



TAM DANG PLANNING PTY LTD

PLANNING REPORT

**Development Permit to Carry Out
BUILDING WORK**

Demolition of existing building

**39-41 Hall Street
Chermside QLD 4032
Lot 30 on RP25110**

**Applicant: GMF PROJECTS PTY LTD
c/- Tam Dang Planning Pty Ltd
September 2026**



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A. Site and Application Details

Address	39 Hall Street, Chermside QLD 4032
Lot Description	Lot 30 on RP25110
Site Area	405 sqm
Zone	MU2 Mixed use (Centre frame)
Neighbourhood Plan	Chermside centre neighbourhood plan - Mixed use sub-precinct - NPP-001c
Overlays	- Airport Environs - Commercial character building overlay - Community Purposes Network - Critical Infrastructure and Movement Network - Road Hierarchy - Streetscape Hierarchy - Transport noise corridor
Application Type	Development Permit to Carry out Building Work (Demolition of building in the Commercial character building Overlay within the Mixed use Zone)
Level of Assessment	Impact Assessable
Referral	N/A
Applicant Details	GMF PROJECTS PTY LTD C/- Tam Dang Planning Pty Ltd

1. Introduction

This planning assessment accompanies a development application for the redevelopment of the site located at 39 Hall Street, Chermside.

The applicant is seeking a **Development Permit** for **Building Work** to enable the demolition of an existing post 1946 commercial building on site. It will be assessed under the *Brisbane City Plan 2014*, in which it is noted that the location within the Mixed Use Zone requires an Impact Assessable application.

This report will demonstrate that the proposed redevelopment is an appropriate development that does not contravene the intent of the *City Plan* or associated outcomes of the relevant benchmarks.

2. Site Characteristics

2.1 City Plan Area Classification

The subject site is currently designated within the L MU2 Mixed use (Centre frame) zone as shown in Figure 1 below. The subject site is rectangular in shape with approximately 10 m frontage to Hall Street.



Figure 1 - Zone Map

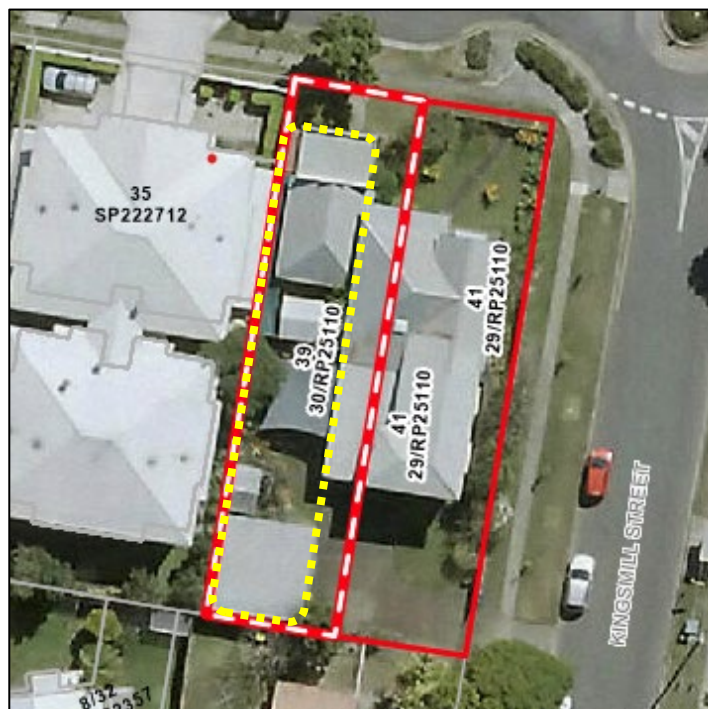


Figure 2 – Post 46 Structures highlighted in yellow

2.1.1 Overlays

State and local interests are reflected within the overlays, where there is a particular sensitivity, constraint to land use or development outcomes, presence of valuable resources, or particular opportunity for development. As such, it has been outlined that the subject site is applicable to the following overlays from *Brisbane City Plan 2014*:

Overlay	Sub-Category
Airport Environs	OLS – Horizontal Limitation Surface Boundary
	PANS – Procedures for Air Navigation Surfaces
	BBS Zone – Distance from airport 3-8km
Commercial character building overlay	
Community Purposes Network	
Critical Infrastructure & Movement Network	CIMN Planning Area
Road Hierarchy	Neighbourhood Road
Streetscape Hierarchy	Centre Street Minor
Transport noise corridor overlay	Designated State Noise corridor - State controlled road (MANDATORY area): Category 0: Noise Level < 58 dB(A)

3. Proposal

This proposal consists of the following components:

- **Development Permit for Building Work.** This constitutes the demolition of an existing building located within the commercial character building overlay, within the Mixed Use Zone.

3.1 The Building

The subject site is currently improved by a commercial building, as shown in **Figure 3** below.



Figure 3 – Subject building

Council records indicate that in March 1950 planning approval was granted for a “*Mixed Business*” development over 39 Hall Street, Chermside. Construction is believed to have been carried out shortly thereafter and the building was completed by 1952. Refer to the detailed historical evaluation attached in **Appendix B**.

With respect to the *Commercial character building planning scheme policy* of the *Brisbane City Plans 2014*, “*Commercial character building are buildings **constructed in 1946 or earlier...***” [emphasis added]. The building is clearly of post 1946 construction and should not have been identified as a commercial character building.

4. Planning Framework

This section sets out the statutory planning provisions applicable to the site and the proposed development. The overarching pieces of legislation applicable are the *Planning Act 2016*, *Planning Regulation 2017*, and the *Brisbane City Plan 2014*.

4.1 Planning Act 2016

The Planning Act 2016 provides the overall statutory planning framework for the State of Queensland. The Brisbane City Plan 2014 should accordingly be read in conjunction with this Act in assessing and deciding applications.

4.1.1 Referrals

With reference to the Planning Regulation 2017, we note that the proposed development does not trigger referral to a concurrence or advice agency.

4.1.2 Public Notification

As further discussed in Section 5.1 below, the proposed development will trigger an Impact Assessable application and therefore public notification will be required.

4.2 State Planning Policies

With reference to Part 2.4 of the Brisbane City Plan 2014, it is noted that all interests excluding the bushfire prone area of the ‘Natural Hazards, Risk and Resilience’ and the building restricted area of the ‘Strategic Airports and Aviation Facilities’ interest are integrated in the current planning scheme. The site is not within these interests. As such, separate assessment against the overlays is not warranted given the identified state interests have been appropriately integrated.

5. Local Government Planning Framework

5.1 Brisbane City Plan 2014

The *Brisbane City Plan 2014* came into force on the 30th of June 2014 and is the relevant planning scheme for the City of Brisbane. The City Plan is a comprehensive statement of Council's intentions for the future development of Brisbane. This section provides an assessment of the proposed development against the relevant DEO's, Codes and related Policies.

5.1.1 Schedule 1: Definitions

In accordance with Schedule 2 of the *Planning Act 2016*, building work is defined as:

“Building Work—

(a) Means –

(i) Building, repairing, altering, underpinning (whether by vertical or lateral support), moving or demolishing a building or other structure; or...”

RESPONSE: The proposed work is in accordance with the abovementioned definition.

5.1.2 Part 5: Building Work

As previously discussed in **Section 3** above, the proposed development involves building work to demolish the existing dwelling house. The subject site is located within a zone, neighbourhood plan and several overlays, all of which have the potential to influence the level of assessment. As per Section 5.3.2:

(8) Despite subsection 5.3.2(4) and (7) above, a level of assessment in a neighbourhood plan overrides a level of assessment in a zone, and a level of assessment in an overlay overrides a level of assessment in a zone or neighbourhood plan.

(9) Provisions of Part 10 may override any of the above.

(10) State-prescribed levels of assessment identified in Part 5, section 5.4, override all other levels of assessment for that development, with the exception of the Act or the Regulation.

(11) Despite all of the above, if development is listed as prohibited development under Schedule 1 of the Act, a development application cannot be made.

It is noted that the subject site and associated proposed development are not triggered under Part 10 or Section 5.4, nor is it listed as prohibited development under Schedule 1 of the Act. The table below identifies the category of assessment applicable to the zone, neighbourhood plan and overlays. This requires an **Impact Assessable** application.

City Plan 2014		Category of Assessment
Zone	MU2 Mixed use (Centre frame)	Impact Assessment
Neighbourhood plan	Chermside centre neighbourhood plan	No Change
Overlays	Airport Environs	Not Applicable
	Commercial building Character	Code Assessable
	Community Purposes Network	Not Applicable
	Critical Infrastructure & Movement Network	Not Applicable
	Road Hierarchy	Not Applicable
	Streetscape Hierarchy	Not Applicable
	Transport noise Corridor	Not Applicable
OVERALL CATEGORY OF ASSESSMENT		IMPACT ASSESSMENT

5.2 Assessment Benchmarks

As outlined in the tables above, the proposed development triggers an Impact Assessable application. The applicable assessment benchmarks for this application are determined to be:

- Centre or mixed-use code— overall outcomes and section B outcomes only
- Commercial character building (demolition) overlay code

5.2.1 Chermside centre neighbourhood plan code

As outlined above, the subject site is located within the *Chermside centre activity precinct - NPP-001* of the *Chermside centre neighbourhood plan*. The relevant overall outcomes are listed as follows:

OVERALL OUTCOMES

- The Chermside centre develops as a principal regional activity centre, accessible by high-quality public transport and serves as a focal point for employment, administration, cultural, entertainment, retail and service activities on the north side of Brisbane;*
- Development is consolidated around key activity nodes being the Prince Charles Hospital, Chermside Shopping Centre and the Gympie Road transit corridor, supporting major activity generators in these areas and using high levels of accessibility*

- e. *Higher density development requires larger sites that will be achieved through lot amalgamation;*

RESPONSE: Further to the discussion in **Section 3** above, the subject building is not a traditional commercial character building. As such, the demolition will facilitate the redevelopment of the subject site to the scale and density as envisaged by the overall outcomes of the neighbourhood plan.

5.2.2 Commercial Building Character Overlay

Refer to discussions in Section 3 above and the *Commercial Character Building Evaluation* report attached in **Appendix B**. The structural attributes of the existing building do not align with a traditional commercial character classification, rendering the associated overlay inapplicable.

6. Codes and Relevant Provisions

There are a number of codes from the *Brisbane City Plan 2014* that can be applicable to the assessment of a development. These relevant codes will be addressed in **Section 6** of this report, with the applicable codes are comprised of:

PRIMARY CODES:

- Centre and mixed Use Code – Section B only
- Commercial character building (demolition)

6.1 Centre or Mixed Use Code – Section B

Performance outcomes	Acceptable outcomes	Response
Section A—If for accepted development subject to compliance with identified requirements (acceptable outcomes only) or assessable development		
Section B—If for assessable development involving demolition		
PO12 Development provides that a vacant development site presents an attractive temporary parkland and does not impact adversely on the visual amenity of the centre or mixed use area or the public realm.:	AO12 Development for the demolition of a building, where redevelopment is delayed for more than 3 months, ensures the site is: - cleared of all rubble, debris and demolition materials; - turfed so it can be mowed; - landscaped with perimeter planting consisting of advanced specimens of fast-growing species in compliance with the Planting species planning scheme policy; - provided with drainage to prevent ponding; - maintained so that there is no sediment run-off onto adjacent premises, roads or footpaths; - provided with public access where public safety can be maintained; - provided with at least 50% transparent street-front fencing if fenced; - maintained to ensure no nuisance or amenity impacts to adjacent premises, residents, roads or footpaths.	RO12 Will Comply – The site will be appropriately landscaped accordingly. Appropriate condition can be imposed.
Section C—If for assessable development		Not Applicable

6.2 Commercial character building (demolition)

Performance outcomes	Acceptable outcomes	Response
If involving removal or demolition		
PO1 The building must not be capable of structural repair.	AO1 The building is demonstrated, by an engineering report prepared by a Registered Professional Engineer Queensland, to be structurally unsound and not reasonably capable of being made structurally sound.	R01 The building has been misidentified as a traditional <i>commercial character building</i> . The existing commercial structure was constructed in the 1950s and is not a traditional commercial character building. Refer to <i>commercial character building evaluation</i> report attached in Appendix B. As such, this code is not considered to be applicable.
If involving demolition of a part of the building		
PO2 Development involves a building which is not capable of structural repair.	AO6 Development involves a building which a Registered Professional Engineer Queensland certifies is structurally unsound and not reasonably capable of being made structurally sound.	R06 Not Applicable.

7. Conclusion

This planning report has demonstrated that the proposed demolition of the existing post 1946 building is consistent with the intent and requirements of the *Brisbane City Plan 2014*.

- This proposal conforms with the criteria for removal;
- The building is not a traditional commercial character building; and
- The subject property has been erroneously classified as a commercial character building; consequently, the *commercial building character overlay* is redundant.

It has been clearly demonstrated that the current building does not reflect the traditional commercial building character intended for preservation. It is therefore recommended that the application be considered favourably by Council, subject to reasonable and relevant conditions.