple dwellings within the Low density residential, Medium density residential and Character residential (infill) zones.



Figure 2: Zoning map (Brisbane City Plan 2014)

3.3 Site Characteristics

3.3.1 Existing structures

The site contains an existing dwelling which was approved by Council on 16 October 1946 (ref. A007081408). A search of the historic rates records of the State Archives has revealed that the existing was not constructed until in 1947 and not completed for occupation until 1948 (refer to Figure 3 below).

3.3.2 Vegetation

The subject site does not contain any significant or protected vegetation.

3.3.3 Flooding

The site is not subject to flooding in accordance with current Flood hazard overlay mapping.

3.3.4 Topography

The site is gently sloping, with an elevation of 7.43 – 7.63m AHD at the Buckland Rd frontage reducing to 6.61 – 6.71m AHD at the rear boundary.

3.3.5 Infrastructure

The subject site is located within a well-established area and has adequate access to all essential urban infrastructure including reticulated water, sewer, electricity, and telecommunications.

A lawful point of discharge for stormwater is located in the north-eastern (rear) corner of the existing lot, connecting to an existing stormwater main discharging to Kunde St.

Figure 3: Historic rates record (Qld State Archives)

4 PROPOSAL

4.1 Overview

The applicant is seeking approval to subdivide the existing 608m² lot into two small residential lots, each with an area of 304m² and a frontage of 9.88m to Buckland Rd.

The proposed subdivision is consistent with the intent and overall outcomes for the Character residential zone code and Subdivision code with respect to lot area and dimensions, with each lot able to comfortably accommodate a future small lot dwelling with associated carparking and private open space.

An extract of the proposed subdivision plan is provided in Figure 4 below.

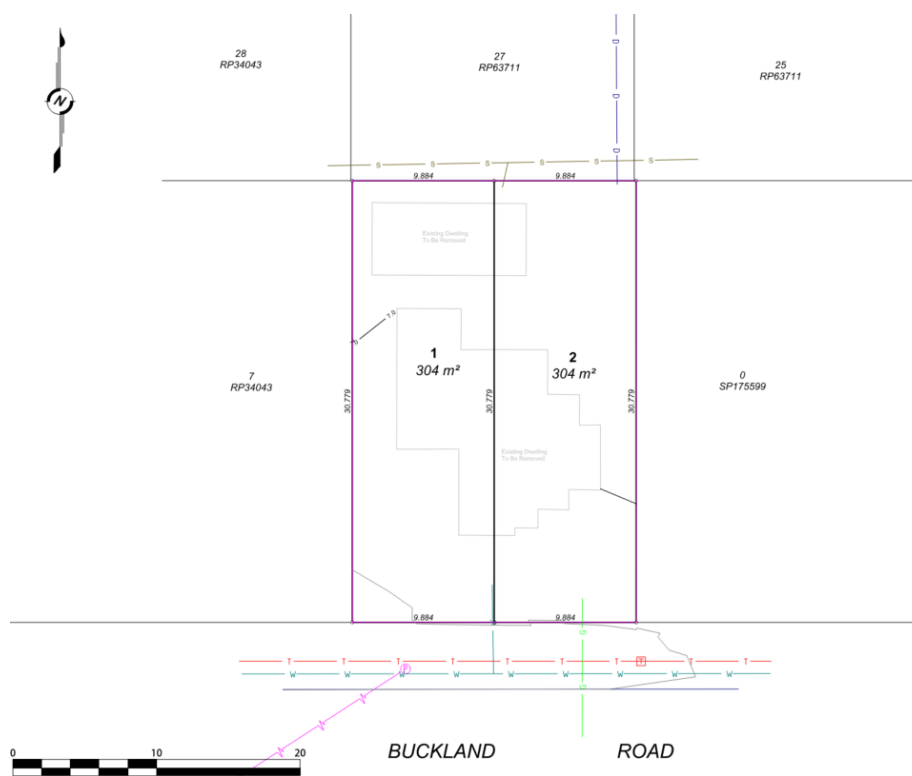


Figure 3 Proposed subdivision plan (JW Surveys)

4.2 Earthworks

The proposal involves minor earthworks to provide building pads and ensure minimum cover is maintained over the proposed stormwater infrastructure. Any proposed fill or retaining walls will be less than 1.0m in height. A Preliminary Bulk Earthworks Plan is provided within the enclosed Technical Memorandum prepared by Create Engineers.

4.3 Stormwater

The site currently discharges stormwater flows via sheet flow over the northern boundary. The adjacent development to the north (rear) at 15 Kunde St (Lot 27 RP63711) has provided a 225 diameter stormwater connection within the north-eastern corner of the site to cater for upstream development.

As such, all stormwater runoff from the subject site and resulting lots will be directed to the north-eastern corner and discharged through the existing infrastructure to Kunde St, being the lawful point of discharge.

Further details are provided in the enclosed Technical Memorandum prepared by Create Engineers.

4.4 Access

The subject site has direct frontage to Buckland Rd, allowing direct lot access to be provided to each proposed lot.

The proposed subdivision does not include new driveway crossovers as these will be determined as part of future dwelling design over each lot. However, the existing crossover will be removed and the footpath reinstated as part of the proposed subdivision works.

4.5 Other infrastructure

The proposed lots are able to connect to existing reticulated infrastructure for water, sewer, electricity, and telecommunications, as detailed in the enclosed Civil Engineering Report and accompanying plans.

Preliminary discussions have been held with Urban Utilities regarding the feasibility of connecting an additional lot to the existing 100mm sewer connection in the north-eastern (rear) corner of the site should the adjoining lot owner not consent to works being undertaken within their property.

Urban Utilities have issued a Services Advice Notice (SAN) which advised no objection to the proposed servicing strategy of reusing the existing connection provided the proposed works are compliance with the SEQ Code.

A copy of the SAN is included within the enclosed Technical Memorandum prepared by Create Engineers.

5 TOWN PLANNING FRAMEWORK

5.1 State Government

5.1.1 Planning Act 2016 - Framework

The *Planning Act 2016* provides the statutory planning framework for the State of Queensland and outlines the statutory process for preparing, assessing, and deciding development applications. This proposal will be assessed in accordance with the relevant components of the *Planning Act 2016*.

The proposal will be assessed in accordance with the Development Assessment Rules under section 68(1) of the *Planning Act 2016*.

5.1.2 State Planning Policies

The *State Planning Policy* (SPP) came into effect on 3 July 2017 and expresses the State's interests in land use planning and development.

Part E of the SPP outlines the State interest policies and assessment benchmarks. The assessment benchmarks are applicable to the assessment of development applications to the extent that the SPP has not been identified in a Planning Scheme as being appropriately integrated.

The SPP is identified in the superseded planning scheme as being appropriately integrated for all matters relevant to this development application. As such, no further assessment of the SPP is necessary in this instance.

5.2 Local Government

5.2.1 Definition

The *Planning Act 2016* defines Reconfiguring a lot as follows:

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.*

In view of the above, the proposed development constitutes reconfiguring a lot as it involves creating lots by subdividing another lot.

5.2.2 Level of Assessment

Under the *Brisbane City Plan 2014*, reconfiguring a lot by subdivision within the Character residential (infill) zone where the resulting lots are less than 450m² is subject to impact assessment. However, the proposed lots are consistent with the minimum lot size of 300m² for the Character residential (infill) zone as provided under the Subdivision code.

In view of the above, while the application requires assessment against the whole of the planning scheme, the following codes are identified as being relevant to the proposal and have been addressed in Appendix 1 of this report and the supporting consultant documentation.

APPLICABLE CODES	
ZONE CODES	▪ Character residential zone code
DEVELOPMENT CODES	▪ Subdivision code
OVERLAY CODES	▪ Road hierarchy overlay code ▪ Streetscape hierarchy overlay code
SECONDARY CODES	▪ Filling and excavation code ▪ Stormwater code

6 CONCLUSION

This report is submitted on behalf of *Ebrahim Mahboobi* in support of a development application for Reconfiguring a Lot (1 into 2 Lots) upon land at 23 Buckland Road, Nundah. The report addresses the merits of the proposed development with respect to the provisions of the *Brisbane City Plan 2014* and the relevant components of the *Planning Act 2016*.

The proposal involves the creation of two small lots of 304m², each with a 9.88m frontage to Buckland Road. The site is within the Traditional building character overlay and contains an existing post-1946 dwelling, as verified by State Archives.

The proposed subdivision is consistent with the intent and code provisions for subdivision within the Character residential (infill) zone. In particular, the proposed lots achieve the minimum required 300m² area for the zone and are of a regular shape and size consistent with other small lots in the immediate vicinity. Each lot has direct vehicle access off Buckland Road and can be readily serviced with all essential urban infrastructure.

Overall, the proposal achieves the planning intent and assessment requirements of the *Brisbane City Plan 2014*. As such, the proposed subdivision is recommended for approval, subject to reasonable and relevant conditions.