

Development Permit for Reconfiguration of a Lot (2 into 2) in the Character Residential Zone, and Extension to a Dwelling house and a New House in the Traditional building character overlay



104-106 Park Terrace, Sherwood

**BCC DS
LODGED**

23/07/2026

APPLICATION REF

A007076605

July 2026

Executive Summary

The subject site (104-106 Park Terrace, Sherwood) currently contains a dwelling house over 2 lots. The proposal involves reconfiguring the site to rearrange the lot boundaries to ensure both lots can accommodate a house, shifting the existing house and building a new house over the reconfigured vacant lot.

The site is within the Character residential zone where lots less than 450sqm in area are considered Assessable Development, Impact Assessment against the requirements of the Subdivision code, the Character residential zone code associated secondary codes. The extension to the existing house requires assessment against the Traditional building character (demolition & design) overlay codes and the dwelling house (small-lot) code; and the new house requires assessment against the Traditional building character (design) overlay code and Dwelling house (small-lot) code. Both houses are Code Assessment.

The reconfiguration is considered suitable in this instance as it is consistent with the existing lot sizes on the site and with nearby development in the street, in particular 54-56 and 80-82 Park Terrace. Further, it enables large backyards to be retained, ensuring the retention of existing large subtropical vegetation and the ability to establish more vegetation in accordance with the requirement of the Character residential zone code. With respect to the useable shape of the lots, both lots enable the retention of the existing house on the site, inclusive of a useable back yard, as well as the new house over the newly vacant lot, which also shows a useable form as demonstrated by the house designs submitted for approval concurrently. Both lots can gain suitable access from the street, retaining the street tree and retaining large backyards while accommodating housing consistent with standard residential lot sizes in the Character zone and Traditional building character area. This further demonstrates they are of a useable shape, consistent with PO1 of the Subdivision Code.

No significant (greater than 1m) filling or excavation is required to support the creation of the lots, with minimum works needed to connect to services, and to ensure both lots drain stormwater to Park Terrace via new existing and new kerb outlets, ensuring a lawful point of discharge can be met. No verge widening is needed, as the verge is already 4.35m wide, exceeding the 3.75m minimum. The existing street tree is maintained and all verge infrastructure is present or is capable of being included as per standard conditions of the development permit.

The partial demolition to the existing house does not detract from the traditional building character of the site, while enabling the house to be repositioned within the reconfigured lot. No integral elements of the building are removed. The extension works are largely exempt works (e.g. raise and build under, works to the rear), with all materials used melding seamlessly with the existing house. Relaxations are suitable for the side setbacks of the house at 900mm, in lieu of 1m, ensuring the house can be retained on the lot without detracting from the surrounding residential amenity.

The new house has been designed in line with the expectations for Dwelling houses on small-lots and in the Traditional building character area. The height of the dwelling is compliant, with the design including a front balcony, using traditional materials and a traditional roof form and including compliant access and parking. Performance outcomes are justifiable for the driveway materials and form given

they are in line with modern expectations and ensure sufficient landscaping is provided in the frontage, with the driveway not dominating the site frontage. A performance outcome is justifiable for the garage side setback, with the 200mm setback suitable given the separation to the new dwelling on the adjoining site and given its low scale.

Given the above, the proposed development is considered appropriate in this instance and should be approved by Council.

The report below will detail all relevant assessment of State and Local planning instruments with respect to the proposed development.

Authorisation

Author	Revision	Date	Sign Off
Anthony Colwell – Director IP&D	1.0	22 July 2026	Anthony Colwell – Director IP&D

CONTENTS

Executive Summary	2
Authorisation	3
1 Introduction	6
1.1 Site Information	6
1.2 Development History	8
1.3 Physical Characteristics	8
1.4 Locality	9
2 Legislative Context	10
2.1 Planning Act 2016	10
2.2 Planning Regulation 2017	10
2.3 Shaping SEQ 2023	10
3 Brisbane City Plan 2014 V36	11
3.1 Zoning	11
3.2 Local Plan	11
3.3 Overlays	11
3.4 Level of Assessment	12
4 Development Proposal	13
4.1 Subdivision	16
4.1.1 Subdivision Code	16
4.1.2 Engineering and services	17
4.1.3 Overlay codes	17
4.1.3.1 Road hierarchy overlay code	17
4.1.3.2 Streetscape hierarchy overlay code	17
4.2 Existing House	18
4.2.1 Traditional building character (demolition) overlay code	18
4.2.2 Traditional building character (design) overlay code	19
4.2.3 Dwelling house (small-lot) code	22
4.3 New House	23

4.3.1	Traditional building character (design) overlay code	23
4.3.2	Dwelling house (small-lot) code	26
4.4	Summary & Recommendation	26
5	Public Notification	27
6	Conclusion	28
Appendix A – Town Planning Code Assessment		29

1 Introduction

The application is seeking Development Approval for Reconfiguration of a Lot (2 into 2), enabled by the shifting the existing house on the site, along with an application for extensions to the existing house, and new house over the new lot, located at 104-106 Park Terrace, Sherwood. An application is triggered for Assessable Development – Impact Assessment against the requirements of the Subdivision Code, the Character residential zone code associated secondary codes. The extension to the existing house requires assessment against the Traditional building character (demolition & design) overlay code and the dwelling house (small-lot) code, and the new house requires assessment against the Traditional building character (design) overlay code and Dwelling house (small-lot) code. Both houses are Code Assessment.

As such, the application will be assessed against the relevant requirements of the *Brisbane City Plan 2014* and in line with the impact assessable provisions of the *Planning Act 2016*.

1.1 Site Information

The subject site is formally known as Lots 128 & 129 on RP29454 and is in the residential area of Sherwood.



Subject Site

(Source: Queensland Globe)

With respect to the zoning of the land, as shown on the image below, the subject site is in the Character residential zone, as are all surrounding lots. Low density residential land is located behind the site, to the east.



Table 1 below identifies the other relevant site information.

Table 1 – Site Information

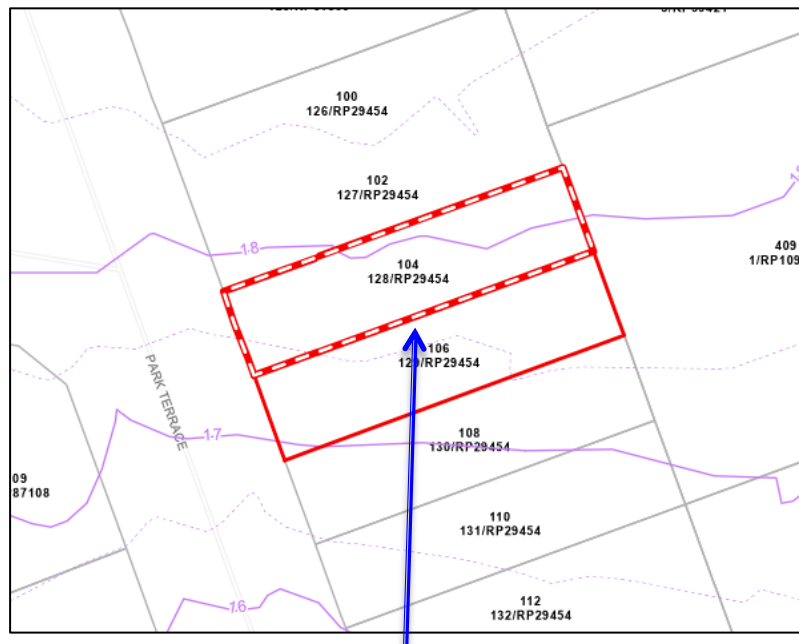
Local Area	Government	Brisbane City Council
Current Use of Site:		Dwelling house
Zoning:		Character residential zone
Overlays:		Airport environs – OLS; PANS; BBS 3-8km: LI 6km Community purposes network Critical infrastructure and movement network – Critical infrastructure and movement planning area Dwelling house character Potential and actual acid sulfate soils – 5m to 20m AHD Road hierarchy – Neighbourhood Road Streetscape hierarchy - Neighbourhood Street – Minor Traditional building character – neighbourhood character Transport noise corridor – Rail network category 1
Neighbourhood Plan:		Sherwood-Graceville neighbourhood plan – not in a precinct
Site Area:		810sqm – 405sqm each
Easement		Nil
Road Frontage:		Approx. 20.118M to Park Terraced

1.2 Development History

A check of Council's online development tracking system, Development.i, confirms there is no recent development history on the site.

1.3 Physical Characteristics

The subject site consists of two regular rectangular allotments with a side to side fall that is minimal (less than 500mm) and slight fall to the front.

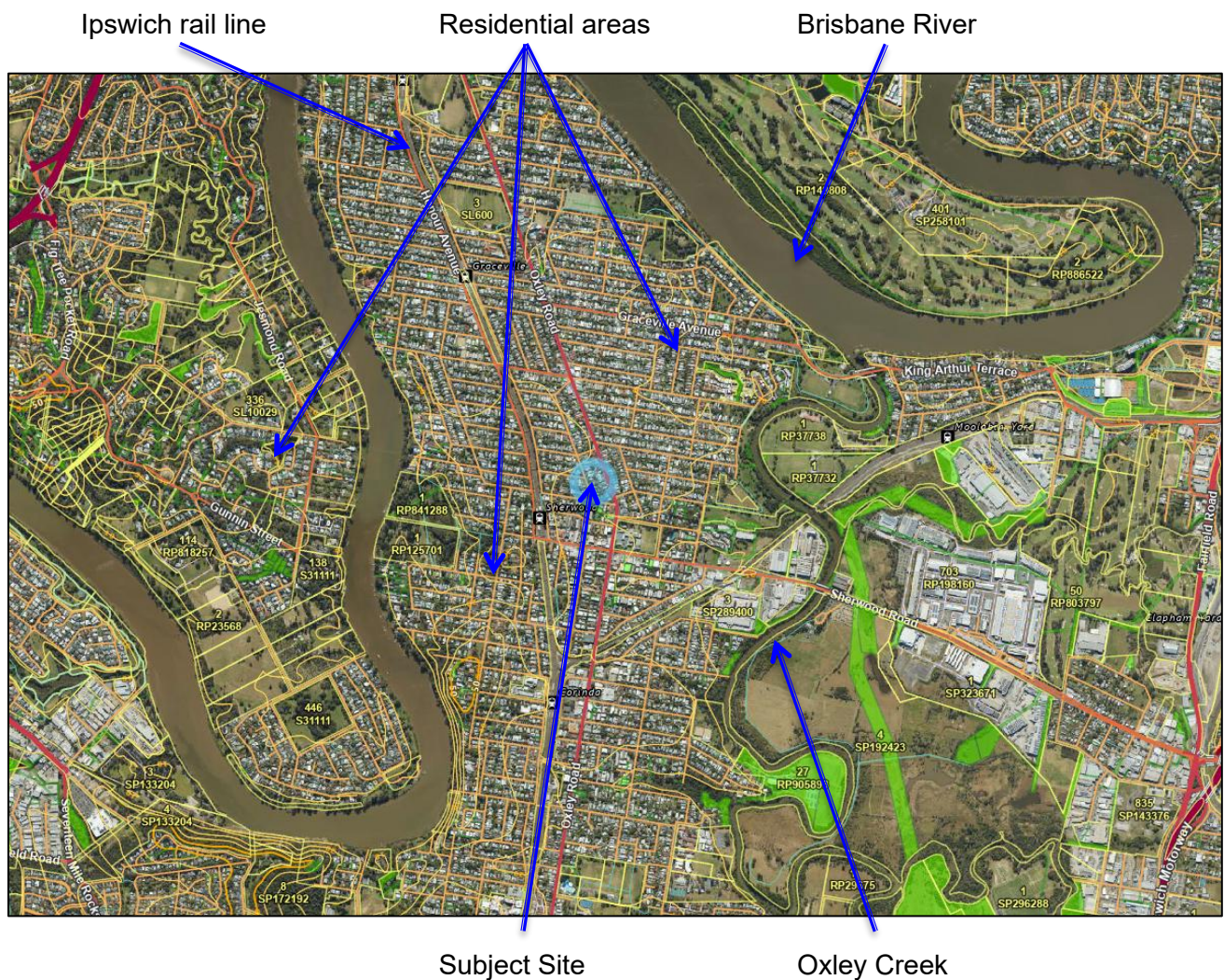


Site Contours

(Source: Brisbane City Plan 2014 online mapping)

1.4 Locality

The surrounding land use pattern is dominated by residential housing, largely traditional with a mix of low medium density townhouses and units closer to Oxley Road. The site is nearby local parkland and is close to the Oxley Road commercial centre. The site is well connected to the road network, with Oxley Road and Sherwood Road providing connection out of Sherwood, leading into the City or highway network. High frequency public transport is available on Oxley Road and at the Sherwood railway station, within a short walk of the site.



(Source: Queensland Globe)

2 Legislative Context

The following information provides the context for assessment of this application under the relevant State Legislation and Planning instruments applicable to the site.

2.1 Planning Act 2016

The *Planning Act 2016* (under Part 1 of Chapter 3) identifies that approval is necessary for assessable development that is declared as such under a 'local categorising instrument' (the Local Authority's Planning Scheme).

The *Brisbane City Plan 2014* categorises the proposed development (reconfiguration) as Assessable Development - Impact Assessment. Therefore, the application will be assessed in accordance with the impact provisions of the *Planning Act 2016*.

2.2 Planning Regulation 2017

A review of the Planning Regulation 2017 has confirmed that there are no assessment benchmarks stated in schedules 9 and 10 are relevant to the assessment of this development application.

2.3 Shaping SEQ 2023

The subject site is contained within the Urban Footprint under the *Shaping SEQ 2023*. The proposed development seeks to reconfigure a lot and build new houses in an urban area, which is consistent with the outcomes sought by the Regional Plan.



Subject Site

3 Brisbane City Plan 2014 V36

The following information provides the context for assessment of this application under the *Brisbane City Plan 2014 V36*, the local planning instrument under which the application is assessable.

3.1 Zoning

This application involves reconfiguring a lot (2 into 2) in the Character residential Zone. The table of assessment for this zone (Table 5.6.1) categorises a reconfiguration where the lot size is less than 450sqm as Assessable Development – Impact Assessment. Assessment is required against the subdivision code, the character residential zone code and associated secondary codes.

With respect to the house aspects of the application, the table of assessment for the Character residential zone categorises a dwelling house as accepted development, with no further assessment required against the zone code.

3.2 Local Plan

The subject site is located within the boundaries of the Sherwood-Graceville district neighbourhood plan and is not within a precinct of this plan. Given the site is in not in a precinct and reconfiguration and two storey houses are a generally supported development type in the area, no further assessment against the Sherwood-Graceville district neighbourhood plan code has been undertaken. Specific assessment of Traditional building character provisions for the local plan area can be found in the Traditional building character (design) overlay code.

3.3 Overlays

The City Plan Mapping identifies that the site is affected by the overlays listed in Table 2 below. A review of the Tables of Assessment in Part 5 of the *Brisbane City Plan 2014* has identified the corresponding category of assessment under these Overlays:

Table 2 - Overlays and Assessment Criteria

Overlay	Category of Development and Assessment
Airport environs – OLS; PANS; BBS 3-8km; LI 6km	<i>Not applicable</i>
Community purposes network overlay	<i>Not applicable</i>
Critical Infrastructure and Movement Network - Critical infrastructure and movement	<i>Not applicable</i>
Dwelling house character	<i>Applicable – assessment is required against the Dwelling house (small-lot) code.</i>
Potential and actual acid sulfate soils – 5m to 20m AHD	<i>Not applicable</i>

Overlay	Category of Development and Assessment
Road Hierarchy – Neighbourhood Road	<i>Applicable – assessment is required against the road hierarchy overlay code.</i>
Streetscape Hierarchy - Neighbourhood Street - Minor	<i>Applicable – assessment is required against the streetscape hierarchy overlay code.</i>
Traditional building character – neighbourhood character overlay	<i>Applicable – assessment is required against the Traditional building character (demolition and design) overlay codes</i>
Transport noise corridor – Rail network category 1.	<i>Not applicable</i>

As is shown in Table 3 above, the Road and Streetscape hierarchy, and the Traditional building character (demolition and design) overlay codes require assessment by Council for this application, along with the Dwelling house (small-lot) code. Code responses are provided in the appendixes of this report.

3.4 Level of Assessment

As noted in Sections 3.1 through 3.3 above, the application is categorised as assessable development – impact assessment with respect to the provisions the Subdivision code, the Character residential zone code and associated secondary codes, and the Road and Streetscape hierarchy overlay codes. The houses are considered Code Assessment, assessable against the Traditional building character (demolition and design) overlay codes and the Dwelling house (small-lot) code.

Code responses are provided in the appendixes of this report. Assessment against the requirements of these codes is outlined in Section 4 below, with detailed assessment against the codes contained within Appendix A of this report.

4 Development Proposal

The application is seeking Development Approval for Reconfiguration of a Lot (2 into 2) over the subject site, along with an extension to the existing house to shift and renovate it to the reconfigured lot, and a new house application over the newly vacant subdivided lot on the site.

The proposed reconfiguration includes two lots with lot sizes matching the existing 405sqm lots, meaning the boundary realignment effectively enables construction of house on each lot whereas the current situation limits development due to the existing house straddling both lots. While below the 450sqm minimum, the proposed lots are consistent with the current lot sizes, with the layout consistent with development elsewhere in the street (e.g. 54-56 Park Terrace, and 80-82 Park Terrace) also within the Character Residential Zone.

The frontage and building envelope are performance outcomes that are satisfied by the accompanying house applications that demonstrate both lots can adequately provide for a dwelling house to be constructed on the site while meeting the zone code outcomes.

All servicing is suitable based on existing infrastructure availability. Stormwater can discharge from the site to Park Terrace via the existing and proposed kerb adaptors and access is suitably able to be provided clear of the street tree on the verge. The current verge complies with requirements, at approximately 4.35m, ensuring no further verge works are required to the site.

Reconfiguration is considered suitable in the context of the site specific considerations and nearby development in the street, ensuring Council requirements can be met.

The existing house will be retained on site with a partial demolition of the northern side wall of 600mm provided to ensure it can better fit on the new lot. Relaxations are sought for the side boundary setbacks at 900mm, a situation considered suitable in the context of the surrounding sites, and all new building work for the house ties in seamlessly with the existing materials and form of the house on the site, ensuring it is appropriate.

The new house over the proposed vacant lot has been designed to be in line with Council requirements for traditional building character and development on a small-lot, with only minor performance outcomes sought.

The information below will provide a detailed assessment of the proposal with respect to the relevant assessment criteria as noted in Section 3 above. The proposed site plans are noted in Figure 1-3 below. Additional detail of the proposal can be gained by viewing the full set of plans accompanying this development application.

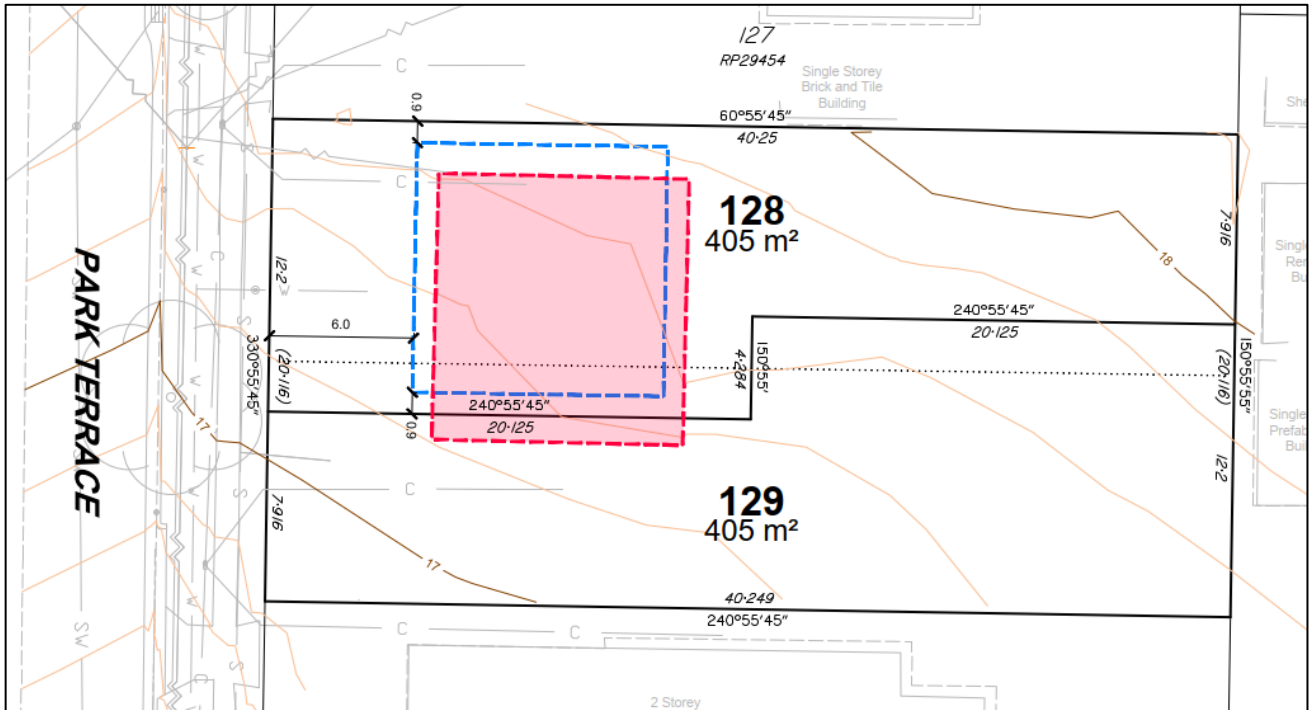


Figure 1 – Proposed reconfiguration plan

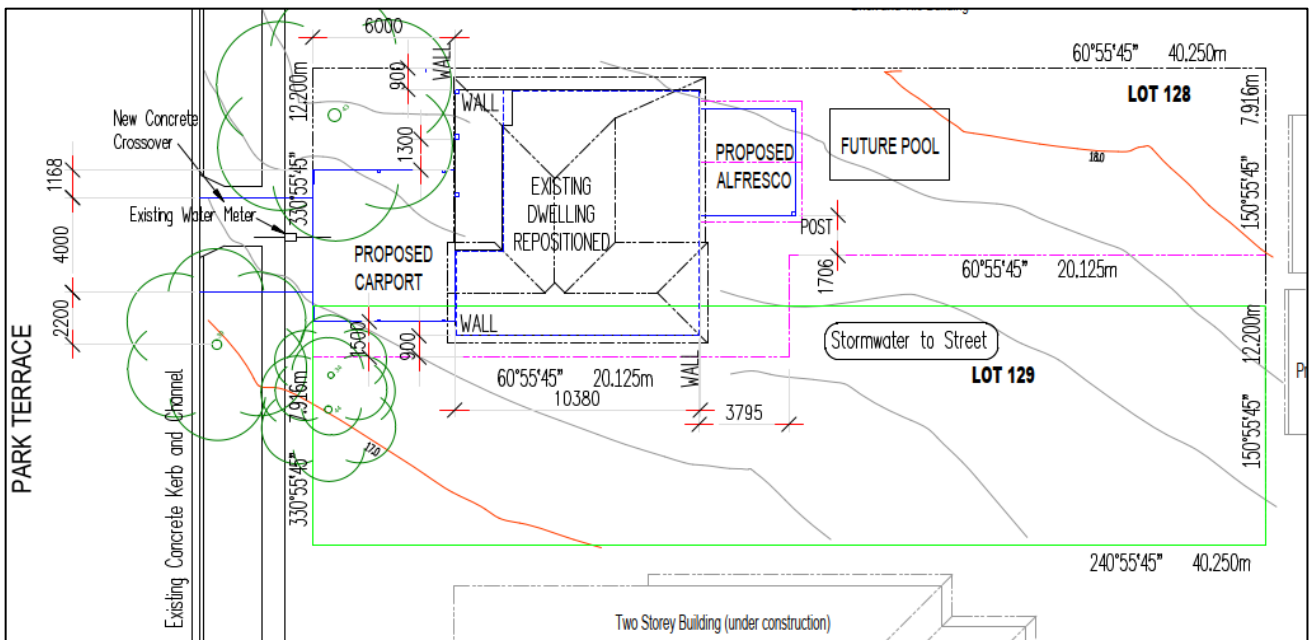


Figure 2 – Proposed site plan Lot 128 – existing house

4.1 Subdivision

4.1.1 Subdivision Code

The proposed subdivision (boundary realignment) is justifiable against the key criteria within the subdivision code. Both proposed lots are 405sqm in area, below the minimum required for the Character residential zone, but consistent with the existing lot sizes and nearby examples in the street. The proposed development is laid out as follows:

- Lot 128: 405sqm, frontage 12.2m, depth 40.25m
- Lot 129: 405sqm, frontage 7.916m, depth 40.25m

In this instance both lots are less than the 450sqm minimum, have a street frontage of less than 15m and a building envelope area less than the 14m x 20m noted in the table, triggering a performance outcome.

The proposed boundary re-alignment is consistent with PO1 given each lot is consistent with the existing area of the lot, and is similar in particular to the outcome approved and developed at 54-56 Park Terrace, and the narrower lot profile of 82 Park Terrace. Further, the neighbouring lots at 108 and 110 Park Terrace are 10m wide 405sqm lots, as is 86 park Terrace – all lots within the same street and within the Character residential zone. This demonstrates that the lots are consistent with and complement the existing streetscape, in direct accordance with PO1. Further, as the lots are within the character residential zone, both enable large backyards that can retain and growing large subtropical vegetation, consistent with the outcomes sought in the zone.

With respect to the useable shape of the lots, both lots enable the retention of the existing house on the site, inclusive of a useable back yard, as well as the new house over the newly vacant lot, which also shows a useable form as demonstrated by the house designs submitted for approval concurrently. Both lots can gain suitable access from the street, retaining the street tree and retaining large backyards while accommodating housing consistent with standard residential lot sizes in the Character zone and Traditional building character area. This further demonstrates they are of a useable shape that is consistent with PO1. This accompanying house applications demonstrate both lots are capable of accommodating a dwelling house as expected for the Character residential zone, with large backyards available to establish subtropical vegetation in direct accordance with zone code requirements.

Given this, the lot size and shape are considered to be consistent with PO1 of the Subdivision Code.

The site falls side to side and slightly rear to front approximately 0.5m for each lot, a slope of 1:80 on the long axis and 1:20 on the short axis, meeting minimum slope requirements of 1:15 across the long axis and 1:10 on the short axis.

Stormwater will be discharged to Park Terrace via existing and new kerb adaptors. No earthworks are required for the site.

Both lots are capable of gaining appropriate access from the existing crossover to Park Terrace, and from new crossovers for each new house when they are constructed, with clear sight safety lines in both directions.

Given the above, the proposed 2 into 2 lot RAL is appropriate in this instance, meets the subdivision code, and should be approved by Council without change.

4.1.2 Engineering and services

The reconfiguration is able to connect to all infrastructure networks via standard connection application processes, a lawful point for storm water discharge is to Park Terrace and minimal earthworks are required to support the development. All works are minor in nature and can be subject to standard conditions of the development permit.

4.1.3 Overlay codes

The Road and Streetscape hierarchy overlay codes are the only overlay codes that apply to this application. Responses to key elements of the code are noted below, with the full code compliance response provided in the appendixes of this report.

4.1.3.1 Road hierarchy overlay code

The proposal seeks to establish two lots with crossovers connections to Park Terrace. Park Terrace is a neighbourhood road, where such access is suitable. There is no need for access through the site for other sites, and no need for easements over the site.

Given this, the proposal complies with requirements of the Road hierarchy overlay code and should be approved by Council without change.

4.1.3.2 Streetscape hierarchy overlay code

The proposal complies with the Streetscape hierarchy overlay code. The existing verge for Park Terrace is approximately 4.35m wide, and includes all standard infrastructure for a residential area. This meets the minimum 3.75m requirement. Given this, the verge complies with AO1 of the Streetscape hierarchy overlay code.

Further, the existing street trees will be maintained in the verge. No corner site provisions, or cross block links are required to support this application.

Given this, the proposal complies with requirements of the Streetscape hierarchy overlay code and should be approved by Council without change.

4.2 Existing House

4.2.1 Traditional building character (demolition) overlay code

The proposed house has been designed to comply with the Traditional building character (demolition) overlay code. The figures below show the proposed demolition components, which are effectively the removal of 600mm of the northern side of the existing house.



Figure 4 – Proposed demolition (front)

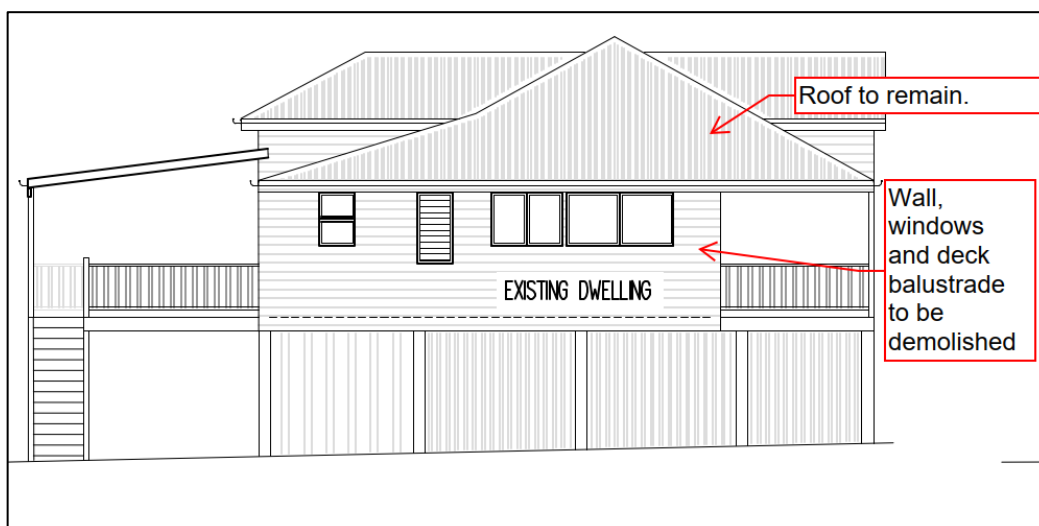


Figure 5 – Proposed demolition (side)

The proposed partial demolition is in compliance with AO1.1 and 1.2 of the Traditional building character (demolition) overlay code as the demolition does not detract from the traditional building character of the site, while enabling the house to be repositioned within the reconfigured lot. No integral elements of the building are removed, with the roof, verandah, the majority of the front and side areas all retained in full. Further, the building is not materially narrower and does not present as a narrow building.

A performance outcome is triggered for the side wall removal given it is in the Graceville-Sherwood neighbourhood plan area and is not in a precinct of this plan. With respect to PO3, the front wall and openings are retained, as is the front verandah and balustrade, in compliance with the AO. 600mm of the side wall is removed on the northern side, triggering a performance outcome. The small segment of demolition barely changes the form of the building when viewed from the street, with all significant and integral elements retained. Given this, the proposal directly accords with PO3 of the Traditional building character (demolition) overlay code.

A performance outcome (PO9) is triggered as the site will be on a small-lot following reconfiguration, and the proposed side setbacks are 900mm, in lieu of the complaint 1m side setbacks allowed for under the Dwelling house (small-lot) code.

The front setback (6m) is in compliance given it is within 20% of the average setback on the site (two sites being 104 Park terrace and 100 park Terrace, both approximately 6.9m and 6.6m setbacks, 20% of this setback allows for a front setback between 5.4 and 8.1m).

The small relaxation of the side setback is minor in nature (100mm), and will not detract from the amenity and privacy, or use of open space of the neighbouring sites. We note one neighbouring site is in the same ownership and is subject to this application. The northern side neighbour at 100 Park Terrace has a house located 5m from this common side boundary, with their driveway and screen landscaping located in this area. This provides for ample separation between the dwellings, sufficient to ensure there will be no impact to the neighbouring site, in direct accordance with PO9.

Further, the positioning of the house will maintain the traditional setting of the building within the streetscape, in direct accordance with PO9.

Given this, the proposal accords with PO9 of the Traditional building character (demolition) overlay code.

4.2.2 Traditional building character (design) overlay code

The proposed changes to the house on the site have been designed to comply with the Traditional building character (design) overlay code. Building under the dwelling is exempt works, as is the car port given it is a 6m x 6m structure on a lot with a width of 12.2m, the car port being less than 50% of the width of the lot (see table 5.3.4 of the Brisbane City Plan 2014). Assessable works include a small section of balustrade on the front verandah (replacing where the stair was removed) and the new side wall to the northern side elevation.

The figures below show the elevations of the proposal, inclusive of the materials detailing.

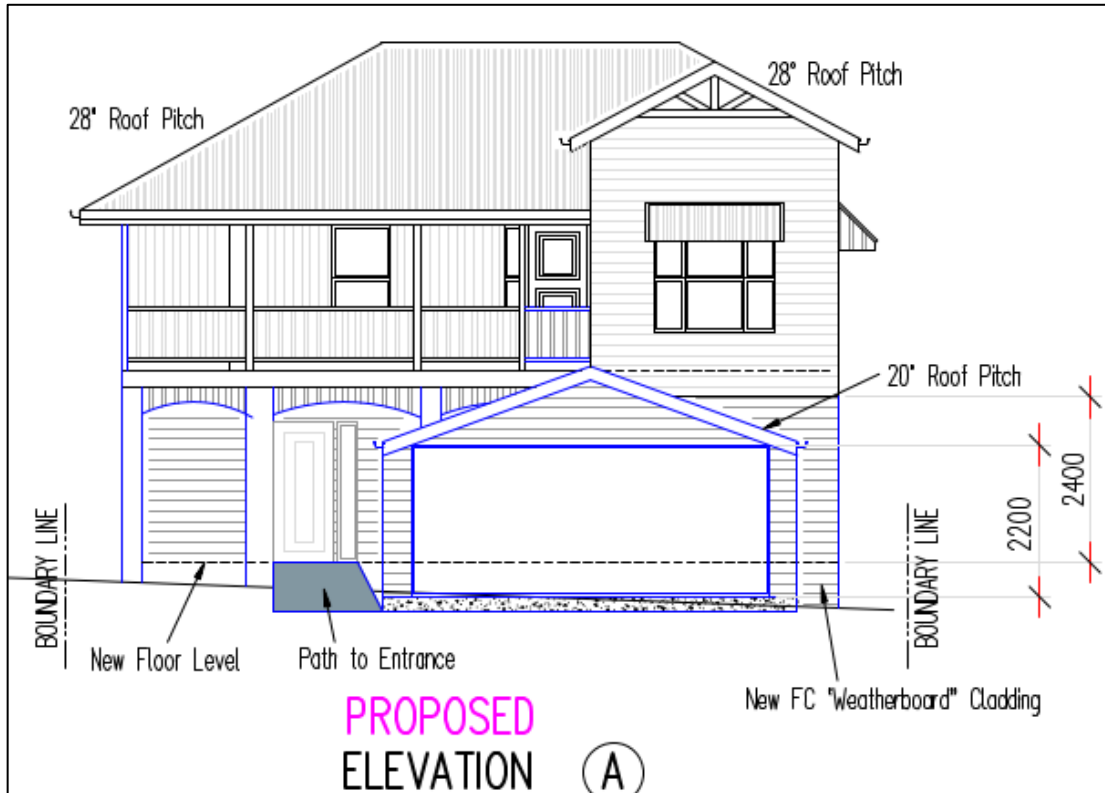


Figure 6 – front elevation

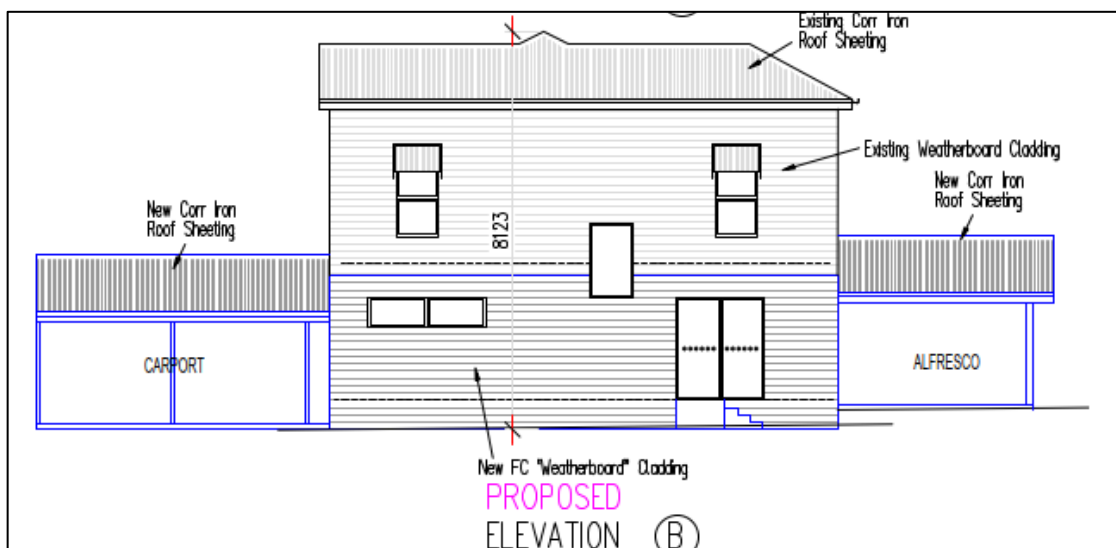


Figure 7 – side (south) elevation



Figure 8 – side (north) elevation

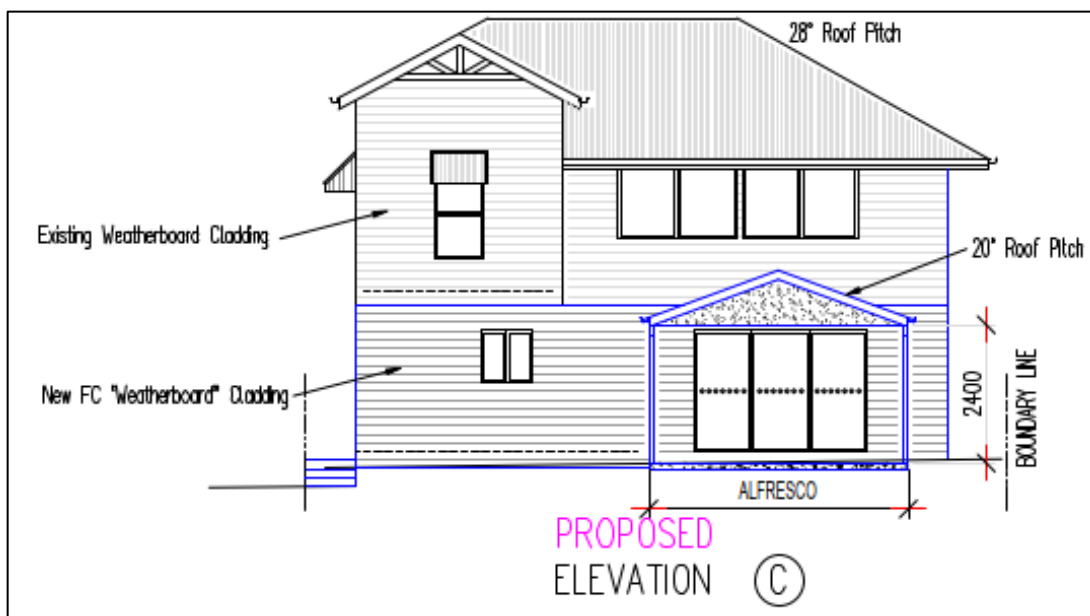


Figure 9 – rear elevation

The small section of balustrade and the new upper level side wall have been designed to meld with the existing materials and form of the house exactly, ensuring they complement the traditional building character of the dwelling, consistent with Council requirements.

The front setback (as noted in section 4.2.1 above) is compliant with requirements, ensuring the works to the house are consistent with Council requirements.

As the site is in the Sherwood-Graceville neighbourhood plan area, there are additional requirements to consider. The proposal is in accordance with private open space requirements, with the rear yard area being 24m x 7.9m wide, providing 190sqm (47%) of site area for private open space at the rear. Trees are also retained in the front and rear yard area, in compliance.

Two key performance outcomes are sought:

PO14 – front stair access

Access to the upper level is via internal stairs, in line with contemporary practice. The nearby neighbouring pre-1946 houses in the street do not have external stair access, ensuring the proposal is consistent with the character of housing in the area, in line with PO14.

PO16 – driveway materials and width

The front driveway will be concrete in line with contemporary practice. In this instance the driveway is small in scale (4m), ensuring it will not visually dominate the front of the site when viewed from the street, in direct accordance with PO16. The driveway is also 4m in lieu of the acceptable outcome of 3.5m. the driveway width is consistent with contemporary requirements and Dwelling house (small-lot) code standards, ensuring it is suitable and is consistent with expectations for the area.

As can be seen from the images and discussion above, the build is generally compliant with the Traditional building character (design) overlay code, ensuring it is able to be approved by Council.

4.2.3 Dwelling house (small-lot) code

The proposal is generally compliant with the Dwelling house (small-lot) code, with a single performance outcomes sought for the side setback for the house.

The side boundary setbacks are 900mm to the main wall of the house and the exempt car port.

The small relaxation of the side setback is minor in nature (100mm), and will not detract from the amenity and privacy, or use of open space of the neighbouring sites. We note one neighbouring site is in the same ownership and is subject to this application. The northern side neighbour at 100 Park Terrace has a house located 5m from this common side boundary, with their driveway and screen landscaping located in this area. This provides for ample separation between the dwellings, sufficient to ensure there will be no impact to the neighbouring site, in direct accordance with PO6.

As such, the propose side setbacks comply with PO6 of the Dwelling house (small-lot) code.

Based on the above information, the proposed house can meet the Dwelling house (small-lot) code, ensuring it can be approved by Council.

4.3 New House

4.3.1 Traditional building character (design) overlay code

The proposed house has been designed to comply with the Traditional building character (design) overlay code. The figures below show the elevations of the proposal, inclusive of the materials detailing.

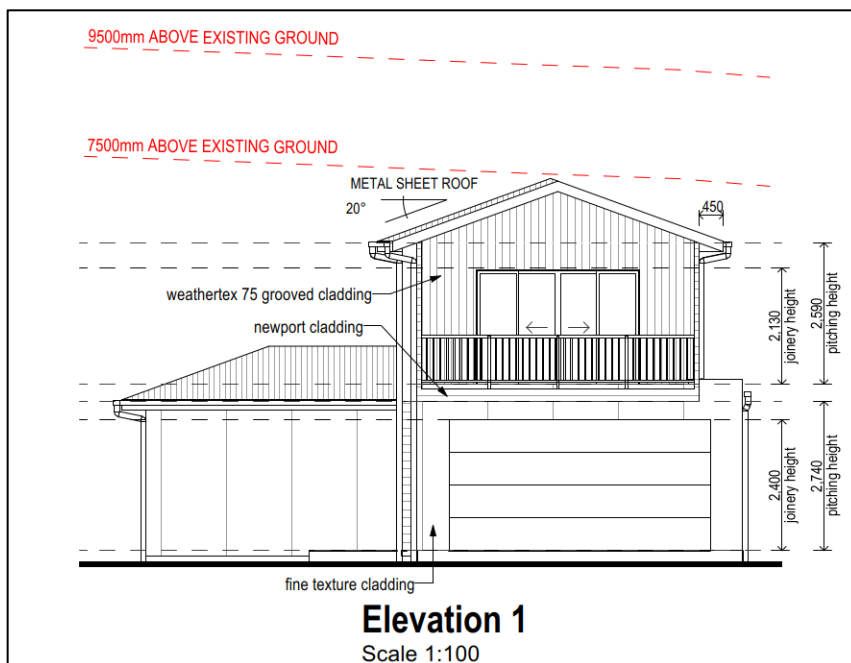


Figure 10 – front elevation



Figure 11 – side (south) elevation

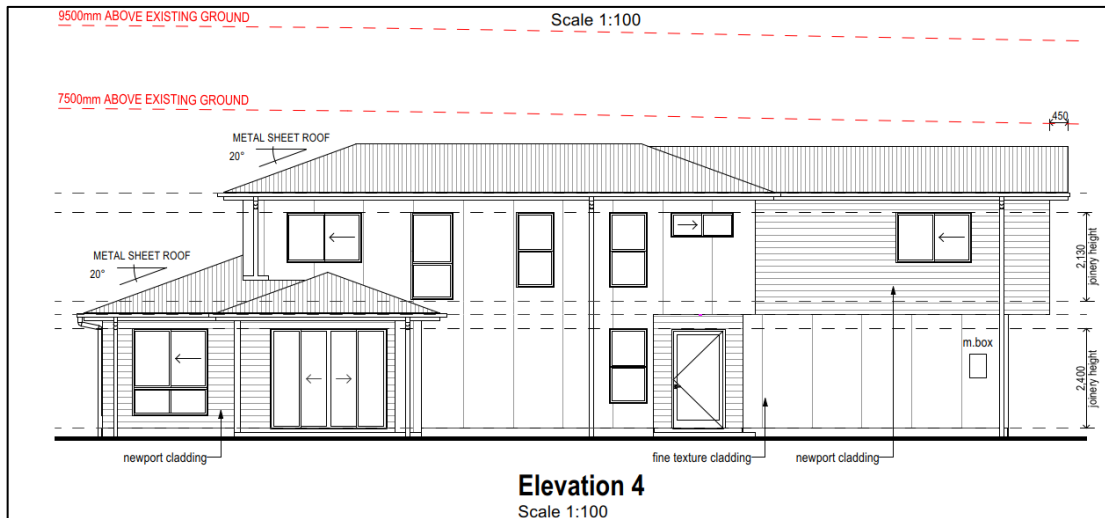


Figure 12 – side (north) elevation

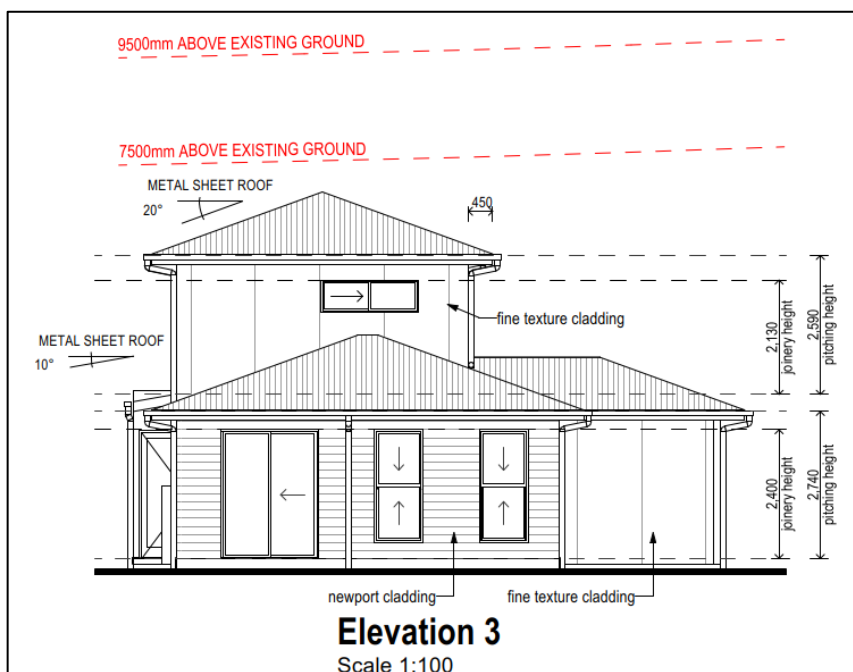


Figure 13 – rear elevation

As can be seen from the images above the entire build uses traditional materials inclusive of horizontal and vertical weatherboard. Metal sheet roofing is used for all roofs, with all roof forms being traditional gables with a 20-degree pitch and eaves to enhance sun shading.

The front façade includes breaks in form with varying set-backs to the front balcony, recessed garage and main building wall. This assists in breaking up the bulk and of the building, in line with the

requirements of the Traditional building character (design) overlay code. There is variation in the materials between the upper and lower levels, in compliance with requirements.

The garage is integrated into the house and does not project forward of the upper level, with the garage recessed behind the upper level balcony, also in compliance.

The proposal includes windows from habitable rooms to the street frontage, in alignment with Traditional building character (design) overlay code requirements.

The dwelling house has a minimum set-back of 6m to the front balcony and 7m to the garage / wall. The front setback (6m/7m) is in compliance given it is within 20% of the average setback on the site, calculated as follows:

- 100 Park Terrace: 7m
- 104 Park Terrace: 7.5m
- 112 Park Terrace: 8.5m
- 116 Park Terrace: 7m
- Average: $30\text{m} / 4 = 7.5\text{m}$
- **20% variance = 6m to 9m**

As the proposed setbacks are 6-7m, they are within the 20% variance of the average of the 4 neighbouring pre-1946 houses in the street. As such, AO1.2 is met.

As the site is in the Sherwood-Graceville neighbourhood plan area, there are additional requirements to consider. The proposal is in accordance with private open space requirements, with the rear yard area is 11.4m x 12.5m wide, providing 143sqm (35.2%) of site area for private open space at the rear. Further to this, a side courtyard is provided, with an area of 45sqm (8.5m x 5.3m). A total of 188sqm of private open space is provided, being 46.4% of the site area, in compliance with AO12.1. Trees are also retained in the rear yard area.

Three performance outcomes are sought:

PO12 – removal of trees in frontage.

A performance outcome is triggered for the removal of the two trees at the front of the property. The existing trees in the front setback area will be removed, with new trees to be planted in the landscaped area within the front setback. Given this, the proposal will retain landscaped outcomes within soft areas on the site, in accordance with PO12.

PO14 – front stair access

Access to the upper level is via internal stairs, in line with contemporary practice. The nearby neighbouring pre-1946 houses in the street do not have external stair access, ensuring the proposal is consistent with the character of housing in the area, in line with PO14.

PO16 – driveway materials

The front driveway will be concrete in line with contemporary practice. In this instance the driveway is small in scale (3m), ensuring it will not visually dominate the front of the site when viewed from the street, in direct accordance with PO16.

As can be seen from the images and discussion above, the build is generally compliant with the Traditional building character (design) overlay code, ensuring it is able to be approved by Council.

4.3.2 Dwelling house (small-lot) code

The proposal is generally compliant with the Dwelling house (small-lot) code, with a single performance outcomes sought for the side setback for the garage.

Performance outcome 6 – side setback (garage)

The side boundary setbacks are 1m, 1.35m and 1.16m to the main walls of the house (complies), and is 200mm for the non-habitable garage, with a maximum length of 6.76m and a maximum and average height of 3.04m.

The proposed garage setback will not impact on the amenity of the neighbouring block, with adequate separation between the dwellings in this location (1.8m approx. on neighbouring site, of which majority is hallway and stairway areas). At 200mm and a height of 3m, there is minimal prospect for any change to access to daylight or breezes from the siting of the garage.

Based on the above information, the proposed house can meet the Dwelling house (small-lot) code, ensuring it can be approved by Council.

4.4 Summary & Recommendation

In summary, the proposed reconfiguration has been designed to be consistent with Council's expectations for subdivision in the Character residential zone. The lot size and shape are suitable in the context of the streetscape and the existing site conditions, all infrastructure connections are minor in nature and comply, a lawful point of discharge is established for the site and the verge width is suitable to the nature of the street.

The modifications to the existing house ensure no integral components are lost, with the altered house of a similar scale and position to the existing, with all works seamlessly tying into the existing materials and form of the house, ensuring the traditional building character and setting of the house is maintained. A minor reduction in the side setback is supportable.

The proposed new house in the Traditional building character overlay, and subject to the Dwelling house (small-lot) code has been designed to be consistent with Council's expectations new dwelling houses in these areas. Performance outcomes are justifiable for the driveway materials and access stair arrangement, and for the side garage setback.

Given this, the proposal is appropriate in this instance and should be approved by Council, subject to reasonable and relevant conditions of the development permit.

5 Public Notification

This development application is subject to Impact Assessment. Given this, public notification is required by the *Planning Act 2016* and will be carried out in accordance with the processes and timing set out in the DA Rules.

6 Conclusion

The proposed development for a two into two lot reconfiguration and 2 x Dwelling houses at 104-106 Park Terrace, Sherwood is considered appropriate in this instance.

The reconfiguration is considered suitable in this instance given the lot sizes are consistent with the current lot sizes on the site, and given the proposed lots are consistent with nearby development approved by Council. In particular 54-56 and 80-82 Park Terrace, Sherwood. The lots retain back yard vegetation and provide suitable back yard area to enhance the subtropical vegetation and character of the area, in line with zone code requirements. The lots retain the existing house and provide a new house the design of which is consistent with expectation for the area. Both lots have access to all infrastructure networks, lawful point of discharge is easily obtained to the street and no verge works or impacts will be felt from the development. Given this, the subdivision is supportable by the planning scheme and should be approved without change.

The partial demolition and extensions to the existing house on the site are suitable, with the demolition including no loss of integral components of the dwelling and the new works melding seamlessly into the existing traditional form of the dwelling. The proposed side setbacks at 900mm are suitable in the context of the lot, with no loss of amenity expected from the small relaxation of the 1m acceptable outcome.

The proposed new house has been designed in line with the expectations for a dwelling house in the Traditional building character overlay area, and where on a small-lot, with the design including traditional materials and form and the majority of acceptable outcomes met. Performance outcomes are suitable for the garage side boundary setback given the existing separation to non-habitable spaces on the adjoining lot, and for the driveway materials as they do not dominate the street frontage with suitable landscaping able to be provided within the frontage to soften the streetscape interface.

Given the above, the proposal is considered appropriate and should be approved by Council, subject to reasonable and relevant conditions of the development permit.

If you have any questions with respect to this development proposal, please do not hesitate to contact me using the details provided with the application materials.



Anthony Colwell
Director & Principal Planner
Insight Planning and Development

Appendix A – Town Planning Code Assessment