

Dear Sirs,

Please see attached correspondence objecting to the above development application.

Could you please acknowledge receipt.

Regards,

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10th September 2026

Development Services

Brisbane City Council

GPO Box 1434

Brisbane Qld 4001

Via Email dalodgement@brisbane.qld.gov.au

RE: APPLICATION NO. A007102212

PROPERLY MADE SUBMISSION — OBJECTION TO DEVELOPMENT APPLICATION

Site: 7A, 11, 11A, 11B & 21 Kings Road, Taringa QLD 4068

Description: Lot 2 on RP94994, Lot 118 on RP23418, Lots 2 & 4 on RP23450, and Lot 1 on RP52370

Applicant: BRMR Holdings 1 Pty Ltd C/- HAL Architects Pty Ltd

Council reference: Application No. A007102212

Proposal: Staged Reconfiguration of a Lot, Carry Out Building Work and Material Change of Use (Multiple Dwelling — 5 x Townhouses), Impact Assessment

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I make this properly made submission objecting to the application in its current form, for the reasons set out below.

1. The Stage 3 building height has not been demonstrated and, on the correct facts, is not available

Table 4 of the applicant's own Town Planning Assessment Report (Section 7.5) sets out three alternative height entitlements for a Multiple Dwelling in

the LMR2 '2 or 3 storey mix' zone precinct. The 3 storey / 11.5m entitlement relied upon for Stage 3 is only available under limb (b) of that table, which requires BOTH:

- frontage to a road with a reserve width of 15.5m or more; **AND**
- the site being, in part, within 400m walking distance of a dedicated public pedestrian access point of a railway or busway station.

Kings Road does not carry a 15.5m road reserve. This has been confirmed against Council's Road Hierarchy Overlay mapping and cadastral data. Kings Road is a narrow local residential street, consistent with what is shown in the applicant's own site photographs (Figures 2-5) — informal on-street parking, no dedicated verge treatment, and a carriageway well short of the reserve width required for the claimed entitlement.

As limb (b) is a conjunctive test, failure of the road reserve width criterion alone is fatal to the claimed 11.5m / 3 storey entitlement for Stage 3, regardless of the site's proximity to Taringa Station. The applicant has provided no evidence in the Town Planning Assessment Report addressing either criterion of limb (b) — no reserve width is stated, and no measured pedestrian walking distance to a station access point is provided. The report's locality statement that Taringa is 'serviced by' the railway station is not evidence of compliance with a specific 400m walking-distance test, and in any event does not cure the road reserve width failure.

On the correct application of Table 4, Stage 3 falls to limb (c): a maximum building height of 2 storeys and 9.5m — the same limit already accepted by the applicant for Stages 1 and 2. The application as lodged, seeking 3 storeys and 11.5m for Stage 3, is not supported by the Multiple Dwelling Code or the Low-medium Density Residential Code on the facts, and should not be approved on that basis.

2. Consequential bulk, scale and amenity impacts

The unsubstantiated additional storey and 2m of building height directly increase the bulk and scale of Stage 3 as viewed from adjoining and nearby properties, including the lower-level units of Celadon Apartments. This engages, and is not adequately addressed by, the LMR2 zone code's own overall outcomes, including:

- **Overall Outcome 5(a)/(b):** that development be "of a height, bulk, scale and form which is tailored to its specific location and to the characteristics of the site" and respond to site characteristics including "shape, frontage, size, orientation, slope, and nature of adjoining dwellings";

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- **Overall Outcome 7(f):** that development “respond to local characteristics, such as protection of view corridors, reinforces a green landscape character and responds to the surrounding character and architecture.”

This is not put as a private right to an unobstructed view. It is put on the basis that an overstated height entitlement produces bulk, scale and view/amenity impacts on neighbouring development that the LMR2 code itself requires Council to weigh, and which cannot properly be assessed while the application proceeds on an incorrect height premise.

This is compounded by the applicant’s own concession, in Section 5.1.2 of the Town Planning Assessment Report, of non-compliance with the Multiple Dwelling Code’s front and side boundary setback requirements, described by the applicant as “relatively minor.” Considered together with an unsubstantiated third storey, the cumulative departure from the code’s height and setback benchmarks is materially greater than the applicant’s report acknowledges, and warrants full assessment on that combined basis rather than acceptance of the applicant’s characterisation.

3. Internal inconsistency in the applicant’s self-assessment

Section 7.5 of the applicant’s report states that the proposal “is triggered to be Code Assessable development,” immediately followed by Table 4, headed “Assessable Development — Impact Assessment.” This is inconsistent with Section 3.1 and Section 6.1.4 of the same report, which correctly identify the proposal as Impact Assessable with 15 business days’ public notification. This inconsistency, on a threshold question the report otherwise gets right elsewhere, raises doubt as to the rigour applied to the compliance assessment as a whole, including the height entitlement claim addressed above, and should be resolved by Council as part of its independent assessment rather than accepted at face value.

4. Submission requested outcome

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- independently verify the registered road reserve width of Kings Road against the Road Hierarchy Overlay and confirm it does not meet the 15.5m threshold in the Multiple Dwelling Code;
- independently verify the measured pedestrian walking distance from the subject site to the nearest public pedestrian access point of Taringa Station;
- require the applicant to provide amended plans for Stage 3 limited to a maximum building height of 2 storeys and 9.5m, consistent with limb (c) of Table 4 of its own report, in the event the 15.5m road reserve criterion is confirmed as not met;

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- in the alternative, refuse the application in its current form on the basis that the Stage 3 building height, bulk and scale, and the acknowledged setback non-compliances, are not adequately assessed against, and are not supported by, the overall outcomes of the Low-Medium Density Residential (LMR2) Zone Code and the Multiple Dwelling Code; and
 - notify the submitter of Council's decision on the application, and of any negotiated or amended plans, so that the submitter's interests as an adjoining landowner and submitter can be properly considered, including in respect of any appeal rights available to a properly made submitter under the Planning Act 2016.

I await your response.

Kind Regards,


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