

Planning Report

COMBINED APPLICATION
IMPACT ASSESSABLE BUILDING WORKS
DEMOLITION OF CONTRIBUTING CHARACTER
BUILDING, CONSTRUCTION OF NEW DWELLING
AND SITING RELAXATION LOCATED AT 49 SIXTH
STREET EAST – LOT 97 RP703374

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Ref: DBW & CAR 49 Sixth St

30 April 2025

Chief Executive Officer
Townsville City Council
PO Box 1268
Townsville Qld 4810

Attention: Development Assessment

Dear Sir/Madam

RE: COMBINED APPLICATION – IMPACT ASSESSABLE BUILDING WORKS, DEMOLITION OF CONTRIBUTING CHARACTER BUILDING, CONSTRUCTION OF NEW CLASS 1a BUILDING AND REFERRAL AGENCY RESPONSE – 49 SIXTH STREET EAST, SOUTH TOWNSVILLE LOT 97 RP703374

1 Introduction

JVS Planning acts of behalf the owners, Forgan Investments Pty Ltd with regard the above application for Impact assessable building works in relation to the removal/demolition of a contributing character building and the construction of a new class 1a building on a contributing character site located at 49 Sixth Street East, South Townsville and properly described as Lot 97 on RP703374.

The application is made in accordance with s51 of the Planning Act 2016.

It is understood the fees applicable to this application are as follows and it is requested, they be placed on the C & B Designs Account in accordance with the attached authority:

Impact assessable application	\$556
Building works assessable against zone code	
Or overlay (removal/demolition of contributing character building)	\$834
Building works assessable against zone code or overlay (construction of a new character building)	\$834
Application for Referral Agency Response	\$834
Total	\$3,058

The application is supported by the following information:

- DA Form 1
- DA Form 2

- Authority of Owner to make the application
- Proposal Plans
- Assessment against Townsville City Plan
- Structural Engineering Report

2. Background

There is no background in relation to the site relevant to this application.

3. Proposal

The application proposes the removal/demolition of the existing contributing character building on site and the construction of a new dwelling house compliant with the provisions of the Character residential zone code. A structural engineers report has indicated numerous concerns with the existing dwelling and has determined the costs to restore it to bring up the character residential status are such that it would be more practicable to remove/demolish it and start afresh.

The new single storey dwelling proposes a hip roof with a skillion roof over an open verandah and gabled portico over the entrance. The front façade is to include a 2m wide verandah of suspended timber floor framing 800mm off the natural ground level with stairs centrally located along the frontage. The dwelling will be built as slab on ground. However, the slab will be disguised to give the appearance that the dwelling will be raised on stumps. The alfresco and pool surround timber floor framing also 800mm above natural ground level with hardwood decking.

The front verandah is proposed to be 3m off the front boundary which is consistent with other dwellings along Sixth Street East between Seventh and Eighth Avenues. It is proposed the new dwelling will be 3m off the Eighth Avenue frontage which is one element that requires assessment against the Queensland Development Code (QDC).

A car garage and boat shed will be located adjacent to the western boundary adjoining 47 Sixth Street East encroaching into the side setback and will comprise an additional element that requires assessment against the QDC. However, the boat shed will be located beyond the 3m façade of the frontage and therefore does not trigger assessment against the Character residential code.

See 3D image below of the proposal and site plan below.



Figure 1 –3D elevation

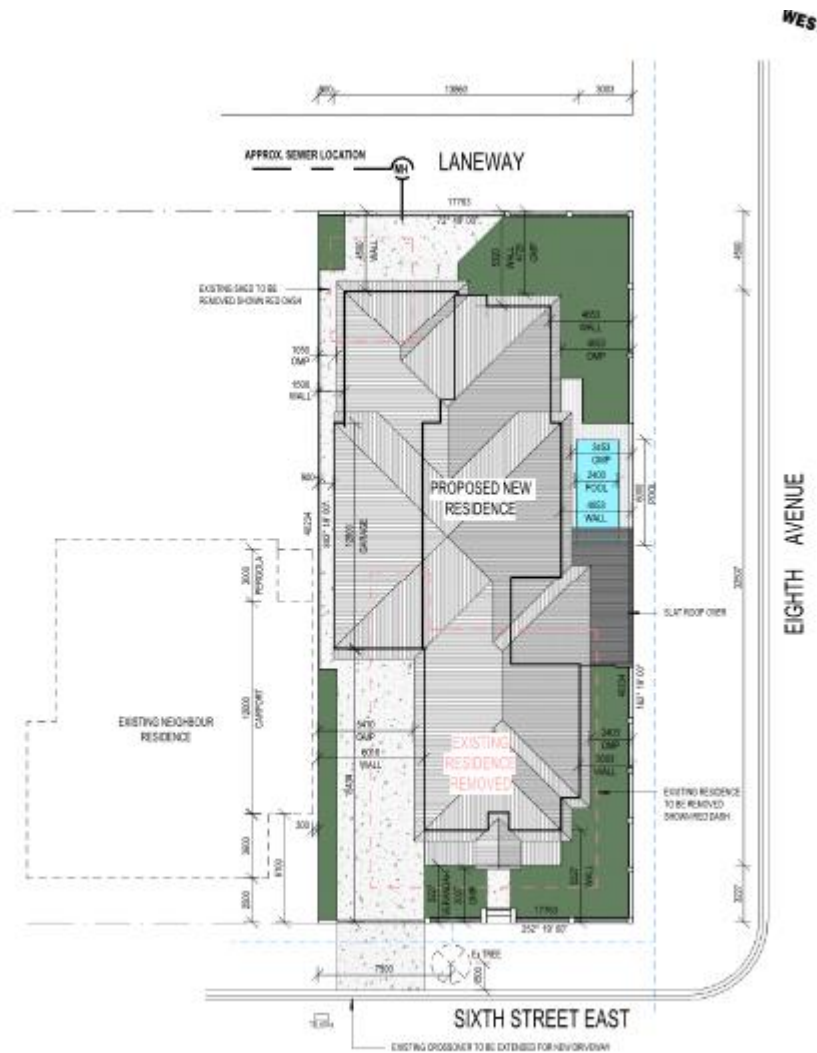


Figure 2 – Site Plan

4 Prelodgement

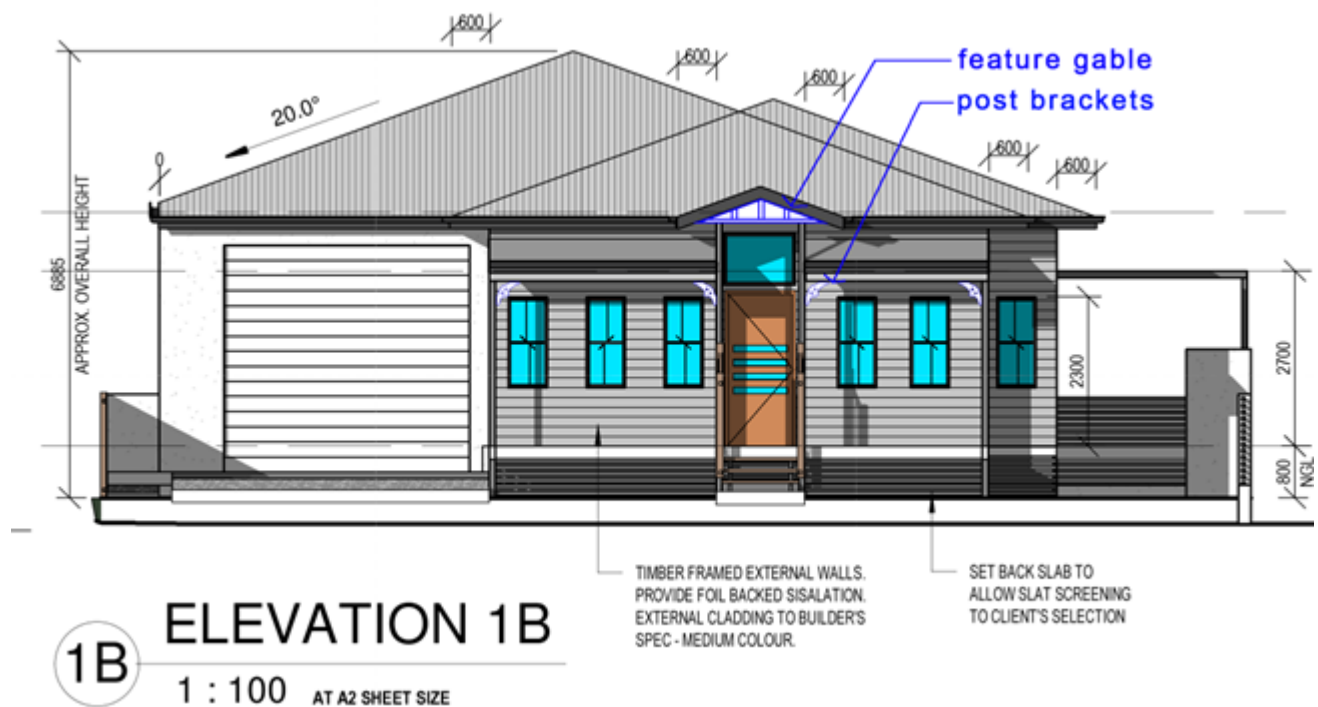
Prelodgement advice was sought, obtained and accepted in relation to design elements of the proposed new Class 1a building and the structural report on the existing Class 1a building located on site. The advice received from the Senior Urban design Officer date 23 April 2025:

My general comments are;

The Structural Report seems sufficient to address the demolition provisions of the Character Residential Code.

The proposed verandah addressing Sixth St provides some nice references to the workers Cottage Precinct.

I would recommend the inclusion of post brackets from the verandah posts to the awning roof to elevate the character further. Typically, with a gable roof we would seek a more traditional feature timber batten gable on flat fc, what is proposed is a little modern. Refer to sketch below for more information.



The garage is set back sufficiently to not trigger the Character Residential Code.

The windows appear to address the window scale and proportion code. Our preference would be to see, at least some of these new windows grouped together as per SC6.2 Character residential Planning Scheme policy SC6.2.3.3 Windows (1). However realistically still fits with in what could be considered as

acceptable. In regards to the proposed sliding glass doors that address Eighth Avenue, the inclusion of a transom at 'sill level' on the doors will help address the scale and proportion sought by from the code.

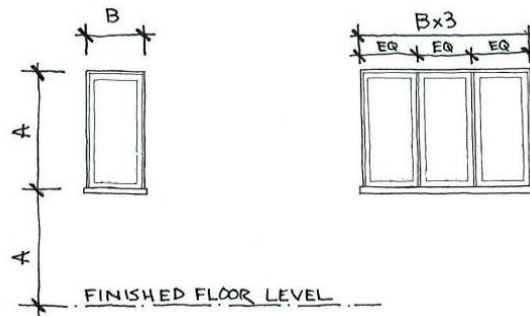


Figure SC6.2.3.12 Illustrates an example of half-height, vertically proportioned windows with one frame (left) and a set of three frames (right)

The drawings currently indicate a very modern appearance to the proposed fence. This is not what we would consider a suitable design within the character precincts, specifically a rendered block wall, with a picket style fence being the preference. We do have our Heritage and Character Guideline that provides examples of a character style fence. [A5HeritageInfoBooklet:Layout 1](#) Part 3: Townsville fences - pages 19 – 24.

5. The site

The subject property is located at 49 Sixth Street East and formally described as Lot 97 on RP703374 and is 713m² in area. The property is located within the Character Residential zone and more specifically the Workers Cottages precinct. The existing dwelling on site would appear from aerial photography to have been built prior to 1941. See Figure 3 below. The subject land is of generally even grade, is elevated above the Eighth Avenue footpath.

The site has three (3) road frontages being Sixth Street East, Eighth Avenue and a rear laneway. A garage/shed is located in the north western corner of the site adjoining the laneway. However, access to this structure is from Sixth Street.

While located in South Townsville and adjacent to Ross Creek, the property is only affected by the Airport environs overlay.



Figure 3 – Existing Dwelling



Figure 4 – Zoning



Figure 5 – Aerial Photograph

6. PLANNING ASSESSMENT

6.1– Strategic Framework

The planning scheme incorporates a strategic framework, which sets the policy direction, and basis for ensuring appropriate development occurs within the planning scheme area.

The strategic framework is represented by the following four themes:

- (i) Shaping Townsville;
- (ii) Strong, connected community;
- (iii) Environmentally sustainable future; and
- (iv) Sustaining growth.

The strategic framework provides strategic outcomes for each of the above four themes. It is noted that the proposal furthers the outcomes sought by the above themes and their outcomes, particularly when considering:

- The development proposal refers to a new dwelling house that has been designed in accordance with the character code requirements and the residential character of the area;
- The proposal is consistent and mindful of the established character of the locality;
- The proposed development is consistent with the expectations of the community and the requirements of the planning scheme;
- The proposed development enhances the site's contribution to the mix of high-quality residential properties and features within Sixth Street East, and will enhance the quality of the street the construction of the new dwelling;
- The proposed development has been appropriately designed with regard to Townsville's tropical climate.

6.2 Character Residential zone

The purpose of the Character residential zone is to provide for and protect a particular character of certain, predominantly residential, areas of Townsville. The code seeks to protect and enhance the character and streetscape values of an area by preventing the relocation off site or demolition of contributing character dwellings, as well as ensuring the design of any new development is compatible with the places of character value within the zone or precinct in which they are located. The code further seeks that any development is compatible with the residential amenity of the area.

The subject is specifically located within the Worker Cottages precinct of the Character residential zone. The precinct consists a mix of both low and highest dwellings, many restored and/or maintained consistently with the Code

The Workers Cottages precinct is characterised by the following:

Workers Cottages precinct:

- a) this precinct consists of low and high set Queensland worker's cottages and bungalows, constructed of lightweight materials;
- b) the consistent character of worker's cottages and interwar houses constructed of lightweight materials is maintained;
- c) buildings in this precinct have open facades which address the street and are consistent with the predominant front façade profile that contributes to the precinct's character;
- d) building floor level height in new development is consistent with adjoining contributing character buildings;
- e) enclosing the ground floor of a contributing character building does not have an adverse impact on the character of the building;
- f) the roof profile of buildings is consistent with that of contributing character buildings; and
- g) window scale and proportions of buildings are sympathetic to the predominant character of the precinct.

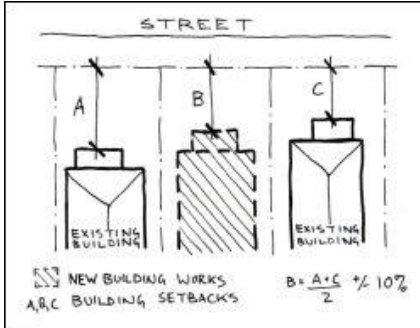
It is considered the proposal meets the above criteria specifically in relation to the light weight materials, floor height, open facade that addressed the street, roof profile and window proportions.

The Code requirements and responses are provided below:

CHARACTER RESIDENTIAL CODE

Performance outcomes	Acceptable outcomes	Code response
For assessable development		
Amenity		
PO4 Development minimises impacts on surrounding land and provides for an appropriate level of amenity within the site, having regard to: <ol style="list-style-type: none"> a) noise; b) hours of operation; c) traffic; d) visual impact; e) odour and emissions; f) lighting; g) access to sunlight; h) privacy; and i) outlook. 	A04 No acceptable outcome is nominated.	The proposal relates only to the removal/demolition of the existing dwelling and the construction of a new dwelling consistent with the character of the area.
Demolition and removal		
PO8 The removal, relocation or a partial or total demolition of a contributing character building only occurs if it	No acceptable outcome is nominated. Editor's note —An impact statement produced by a suitably qualified professional may be required to demonstrate that there is no adverse impact on the character of the precinct due to the loss of the	An impact statement has been prepared by a suitably qualified professional. The statement has indicated the significant works required to bring the existing dwelling to a standard that would meet the requirements

<p>can be demonstrated that the:</p> <ul style="list-style-type: none"> a) total or partial loss of the building will not contribute to the loss of the character values; b) total or partial loss of the building will not impact on the rhythm of the streetscape; or c) the building or part proposed for demolition is not capable of structural repair. 	<p>place, or a suitably qualified professional provides a report on the buildings condition, demonstrating that the place is not capable of repair.</p> <p>Editor's note—Applicants should have regard to the Character Residential planning scheme policy no. SC6.2 for guidance on how to write an impact statement.</p>	<p>of the Code would not be economically viable and would best suited to be demolished to allow a new structure consistent with the Code to be constructed.</p> <p>A copy of the report has been attached to the application material.</p>
Carports and garages		
<p>PO9 When viewed from a street, ancillary buildings such as carports and garages:</p> <ul style="list-style-type: none"> a) do not visually dominate the streetscape character; b) are subservient to existing buildings on the site; c) do not detract from the character or appearance of the contributing character buildings; and d) are consistent with the established rhythm of the streetscape. 	<p>AO9 Class 10a structures such as carports, garages:</p> <ul style="list-style-type: none"> a) are set back an equal or greater distance from the street as the main building; b) have a maximum width not exceeding 3m; c) do not have a garage door or solid face presented to the street; d) are detached or semidetached structures with minimum carport roof gap to the building face of 0.6m (as shown in Figure 6.51 – Appropriate carport or garage type and roof gap); e) have a roof pitch which matches the main building's predominant roof pitch or has a roof pitch no greater than 3 degrees (as shown in Figure 6.52 – Appropriate roof pitch of a carport or garage); f) have their highest point lower or equal to the gutter/facia level of the main building (as shown in Figure 6.53 – Appropriate height relative to the main building); and 	<p>The garage/boat shed is setback from the Sixth Street East frontage some 15.4m and therefore does trigger assessment against this code.</p> <p>However, the garage/boat shed extends to be 4.5m from the rear laneway frontage. This proposal has not considered addressing the Character residential code with regard to the laneway frontage as it is a third road frontage and to do so is believed to be an overly restrictive impediment to any development on the site.</p>

	g) are built using materials that complement the existing dwelling (as shown in Figure 6.54 - Appropriate complementary building materials).	
PO14 The existing setting and rhythm of the streetscape is retained and enhanced.	AO14.1 Buildings and extensions are setback from street frontages within 10% of the average front setback of adjoining contributing character buildings. Figure 6.55 — Appropriate front setbacks illustrates.  <p>Figure 6.55 — Appropriate front setbacks</p>	The proposed new dwelling will be set back 3m from the Sixth Street East front boundary which is a greater setback than the existing dwelling. Furthermore, the 3m setback is consistent with the adjoining dwelling at 47 Sixth Street East and other dwellings on Sixth Street East between Seventh and Eighth Avenues. A 3m setback is also proposed for the Eighth Avenue frontage while setback along this section of the street is generally 6m. It is noted a significant established tree is located on the footpath on the corner of eighth avenue and Sixth Street East and it is the applicant's understanding that previous requests to have this removed have been denied by the Council. This tree therefore provides a significant screen along the Eighth Avenue frontage and will therefore lessen any impacts a 3m setback may have on the rhythm of the street. Accordingly, it is considered the proposal will not only retain existing setting and rhythm of the streetscape, it will enhance both frontages with a new building that will be maintained in far better condition the existing dwelling on site.
PO16 Buildings use materials that have a lightweight appearance, and assist in reducing building bulk and form. Editor's note —Applicants should have regard to the Character planning scheme policy no. SC6.2 for guidance on how to demonstrate compliance with this performance outcome.	AO16.1 Walls are clad with lightweight materials with an expressed surface profile. AO16.2 Roofs are clad with corrugated iron. AO16.3 Windows are timber framed or have the appearance of being timber.	The walls will be clad with lightweight materials, the roof will be colourbond custom orb and the windows will be timber (or timber look) casements.
Worker's Cottages precinct		
PO26 Building height and building floor level height are consistent to adjoining contributing character buildings.	AO26 Dwelling houses: a) have a floor level minimum of 700mm above ground level; or b) are 2 storeys.	The dwelling is to have a floor level of 800mm from natural ground level and is single storey in height and not exceeding 8.5m.

PO27

The front facade includes a verandah consistent with the predominant front facade profile of the contributing character buildings.

AO27.1

The front facade includes an open or semi-enclosed front verandah for a minimum 60% width of the front facade;

OR

AO27.2

Enclosed verandahs are articulated with openings such as windows, louvers or screens, continuously across 60% or more of the front facade of the dwelling and wrap around one or both sides of the front facade for a minimum of 2m and the enclosure is capable of being reversed.

Figure 6.61 - A front verandah in the Worker's Cottages precinct (Castling Street) illustrates.

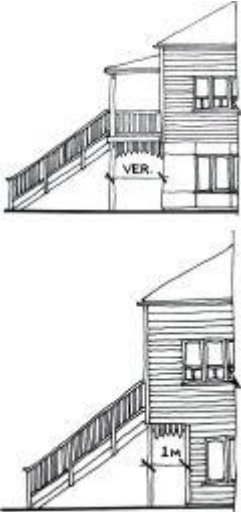


Figure 6.61 — A front verandah in the Worker's Cottages precinct (Castling Street)

The proposed dwelling includes an open verandah across the full frontage. Post brackets have included in accordance with the prelodgement advice received.

An entrance is located centrally on the frontage with 3 casement windows either side.



<p>PO28</p> <p>Enclosing the ground floor storey of a building does not have an adverse impact on the character of the building and ensures the original fabric of the building is identifiable.</p>	<p>A028</p> <p>Development on any ground floor storey includes a valance, and:</p> <ul style="list-style-type: none">a) is set back the full depth of all open or enclosed verandahs; orb) is set back 1m from the upper level of an exterior wall where there is no verandah. <p>Figure 6.62 - Appropriate enclosures to the ground floor illustrates.</p>  <p>Figure 6.62 — Appropriate enclosures to the ground floor</p>	<p>The new dwelling is single storey and therefore does not have an enclosed ground floor as depicted in the AO.</p>
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PO29 The roof profile is consistent with the predominant roof profile of the contributing character buildings. Editor's note —Applicants should have regard to the Character residential planning scheme policy no. SC6.2 for guidance on how to demonstrate compliance with this performance outcome.	AO29.1 The roof profile is simple hipped or pyramid with a 15 degree to 25 degree roof pitch.	Complies- the roof pitch is 20 degrees.
	AO29.2 Verandahs are contained under the main roof form, or roofed separately with skillion or gently curved roofs.	Complies, the verandah is under a skillion roof.
PO30 Window scale and proportions, and window hoods and awnings are sympathetic to the predominant character of the precinct. Editor's note —Applicants should have regard to the Character residential planning scheme policy no. SC6.2 for guidance on how to demonstrate compliance with this performance outcome.	AO30.1 The windows are half-height with vertically proportioned frames, where the frame height is greater than its width by a 3:1 ratio.	The windows proportions, heights and ratios are consistent with the PO and AO as confirmed by the prelodgement advice.
	AO30.2 Where windows are not sheltered by a verandah or roof overhang (which has a minimum overhang of 600mm), window hoods are provided.	

6.3 Airport environs overlay code

The purpose of the code is to ensure that development avoids adversely affecting the safe and efficient operations of the Townsville Airport, RAAF base and other aviation facilities. Development must not increase the risk to public safety and no worsening of people affected by significant aircraft noise is to be avoided.

Response

The development proposed the removal/demolition of an existing dwelling and the construction of a new single storey dwelling. Accordingly, this development will have no impact the operations of the Townsville Airport and will not increase risk to public safety.

6.4 Reconfiguring a lot code

The purpose of the Reconfiguring a lot code is to facilitate the creation of attractive, accessible and functional neighbourhoods and districts, that are well-integrated, compact and sustainable whilst protecting the productive capacity, landscape character and ecological and physical functions of Townsville's diverse natural resources. New allotments must be designed, and of a size suited to the intended use of the land having regard to the ability to accommodate buildings, vehicle access, parking and onsite service, and create walkable residential neighbourhoods that are accessible to community facilities and employment opportunities.

Response

The proposed development does not involve the reconfiguration of the lot. Accordingly, the existing lot configuration will remain as is.

6.5 Works code

The purpose of the code is to ensure all works associated with the development achieve an appropriate level of service which maintains or enhances community health, safety and amenity and are undertaken in an environmentally sensitive manner.

Response

The proposed development is located within an established residential area where all services are provided. This development will be serviced by the reticulated water and sewer services, will be connected to electricity and telecommunication services. Furthermore, adequate provisions will be provided on site for access and parking to suit the needs of the development.

7. Concurrence Agency Referral

This application also seeks approval for front and side boundary relaxations.

The applicant seeks to construct a new dwelling generally in accordance with the Character residential zone code. Specifically assessment against A1(a)(i) in terms of the front boundary and A2(a)(i) and A2(d)(ii) for the side boundary. The dwelling is proposed to be located 3.227m to the outer most projection (OMP) from the front boundary which is consistent with setbacks of the dwelling on the adjoining lot on Sixth Street East.

A setback of 3m is proposed to the Eighth Avenue frontage with Alfresco decking extending to the boundary mid site. As indicated above a significant and established tree is located on the Sixth Street East and Eighth Avenue corner which provides a screen to the Eighth Avenue frontage when viewing from Sixth Street East elevation. Furthermore, a laneway is located to the rear of the site which provides some separation from adjoining lots on Eighth Avenue. Therefore, this setback is not considered to detrimental to the generally amenity of the area, nor will it impact on the provision of adequate daylight and ventilation to habitable rooms of buildings on adjoining lots.

Furthermore, the proposed location of the new Class 1a building complies with the corner truncation setbacks. The existing tree referred to above which is located within the corner truncation poses more of a visual obstruction to traffic than the proposed dwelling.

Finally, the western elevation of the proposed new Class 1a dwelling encroaches the side setback to the western boundary. It is along this elevation that the garage/boatshed is located and is proposed to be 900mm from the boundary. This garage/boatshed is some 12.8m in length and 4.555m to the outer most projection. Beyond the e

garage/boatshed, is rear portion of the dwelling which is proposed to be 1050mm from the boundary for a length of 7.5m and is 3.5m from natural ground level. Therefore, this side setback encroachment is 20.3m in length.

However, as can be seen from the attached plans, and specifically the Site Plan on Sheet 2, an open carport and pergola on the adjoining lot totaling some 15m is located within 300mm of the adjoining boundary and adjacent to part of the proposed garage/boatshed on the subject land. Furthermore, as Figure 5 above indicates, beyond this open carport and pergola, there are no other structures or entertaining areas that may be impacted by the

8. Conclusion

The proposal is considered to be consistent with the Character Residential Code and as demonstrated in the code responses above, the proposed development will result in minimal impact on the amenity of the area and will not be detrimental to the streetscape of the general locality. As such, it is considered that the proposal is an appropriate development and also improved outcome for the site as compared to the existing status and should therefore be approved with reasonable conditions.

If you have any queries please do not hesitate to contact me on 0428136814.

Regards

Jeff Smith