

Town Planning Report

29 & 31 Judge Street, Kalinga

Building Work (Development Permit) for Partial Demolition and Extensions to a pre-1947 Dwelling House in the Traditional Building Character Overlay on land at 29 & 31 Judge Street, Kalinga

Project Kalinga

LODGED
6/11/2019
BCC DS





Client: **Project Kalinga**
 Project: **29 & 31 Judge Street, Kalinga**
 Project No: **19-7099**
 Date: **October 2019**
 Project Contact: **Lochlan Mummery/ James Hey**

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1.0 Executive Summary

1.1 Project Overview

This Town Planning Report has been prepared in association with a development application seeking approval for Building Works (Development Permit) for Partial Demolition and Extensions to a pre-1947 Dwelling House in the Traditional Building Character Overlay on land at 29 & 31 Judge Street, Kalinga.

The site comprises Lots 15/16 RP 19480 and currently contains a dwelling house constructed pre-1947. The site is rectangular in shape and has a depth of 40.24m, a width of 20.11m and area of 810m².

The site is contained within the CR1 Character (Character) Zone and within the Clayfield–Woolloowin district neighbourhood Plan area.

The subject site is immediately surrounded on all sides by dwelling houses, and is located in a locality where dwelling houses are predominantly pre 1947, high-set or two storey, with the majority having been the subject of extensions and alterations, and located on either 16 or 32 perch allotments.

The proposal is for Extensions to a Pre-1947 Dwelling House in the Traditional Building Character Overlay. An outline of the proposed works is provided below:

The vast majority of works proposed is Minor Building Work and Minor Demolition and therefore are Prescribed Accepted Development in accordance with Section 5.3.4 and table 5.3.4.1 of the *Brisbane City Plan 2014*. The Accepted Development is a result of either being internal works, work associated with post-1946 elements, raising, building underneath the core of the building and works behind the highest and rearmost ridge of the roofline.

The assessable works are largely limited to:

- Removal of existing weatherboards and replacement with new weatherboards;
- Extension to side ground level for garage and kitchen (west elevation);
- Extension to the side ground level for office/living room (east elevation);
- Extension to the side at ground level and upper level to the side of the core (east elevation);
- Building work for a new balustrade to replace previous built in verandah;
- Pool Pavilion to rear and side of core of the existing house;

City Plan 2014, the Categorising Instrument, categorises this Development Application as Assessable Development. Further City Plan 2014 identifies the application to be subject to Code Assessment in accordance with Section 45 (3) of the Planning Act 2016.

The site is contained within the Character Residential CR1 zone. Comment with respect to the manner in which the proposal responds to this zone can be found within Section 5.4.3 of this report.

The Dwelling House Code and Traditional Building Character (Design) Overlay Code are triggered and are assessed in Appendix A of this report.

The proposal is consistent with the relevant Assessment Benchmarks and furthers the purpose of the Planning Act 2016.

This application is supported by the accompanying plans and documents as described in Table 1 below.

Description	Author
Town Planning Report	Urban Strategies
Proposal Plans	Ian Webb Architect

Table 1 – Application Plans and Documents

1.2 Conclusion

The proposal is considered to be in accordance with the intent of the relevant Codes, the Clayfield-Woolloowin District Neighbourhood Plan Code. We therefore recommend that this development application be approved subject to reasonable and relevant conditions.

2.0 Summary

Address of Site: 29 & 31 Judge Street, Kalinga																			
Name of Ward: Hamilton																			
Real Property Description: Lots 15/16 on RP 19480																			
Area of Site: 810m ²																			
Regional Plan Land Use Category: Urban Footprint																			
Zone / Neighbourhood: Character Residential CR1 zone / Clayfield-Woolloowin District Neighbourhood Plan Code																			
Type of Application: <table border="1"> <thead> <tr> <th rowspan="2">Aspects of Development</th> <th colspan="2">Type of Approval Requested</th> </tr> <tr> <th>PA</th> <th>DP</th> </tr> </thead> <tbody> <tr> <td>MCU</td> <td></td> <td></td> </tr> <tr> <td>RoL</td> <td></td> <td></td> </tr> <tr> <td>BW</td> <td></td> <td>X</td> </tr> <tr> <td>OW</td> <td></td> <td></td> </tr> </tbody> </table>		Aspects of Development	Type of Approval Requested		PA	DP	MCU			RoL			BW		X	OW			Prelodgement / Consultation: No pre-lodgement meeting was held or discussions have occurred.
Aspects of Development	Type of Approval Requested																		
	PA	DP																	
MCU																			
RoL																			
BW		X																	
OW																			
Variation Request: No																			
Brief Description / Purpose of Proposal: Building Work (Development Permit) for Extensions to a pre-1947 Dwelling House in the Traditional Building Character Overlay on land at 29 & 31 Judge Street, Kalinga																			
Staged Development: No																			
Referral Agencies: Not Applicable																			
Category of Assessment: Code																			
Public Notification: No																			
Superseded Planning Scheme Application: No																			
RiskSmart: No																			
Applicant Contact Person: Lochlan Mummery/ James Hey																			

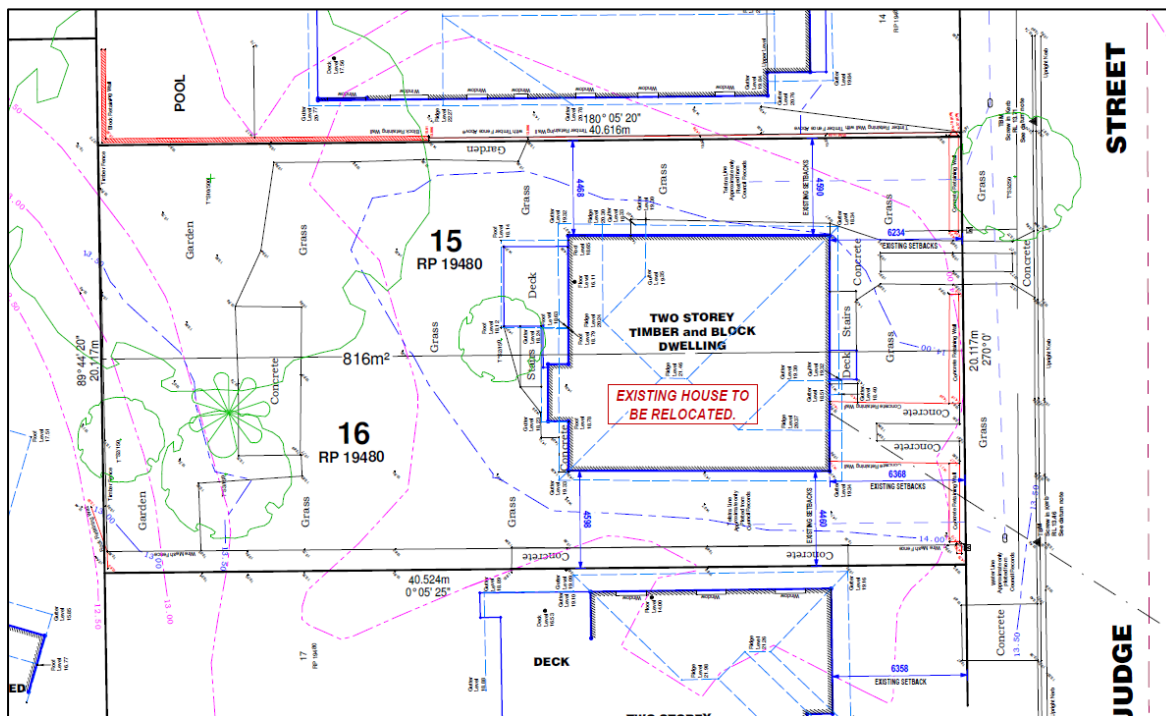


Figure 1: Site Plan

3.0 Site Information and Analysis

3.1 Physical Description

The site comprises Lots 15/16 RP 19480 and currently contains a dwelling house constructed pre-1947. The site is rectangular in shape and has a depth of 40.24m, a width of 20.11m and area of 810m².

The site does not contain any notable features or vegetation identified as being of significance and is currently provided with all the necessary utility connections.

3.2 Site Circumstances

The site is contained within the CR1 Character (Character) Zone and within the Clayfield–Woolloowin district neighbourhood Plan area.

The subject site is immediately surrounded on all sides by dwelling houses, and is located in a locality where dwelling houses are predominantly high-set or two storey and located on either 16 or 32 perch allotments.

The adjoining house to the west was built post 1947. The front portion of the house adjoining to the east was built prior to 1947 however has been the subject of a large extension and renovation. The property immediately opposite to the south contains 2 units built after 1946. Judge St is a dead end street abutting Kedron Brook.



Figure 2: Context Map



Figure 3: Pre 1947 Aerial.

29 & 31 Judge Street, Kalinga



Figure 4: 2012 Aerial

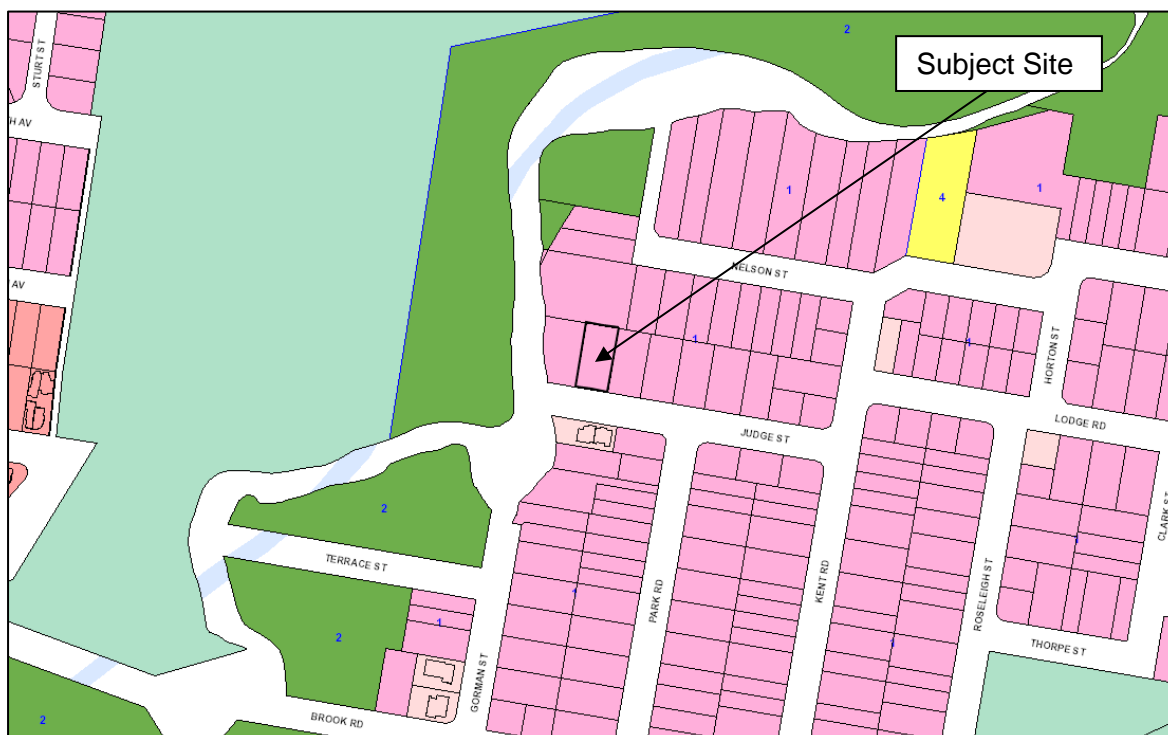


Figure 5: Zone Map

4.0 Proposal Details

4.1 General Description

The application seeks a Development Permit for Building Work in the Traditional Building Character Overlay for the purpose of Partial Demolition and house extensions over land at 29 & 31 Judge Street, Kalinga.

The proposal involves:

- Demolition of existing post-1946 ground level build under;
- Repositioning house sideways to approximately 1.5m to the western boundary and towards to front boundary to a new setback of 4.93m;
- Raise the dwelling house approximately 1.3m; building maintains a height <9.5m;
- Enclosed extensions to the extent of the existing ground level;
- Demolition of post-1946 wrap around verandah build in to eastern side elevation and at the street frontage;
- Demolition of post-1946 ground floor walls and windows (all building elevations);
- Demolition of post-1946 external features such window hood at west elevation at the upper level;
- Demolition of front stair and landing;
- Demolition of pre-1947 internal walls and features;
- Demolition of post-1946 rear verandah, toilet room and external stairs;
- Demolition of pre-1947 side wall behind the highest and rearmost ridge of the roofline (east elevation);
- Removal of existing weatherboards and replacement with new weatherboards;
- Building work for new front verandah balustrade;
- Extension to side ground level for garage and kitchen (west elevation);
- Extension to the side ground level for office/living room (east elevation);
- Extension to the side at ground level and upper level to the side of the core (east elevation);
- Extensions to the rear ground level and upper level behind the highest and rearmost ridge of the roofline;
- Internal building works for reconfiguration of room layouts;
- Pool pavilion;
- Existing roof sheeting to be replaced with new matching colorbond roof sheeting.

The vast majority of works noted above are viewed as being Minor Building Work and Minor Demolition and therefore are Prescribed Accepted Development in accordance with Section 5.3.4 and table 5.3.4.1 of the *Brisbane City Plan 2014*. The Accepted Development is a result of either being internal works, work associated with post-1946 elements, raising, building underneath the core of the building and works behind the highest and rearmost ridge of the roofline.

4.2 Proposal Detail

4.2.1 Items subject to assessment

The relocation of the building sideways, and raising and building under of the existing dwelling is considered to be accepted development as per *Table 5.3.4.1 - Prescribed accepted development*. The demolition of components and new extensions to the rear of the peak of the roof are also not subject to assessment against the planning scheme. Further, the assessable elements of the proposal are considered to be:

- Removal of existing weatherboards and replacement with new weatherboards;
- Extension to side ground level for garage and kitchen (west elevation);
- Extension to the side ground level for office/living room (east elevation);
- Extension to the side at ground level and upper level to the side of the core (east elevation);
- Pool Pavilion;
- Building work for a new balustrade to replace previous built in verandah;

4.2.2 Setbacks

The front setback provides compliance with the AO1.2 of the Traditional Building Character (design) overlay code, as the front setback is within 20% of the setbacks of dwelling houses at 21-23 Judge Street (6.55m) and 25-27 Judge Street (6.32m). The Acceptable Outcome allows for a minimum setback of 5.15m – 7.72m;

4.2.3 Height

The house is to be raised approximately 1.3m to a maximum roof ridge height of 23.39m, which is 9.45m above NGL.

4.2.4 Traditional Building Character

The proposal presents an attractive form which is sympathetic to the existing dwelling, surrounding housing, and the Traditional building Character Overlay.

The following design elements ensure that the proposal meets the requirements of the Traditional Building Character (design) Overlay Code:

- The front setback provides compliance with the AO1.2 of the Traditional Building Character (design) overlay code, as the front setback is within 20% of the setbacks of dwelling houses at 21-23 Judge Street (6.55m) and 25-27 Judge Street (6.32m). The Acceptable Outcome allows for a minimum setback of 5.15m – 7.72m;
- The proposal retains habitable areas and a front verandah orientated to the street;
- The proposed garage at ground level does not dominate the composition of the dwelling given it is recessed approximately 1m behind the minimum setback of the upper level;
- As illustrated within the accompanying plans, the roof form of the extensions will be sympathetic to that of the original dwelling, which shall remain to be the prominent feature;

- Extensions will provide lightweight materials.

4.2.5 Minor Demolition (internal)

Demolition of internal features is proposed to facilitate reconfiguration of room layouts. Minor demolition of a pre-1947 french door and front door and flooring is proposed prior to demolition of the post-1946 front balcony build in. The sequence of development allows the works to be considered as accepted development in accordance with section 5.1 of the planning scheme as the demolition is internal.

4.2.6 Car Parking / Servicing

The proposal accommodates a total of 2 parking spaces, accommodated within the garage.

The Traditional Building Character (design) Overlay Code provides guidance with regard to the location of garages, as such these provisions are considered to override those within the Dwelling House Code. The Traditional Building Character (design) Overlay Code seeks that the garage be located in the following manner:

Performance Outcome 2

Development for a garage does not dominate the street frontage or gardens and complements the traditional setting of residential building constructed in 1946 or earlier in the street.

Acceptable outcome AO2.1

Setback from any road alignment in a position similar to garage located on sites of dwelling house constructed in 1946 or earlier located nearby in the street.

The proposed garage is located to the side of the core of the existing dwelling house and recessed behind the minimum building setback by 1m. The garage is setback from the road alignment in a position similar to houses nearby in the locality, however there are no houses located on Judge street with garages in a similar position.

It is noted that there are a number of houses with prominent car ports. The proposed garage is considered to be consistent with development outcomes in the area. A number of renovated pre-1947 dwelling houses shown below provide similarly integrated garages

Acceptable Outcome 2.2

Development for a garage is integrated into any dwelling house such that it does not dominate the composition of the house or dominate the streetscape.

The proposed garage is also integrated into the design of the dwelling house, being recessed 1m from the front of the house. The garage is not considered to dominate the composition of the house or dominate the streetscape.

Consequently, Acceptable Outcome 2.2 is considered to be met.



Figure 4: Proposed street elevations - 31 Judge Street, Kalinga



Figure 5: 1 Emma Street



Figure 6: 60 Emma Street



Figure 7: 52 Emma Street

4.3 Staging

No staging is proposed as part of the proposal.

4.4 Approval Requirements

In accordance with Section 85 of the Planning Act 2016, a Currency Period of 2 years is requested for the Building Work / Operational Works applied for.

5.0 Legislative Framework

5.1 Purpose of the Planning Act 2016

The Planning Act 2016 identifies a Purpose of achieving Ecological Sustainability. In accordance with Section 5 of the Planning Act 2016, an entity that performs a function under the Act must perform the function in a way that advances the purpose of the Act. Further Section 4 of the Act outlines the system to facilitate the achievement of ecological sustainability to include:

- State Planning Policies;
- Regional Plans;
- Planning Schemes;
- Temporary Local Planning Instruments;
- Planning Scheme Policies; and
- The Development Assessment System.

The manner in which the proposal responds to each of these items, and consequently furthers the Purpose of the Act, can be seen within the following sections of this report.

5.2 Development Assessment System

The Development Application is categorised as Code Assessment and as such will be assessed in accordance with Section 45 (3) of the Planning Act 2016.

Parts 1 and 5 of the Development Assessment Rules are consequently applicable to this development application. Of note, the Applicant does not chose to opt out of receiving an Information Request and consequently the decision as to whether to issue an Information Request is left at the discretion of the Council.

5.3 State Planning Instruments

5.3.1 State Planning Policies

The State Planning Policy is a State Planning Instrument outlining matters of State Interest. In accordance with the Planning Act 2016, a Local Government in assessing a development application must give consideration to any relevant components of the State Planning Policy if the Planning Scheme has not yet appropriately integrated the relevant State Interest Policies. Part E of the State Planning Policy outlines 5 themes and 17 State Interest Policies and associated Assessment Benchmarks to which development is to be assessed. The manner in which the proposed development responds to these State Interest Policies and Assessment Benchmarks can be seen below:

State Interest Policy	Project Assessment and Compliance
Liveable Communities and Housing	
<ul style="list-style-type: none"> ▪ Housing Supply and Diversity 	The development responds to the zone of the site and assists with providing housing diversity as sought by both the SPP and Planning Scheme.

State Interest Policy	Project Assessment and Compliance
<ul style="list-style-type: none"> Liveable Communities 	The development is considered to contribute to a liveable community. Fire hydrants are understood to be subject to separate legislations.
Economic Growth	
<ul style="list-style-type: none"> Agriculture 	Not Applicable The proposed development is not identified within an agricultural sector of State significance.
<ul style="list-style-type: none"> Development and Construction 	The development is considered to provide a suitable use for the zoning of the site that has considered the physical constraints of the land.
<ul style="list-style-type: none"> Mining and Extractive Resources 	Not Applicable The proposed development application does not involve a use within a key resource area (KRA) or separation area of KRA.
<ul style="list-style-type: none"> Tourism 	Not Applicable The proposed development is not considered to be of value to State tourism.
Environment and Heritage	
<ul style="list-style-type: none"> Biodiversity 	Not Applicable The subject site does not contain land that related to a matter of State environmental significance.
<ul style="list-style-type: none"> Coastal environment 	Not Applicable SPP Mapping has not identified the subject site as being located within a coastal management district.
<ul style="list-style-type: none"> Cultural heritage 	Not Applicable The proposed development is not contained within the Queensland Heritage Register.
<ul style="list-style-type: none"> Water quality 	Not Applicable The development proposal: <ul style="list-style-type: none"> Is located within an urban area The site is not greater than 2500m²
Safety and Resilience to Hazards	
<ul style="list-style-type: none"> Emissions and Hazardous Activities 	Not Applicable The development proposal is merely for extensions to an existing Dwelling House. Hazardous activities are not proposed.
<ul style="list-style-type: none"> Natural Hazards, Risk and Resilience 	Not Applicable The SPP mapping indicates that the site is not subject to any known natural hazards, as is also illustrated by BCC Interactive Mapping.
Infrastructure	
<ul style="list-style-type: none"> Energy and Water Supply 	Not Applicable The proposed development is not of State significance where concerning Energy and Water Supply.
<ul style="list-style-type: none"> Infrastructure Integration 	Not Applicable The proposed lots will be adequately serviced by the required infrastructure.
<ul style="list-style-type: none"> Transport Infrastructure 	Not Applicable The site is not located within 400m of a public passenger transport facility, nor is the site equal to or more than 5,000m ² .
<ul style="list-style-type: none"> Strategic Airports and Aviation Facilities 	Not Applicable The development proposal: <ul style="list-style-type: none"> Will not encroach into the operational airspace of a strategic airport; Does not involve land within the 20 ANEF contours or greater Is not within the lighting area buffer zone;

State Interest Policy	Project Assessment and Compliance
	<ul style="list-style-type: none"> Does not involve wildlife hazards from land uses with the potential to impact operation airspace and aircraft safety; and Does not encroach in the building restricted area of an aviation facility.
<ul style="list-style-type: none"> Strategic Ports 	Not Applicable The subject site is not located within proximity of a port of State significance.

5.3.2 Regional Plan

The subject site is contained in the Urban Footprint within the *South East Queensland Regional Plan*. The intent of the Urban Footprint is to accommodate a range of urban uses in the forms of housing, industry, businesses, infrastructure, community facilities and urban open space. The proposal is for Building Work (Development Permit) for Extensions to a pre-1947 Dwelling House in the Traditional Building Character Overlay on land at 29 & 31 Judge Street, Kalinga, thus the application is consistent with the intentions of the Urban Footprint.

5.4 Local Planning Instruments

5.4.1 City Plan 2014

The site is contained within the Brisbane City Council Local Government Area and is assessable under the Local Government's Planning Scheme, City Plan 2014.

5.4.2 Category of Assessment

The proposed development is categorised as Code Assessment in accordance with Part 5 of the City Plan 2014.

City Plan 2014 is structured such that an Overlay can alter the Category of Assessment to which a Development Application is subject to. Applicable Overlays and the associated Category of Assessment is as follows:

Overlay	Level of Assessment in accordance with Part 5.10
Airport Environs Overlay	Not Applicable
Community Purposes Network Overlay	Not Applicable
Critical Infrastructure and Movement Network Overlay	Not Applicable
Dwelling House Character Overlay	Accepted Development
Road Hierarchy Overlay	Not Applicable
Streetscape Hierarchy Overlay	Not Applicable
Traditional Building Character Overlay	No Change

The highest category of assessment afforded to the proposal is Code Assessment and as such the proposal will be assessed in accordance with the Code Assessment procedures of Section 45 (3) of the *Planning Act 2016*.

In accordance with Section 45 (3) of the Planning Act 2016 this Code Assessable development application is subject to a bounded assessment and must be assessed only against the assessment benchmarks stated in the categorising instrument. The assessor must approve the development application to the extent it complies with assessment benchmarks or if compliance with assessment benchmarks can be achieved by imposing a development condition.

5.4.3 General Assessment Provisions

Zones

The Character Residential CR1 zone is intended to provide for low density suburban and inner-city living through development of 1 or 2 storey dwelling houses comprising predominantly existing houses built in or before 1946. New housing is subject to a number of design criteria and is intended to complement the character of pre 1946 housing.

The proposal is considered to further the intent for this zone. A response to the particular elements of the Character Residential CR1 zone is as follows:

The proposal is in accordance with the overall outcomes of the Character Residential zone.

Character residential zone code	
Overall Outcome	Proposal
Zone role overall outcomes	
(a) Development in the zone supports the implementation of the policy direction set in the Strategic framework, in particular: <ul style="list-style-type: none"> (i) Theme 2: Brisbane's outstanding lifestyle, Element 2.1 – Brisbane's identity and Element 2.2 – Brisbane's housing and accommodation choices; (ii) Theme 5: Brisbane's CityShape and Element 5.5 – Brisbane's Suburban Living Areas. 	Complies The development proposal is considered to be low scale and consistent with the expectations of suburban living areas.
Development location and uses overall outcomes	
(a) Development provides for low density suburban and inner-city living through the development of predominantly 1 or 2 storey dwelling houses comprising primarily of existing houses built in 1946 or before and infill housing that incorporates any housing built in 1946 or before in the development.	Complies The development proposal is for retention and extensions to a two storey dwelling house constructed in or before 1946.
(b) Development in the Character zone precinct provides for low density and inner-city living through: <ul style="list-style-type: none"> (i) 1 or 2 storey dwelling houses to predominate over other types of development; 	Complies The proposal is for extensions to a dwelling house.

Character residential zone code	
Overall Outcome	Proposal
(ii) a low density and intact suburban identity to be maintained in which multiple dwellings and dual occupancy are not accommodated.	
(c) Development in the Infill housing zone precinct facilitates a mix of existing dwelling houses and new housing choices including dual occupancy, 2 storey low rise multiple dwellings such as row houses at a house scale, rooming accommodation, residential care facilities and retirement facilities which: <ul style="list-style-type: none"> (i) comply with the site density, building height, number of storeys and setback requirements of the Traditional building character (design) overlay code and the Multiple dwelling code; (ii) are sensitively integrated with and located between or behind existing dwelling houses built in 1946 or before and on appropriately sized lots; (iii) provide housing diversity that offers choice to different household types and individuals to suit residents through life-cycle stages, in the inner city and well-located parts of the city. 	Not Applicable
(d) Development reflects and supports the high level of comfort, quiet, privacy and safety (including impacts of glare, odour, light, noise, traffic, parking, servicing and hours of operation) reasonably expected within a predominantly low density permanent residential environment.	Complies The proposal is for extensions to a dwelling house that provides compliance with all height and setback provisions, thus meeting expectations for the zone.
(e) Development for an active frontage use on land within the Active frontages in residential zones overlay is to comply with the Active frontages in residential zones overlay code.	Not Applicable
(f) Development for a commercial character building activities use on land within the Commercial character building overlay is to comply with the Commercial character building (activities) overlay code.	Not Applicable
(g) Development for a small-scale non-residential use which is a community care centre, community use, health care services, office, shop or veterinary services (together with any associated caretaker's accommodation or dwelling unit) where not on land within the Commercial character building overlay or the Active frontages in residential zones overlay, is to: <ul style="list-style-type: none"> (i) have a gross floor area of less than 250m²; (ii) serve local residents' day-to-day needs; (iii) not undermine the viability of a nearby centre. 	Not Applicable
(h) Development which would result in the co-location of new non-residential uses only occurs along an active frontage identified on the Active frontages in residential zones overlay map or where located in	Not Applicable

Character residential zone code	
Overall Outcome	Proposal
two or more adjoining commercial character buildings.	
(i) Development for a homebased business may only operate in a dwelling house, dual occupancy or multiple dwelling and is of a scale and nature that protects the amenity of adjoining residents.	Not Applicable
(j) Development for any other non-residential use serve a local community facility need only, such as a child care centre or substation, and is compatible with and integrates with the built form intent of the Character residential zone.	Not Applicable
(k) Development for rooming accommodation accommodates 5 persons or less.	Not Applicable
Development form overall outcomes	
(a) Development occurs on an appropriately sized and configured lot and is of a form and scale that reinforces a distinctive subtropical character of low rise buildings set in green landscaped areas.	Complies The proposal is for extensions to an existing dwelling house which is to be no more than 2 storeys and 9.5m height.
(b) Development for a residential building is of a height, bulk, scale and form which is compatible with the traditional building character of the Character residential zone and consists of buildings of 1 or 2 storeys in height.	Complies The proposal is for extensions to an existing dwelling house which is to be no more than 2 storeys and 9.5m height.
(c) Development retains buildings on land within the Traditional building character overlay in accordance with the Traditional building character (demolition) overlay code.	Complies The existing house is to be retained and renovated on site.
(d) Development provides that a new building or extension of a building reflects the traditional building character prevalent within the Traditional building character overlay in accordance with the Traditional building character (design) overlay code.	Complies Development proposed provides compliance with the Traditional Building Character (design) Overlay Code.
(e) Development supports a subtropical character by ensuring that a dwelling house on a small lot is of a size and scale that minimises negative impacts on amenity and private open space of other dwellings, by maintaining access to sunlight, daylight and privacy.	Not Applicable
(f) Development of a dwelling house on a small lot comprising a new premises or an increase in gross floor area of an existing premises is located within a defined building envelope that: <ul style="list-style-type: none"> (i) maximises the retention of backyard spaces as private landscaped space; (ii) avoids overbearing development involving bulk or setbacks which are inconsistent with the character of a dwelling house on adjoining lots. 	Not Applicable
(g) Development responds to land constraints, mitigates any adverse impacts on environmental values and addresses other specific characteristics,	Not Applicable The site is not considered to be constrained.

Character residential zone code	
Overall Outcome	Proposal
as identified by overlays affecting the site or in codes applicable to the development.	

The proposal is in accordance with the overall outcomes of the Character zone precinct.

Character residential zone code – Character zone precinct	
Overall Outcome	Proposal
(a) Development retains a dwelling house built in 1946 or before.	Complies The existing dwelling house is to be retained on site.
(b) Development provides that a new dwelling house: (i) is 1 or 2 storeys in height; (ii) is located on an appropriately sized and configured vacant lot; (iii) is compatible in scale and design with existing houses built in 1946 or before; (iv) reinforces the traditional building character of the Character zone precinct.	Not Applicable
(c) Development for a dwelling other than a dwelling house is not accommodated within the Character zone precinct.	Not Applicable
(d) Development provides for a minimum lot size of 450m ² to maintain a block pattern that accommodates traditional backyards and large trees.	Not Applicable Subdivision is not proposed.

Neighbourhood Plans

The site is contained within the Clayfield-Woolloowin District Neighbourhood Plan Code area. No specific performance outcomes or acceptable outcomes apply to the subject site or development proposal.

Clayfield-Woolloowin district neighbourhood plan code	
Overall Outcome	Proposal
Overall outcomes	
(a) Development will be underpinned by regionally significant transport infrastructure, focused along the Caboolture railway corridor and Sandgate Road.	Not Applicable
(b) A mix of housing exists within the neighbourhood plan area. Identified character housing and mature tree plantings that are important local character elements are maintained.	Complies The existing pre-1947 dwelling house is to be retained and renovated.
(c) The ecological values of Kedron Brook are protected.	Not Applicable
(d) Eagle Junction Shopping Centre develops as a focus for retail, commercial, social and employment services, while the Woolloowin railway station shopping hub meets local convenience needs.	Not Applicable
(e) A path is provided to link Dawson Street, Lydia Street, Keith Street and Cooma Street with Park Avenue.	Not Applicable

Development and Overlay Codes

The following Codes are triggered and are assessed in Appendix A of this report:

- Dwelling House Code; and
- Traditional Building Character (Design) Overlay Code.

It is references that the development complies with all acceptable outcomes in the Dwelling House Code and as such is Accepted Development against this code. To demonstrate compliance, this code has been addressed in Appendix A of this report.

5.5 Local Laws

No local laws are known to be impacted by the proposal.

5.6 Referral Agencies

A review of the State Government's Development Assessment Mapping System (DAMS) and Planning Regulations 2017 does not indicate that the site or nature of development is subject to referral.

6.0 Reasons for Approval

The site is located within the Traditional Building Character Overlay and contains a pre-1947 dwelling House which is to be retained.

The proposed extension components present an attractive building form which is sympathetic to surrounding traditional housing and will not detract from the traditional character of the existing house. The extension shall be undertaken using materials and design elements that are consistent with the existing dwelling.

7.0 Conclusions and Recommendations

This town planning report has been prepared by Urban Strategies with respect to a development application seeking permit for Building Work (Development Permit) for extensions to a Dwelling House in the Traditional Building Character Overlay over land at 29 & 31 Judge Street, Kalinga.

The proposal is in keeping with the intent of the Character Residential Zone and the Traditional Building Character Overlay.

The proposal is consequently considered an appropriate development in the context in which it is located and has been suitably demonstrated to comply with the relevant Assessment Benchmarks, it is therefore recommended to the Council to be approved subject to reasonable and relevant conditions.

Urban Strategies Pty Ltd

November 2019

APPENDIX A – Brisbane City Council Codes

Development Codes

Dwelling House Code

Table 9.3.7.3.A—Dwelling House Code		
Performance outcomes	Acceptable outcomes	Response
PO1 Development ensures that a building other than a dwelling house on the site: <ul style="list-style-type: none"> (a) is used for a domestic residential purpose, in conjunction with and subordinate to the dwelling house on the same site; (b) is smaller in size and scale than the dwelling house; (c) has the appearance of a building ancillary to the dwelling house; (d) is occupied by members of the same household who occupy the dwelling house. 	AO1.1 Development comprises not more than one dwelling house and one secondary dwelling, occupied by one household comprising: <ul style="list-style-type: none"> (a) 1 person maintaining a household; or (b) 2 or more persons related by blood, marriage or adoption; or (c) not more than 5 persons, not necessarily related by blood, marriage or adoption; or (d) not more than 5 persons under the age of 18 and not necessarily related by blood, marriage or adoption, together with 1 or 2 adult persons who have care or control of them. 	Complies The proposal involves extensions to an existing dwelling house which contains one household.
	AO1.2 Any development for a secondary dwelling is: <ul style="list-style-type: none"> (a) a maximum of 80m² in gross floor area; (b) located within 20m of the dwelling house; (c) occupied by 1 or more members of the same household as the dwelling house. 	Not Applicable No secondary dwellings are proposed.

Table 9.3.7.3.A—Dwelling House Code

Performance outcomes	Acceptable outcomes	Response
<p>PO2</p> <p>Development has a building height that:</p> <ul style="list-style-type: none"> (a) does not unduly overshadow adjoining dwelling houses and their associated private open space in terms of access to sunlight and daylight; (b) is consistent with the building height of dwelling houses prevailing in the immediate vicinity; (c) contains a 3 storey component only where necessary to enable a predominately 2 storey dwelling to address the local circumstances of topography (refer to Figure a); (d) may be higher than adjoining properties only to the extent required to achieve the minimum habitable floor levels required for flood immunity. <p>Note—In interpreting PO2(b), the term 'prevailing in the immediate vicinity' means the building height of the majority (more than 50%) of all the dwelling houses in the same zone as the subject site and within 35m of any point of the street frontage of the subject site.</p>	<p>AO2</p> <p>Development in the Low density residential zone, Character residential zone, 2 storey mix zone precinct of the Low-medium density residential zone, 2 or 3 storey mix zone precinct of the Low-medium density residential zone, Rural residential zone, Environmental management zone, Rural zone or Emerging community zone results in a maximum building height of 9.5m and:</p> <ul style="list-style-type: none"> (a) 2 storeys; or (b) 1 storey if the development also includes a space that is situated between one floor level and the floor level next above, or if there is no floor above, the ceiling or roof above that contains only a bathroom, shower room, laundry, water closet, or other sanitary compartment. <p>Editor's note—This acceptable outcome is only for the maximum building height. Side boundary setbacks are provided in accordance with the Queensland Development Code; which vary according to the height of the building.</p>	<p>Complies</p> <p>The proposed raising of the house will result in a structure that is 2 storeys and will not exceed 9.5m height above natural ground.</p>
<p>PO3</p> <p>Development has a building height that:</p> <ul style="list-style-type: none"> (a) does not unduly overshadow adjoining dwelling houses and their associated private open space in terms of access to sunlight and daylight; (b) is consistent with the building height of dwelling houses prevailing in the immediate vicinity. <p>Note—In interpreting PO3(b), the term 'prevailing in the immediate vicinity' means the building height of the majority (more than 50%) of all the dwelling houses in the same zone as the subject site and within 35m of any point of the street frontage of the subject site.</p>	<p>AO3</p> <p>Development in the Up to 3 storeys zone precinct of the Low-medium density residential zone or in the Medium density residential zone results in a maximum building height of 11.5m and:</p> <ul style="list-style-type: none"> (a) 3 storeys; or (b) 2 storeys if the development also includes a space that is situated between one floor level and the floor level next above, or if there is no floor above, the ceiling or roof above that contains only a bathroom, shower room, laundry, water closet or other sanitary compartment. <p>Editor's note—This acceptable outcome is only for the maximum building height. Side boundary setbacks are provided in</p>	<p>Not Applicable</p>

Table 9.3.7.3.A—Dwelling House Code

Performance outcomes	Acceptable outcomes	Response
	accordance with the Queensland Development Code, which vary according to the height of the building.	
PO4 Development ensures that residents' vehicles are accommodated on site.	A04 Development provides a minimum number of on-site parking spaces comprising: (a) 1 car parking space for the dwelling house; (b) 1 car parking space for any secondary dwelling on the same site.	Complies The proposed house extensions result in car accommodation being provided within a garage for two cars.
PO5 Development ensures that the location and design of a dwelling house, secondary dwelling or domestic outbuilding does not expose surrounding properties to additional adverse impacts of overland flow.	A05 Development and associated site works, including filling and excavation, are designed and constructed to ensure overland flow is not worsened, impeded, or otherwise diverted to adversely affect other properties.	Complies Site works proposed are not anticipated to worsen, impede or otherwise divert water which may affect other properties.
PO6 Development for a dwelling house, secondary dwelling or domestic outbuilding, including associated site works such as retaining walls, filling and excavation ensures that if a surface- or roof-water drainage system connection is required through an adjoining property, the surface- or roof- water drainage system is managed to prevent water seepage, concentration of run-off or ponding on an adjoining property. Note—The Queensland Development Code outlines requirements for surface- and roof-water drainage systems for Class 1 buildings and Class 10 buildings and structures where a surface- or roof-water drainage connection is not required through an adjoining property.	A06 Development for a dwelling house, secondary dwelling or domestic outbuilding, including associated site works such as retaining walls, filling and excavation ensures that if a surface- or roof- water drainage system connection is required through an adjoining property, the owner of the adjoining property has provided written permission for the connection.	Complies Connections through an adjoining property are not required.
If for a site with an approved building envelope plan or development footprint plan – Not Applicable		
If in the Environmental management zone, Rural zone, Rural residential zone or in a very-low density residential area identified in a neighbourhood plan – Not Applicable		

Overlays

Airport Environs Overlay Code

The assessment provisions of the Airport Environs Overlay Code are not triggered for Building Work to an existing Dwelling House.

Community Purposes Network Overlay Code

The assessment provisions of the Community Purposes Network Overlay Code are not triggered for Building Work to an existing Dwelling House.

Critical Infrastructure and Movement Network Overlay Code

The assessment provisions of the Critical Infrastructure and Movement Network Overlay Code are not triggered for Building Work to an existing Dwelling House.

Road Hierarchy Overlay Code

The assessment provisions of the Road Hierarchy Overlay Code are not triggered for Building Work to an existing Dwelling House.

Streetscape Hierarchy Overlay Code

The assessment provisions of the Streetscape Hierarchy Overlay Code are not triggered for Building Work to an existing Dwelling House.

Traditional Building Character (Demolition) Overlay Code

Table 8.2.21.3—Traditional Building Character (Demolition) Code

Performance outcomes	Acceptable outcomes	Response
Section A—Partial demolition of a building constructed in 1946 or earlier		
General		
PO1 Development involving partial demolition of traditional elements, detailing and materials constructed in 1946 or earlier does not diminish traditional building form and roof styles, where: (a) forward of the highest and rearmost ridge of the roof; or (b) on the side elevation of the building where on a corner lot. Note—Where demolition results in the loss of integral components, assessment against Section B of this code is also required.	AO1.1 Development ensures that the building does not lose integral components such as feature roof forms and side verandahs.	Complies The proposed removal of weatherboards and replacement of weatherboards does not result in the building losing integral components.
	AO1.2 Development involving partial demolition does not result in a narrow building which has a width-to-height proportion out of character with the residential buildings constructed in 1946 or earlier in the street within the Traditional building character overlay.	Complies The development proposal does not result in a narrow building.
Additional performance outcomes and acceptable outcomes if a pre-1911 building – Not Applicable		
Additional performance outcomes and acceptable outcomes if in the City west neighbourhood plan area or the Spring Hill neighbourhood plan area or the Sherwood—Graceville district neighbourhood plan area where not in the Westside character precinct – Not Applicable		
Additional performance outcomes and acceptable outcomes if in the Bulimba district neighbourhood plan area – Not Applicable		
Section B—Demolition or removal of a building constructed in 1946 or earlier		
General performance outcomes and acceptable outcomes if not in the Latrobe and Given Terraces neighbourhood plan area or the City west neighbourhood plan area or the Spring Hill neighbourhood plan area – Not Applicable		
Additional performance outcomes and acceptable outcomes if a pre-1911 building – Not Applicable		
Additional performance outcomes and acceptable outcomes if in the Local character significance sub-category – Not Applicable		
Additional performance outcomes and acceptable outcomes if in the Latrobe and Given Terraces neighbourhood plan area or the City west neighbourhood plan area or the Spring Hill neighbourhood plan area – Not Applicable		
Section C—Repositioning or raising a building or structure (not including any building work to enclose underneath a building) if any part of the building or structure was substantially constructed for residential purposes in 1946 or earlier – Not Applicable		
Additional criteria in the Latrobe and Given Terraces neighbourhood plan area – Not Applicable		

Traditional Building Character (Design) Overlay Code

Table 8.2.22.3—Traditional Building Character (Design) Overlay Code

Performance outcomes	Acceptable outcomes	Response
If in the Low-medium density residential zone or the Character residential zone, where for a dwelling house, dual occupancy, multiple dwelling, retirement facility, rooming accommodation, or short term accommodation, where not in the Local character significance sub-category		
PO1 Development retains buildings constructed in 1946 or earlier in its original setting and complements nearby buildings in the street built in 1946 or earlier.	AO1.1 Development ensures that any building constructed in 1946 or earlier which is retained is sited at the front of the site at the street frontage.	Complies The existing dwelling house, which is constructed pre-1947 is retained at the front of the site.
	AO1.2 Development for a building which is not on a rear access lot is set back from any road alignment, excluding eaves, awnings, stairs and garage, within 20% of the average front setback of the nearest houses constructed in 1946 or earlier fronting the same street. Note—Additional buildings by way of infill development may be set further back on this site, subject to meeting other code requirements. Where the site contains a building constructed in 1946 or earlier, it should be retained at the front of the site and any new infill placed behind/beside. Sliding a building constructed in 1946 or earlier back with infill at the front of the site is not consistent with desired traditional setting outcomes.	Complies The front setback provides compliance with the AO1.2 of the Traditional Building Character (design) overlay code, as the front setback is within 20% of the setbacks of dwelling houses at 21-23 Judge Street (6.55m) and 25-27 Judge Street (6.32m). The Acceptable Outcome allows for a minimum setback of 5.15m – 7.72m.
PO2 Development for a garage does not dominate the street frontage or gardens and complements the traditional setting of residential building constructed in 1946 or earlier nearby in the street.	AO2.1 Development for a garage is set back from any road alignment in a position similar to garages located on sites of dwelling houses constructed in 1946 or earlier located nearby in the street.	Performance Outcome The proposed garage is located to the side of the core of the existing dwelling house and setback behind the minimum building setback by 1m. The garage is setback from the road alignment in a position similar to houses nearby in the locality, however there are no houses located on Judge street with garages in a similar position. It is noted that there is a number of houses with prominent car ports. The proposed garage is however considered to be consistent with development outcomes in the area. A number of renovated pre-1947 dwelling houses shown below provide similarly integrated garages.
	AO2.2	Complies

Table 8.2.22.3—Traditional Building Character (Design) Overlay Code

Performance outcomes	Acceptable outcomes	Response
	Development for a garage is integrated into any dwelling house such that it does not dominate the composition of the house or dominate the streetscape. Refer to Figure a. Note—Not applicable to a dwelling house on a rear access lot.	The proposed garage is integrated into the design of the dwelling house, recess behind the level above such that it does not dominate the streetscape.
PO3 Development has a building form and bulk which complements the predominant traditional scale of a dwelling house constructed in 1946 or earlier nearby in the street.	AO3 Development for a new building or an extension to an existing building uses breaks in form to present as small components similar in scale to that of existing dwelling houses constructed in 1946 or earlier nearby in the street. Refer to Figure b.	Complies The form of the existing upper level is to be maintained to the street such there will not be any substantial changes. Extensions to the side of the house will be low scale, at ground level or towards the rear and maintain a roof form that uses breaks in form the present as small components subservient to the main features of the existing dwelling house.
PO4 Development has a building form which complements the traditional building form and traditional elements, detailing and materials of a residential building constructed in 1946 or earlier nearby in the street.	AO4.1 Development includes a solid core with attached or integrated lightweight verandah or balcony structure addressing the street.	Complies The raising and building under of the dwelling house will incorporate the reopening up of part of the original balcony which addresses the street.
	AO4.2 Development ensures that different floor levels are distinguished in the streetscape through the expression of external elements on the upper and lower levels.	Complies The street facing elevation retains the external elements at the upper level. The proposed extension to building under the house will provide different material and the balcony at the upper level will further assist in distinguishing floor levels. The side and ground level extensions and retention of upper level external elements are considered to distinguish the upper and lower floor levels.
	AO4.3 Development for a building which is located at the front of the site, provides habitable space, verandahs and windows that are orientated towards the street. Refer to Figure c.	Complies Large windows, a verandah and habitable rooms are orientated to the street frontage.
	AO4.4 Development for a dwelling house does not provide for the ground storey to project forward of the upper floor verandah or balcony structure.	Complies The ground storey does not project forward of the upper floor.

Table 8.2.22.3—Traditional Building Character (Design) Overlay Code

Performance outcomes	Acceptable outcomes	Response
PO5 Development provides external elements and detailing which: <ul style="list-style-type: none"> (a) reflect traditional elements and detailing and materials; (b) reduce building bulk; (c) form a transition with the external landscape. 	A05 Development provides external elements such as lightweight verandahs and stairs, eaves, overhangs, sunhoods, lattice screens, balustrades and batten panels which: <ul style="list-style-type: none"> (a) reflect those of dwelling houses constructed in 1946 or earlier nearby in the street; (b) are sufficient to cast shadows; (c) provide three-dimensional effects. Refer to Figure d.	Complies Lightweight building elements are to be retained. The proposed building work for new verandah will assist in providing three-dimensional effects and are sufficient to cast shadows. All proposed assessable works will be reflective of dwelling houses constructed in 1946 or earlier in the street.
PO6 Development uses: <ul style="list-style-type: none"> (a) materials which reflect the traditional materials used predominantly in residential building constructed in 1946 or earlier nearby in the street; (b) external materials which reflect the architectural themes of residential buildings constructed in 1946 or earlier, reduce building bulk and form a transition with the external landscape. 	A06.1 Development uses traditional materials consistent with the predominant traditional materials of the dwelling houses constructed in 1946 or earlier fronting the same street.	Complies New weatherboards are proposed to replace the existing weatherboards to the west and south elevations. New weatherboards are also proposed for rear and side extensions at the upper level. The weatherboards are the predominant material of the house and are to maintain a traditional appearance consistent with the existing pre-1947 house and traditional houses nearby on the street.
	A06.2 Development uses roof materials similar to the roof materials on dwelling houses constructed in 1946 or earlier nearby in the street.	Complies The existing steel roof is to be replaced with new colorbond roof sheeting consistent in appearance with the existing roof.
	A06.3 Development ensures that: <ul style="list-style-type: none"> (a) for dwelling houses lightweight materials predominate; (b) if masonry is used, it is rendered or painted and used in conjunction with other more lightweight materials, in order to define the upper and lower levels. 	Complies The proposed raise, build under and side extensions will ensure that lightweight material predominate. Where masonry is proposed it is rendered and painted.
PO7 Development provides roof forms which complement traditional roof styles of residential buildings constructed in 1946 or earlier that are located nearby in the street in terms of roof pitch and proportion.	A07.1 Development provides roof forms which are one or more of a combination of pyramids, hips or gables of similar pitch and proportions to those of dwelling houses constructed in 1946 or earlier nearby in the street.	Complies The proposed side extensions at ground level and upper level are to provide a roof form and pitch which replicates the pitch and proportions of the roof of the existing house.

Table 8.2.22.3—Traditional Building Character (Design) Overlay Code

Performance outcomes	Acceptable outcomes	Response
	A07.2 Development includes eaves that are of similar proportions to eaves on dwelling houses constructed in 1946 or earlier nearby in the street.	Complies Eaves for the ground level garage and side extensions are of similar proportions to eaves on dwelling houses constructed in 1946 or earlier nearby in the street and will also assist in providing shadowing and three dimensional effects.
Additional performance outcomes and acceptable outcomes if in the Character residential zone where for a dwelling house, dual occupancy, multiple dwelling, retirement facility, rooming accommodation, or short term accommodation, where not in the Local character significance sub-category		
PO8 Development has a building height and bulk which reinforces the natural topography and complements the predominant ‘traditional scale’ of residential buildings constructed in 1946 or earlier nearby in the street.	A08 Development, if in a sloping street where the rhythm of the stepping levels and eaves is characteristic of the streetscape created by dwelling houses constructed in 1946 or earlier, has a building height and roof and eave levels that continue the rhythm and maintain that stepping. Refer to Figure e.	Not Applicable Judge Street is not considered to be a sloping street. Further, the raising of the dwelling house is minor demolition, prescribed ‘accepted development’ in accordance with Table 5.3.4.1 of the City Plan.
Additional performance outcomes and acceptable outcomes in the Latrobe and Given Terraces neighbourhood plan area – Not Applicable		
Additional performance outcomes and acceptable outcomes if a pre-1911 building where in the Latrobe and Given Terraces neighbourhood plan area – Not Applicable		
Additional performance outcomes and acceptable outcomes if in the Sherwood—Graceville district neighbourhood plan area where not in the Westside character precinct – Not Applicable		
Additional performance outcomes and acceptable outcomes if in the Local character significance sub-category where on a site containing a residential building constructed in 1946 or earlier – Not Applicable		