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21/10/2019

BCC DS

Town Planning Report

DOYEN
TOWN PLANNING CONSULTANTS





Figure 1: Project Perspective

Client:	Amoeba Infinity Pty Ltd
Project:	60 Jamieson Street, Bulimba
Project No:	J1916
Date:	October 2019
Project Contact:	Rhys Trombetta

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KEY DETAILS

SITE DETAILS

Site Address	60 Jamieson Street, Bulimba
Real Property Description	Lot 18 on RP54421
Registered Easements	None Identified
Lot Area	625m ²
Zone	Low Medium Density Residential (2 or 3 storey mix)
Overlays	Airport Environs Overlay Coastal Hazard Overlay Community Purposes Network Overlay Critical Infrastructure and Movement Network Overlay Dwelling House Character Overlay Flood Overlay Potential and Actual Acid Sulfate Soils Overlay Road Hierarchy Overlay Streetscape Hierarchy Overlay
Neighbourhood Plan	Bulimba District Neighbourhood Plan

APPLICATION DETAILS

Description	Dual Occupancy & Subdivision
Approval Sought	Development Permit
Level of Assessment	Code
Referral Agencies	None Identified

BACKGROUND

Council's PD Online system shows no previous application history.

The subject site currently has a dwelling house that will be demolished prior to the commencement of the proposed build.

PROPOSAL

It is proposed to construct a Dual Occupancy on the subject site and subsequently subdivide the property retaining common property in the fence at the front of the property. The lots are proposed at 312m² which exceeds the minimum requirements identified within the subdivision code.

The proposal will present as two separate small lot houses from the streetscape and provide a double garage for each dwelling.

The subject site is constrained by flooding which has been addressed as part of the design of the application – attached is supporting information from Milanovic Neale Consulting Engineers demonstrating that the proposed floor levels meet the requirements of City Plan 2014.

The proposal has been assessed against the relevant provision of City Plan 2014 and is deemed to comply in full.

SUBJECT SITE

LOCATION

The subject site is located at 60 Jamieson Street, Bulimba



Figure 2: Location

OVERLAYS

The site is subject to the following overlay codes:

- Airport Environs Overlay
- Coastal Hazard Overlay
- Community Purposes Network Overlay
- Critical Infrastructure and Movement Network Overlay
- Dwelling House Character Overlay
- Flood Overlay
- Potential and Actual Acid Sulfate Soils Overlay
- Road Hierarchy Overlay
- Streetscape Hierarchy Overlay

Assessment of City plan 2104 identifies that further information relating to the following overlays is appropriate in the assessment of this application:

COASTAL HAZARD OVERLAY



Figure 3: PD Online Coastal Hazard Overlay Map

The site is affected by the Coastal Hazard Overlay – specifically the Medium Storm-Tide Inundation Area; and the Erosion Prone Area Permanent Inundation due to Sea Level Rise 2100.

Engagement of Milanovic Neale Consulting Engineers was undertaken during the design phase of this project and it has been concluded that the proposal complies with the provisions of the applicable overlay code.

Attached to this report is assessment of the overlay, completed by MNCE for Councils review.

FLOOD OVERLAY

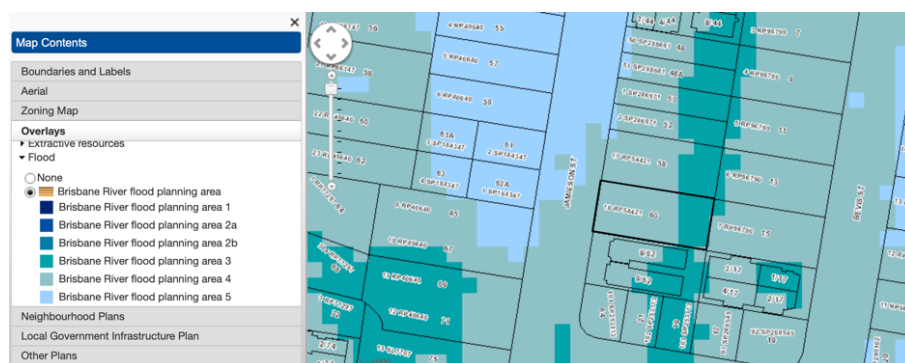


Figure 4: PD Online Brisbane River Flood Overlay Map



Figure 5: PD Online Overland Flow Overlay Map

The site is affected by the Flood Overlay – The site is subject to Brisbane River flood planning areas 3 and 4. In addition, the site is affected by overland flow.

Engagement of Milanovic Neale Consulting Engineers was undertaken during the design phase of this project and it has been concluded that the proposal complies with the provisions of the applicable overlay code.

Flood depths beneath the building are noted to be less than 0.6m resulting in a minimum floor level of 3.75m which is identified on the proposal plans as being the ground floor level.

Attached to this report is assessment of the overlay, completed by MNCE for Councils review.

ZONE

The subject site is located within the Low Medium Density Residential Zone

Assessment of the Zone Code accompanies this report. The proposal is fully compliant with the intended outcomes, density and scale of the code.

SERVICING

The existing dwelling house is connected to all services. These will be capped and retained for use with the new dwelling.

Attached to this report is a proposal plan prepared by Milanovic Neale Consulting Engineers which depicts the location of the proposed stormwater discharge points. As the site is subject to flooding, the minimum floor levels have been raised to a point where a lawful point of discharge to the kerb and channel can be achieved.

TOWN PLANNING FRAMEWORK

The *Planning Act 2016 (PACT)* provides the statutory planning framework for the State of Queensland. PACT sets the State and local government assessment and approval processes for development.

STATE PLANNING POLICY

The State Planning Policy was released on 3 July 2017. Under Section 26 of the Planning Regulation, the State Planning Policy is an assessment benchmark that the Assessment Manager must have regard

to if not appropriately integrated into the Planning Scheme. It is considered that the proposed development is consistent with the State Planning Policy.

STATE PLANNING REQUIREMENTS AND ASSESSMENT

A review of the current State planning regulatory requirements has been undertaken. The proposed development is considered compliant with all requirements and no conflicts have been identified.

REGIONAL PLAN

The subject site is located within the area that is covered by the *South East Queensland Regional Plan 2017*. As prescribed in Section 26 of the Planning Regulation, the assessment of the proposed development must be carried out against specified assessment benchmarks.

No referral agency is prescribed under Part 16 of the Regulation.

Given the above, it is considered that the proposed development is consistent with the intent of the Regional Plan and no further assessment is required.

PLANNING ASSESSMENT

The Brisbane City Plan 2014 (Planning Scheme) is applicable to this application. The relevant provisions are identified and addressed below.

LEVEL OF ASSESSMENT

The proposal triggers Code Assessment

A proposal for a Dual Occupancy & ROL within the LMR Zone triggers Code Assessable Development. Further, Code Assessment is triggered via the following overlays:

- Coastal Hazard Overlay
- Community Purposes Network Overlay
- Flood Overlay
- Potential and Actual Acid Sulfate Soils Overlay
- Road Hierarchy Overlay
- Streetscape Hierarchy Overlay

ASSESSABLE CODES

The proposal triggers assessment of the following codes:

Code	Assessment
Use Codes	
Dual Occupancy Code	Assessment of the code has been completed. The proposal is considered to comply with all Acceptable Outcomes with the exception of Ao7, AO12 and AO14 where demonstration of compliance with the Performance Outcome is provided. Compliance with this aspect of the code is discussed below in greater detail.

	A copy of this assessment is attached to the application.
Subdivision Code	Assessment of the code has been completed. The proposal is considered to comply with all Acceptable Outcomes with the exception of AO12 where demonstration of compliance with the Performance Outcome is provided. Compliance with this aspect of the code is discussed below in greater detail. A copy of this assessment is attached to the application.
Zone Codes	
Low Medium Density Residential Zone Code	Assessment of the code has been completed. The proposal is considered to comply with all applicable Outcomes. A copy of this assessment is attached to the application.
Overlay Codes	
Coastal Hazard Overlay Code	Assessment of the code has been completed. The proposal is considered to comply with all Acceptable Outcomes. A copy of this assessment is attached to the application.
Community Purposes Network Overlay Code	Assessment of the code has been completed. The proposal is considered to comply with all Acceptable Outcomes. A copy of this assessment is attached to the application.
Flood Overlay Code	Assessment of the code has been completed by Milanovic Neale Consulting Engineers. Performance Outcomes are sought for PO3, PO5, PO7 and PO9 – further details of these outcomes is discussed below. A copy of this assessment is attached to the application.
Potential and Actual Acid Sulfate Soils Overlay Code	Assessment of the code has been completed. The proposal is considered to comply with all Acceptable Outcomes. A copy of this assessment is attached to the application.
Road Hierarchy Overlay Code	Assessment of the code has been completed. The proposal is considered to comply with all Acceptable Outcomes. A copy of this assessment is attached to the application.
Streetscape Hierarchy Overlay Code	Assessment of the code has been completed. The proposal is considered to comply with all Acceptable Outcomes. A copy of this assessment is attached to the application.
Neighbourhood Plan Code	
Bulimba District Neighbourhood Plan Code	Assessment of the code has been completed. The proposal is considered to comply with all Acceptable Outcomes. A copy of this assessment is attached to the application.

Secondary Codes	
Filling and Excavation Code	Assessment of the code has been completed by Milanovic Neale Consulting Engineers. A copy of this assessment is attached to the application. Performance Outcomes are sought for PO1 and PO2.
Infrastructure Design Code	Assessment of the code has been completed by Milanovic Neale Consulting Engineers. A copy of this assessment is attached to the application.
Landscape Works Code	Assessment of the code has been completed. The proposal is considered to comply with all Acceptable Outcomes. A copy of this assessment is attached to the application. Attached to this application is a Concept Landscape Plan for Councils review.
Stormwater Code	Assessment of the code has been completed by Milanovic Neale Consulting Engineers. A copy of this assessment is attached to the application.
Transport, Access, Parking and Servicing Code	Assessment of the code has been completed. The proposal is considered to comply with all Acceptable Outcomes with the exception of AO9 where demonstration of compliance with the Performance Outcome is provided. Compliance with this aspect of the code is discussed below in greater detail. A copy of this assessment is attached to the application.

KEY PLANNING MATTERS

DUAL OCCUPANCY CODE – PO7

Development provides side boundary setbacks that:

- (a) minimise the impact of development on the amenity and privacy of adjoining residents;
- (b) contribute to the rhythm and pattern of the streetscape in keeping with the intended neighbourhood character;
- (c) provide for natural light, sunlight and breezes.

RESPONSE

Adjoining Boundaries

The proposed lower floor has a setback of 1.5m and the proposed upper floor has a setback of 2m.

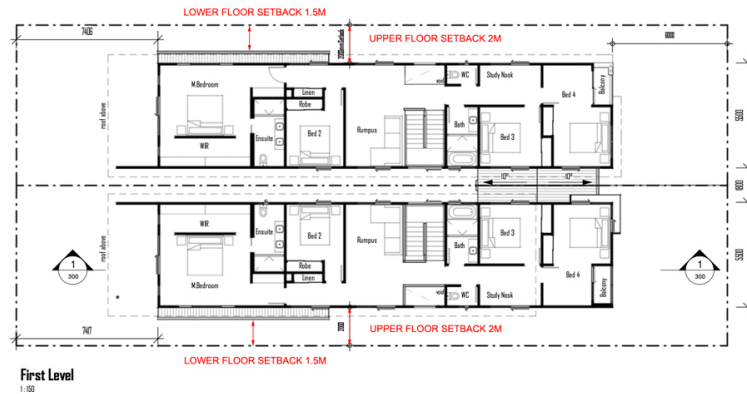


Figure 6: Setbacks to Adjoining Properties

On the elevations, markings are provided to show where 4.5m and 7.5m above NGL is located. Based on these lines, there is approximately 100mm on both the lower and upper floors which exceeds 4.5m/7.5m and therefore does not comply with the required side setbacks.

The excess height is a result of the dwelling being lifted for the purposes of flood immunity, and therefore a 100mm discrepancy is negligible. The building remains under 9.5m in overall height in all areas.



Figure 7: Areas Exceeding 4.5m & 7.5m

Common Boundary

On the internal boundary, the garages are proposed to meet at the boundary, with the separation between the two buildings being 900mm along the remainder of the building for both levels.

Typically a Dual Occupancy would be joined through the common boundary for ease of build and ease of design – this design accepts the additional cost of separating the buildings to provide more natural light and provide an area screened from the street and private open spaces for utilities such as the hot water system and air conditioning unit.

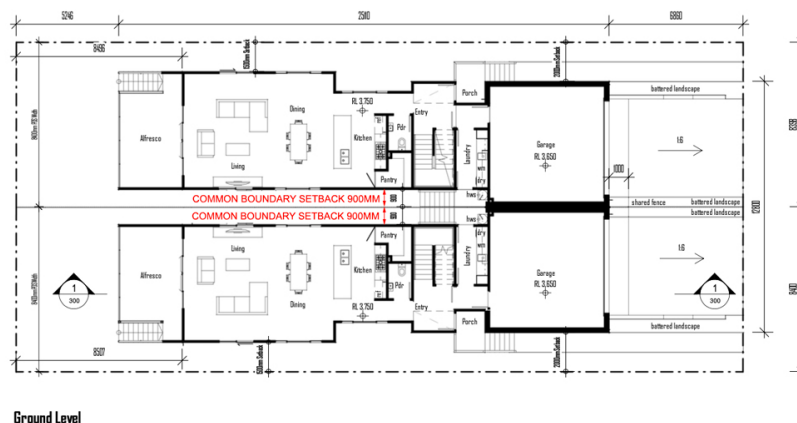


Figure 8: Common Boundary Setbacks

Response to PO

In addressing the PO, the following points are made to demonstrate that compliance is met:

- Where setbacks are less than those identified in the table, they are located on the common boundary as to ensure that no impact to adjoining neighbours occurs (protection of amenity and privacy).
- The external non-compliant areas facing adjoining dwellings is negligible at approximately 100mm – this height will not be identifiable to the eye once constructed.
- The property adjoining the Southern boundary has recently been constructed to meet flood levels – it is expected that the heights of this adjoining building are be similar to those proposed with the current development. This eliminates any risk of overshadowing or overbearing construction, this further contributes to the existing rhythm and pattern of the streetscape. This is further extended into the remainder of the street which has largely been modernised in a similar nature to that proposed with this project – the adjoining property to the north is one of the few sites which has not yet been developed and now identifies as the inconsistency in the streetscape.
- The proposal is separated through the middle of the dual occupancy which is not typical for this type of project – this allows additional sunlight, natural light and breeze into the dwelling.

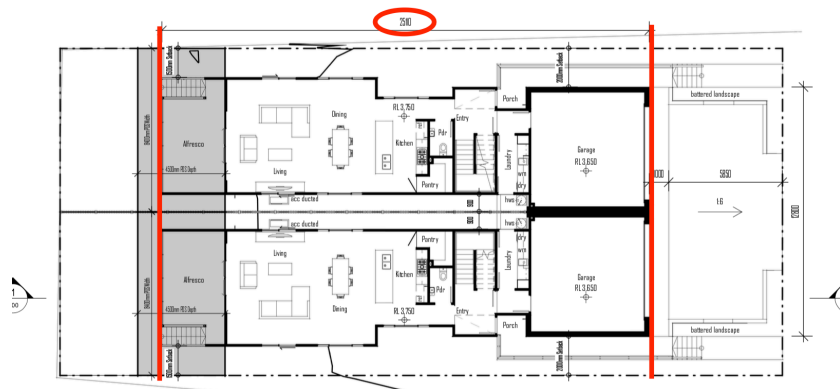
The proposal complies with the intended outcomes of PO7

DUAL OCCUPANCY CODE – PO12

Development is of a bulk and scale akin to a domestic dwelling and minimises overbearing development for adjoining dwelling houses and their private open space.

RESPONSE

The combined building is 25.11m in length which marginally exceeds the 25m acceptable outcome by 11cm.



The additional length is not considered to render the proposal to not be in accordance with the intention that PO12 seeks to achieve.

Compliance with the PO is founded on the following grounds:

- The additional length does not result in additional impacts to adjoining properties.
- The proposed buildings comply with side boundary setbacks.
- The proposed buildings comply with front and rear setbacks.
- The additional length is limited to the ground floor.
- The buildings continue to resemble a domestic dwelling.
- 11cm will not cause noticeable impacts to the adjoining properties.
- Rear decks have screening preventing overlooking of adjoining properties.

The proposal complies with the intended outcomes of PO12

DUAL OCCUPANCY CODE – PO14

PO14

Development minimises the impact of car parking on the streetscape.

RESPONSE

The proposal does not comply with the provision of AO14 as the proposed covered carparking on the site consumes more than 40% of the width.

The perceived intention of this acceptable outcome is to ensure that the streetscape is not dominated by an unappealing construction with the appearance of a shopping centre.

The proposal has been designed to appear as two separate dwelling houses with a built to boundary garage at the common boundary. The design incorporates numerous elements expected with a dwelling house proposal to ensure that shadows are cast, a clear definition between upper and lower levels exists, and the dwellings appear as lightweight structures supported by a solid base. Specifically related to this PO are the provision of upper levels that protrude out further than the lower level.

The resulting design of the proposal is a development that minimises the impact of car parking on the streetscape.

Below is a limited streetscape analysis which focuses on the immediate area and dwellings that are new additions to the street. The intention of this is to show that the proposal has taken the streetscape and character of the area into consideration at the design stage, to provide an outcome that minimises the impact of parking to the street, in that a consistent outcome is provided (i.e. will not look out of place).

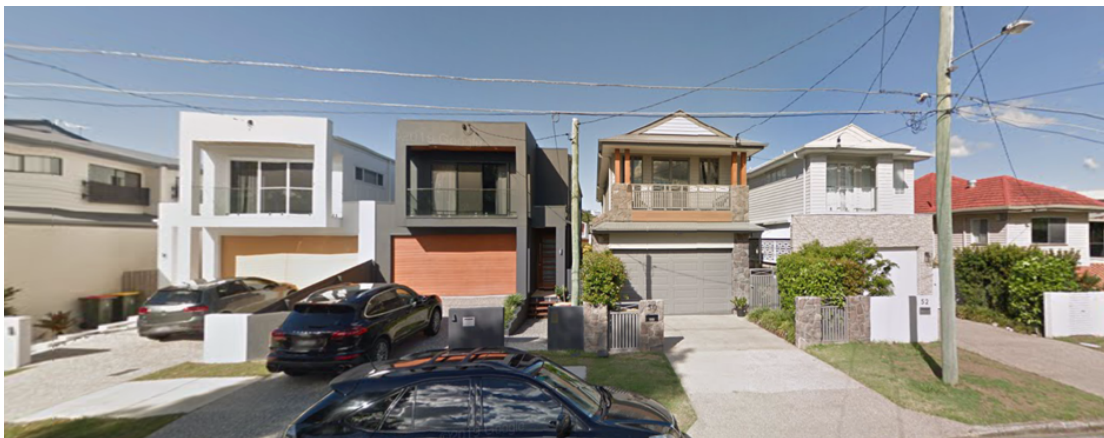


Figure 9: 48 - 52 Jamieson Street

Figure 8: The streetscape image above is located approximately 100m from the subject site – the proposed dwelling design is intended to appear in a similar form as those dwellings pictured. The form of single dwelling houses with double garages at ground level is a common outcome within the street.



Figure 10: 62 Jamieson Street

Figure 9: The site above is directly adjacent to the subject site. The proposed design again reflects this outcome in that the proposal reflects two dwelling houses with double garages beneath. The construction above implements similar design concepts such as the upper floor extending beyond the lower floor and creating shadowing and 3D effects .

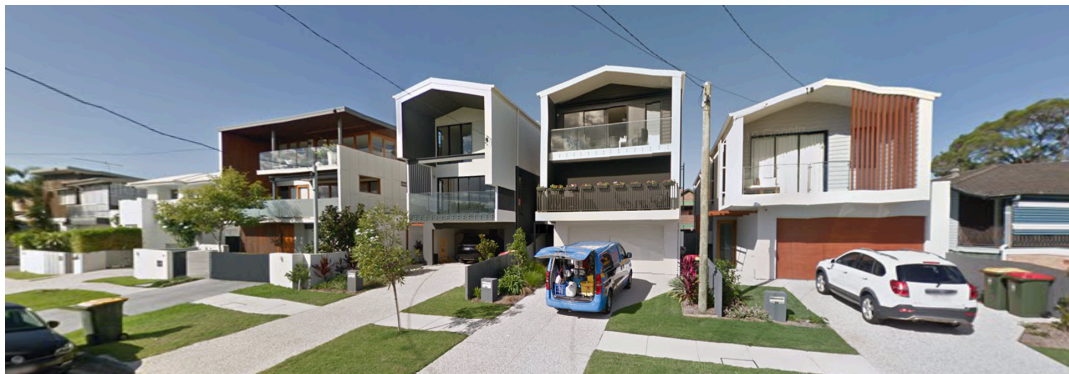


Figure 11: 6-8 Bevis Street

Figure 10: The site above is 1 street east of the subject site. The existing dwelling structures within the street are a mix of 2 and 3 storey in height and all feature similar design elements as the proposed dwellings in the form of double garages located at ground level with upper floors protruding out to cast a shadow and reduce domination.

In summary, the proposal minimises the impact of carparking to the street by:

- Providing two separate garages
- Providing a design that appears as two separate dwelling residences
- Provides an upper floor that extends beyond the lower floor to cast shadows and reduce domination of the garages
- Provides materials on the dwellings upper floor that attract attention ensuring that the lower level remains subtle
- Providing compliant front setbacks
- Providing ground floor vegetation areas which at maturity will further assist in screening of the lower level elements

TRANSPORT ACCESS PARKING AND SERVICING CODE – PO9

Development provides access driveways in the road area that are located, designed and controlled to:

- (a) minimise adverse impacts on the safety and operation of the transport network, including the movement of pedestrians and cyclists;
- (b) ensure the amenity of adjacent premises, from impacts such as noise and light.

RESPONSE

A single crossover is provided for each dwelling unit for access to the double garages.

The proposal is designed to reflect two dwelling houses and provides an excess in off-street parking to assist in alleviating the stress of the existing narrow street.

A single crossover would be dominant and would create obstructed turning angles for ingress/egress from the site which is not desirable nor considered to provide the safest option for pedestrians and other vehicles.

In addressing the provisions of the PO:

- The proposed crossovers assist in the safe operation of the road network – this site does not front a major street.
- The crossovers minimise headlight impacts on adjoining sites by providing the ability to enter and exist in a perpendicular manner
- The crossovers assist in provision of vegetation at the front of the block and further assist with provision of space for a new street tree location to replace the tree which requires removal.
- A single crossover, due to the required increase in building height will require substantial fill with no gaps to separate the bulk with vegetation, resulting in a bulky, concrete dominated streetscape.

INFRASTRUCTURE DESIGN OVERLAY CODE

The proposal identifies a location for the proposed footpath at the front of the site in a non-standard location. It is requested that Council conditions the application accordingly as a standard footpath location cannot be achieved and will cause Development Assurance issues if Conditioned.

The proposed pathway is proposed to connect to the existing footpath that has been installed to the south of the site – the footpath is located in this position due to the location of street trees being directly within the area of a standard footpath location along the entire length of the street.



Figure 12: Non Standard Footpath Location

FLOOD OVERLAY CODE – PO3

Development:

- is compatible with flood hazard in a defined flood event;
- minimises the risk to people from flood hazard;
- does not reduce the ability of evacuation resources including emergency services to access and evacuate the site in a flood emergency, with consideration to the scale of the development;
- minimises impacts on property from flooding;
- minimises disruption to residents, business or site operations and recovery time due to flooding;
- minimises the need to rebuild structures after a flood event greater than the defined flood event.

Note—Where Table 8.2.11.3.C identifies that a flood risk assessment is required, compliance with this performance outcome can be achieved by submitting a flood risk assessment, which may be included within a flood study, addressing the criteria within this performance solution. Preparing flood risk assessments and flood studies is required to be in accordance with the Flood planning scheme policy.

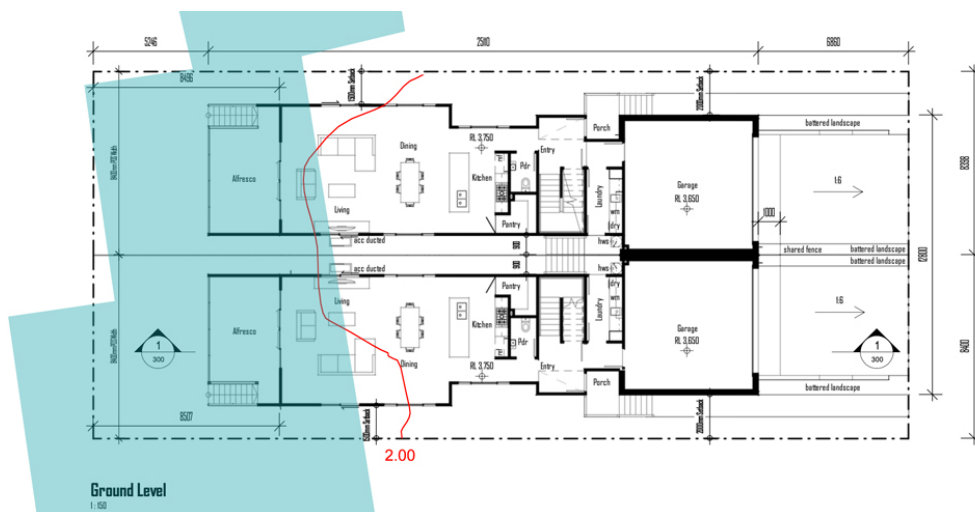
Note—An emergency management plan prepared in accordance with the Flood planning scheme policy, which sets out procedures for evacuation due to flooding may be used to demonstrate compliance with this performance outcome.

RESPONSE

The proposal does not comply with the Acceptable Outcome as Table 8.2.11.3.C identifies that a Dual Occupancy requires a Flood Risk Assessment if located within Brisbane River Flood planning Area Sub Category 3.

Brisbane River Sub Category 4 and Overland Flow are both compatible land uses, subject to meeting all other relevant requirements within the code.

The image below shows the Sub Category 3 Overlay onto the proposal plan with the 2m contour line identified from the site survey as a reference point.



From this overlay, it is clear that the area of the site affected by sub category 3 is minimal as compared with sub category 4 – the area within the site where the Dual Occupancy is proposed is largely compliant.

In Assessing the PO:

- It is recognised that part of the dual occupancy is shown to be within the overlay mapped area 3 – in addressing this, the proposal does not seek to undertake a flood study to determine the risk of the dwelling to this flood source, instead the proposal has addressed this flooding item

by ensuring that the dwelling is raised above the flood risk, knowing that an RPEQ will guide the structural design of the dwelling to withstand any flood event that passes underneath the dwelling in the future. This ensures that the dwelling is compatible with the flood hazard is a defined event.

- (b) The dwelling is located above the flood level – the risk to persons from a flood is eliminated.
- (c) The proposed dual occupancy is located above the flood level, ensuring that access to the site by emergency services during a defined flood event is possible.
- (d) The proposed dual occupancy is located above the defined flood event – impacts to the property during a flood event are low impact.
- (e) Minimisation of recovery time for the site following a flood even are maximised – the dwelling is located above the flood level and will be designed in accordance with RPEQ guidance to ensure that the building remains standing during a flood event – this response also covers the requirement of point (f).

In conclusion, the proposal complies with the provisions of the PO – locating the structure above the defined flood event and allowing the event to take place beneath the floor levels is a better outcome then providing a flood study to support a structure that is not compatible.

FLOOD OVERLAY CODE – AO5.2

An RPEQ will guide the detailed design stage of the Dual Occupancy to comply with this acceptable outcome – it is requested that Council condition this requirement as part of the approval package with timing being prior to commencement of construction.

FLOOD OVERLAY CODE – PO17

Development locates and designs all lots resulting from reconfiguring a lot to:

- a) minimise the risk to people from flood hazard;
- b) minimise damage to property from flood hazard;
- c) facilitate safe and efficient evacuation.

Note

Consideration of all floods up to the probable maximum flood is relevant to minimising the risk to people. Flood warning time is not considered sufficient in the Creek/waterway planning area sub-categories or the Overland flow flood planning area sub-category.

Filling above the flood planning level for a flood event greater than the defined flood event cannot be assumed to mitigate the flood hazard.

RESPONSE

The proposal does not comply with AO17.1 as Table 8.2.11.3.I indicates that reconfiguration of a lot within the Brisbane River Sub Category 3 requires a requires a Flood Risk Assessment.

It is proposed that the application is assessed as a single project as opposed to separation of the subdivision component from the Dual Occupancy component – with this, the elimination of risk occurs in that the subdivision is tied to the dual occupancy and therefore does not result in vacant land that will have a future building constructed upon it. With the dual occupancy being proposed at a level that meets the minimum flood planning levels, the intention of PO17 is achieved in the following way:

- (a) The subdivision is tied to a dual occupancy which is located above the defined flood level – this minimises the risk to people from a future flood hazard. It is proposed that these components are conditioned together to ensure that future works cannot take place without further detailed assessment.
- (b) The dual occupancy is located above the flood level – damage to property from a flood hazard will be minimal / non-existent.
- (c) The dual occupancy is located above the flood level – evacuation from the site can be achieved.

FLOOD OVERLAY CODE – PO18

Development involving reconfiguring a lot:

- a) minimises the risk to people from flood hazard;
- b) creates safe evacuation routes or avoids isolation of the development during a flood greater than the defined flood event;
- c) minimises damage to property and services;
- d) provides lots and roads that are not frequently flooded or subject to nuisance ponding or seepage;
- e) ensures lots created for park or private open space minimise the risk to people from flood hazard and are fit for purpose;
- f) provides a lot that is not substantially burdened by flood mitigation infrastructure.

RESPONSE

The proposal does not comply with the provision of AO18.1 as Table 8.2.11.3.J provides levels for proposed lots which would in this instance require filling of the site – an outcome that is not proposed as it is foreseen to result in negative impacts to those sites surrounding the development site.

It is requested that Council assess this application as a single proposal and does not separate the subdivision component from the dual occupancy component. The subdivision code when assessing flood requirements is seeking to ensure that subdivision does not provide a negative result to the surrounding neighbourhood and does not provide sites where dwellings cannot be constructed to meet flood levels – tying the dual occupancy to the subdivision via conditions ensures that this purpose is met, as the dual occupancy meets the habitable floor level requirements of the flood code.

In assessing the PO

- (a) The subdivision is tied to a dual occupancy which is located above the defined flood level – this minimises the risk to people from a future flood hazard. It is proposed that these components are conditioned together to ensure that future works cannot take place without further detailed assessment.
- (b) The dual occupancy is designed to ensure that evacuation can be completed in the event of a flood – the dual occupancy is located at a habitable level that exceeds the defined flood level.
- (c) The dual occupancy is located above the flood level – damage to property from a flood hazard will be minimal / non-existent.
- (d) The lots do not frequently flood, no new roads are proposed.
- (e) No lots are being created solely for park / private open space. Private open space is located partially within the deck at the rear of the dual occupancies, this deck is above flood levels.
- (f) The proposed lots are not burdened by flood mitigation infrastructure – no infrastructure is proposed.

The proposal meets the outcomes identified within the PO.

CONCLUSION

This Town Planning Report supports a Development Application made by the applicant to Brisbane City Council for a Dual Occupancy and associated Subdivision.

As demonstrated in this Town Planning Report and the supporting technical appendices, the proposed development is consistent with the intent of the Planning Scheme and other relevant instruments.

It is courteously requested that draft conditions are provided prior to decision to ensure that compliance can be met and to reduce the risk of development control issues.



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Rhys Trombetta
Director
Doyen Planning & Development

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