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Planning Assessment Report

440 Upper Edward Street, Spring Hill QLD

Material Change of Use for Multiple Dwelling (8 Dwellings) and Centre Activities (Food & Drink Outlet)

Prepared for

Karam Boutique Residential 5

23 December 2025

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1.0 Executive Summary

1.1 Introduction

NorthGroup Consulting have prepared this planning report in support of a development application seeking a Development Permit for a Material Change of Use for Multiple Dwelling (8 units) and Centre Activities (Food & Drink Outlet) at 440 Upper Edward Street, Spring Hill (Lot 1 on RP10190). An assessment of the proposed development against the relevant planning provisions is contained within this report.

1.2 Application Details

Applicant	Karam Boutique Residential c/- NorthGroup Consulting
Contact	John Carroll (NorthGroup Consulting)
Type of Development	Material Change of Use
Approval Type	Development Permit
Planning Scheme Definition	Multiple Dwelling and Food & Drink Outlet
Category of Assessment	Impact Assessable (Building Height & Number of Stories)
Referral Agencies	Nil
Specialist Reports	Proposed architectural plans
Prelodgement Advice	N/A
Our Reference	204937

1.3 Site Details

Street Address	440 Upper Edward Street, Spring Hill QLD 4000
Real Property Description	Lot 1 on RP101190
Site Area	304m^2
Local Government Area	Brisbane City Council
Planning Scheme	City Plan 2014
Zone	PC1 Principal Centre (City Centre)
Zone Precinct	N/A
Neighbourhood Plan	Spring Hill
Neighbourhood Plan Precinct	City Centre expansion precinct – NPP-001
Overlay(s)	Airport environs overlay Bicycle network overlay Community purposes network overlay Critical infrastructure and movement network overlay Road hierarchy overlay Streetscape hierarchy overlay Transport Noise overlay

2.0 Site History and Description

2.1 Site Area and Dimensions

The premises has a land area of 304m² with an approximate 10m frontage to Upper Edward Street and a depth of approximately 30.1m.

2.2 Land Use and Improvements

The premises is currently vacant land with no existing buildings or structures with the remnants of demolition material contained on site .

2.3 Site Application History & Opinion

To the best of our knowledge the recent development history of the site is as follows

2006 – Original Application

- Impact assessable application for an eight-storey office building with ground level parking and a basement office area.
- Proceeded straight to public notification
- An appeal was lodged after approximately 6 months
- The Planning and Environment Court approved the proposal on 17 April 2009.

2012 – Change Application & Currency Extension
A change application was subsequently lodged to amend that court approval.
Key changes included:

- Removal of the basement office component
- Slight reductions to podium height and overall building height
- Reconfiguration of ground level car parking, including removal of one space
- Addition of an open terrace in the area where plant/services were previously
- Various façade and presentation tweaks

The changes were supported by BCC and subsequently the court. The currency period was extended to 2015.

2015–2018 – Further Extensions & Lapsing

- Further extensions took the approval out to 2017, then 2018.
- A later request in 2018 sought an additional two years but appears to have been withdrawn.
- The office approval has now lapsed.

Whilst it no longer has statutory effect, the previous court-sanctioned design provides a useful benchmark for built form expectations and council's general attitude to development intensity on the site at that time. The earlier approvals were assessed under City Plan 2000 and the Integrated Planning Act.

2022 – Recent Application by Current Owner
Council's records also show a 2022 application for a multiple dwelling with a small office component. It does not appear to have progressed

2.4 Access and Road Widening

Direct access is available to Upper Edward Street, which does not require any road widening however appears to require 0.25m of verge widening. Upper Edward Street is categorised as a suburban road and centre street minor. Vehicular access is proposed from

Upper Edward Street utilising the existing crossover in accordance with Council requirements.

2.5 Topography

The site is generally flat with a gradual slope toward the eastern boundary (Upper Edward Street). The highest point is approximately RL 32m AHD at the western boundary, falling to approximately RL 31m AHD at the eastern boundary.

2.6 Vegetation

There is no vegetation on site.

2.7 Drainage and Flooding

There is no recorded history of flooding on the subject site. Stormwater is presently collected on site and discharged via sheet flow to Upper Edward Street, which is considered the lawful point of discharge. An existing stormwater line crosses the property. The frontage of the site consists of a number of gully traps to allow for effective stormwater disposal

2.8 Services and Infrastructure

The site is serviced by reticulated sewerage infrastructure, water reticulation, including mains, meters, and hydrants, is available within the Upper Edward Street road reserve.
Electricity and telecommunications infrastructure are also located within the Upper Edward Street road reserve.

2.9 Easements

There are no registered no easements or other encumbrances are burdened or benefited on the subject site.

2.10 Existing and Future Development within the Locality

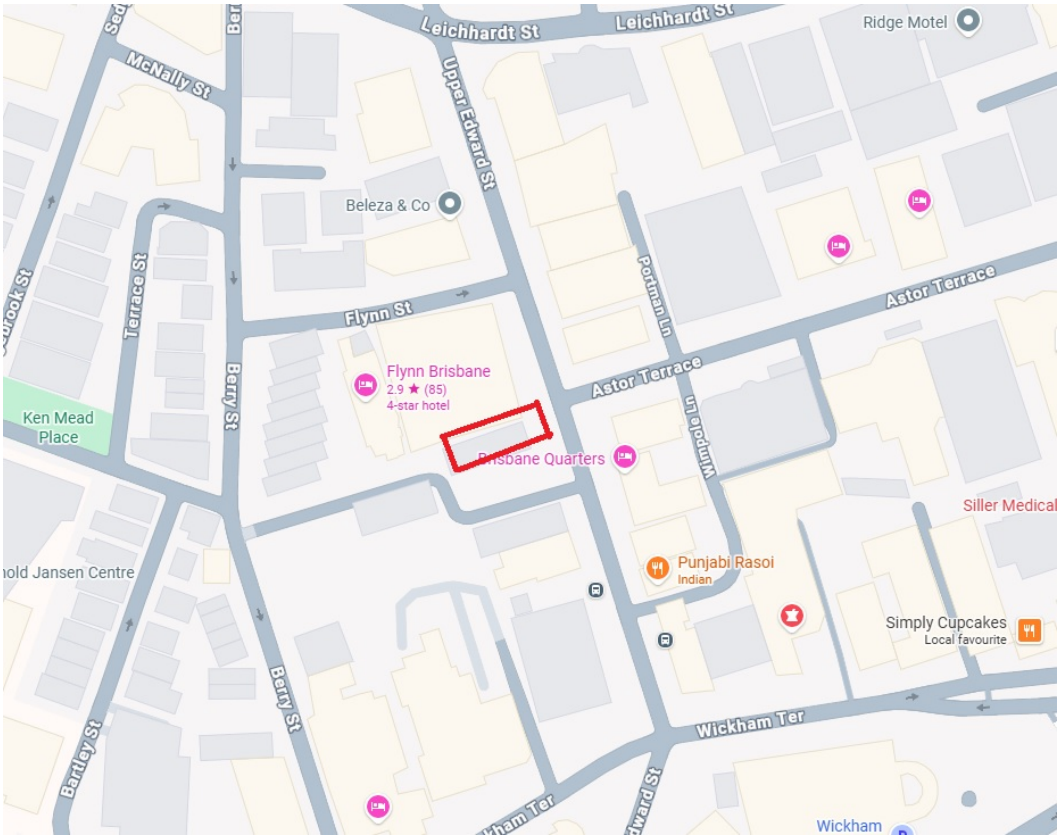
Spring Hill is an established inner-city suburb immediately adjoining Brisbane's CBD, characterised by a mix of commercial activity, medium to high density residential development, and a strong public transport network.
The locality around Upper Edward Street is predominately within the Principal Centre Zone and Mixed Use Zone, supporting a diverse mix of centre activities and residential uses.
The site benefits from proximity to employment, services and facilities, and is well-suited to higher intensity mixed use outcomes anticipated within the City Centre expansion area.

The streetscape in the immediate locality comprises a dense inner-city built form with a mix of commercial uses and residential apartments. Upper Edward Street functions as a key movement corridor with an urban character.

2.11 Existing Streetscape and Form

The subject site is located approximately mid-block on the western side of Upper Edward Street, Spring Hill. It occupies a visually strategic position near the intersection with Astor Terrace, with the street geometry creating strong view corridors along Astor Terrace.
Upper Edward Street generally falls in elevation from the north (from around Leichhardt Street) down toward the Astor Terrace intersection, which represents a local low point in the streetscape, before rising again toward Wickham Terrace. This topography and street alignment provides the site with prominent outlook opportunities and contributes to the site's visibility in key public viewing directions, particularly from Astor Terrace. As a result, development on the site is expected to form a notable element in the approach along Astor

Terrace and contribute positively to the visual experience of movement through this part of the city centre frame.



Immediate context

The site is embedded within an established inner-city mixed-use setting characterised by a combination of podium-and-tower built form, commercial uses at lower levels, and residential accommodation above.

- **To the north:** the site adjoins an existing multi-unit development know as The Flynn comprising lower-level commercial and shop activities with residential dwellings located above within a tower form set on a podium. It is a hybrid development hat functions as both an **"aparthotel"** for short-term stays and a residential building where owners and tenants live long-term in private rental properties.
- **Opposite the site (eastern side of Upper Edward Street):** development is predominantly low to medium rise in character, including a three-storey building occupied by professional offices with a shop at ground level.
- **Nearby opposite development:** there is also a food and drink outlet with commercial office accommodation at lower levels, reinforcing the active mixed-use character of the locality.
- **To the south:** adjoining land is currently vacant in a built form sense and is used for surface car parking and associated vehicle movements associated with the United Service Club of Queensland.

Streetscape and movement

The streetscape includes established street trees in proximity to the site, contributing to visual amenity and the pedestrian environment. Signalised traffic lights are located at the frontage, forming a key movement and crossing point and further reinforcing the site's prominence at the Astor Terrace interface.

Future context and design response
The broader locality includes areas of underutilised land, particularly to the west and rear of the site where surface parking is currently present. This land has the potential to transition over time to more intensive, integrated development consistent with the surrounding city centre expansion character, particularly if future amalgamation occurs. The proposed development has been conceived with regard to this evolving urban context, including the potential for future redevelopment of adjoining and nearby sites and the opportunity for a more coordinated built form outcome across the block.

2.12 Proximity to Public Open Space and Recreation

The subject site is located within close proximity to a number of established parks, landscaped civic spaces and recreational areas, including:

- Ken Mead Place – approximately 240 metres or a 3-minute walk
- King Edward Park – approximately 280 metres or a 4-minute walk
- Wickham Park – approximately 350 metres or a 6-minute walk
- Cathedral Square – approximately 400 metres or a 6-minute walk
- Roma Street Parkland – approximately 550 metres or a 9-minute walk

These spaces collectively provide a diverse range of recreational and amenity opportunities, including passive open space, pedestrian paths, landscaped gardens and civic gathering areas, and form part of the broader inner-city open space network servicing Spring Hill and the Brisbane CBD.

2.13 Site Photographs

2.14 Stakeholder Engagement

No formal pre-lodgement meeting was undertaken with Brisbane City Council for this application. Pursuant to Council's prelodgement guidelines, a prelodgement meeting is typically most beneficial where clarification of assessment pathways, technical requirements or strategic intent is required at an early stage.

In this instance, the decision not to pursue a prelodgement meeting was made having regard to:

- the applicant's detailed understanding of the Brisbane City Plan 2014 framework and the Spring Hill neighbourhood plan, including the City Centre expansion precinct outcomes;
- the site's well-documented development history, including a previously court-approved higher-intensity built form outcome, which provides a clear benchmark for the scale and development expectations applicable to the site;
- the proposal's consistency with the strategic intent for inner-city consolidation, housing diversity and mixed-use activation within the Principal centre zone; and
- the absence of site-specific constraints or policy ambiguities that would materially benefit from early clarification.

Notwithstanding the absence of a prelodgement meeting, the proposal has been developed with careful regard to the relevant planning provisions, including the Strategic Framework, Spring Hill neighbourhood plan code, and Council's design guidance (including Buildings that Breathe). The design process has been iterative and informed by established planning and urban design principles to ensure a high-quality, site-responsive outcome.

Early community consultation was not undertaken prior to lodgement. Given the site's location within the City Centre expansion precinct, the mixed-use zoning context, and the impact assessable nature of the proposal, it is anticipated that formal public notification as part of the development assessment process will provide an appropriate and transparent mechanism for community input. Any submissions received will be addressed in accordance with statutory requirements.

Accordingly, stakeholder engagement for the proposal will occur through the statutory public notification process associated with impact assessable development, which is considered an appropriate and proportionate mechanism for community and stakeholder input having regard to the site's context, planning history and the applicable assessment framework.

3.0 Description of Proposal

3.1 Key Details for Proposed Development

Proposed Use: Material Change of Use – Residential Activities being a Multiple Dwelling (8 units) and Centre Activities being a food and drink outlet.

Key elements are summarised in the table below

Building Height	10 Stories (31.5 metres high plus a lift over run of an extra 2.4m)
Basement	1 level carparking (via automated car valet system) and services
Number of Residential Units	8
Dwelling Mix	4 bedroom - 7 units 6 bedroom - 1 unit
Tower Site Cover	85%
Centre Activities	Ground level Food & Drink outlet (15m^2)
Car Parking	18 spaces in total being 6 cars per level within 1 basement area 16 for residential uses 2 for visitor spaces
Bicycle Parking	8 resident bicycle spaces 2 resident visitor bicycle space
Boundary Setbacks	Upper Edward Street: 0.0m - 3.0m South: 0.0m West: 0.0m Northern Boundary 0.0m – 3.0m
Private Open Space	Level 2 UNIT 1 – 48m^2 Level 3 UNIT 2 - 24m^2 Level 4 UNIT 3 - 38m^2 Level 5 UNIT 4 – 24m^2 Level 6 UNIT 5 - 24m^2 Level 7 UNIT 6 -24m^2 Level 8 UNIT 7 - 24m^2 Level 9 & 10 UNIT 8 - 24m^2 Roof Terrace Penthouse : 150m^2
Communal Open Space	Nil
Servicing Requirements	Sewer onsite; water, electricity and telecoms within Upper Edward Street
Lawful Point of Discharge	Kerb and channel & infrastructure within Upper Edward Street
Existing Built Improvements	Nil
Access Arrangements	Existing crossover to Upper Edward Street to be retained
Removal of Street Trees	Nil

3.2 Developer Vision, Architectural Design and Built Form Response

3.2.1. Client Vision and Market Positioning

The proposed development is driven by a clear and deliberate client vision responding to a recognised gap in the inner-city residential market. Unlike the predominately smaller 1–2 bedroom apartment stock typically delivered in Spring Hill and the CBD fringe, the client intends to provide large, high-amenity apartments suitable for:

- Intergenerational households
- Larger families seeking an urban lifestyle
- Inner-city professionals requiring additional space
- Downsizers who value location, amenity, and access to services

Input from international precedents has demonstrated growing demand for larger inner-city dwellings, where residents prioritise generous internal areas, dual-living configurations, privacy, and long-term liveability. The proposal responds directly to these trends.

The development therefore positions itself as a boutique, high-quality residential offering within the Principal Centre Zone—providing a typology not currently supplied in Spring Hill but clearly aligned with Brisbane's strategic objectives for housing diversity, well-located dwellings, and increased density near public transport and employment centres.

3.2.2. Formulation of the Proposed Development

The development comprises:

- Ground Level – *Food and drink outlet*, delivering street activation and pedestrian amenity along a section of Upper Edward Street currently lacking active frontages.
- Levels 2–8 – *Seven (7) x four-bedroom apartments*, each designed to function as a full-floor residence with a strong indoor–outdoor relationship and enhanced liveability.
- Levels 9–10 – A *two-storey penthouse* containing six bedrooms, designed for intergenerational living and enjoying expansive views down Astor Terrace.

This configuration reflects the site's narrow 10 m by 30 m footprint and responds to the client's objective of creating exclusive full-floor residences rather than high-density, multi-unit layouts.

The decision to limit the height to 10 storeys is a deliberate balance between:

- Achieving a feasible, buildable envelope on a constrained allotment
- Maintaining alignment with adjoining built form previously approved by the Planning and Environment Court
- Benefitting from the 25 m "effective height" classification under the BCA, which improves fire engineering outcomes and reduces the need for intensive mechanical systems to the Penthouse floor noting the overall height is 31.5m
- Reinforcing the intention to deliver boutique, high-value homes rather than bulk yield-driven apartments

3.2.3. Key Site Constraints and Opportunities

Constraints

- The site is extremely narrow (10 m) with a modest total area of 304 m².
- Built form on the northern boundary consists of a mixed residential–short-stay tower, limiting opportunities for lateral openings.
- The southern boundary adjoins a surface car park and anticipated future redevelopment sites.
- Conventional basement layouts are unachievable due to the width of the site, requiring highly efficient servicing solutions.
- The podium and tower must respond sensitively to privacy, solar access, and air flow despite tight boundary conditions.

Opportunities

- The site benefits from a significant view corridor down Astor Terrace, which the architectural design intentionally celebrates.
- The podium level allows for a large deep planting zone visible from the public realm—an important subtropical design contribution.
- Automated car-stacking technology facilitates a highly efficient basement and reduces the building's mechanical footprint.
- The narrow site naturally lends itself to single-residence-per-floor living, which supports privacy, exclusivity, and enhanced cross-ventilation.
- The immediate context comprises a mix of older building stock (1960s–80s), presenting an opportunity for a new architectural benchmark.

3.2.4. Architectural and Urban Design Response

The architectural intent recognises the city-fringe character of Upper Edward Street and aims to establish a distinctive, contemporary built form that lifts the visual quality of the area.

3.2.4.1 Subtropical Design Principles

The design incorporates key subtropical elements, including:

- A central vertical void enabling cross-ventilation through every apartment
- A Level 2 deep-soil planting terrace supporting substantial landscaping, including a feature tree visible from the street
- Integrated planters and cascading greenery on balconies providing visual softening and connection to the public realm
- An animated façade comprising adjustable screens that allow residents to control shade, privacy, and seasonal light access
- Open-plan layouts maximising natural light and reducing the reliance on mechanical cooling

These elements collectively support Brisbane's subtropical city design principles and contribute positively to the urban microclimate.

3.2.4.2 Façade and Materiality

The façade is intended to be dynamic, textured and responsive, with the following characteristics:

- A semi-transparent screen system at lower levels to support privacy while enabling filtered light
- Higher levels featuring more open elements to reinforce the verticality and slenderness of the tower
- A materials palette focused on lightweight screening, metal detailing, and greenery integration, avoiding heavy or monolithic forms
- Architectural devices influenced by the traditional Queenslander language of operable screening, shade, and breathable openings
- A visual landmark effect when viewed both up and down Astor Terrace, contributing to the identity of the precinct

3.2.4.3 Integration with Street Activation

The food and drink outlet at ground level provides:

- Valuable activation along an otherwise inactive frontage
- Passive surveillance and pedestrian comfort
- Opportunities for an awning interface, contributing to weather protection and café-style edge conditions
- A cohesive link between street-level activity and the greenery above

3.2.5. Servicing, Access and Innovation

Given the constraints, the design integrates innovative solutions:

- A boutique automated car-stacking system consistent with high-end residential environments, enabling cars to be retrieved and delivered efficiently via scanning technology
- All residential vehicles enter and exit in a forward direction, with only service vehicles reversing under controlled signalling
- A compact basement incorporating a pump room, bin room, and back-of-house functions without compromising the tower footprint
- Efficient servicing arrangements consistent with BITZIOS traffic advice (2014)

These measures reduce structural excavation, improve sustainability outcomes and support the city centre's transport objectives.

3.2.6. Contribution to the Strategic Framework

This project strongly aligns with Brisbane's city-wide planning vision by delivering:

Housing diversity and choice

- Larger dwellings suitable for families and intergenerational households
- High-amenity apartments in a walkable, transit-rich location
- Boutique full-floor living rarely available in inner Brisbane

Urban consolidation + design-led density

- Efficient use of a long-underutilised inner-city site
- A high-quality architectural form reinforcing the Spring Hill Neighbourhood Plan's transition to a more intense city-centre extension

Subtropical city design

- Deep planting, shading, operable screening, and natural ventilation throughout
- A building that improves visual amenity and engages with its streetscape and climatic context

Economic activity and activation

- A new food and drink outlet supporting daytime and evening vibrancy
- Improved public realm presence along Upper Edward Street
- A landmark form contributing to the identity of the corridor

3.2.7. Summary

The proposed development represents a design-led, high-quality residential outcome that leverages a constrained but strategically located site to deliver a unique residential product within the Principal Centre Zone. The combination of large-format apartments, an intergenerational penthouse, deep planting, subtropical façade systems, and a high degree of architectural refinement ensures the project meaningfully contributes to the Spring Hill Neighbourhood Plan's vision for the City Centre Expansion Precinct. With strong alignment to Brisbane's strategic objectives for housing diversity, urban consolidation, sustainability, and design excellence, in a walkable inner-city environment the proposal presents a substantial improvement on the longstanding underutilised nature of the site and will form a contemporary landmark along the Astor Terrace

3.3 Architectural Design Statement

3.3.1. Design intent

The development is conceived as exemplary inner-city residential living at the edge of the Brisbane CBD. The intention is to deliver a series of generous "homes in the sky" — one residence per level, sized and planned more like a Brisbane home than a conventional apartment. The building is positioned to support a walkable inner-city lifestyle, within close proximity to parkland, transport and key civic amenities.
The design approach aligns with Brisbane City Council's ambition for subtropical design excellence, as outlined in the *New World City Design Guide – Buildings that Breathe*, particularly through openness, connection to outdoors, climate responsiveness and integrated greenery

3.3.2. Urban context and response to place

The site is located within a highly urbanised inner-city setting where built form is framed by established mid-to-high rise development. The design responds to this context by presenting an elegant, slender proportion that suits the intensity and character of the city frame, while still contributing positively at street level.

A key driver is the experience of the building from the public realm — how it is perceived when approaching the site, how it addresses the street, and how it helps shape an active and comfortable pedestrian environment. The proposal recognises the evolving character of Astor Terrace and surrounding streets as increasingly mixed and activated places, where new development is expected to improve the quality of the streetscape and contribute to a more vibrant public domain.

3.3.3. Built form strategy: street building and slender tower

The building is structured as a clear street building (podium) with a slender tower above.

- The street building establishes a strong, human-scaled edge to the street and reinforces a coherent urban frontage.
- Above, the tower is expressed as a lighter, more vertically articulated form, avoiding a repetitive “stacked floor” appearance.

Rather than reading as a series of horizontal slices, the architectural language emphasises vertical grouping and rhythm. This strengthens the perception of slenderness, improves the overall skyline contribution, and supports an architectural identity that feels deliberate and composed.

3.3.4. Public realm and ground level activation

At street level, the design prioritises a welcoming and active interface that supports pedestrian interest and comfort.

- A small food and beverage style tenancy is incorporated to provide street activation and day-to-evening presence.
- The glazing line is set back to create breathing space at ground level and allow landscape integration.
- The entry sequence is designed to feel residential and legible, rather than service-driven.

A defining feature of the lower built form is a large “ocular” opening within the street building. This is conceived as a strong architectural gesture that frames views along the street and creates a sense of depth and softness through greenery. The opening is paired with a double-height landscaped volume, including the opportunity for a feature tree — bringing meaningful planting into the public-facing portions of the building at a level where it is typically difficult to achieve in dense inner-city development.

3.3.5. Subtropical planning: breeze, ventilation and daylight

The residential planning is structured around a clear sequence of spaces designed to harness Brisbane’s climate:

- The primary terrace and living areas address the favourable north-eastern aspect to capture breezes and light.
- The living and kitchen spaces are planned as open, connected volumes that allow air movement through the dwelling.
- Openings at the rear connect to an internal light well that provides daylight to secondary spaces and supports ventilation.

The light well is designed to act as a ventilation “chimney”, encouraging air movement from the terrace through to the rear of the plan. This supports comfortable day-to-day living, reduces reliance on mechanical conditioning, and reinforces the sense of airy, open subtropical living.

3.3.6. Façade design: shade, privacy and adaptable edges

The façade balances transparency with climatic control and privacy.

A key element is the use of operable screening to the primary glazed areas—particularly at terraces and bedroom zones. These screens are designed to be adjustable by residents, responding to daily changes in sun and weather, and allowing residents to control openness, shade and privacy over time.
This creates a façade that is not static: it can change through the day and across seasons, producing an animated and lived-in character that suits the subtropical lifestyle and reinforces the building's identity.

3.3.7. Materiality and architectural character

The building is intended to present as durable, textural and high quality — consistent with its inner-city location and premium residential positioning.

- The structure is expressed as a predominantly concrete-framed building.
- The podium incorporates textured precast concrete elements, chosen to provide depth, character and longevity rather than relying on flat rendered surfaces.
- The three-dimensional quality of the precast is designed to produce changing shadow and highlight across the day, enriching the street-level experience and avoiding blank, lifeless side elevations.

Where constraints require limited openings (including fire rating and boundary conditions), the architectural approach is to treat these portions as deliberately crafted surfaces rather than leftover blank walls.

3.3.8. Landscape integration as architecture

Greenery is integrated throughout the building as a coordinated design layer, rather than treated as an afterthought.

- The podium incorporates meaningful planting opportunities and a landscaped opening feature.
- Balcony edge planters and terrace greenery extend planting up the building.
- Vertical greening opportunities are integrated into elevations and the rear light shaft, supporting both outlook and microclimate benefits.

This approach strengthens the subtropical character of the proposal and improves comfort, softness and visual amenity in an otherwise dense urban setting.

3.3.9. Access, bicycle provision and automated valet parking

Given the constraints of an inner-city site, the access strategy prioritises minimising the visual dominance of vehicles while still accommodating resident and visitor needs.

- Bicycle parking is provided in a highly convenient street-level location, supporting active transport and daily use.
- Vehicle entry is recessed so it reads as a secondary element, allowing the retail and landscape features to remain the primary street-facing cues.
- Parking is provided via an automated valet parking system, avoiding traditional ramp-based basement circulation and reducing the physical footprint required for manoeuvring.

The system is intended to improve safety and efficiency by allowing vehicles to be stored with minimal internal circulation, reducing exhaust accumulation and unnecessary idling within basement areas. The approach also supports a stronger pedestrian presentation at ground level by reducing the need for wide, visually dominant driveway infrastructure.

3.3.10. Neighbour interface, privacy and amenity

The design acknowledges that some level of proximity and overlooking is inherent in inner-city living. The response is to manage privacy and amenity through planning, screening and façade detail rather than pretending the city can function like low-density suburbia.

Measures include:

- careful placement of openings to manage direct overlooking;
- integrated planter ledges and façade elements that provide privacy buffering; and
- the use of built form articulation and angled elements to reduce direct lines of sight where practical.

Where compliance requirements influence façade outcomes (e.g., fire separation), these are integrated into the architectural language so the functional elements contribute to the overall design intent and built form composition.

3.3.11 Conclusion

The proposal delivers a high-quality inner-city residential building that responds to its urban context while embracing Brisbane's subtropical lifestyle. It is shaped by a clear street building and slender tower composition, strong ground level activation, integrated greenery, climate-responsive planning and a façade designed for shade, ventilation and occupant control.

In doing so, the development reflects the key aspirations of Brisbane City Council's *New World City Design Guide – Buildings that Breathe*—a city of buildings that open to breezes, prioritise pedestrian comfort, incorporate greenery as part of the architecture, and contribute positively to Brisbane's public realm and urban identity.

The Design Narrative is best expressed by viewing the following link prepared by the architect
https://drive.google.com/drive/folders/1_YXbPIZaGdsivjhGqva8a-0-84SZrat9?usp=sharing

4.0 State and Regional Legislative Framework

4.1 Legislative Framework

4.1.1 Planning Act 2016

This development application is made pursuant to the Planning Act 2016 (the Act) and has been prepared in accordance with the statutory requirements for making and assessing a development application in Queensland.

The Act establishes the framework for:

- making development applications;
- identifying assessment benchmarks;
- determining the category of development and assessment; and
- undertaking public notification and decision-making for impact assessable development.

Under the Act, an application for impact assessable development must be assessed against:

- the applicable assessment benchmarks in effect at the time of the application; and
- any other relevant matters permitted under section 45(5) of the Act.

The application seeks a Development Permit for a Material Change of Use and is therefore required to be assessed in accordance with the provisions of the Act and the applicable planning instruments identified below.

4.2 Public Notification

As the proposed development is impact assessable, it is subject to public notification in accordance with the Planning Act 2016 and the Development Assessment Rules.

Public notification will provide an opportunity for the community and other stakeholders to:

- review the proposed development; and
- make properly made submissions to Brisbane City Council for consideration as part of the assessment process.

Any submissions received will be considered by Council in determining the application.

4.3 State Assessment Benchmarks

4.3.1 State Planning Policy

The State Planning Policy (SPP) establishes the State's interests in land use planning and development. The SPP applies to development where a State interest is relevant and not appropriately addressed through local planning instruments.

The subject site is located within an established inner-city area and does not contain or adjoin land subject to a State interest that would trigger conflict with the SPP. Matters relating to:

- housing supply,
- urban consolidation,
- efficient use of infrastructure, and
- climate-responsive design

are addressed comprehensively through Brisbane City Plan 2014 and the Spring Hill neighbourhood plan, which appropriately integrate State interests at the local level.

Accordingly, the proposal is considered to be consistent with the State Planning Policy, and no State interest conflict arises.

4.3.2 South East Queensland Regional Plan

The South East Queensland Regional Plan establishes a long-term growth management framework for the region, directing population and employment growth to existing urban areas, centres and transport corridors.

The subject site is located within the urban footprint and within the inner Brisbane area identified for consolidation and infill development. The proposal:

- contributes to urban infill within an established inner-city location;
- supports housing diversity close to employment and services; and
- utilises existing infrastructure networks.

The proposed development is therefore consistent with the intent of the South East Queensland Regional Plan.

4.3.3 State Assessment and Referral Agency (SARA)

The proposed development does not trigger referral to the State Assessment and Referral Agency. No State-controlled matters are affected, and the application is not subject to State referral requirements.

5.0. Local Planning Framework

5.1 Brisbane City Plan 2014

Brisbane City Plan 2014 (City Plan) is the applicable local planning instrument for the assessment of this application. City Plan provides the statutory framework for land use, development outcomes and assessment benchmarks within Brisbane.

The application is required to be assessed against:

1. the Strategic Framework;
2. the relevant zone code;
3. the Spring Hill neighbourhood plan code;
4. applicable overlay codes; and
5. any other relevant planning scheme policies and design guidance.

5.2 Strategic Framework

The Strategic Framework establishes the long-term vision for Brisbane's growth and development through five interrelated themes:

- Brisbane's globally competitive economy;
- Brisbane's outstanding lifestyle;
- Brisbane's clean and green leading environmental performance;
- Brisbane's highly effective transport and infrastructure; and
- Brisbane's CityShape.

A detailed assessment of the proposal against the Strategic Framework is provided in this report. That assessment demonstrates that the proposal supports Brisbane's strategic objectives for inner-city consolidation, housing diversity, mixed-use activity and high-quality subtropical design.

5.3 Defined Land Use

The proposed development includes the following defined uses under City Plan:

- Multiple dwelling (8 dwellings); and
- Food and drink outlet (centre activities).

Both uses are anticipated within the Principal centre zone, subject to compliance with relevant assessment benchmarks.

5.4 Zoning

The subject site is zoned Principal centre (City Centre) under Brisbane City Plan 2014.

The Principal centre zone is intended to:

- accommodate high-intensity development;
- support a diverse mix of commercial, residential and centre activities;
- leverage proximity to the CBD; and
- reinforce the City Centre expansion role of Spring Hill.

The proposed development is consistent with the intent of the Principal centre zone, subject to impact assessment considerations addressed elsewhere in this report.

5.5 Spring Hill Neighbourhood Plan

The site is located within the Spring Hill neighbourhood plan area, specifically the City Centre expansion precinct (NPP-001).

The neighbourhood plan provides finer-grained planning guidance for Spring Hill and identifies the City Centre expansion precinct as an area intended to accommodate:

- the highest densities within Spring Hill (subordinate to the CBD);
- mixed-use development;
- improved pedestrian connectivity; and
- enhanced streetscape and public realm outcomes.

A detailed assessment against the Spring Hill neighbourhood plan code is provided in this report.

5.6 Overlays

The subject site is affected by the following overlays:

- Airport environs overlay;
- Bicycle network overlay;
- Community purposes network overlay;
- Critical infrastructure and movement network overlay;
- Road hierarchy overlay;
- Streetscape hierarchy overlay;
- Transport noise overlay

The relevance of each overlay and the proposal's response is addressed in the relevant assessment sections of this report. No overlay triggers are identified that would preclude the proposed development.

5.7 Category of Development and Assessment

5.7.1 Category of Development

The application seeks a Development Permit for a Material Change of Use for Multiple dwelling and Food and drink outlet.

5.7.2 Category of Assessment

The proposed development is impact assessable under Brisbane City Plan 2014 due to exceedance of the mapped building height and number of storeys identified in the Spring Hill neighbourhood plan for the site's size and frontage.

Accordingly, the application is subject to:

- impact assessment; and
- public notification.

5.8 Assessment Benchmarks

The applicable assessment benchmarks for this application include:

- the Strategic Framework;
- the Principal centre zone code;
- the Spring Hill neighbourhood plan code;
- applicable overlay codes; and
- relevant planning scheme policies and design guidance, including the New World City Design Guide – Buildings that Breathe.

Assessment against these benchmarks is provided in the following sections of this report.

5.9 Local Government Infrastructure Plan

The Brisbane City Council Local Government Infrastructure Plan (LGIP) identifies infrastructure networks and servicing requirements for growth across the city.

The subject site is located within an established inner-city area that is already serviced by:

- reticulated water and sewer;
- electricity and telecommunications; and
- road and pedestrian infrastructure.

The proposed development is consistent with the infrastructure assumptions of the LGIP and does not necessitate new or upgraded trunk infrastructure beyond standard conditions of approval.

6.0 Justification Against Assessment Benchmarks

6.1 Strategic Framework Assessment

Strategic Intent
Brisbane City Plan's Strategic Framework establishes a long-term vision for Brisbane as Australia's new world city—a city that accommodates growth while maintaining its distinctive subtropical lifestyle, environmental quality, economic strength and liveability. The Strategic Framework directs growth to locations where it can be best supported by infrastructure, services, employment access and public transport, with the City Centre and its expansion areas forming the core of this urban structure.

The proposed development at 440 Upper Edward Street, Spring Hill, is strategically located within the City Centre expansion precinct and is expressly positioned to contribute to these city-wide objectives. The proposal delivers design-led inner-city consolidation, housing diversity not currently well supplied in Spring Hill, and improved street-level activity, while embedding subtropical and climate-responsive design principles appropriate to Brisbane's context.

This section assesses the proposal against the five Strategic Framework themes, demonstrating how the development supports Brisbane's strategic vision and delivers outcomes that are beneficial for the city as a whole.

6.1.1 Theme 1 – Brisbane's Globally Competitive Economy

Strategic intent
Brisbane's economy is supported by a strong and vibrant City Centre, reinforced by surrounding centres and inner-city precincts that attract investment, employment, and population growth. Economic prosperity is strengthened by mixed-use environments that combine employment, residential activity and services, creating places that are active, attractive and competitive.

Assessment of proposal

- The development represents targeted private investment within the City Centre expansion area, contributing to economic activity in a location identified for growth and intensification.

- The proposal introduces a mixed-use outcome, incorporating a ground-level Food & Drink Outlet that supports local employment, visitor activity and street-level vibrancy.

- By delivering high-amenity inner-city housing, the development increases the resident population within close proximity to Brisbane's primary employment hub, supporting local businesses and services.

- The boutique nature of the development supports long-term inner-city residency, strengthening economic resilience through consistent local patronage rather than transient occupation patterns.

Strategic conclusion – Theme 1
The proposal supports Brisbane's globally competitive economy by reinforcing the City Centre expansion area as a place for investment, mixed use activity and inner-city living, contributing to the economic vitality of Spring Hill and the broader CBD frame.

6.1.2 Theme 2 – Brisbane's Outstanding Lifestyle

Strategic intent
Brisbane's outstanding lifestyle is underpinned by housing choice, high-quality design, access to services and transport, and attractive, safe and engaging public spaces that reflect Brisbane's subtropical character.

Assessment of proposal

- The proposal delivers genuine housing diversity, providing large 4- and 6-bedroom apartments suitable for families, intergenerational households and downsizers—an under-represented housing typology in Spring Hill.

- Substantial private open space is provided through generous balconies and a large penthouse roof terrace, supporting indoor–outdoor living consistent with Brisbane's lifestyle expectations.

- The inclusion of a street-level Food & Drink Outlet improves pedestrian experience, passive surveillance and amenity along Upper Edward Street.

- The design prioritises privacy, liveability and long-term occupation, rather than short-stay or yield-driven apartment formats, supporting a stable and inclusive inner-city community.

Strategic conclusion – Theme 2
The proposal enhances Brisbane's outstanding lifestyle by delivering high-quality, family-capable inner-city housing, improving street-level amenity, and supporting a more diverse and enduring residential population within walking distance of the CBD.

6.1.3 Theme 3 – Brisbane's Clean and Green Leading Environmental Performance

Strategic intent
Brisbane is to remain a clean, green and resilient city, with development that responds to subtropical climate conditions, mitigates heat, improves microclimate, and incorporates best-practice environmental design.

Assessment of proposal

- The development incorporates subtropical design principles, including operable façade screens, shading devices, and a central vertical void to support ventilation and daylight.

- A deep-soil planting terrace at podium level and integrated balcony planting contribute to urban greening and microclimate improvement, with greenery visible from the public realm.

- Building layouts and façade treatments are designed to reduce reliance on mechanical cooling, supporting energy efficiency and occupant comfort.

- Efficient basement design and car-stacking technology reduce excavation impacts and support more sustainable land use on a constrained site.

Strategic conclusion – Theme 3
The proposal supports Brisbane's clean and green objectives through climate-responsive architecture, meaningful urban greening and design measures that mitigate heat and improve environmental performance in a dense inner-city setting.

6.1.4 Theme 4 – Brisbane's Highly Effective Transport and Infrastructure

Strategic intent
Growth is to be directed to locations where transport and infrastructure capacity already exists, promoting public and active transport use, efficient servicing and reduced reliance on private vehicles.

Assessment of proposal

- The site's inner-city location supports transit-rich, walkable living, reducing the need for long-distance vehicle travel and supporting efficient infrastructure use.

- Provision of resident and visitor bicycle parking supports active transport and aligns with Council's mode-share objectives.

- The development adopts an innovative servicing and access strategy, including a car-stacking system and forward vehicle movements for residents, minimising vehicle dominance at street level.

- Existing infrastructure networks (sewer, water, power, telecommunications) are readily available, supporting efficient servicing without the need for significant upgrades.

Strategic conclusion – Theme 4
The proposal aligns with transport and infrastructure objectives by locating growth in a highly accessible inner-city area, supporting active transport, and employing servicing solutions that protect streetscape quality and functionality.

6.1.5 Theme 5 – Brisbane's CityShape

Strategic intent
CityShape directs growth to the City Centre, growth nodes and selected corridors, enabling urban consolidation while protecting suburban living areas. Design-led density and high-quality built form outcomes are essential to achieving an efficient and liveable urban structure.

Assessment of proposal

- The proposal contributes to urban consolidation within the City Centre expansion precinct, utilising an under-developed site in a location intended to accommodate higher-intensity development.

- Although the building exceeds the mapped height expectation for the site category, it delivers a low-yield, slender built form that balances height with amenity, privacy and liveability outcomes.

- The architectural approach supports a cohesive city frame, responding to key view corridors and reinforcing the identity of Upper Edward Street and the Astor Terrace interface.

- The development represents design-led density, prioritising quality, performance and public realm contribution over maximised yield.

Strategic conclusion – Theme 5
The proposal supports CityShape objectives by consolidating growth in an appropriate inner-city location, delivering high-quality architecture and housing diversity, and contributing positively to the evolving City Centre expansion precinct.

6.1.6 Overall Strategic Framework Conclusion
When assessed against the Strategic Framework as a whole, the proposed development at 440 Upper Edward Street demonstrates strong alignment with Brisbane City Council's strategic vision. The proposal supports economic vitality, housing diversity, environmental performance, transport efficiency and urban consolidation within the City Centre expansion area. While the proposal exceeds local height benchmarks, it does so in a manner that is strategically justified, design-led and capable of delivering positive city-wide outcomes consistent with the intent of the Strategic Framework.

6.2 Principal Centre Zone

6.2.1 Purpose of the Principal centre zone
The purpose of the Principal centre zone is to provide for a large variety of uses and activities that:
- form the core of an urban area; and
- service the local government area.

The subject site is located within the City Centre zone precinct, specifically the Spring Hill City Centre expansion precinct, which is expressly identified as forming the northern portion of Brisbane's inner-city core.

Response:
The proposed development provides a mixed-use outcome comprising:
- a high-density Multiple dwelling (8 dwellings); and
- a Food & Drink Outlet at ground level.

This combination of residential and centre activities is consistent with the purpose of the Principal centre zone, reinforcing the role of Spring Hill as part of Brisbane's inner-city core and supporting a diverse, active and serviced urban environment.

6.2.2 Zone role overall outcomes
The zone role overall outcomes require development to support the implementation of the Strategic Framework, particularly:
- Theme 1 – Brisbane's globally competitive economy;
- Theme 2 – Brisbane's outstanding lifestyle; and
- Theme 5 – Brisbane's CityShape.

Response:
As detailed in Section 6.1 of this report, the proposal supports these themes by:
- contributing to inner-city housing supply and diversity in close proximity to employment, services and transport;
- delivering a high-quality residential product that supports long-term inner-city living; and

- reinforcing the City Centre expansion role of Spring Hill through design-led urban consolidation.

The proposal therefore aligns with the intended zone role of the Principal centre zone.

6.2.3 Development location and uses overall outcomes

Concentration and intensity of activities in the inner city

The code anticipates that development within the Principal centre zone will:

- provide for the greatest concentration and intensity of activities and land uses in Brisbane's inner city; and
- support the role of the inner city as the heart of the State's capital.

Response:
The subject site is located within the inner city and is surrounded by existing and anticipated higher-intensity development. The proposal contributes to this role by:

- intensifying a currently underutilised vacant site;
- providing residential accommodation within walking distance of the CBD, major employment nodes, public transport and services; and
- introducing a ground-level active use that contributes to day-to-night activity along Upper Edward Street.

While the proposal is boutique in nature, the intensity is appropriate to the constrained site and does not undermine the broader concentration of activity within the inner city.

Diverse and intensive mix of uses in Spring Hill

Development in Spring Hill is intended to provide a diverse and intensive mix of land uses that:

- support and provide opportunities for expansion of the core inner-city function; and
- play a vital role in the growth and economy of the city.

Response:
The proposal:

- introduces residential accommodation targeted at households not typically catered for in Spring Hill (large families, intergenerational households and downsizers);
- supports local economic activity through the provision of a Food & Drink Outlet; and
- strengthens the mixed-use character of Upper Edward Street and its connection to Astor Terrace.

The proposal therefore contributes to the intended diversity and intensity of uses within Spring Hill's City Centre expansion area.

Residential development outcomes

For residential uses, the code requires development to:

- be high density;
- not compromise the primary commercial function of the Principal centre zone;
- facilitate intensive urban consolidation and efficient infrastructure use;
- support walkability and reduced vehicle reliance; and
- provide a wide choice of housing sizes and adaptability.

Response:
The proposal satisfies these outcomes in the following ways:

- High-density outcome:

While limited to eight dwellings, the proposal is high density in built form and urban intensity, delivered through a vertical, inner-city tower typology.

- No compromise to centre function:
  The residential use does not displace or undermine commercial activity. Instead, it is complemented by a ground-level centre activity and supports extended centre vitality through additional residents.
- Efficient infrastructure use:
  The development leverages existing inner-city infrastructure and services without requiring new trunk infrastructure.
- Walkable centre living:
  Residents will live within walking distance of the CBD, public transport, employment, entertainment and community facilities, reducing reliance on private vehicle trips.
- Housing diversity:
  The proposal delivers large-format dwellings (4–6 bedrooms), providing housing choice rarely available in inner Brisbane and directly responding to lifecycle and adaptability objectives.

Conclusion (residential outcomes):
The residential component is consistent with, and supportive of, the Principal centre zone's residential intent.

6.2.4 Development form overall outcomes

The development form outcomes require development to be of a height, bulk, scale and form tailored to:

- the site's characteristics (size, frontage, shape, orientation);
- surrounding development and uses;
- transport and access arrangements;
- neighbourhood identity, topography and views; and
- heritage and environmental features.

Response:
The proposed built form is a direct response to the site's extreme constraints, including:

- a narrow 10 m frontage;
- a total site area of 304 m²; and
- close proximity to existing mixed-use and residential development.

Key aspects of the development form response include:

- a slender tower configuration that minimises bulk and allows light and air penetration;
- a podium and street interface that engages the public realm and supports pedestrian activity;
- articulation, screening and landscaping that soften the building's visual presence; and
- a design that capitalises on key view corridors along Astor Terrace.

The proposal also:

- locates car parking below the building, avoiding vehicle dominance at street level;
- integrates deep planting and vertical landscaping to soften built form impacts; and
- responds to the subtropical climate through shading, operable elements and ventilation intent.

6.2.5 City Centre zone precinct – northern portion (Spring Hill)

Within the northern portion of the City Centre zone precinct, development is intended to:

- occur at high densities;
- contain a mix of diverse and commercially focused land uses that support the inner city; and
- be within walking distance of high-order public transport accessibility.

Response:
The proposal:

- delivers high-density built form appropriate to its City Centre expansion location;
- provides a mixed-use outcome with both residential and centre activities;
- is located within walking distance of public transport corridors and the CBD; and
- presents an architecturally refined building that contributes positively to the city skyline and streetscape.

Pedestrian priority is reinforced through:

- street-level activation;
- opportunities for awning and weather protection; and
- improved passive surveillance and visual interest along Upper Edward Street.

6.2.6 Overall conclusion – Principal centre zone code

The proposed development is consistent with the purpose and overall outcomes of the Principal centre zone by:

- providing appropriate centre and residential uses;
- reinforcing Spring Hill's role as part of Brisbane's inner-city core;
- supporting high-density, walkable urban living;
- delivering housing diversity aligned with lifecycle needs; and
- presenting a design-led, climate-responsive built form appropriate to its City Centre expansion context.

While detailed built form matters (including height) are addressed through impact assessment elsewhere in this report, the proposal clearly aligns with the intended function, role and development outcomes of the Principal centre zone.

6.3. Spring Hill neighbourhood plan code

6.3.1 Application

The subject site is located within the Spring Hill neighbourhood plan area and within the City Centre expansion precinct (NPP-001). The development application seeks a Material Change of Use and is impact assessable. Accordingly, the Spring Hill neighbourhood plan code applies to the assessment of the proposal.

6.3.2 Purpose and overall outcomes – neighbourhood plan area

The purpose of the Spring Hill neighbourhood plan is to provide finer-grained planning at a local level and is achieved through overall outcomes for the neighbourhood plan area and each precinct.

In broad terms, the neighbourhood plan area overall outcomes relevant to this proposal include that Spring Hill:

- is a diverse neighbourhood with higher density mixed use activities bordering the CBD and along major streets;

- supports an inclusive community through a range of housing options and services;
- protects and reinforces Spring Hill's extensive heritage and character values; and
- promotes high-quality subtropical architecture and an engaging, green public realm.

Response:
The proposal is consistent with these overall outcomes because it:

- delivers high-amenity, larger dwellings (7 x 4-bed and 1 x 6-bed), increasing housing diversity and supporting a broader range of household types (including family and intergenerational living) in an inner-city location;
- introduces a Food & Drink Outlet at ground level which contributes to activity, passive surveillance and street amenity along Upper Edward Street;
- is proposed on a site that is currently vacant and underutilised, supporting the neighbourhood plan's intention for more intensive mixed-use development in appropriate locations near the CBD; and
- incorporates subtropical design measures (deep planting, façade screening, greenery and ventilation intent) that improve microclimate, occupant comfort and streetscape quality.

6.3.3 Precinct overall outcomes – City Centre expansion precinct (NPP-001)

The City Centre expansion precinct overall outcomes relevant to this proposal include that:

- the precinct contains a mix of commercial, retail, residential and community uses and provides a transition in height between the CBD and other Spring Hill precincts;
- the Principal centre zone develops as a strong economic centre for Spring Hill accommodating the highest densities and most diverse range of uses at a scale subordinate to the CBD;
- development enhances key wayfinding spines including Upper Edward Street; and
- Astor Terrace is reinforced as a destination with small ground level active uses including cafes, restaurants and bars.

Response:
The proposal supports these precinct outcomes by:

- delivering a mixed-use outcome (residential above, active centre use at ground level) which is consistent with the precinct's intended mix of uses;
- improving the role and amenity of Upper Edward Street through a strengthened street interface, activation, and landscaping visible from the public realm;
- contributing to the broader intent for activity and vibrancy near the Astor Terrace interface by supporting an active use and adding a resident catchment within walking distance; and
- presenting a slender built form response consistent with the precinct's intent for towers that maintain openness of vistas and allow light and air movement (noting the need to demonstrate these matters through the supporting Urban Context Report and technical documentation).

6.3.4 Assessment against Performance Outcomes and Acceptable Outcomes

(Table 7.2.19.5.3.A)

PO1 – Height, scale and form achieves intended outcomes; proportionate and avoids undue impacts

PO1 requires development to be of a height, scale and form that achieves precinct outcomes, improves amenity and is proportionate to the site, aligned with expectations, avoids significant and undue impacts, and allows for separation and future development potential.

AO1 requires compliance with the number of storeys in Table 7.2.19.5.3.B.

AO1 compliance outcome:

- The site is 304 m² with ~10 m frontage (i.e., <800 m² and <20 m frontage).
- In NPP-001 / Principal centre zone, Table 7.2.19.5.3.B indicates 3 storeys.
- The proposal is 10 storeys.

Therefore, AO1 is not complied with.

Performance-based response to PO1:
Notwithstanding non-compliance with AO1, the proposal is capable of achieving PO1 for the following reasons:

Precinct context and intended intensity
NPP-001 is the part of Spring Hill expressly intended to accommodate the highest densities and most diverse uses (subordinate to the CBD). The proposal supports that intent through mixed use, residential intensification and improved street activation.

Height is moderated by low yield and slenderness
The proposal contains 8 dwellings across 10 storeys, predominantly full-floor residences. This materially reduces:

- resident population yield,
- traffic and servicing demand, and
- infrastructure load
- relative to a conventional apartment tower of comparable height. The proposal is tall but not “yield-driven”, which is relevant to the PO1 considerations regarding assumed infrastructure demand and undue impacts.

Site constraints justify a vertical, slender form
Given the extremely narrow lot width, a slender tower is a logical built form response that avoids bulky outcomes and supports higher internal amenity, outlook and ventilation opportunities.

Amenity impacts are addressed through design and supporting evidence
PO1 ultimately turns on whether impacts are “significant and undue”. The proposal incorporates design measures to manage impacts (screening, planting, articulation, controlled openings) and is supported by the Urban Context Report framework (Table 7.2.19.5.3.C) which is the intended mechanism for demonstrating site-responsive built form, skyline impacts, views, streetscape functioning and subtropical design.

Conclusion – PO1:
AO1 is not complied with; however, the proposal can achieve PO1 on a performance basis having regard to precinct intent, low-yield slender form, and impact management demonstrated through supporting material.

PO2 – Outstanding architectural merit and context response
PO2 requires development to respond to its site context and setting and exhibit outstanding architectural merit. No acceptable outcome is prescribed.

Response:
The proposal is expressly designed as a boutique, climate-responsive building derived from site constraints and opportunities, including:

- a slender tower form that responds to the narrow site and inner-city context;
- subtropical façade elements (operable screens, shading, permeability);
- integrated greenery and deep planting visible from the street; and
- a ground-level active use and pedestrian-focused frontage.

Conclusion – PO2: Achieved.

PO3 – Cohesive streetscape; separation; privacy; heritage/character respect
PO3 requires development to contribute to cohesive streetscape and built form character, avoid undue impacts, enable separation for light/air/privacy, protect amenity of Character/LMR zones, and respect heritage/character overlays.

AO3.1 requires setbacks in Table 7.2.19.5.3.D.
AO3.2 requires maximum tower site cover in Table 7.2.19.5.3.B (where applicable).

AO3.1 / setback commentary:
Table 7.2.19.5.3.D indicates:

- Street building: 0 m front; 0 m side/rear (unless special boundary applies).
- Tower: 3 m to balcony at front; 6 m to wall side/rear (unless special boundary applies).

The proposal indicates setbacks of 0.0 m – 3.0 m to Upper Edward Street and 0.0 m to side/rear boundaries (with parts 0–3 m on the north).

Special boundary:
The site is not affected by a special boundary. Accordingly, the special boundary setback buffer provisions do not apply.

Tower site cover:
Table 7.2.19.5.3.B identifies a maximum tower site cover of 60% only in the column applicable to sites 1,800 m² or greater. The site is 304 m². In practical terms, tower site cover is not benchmarked through that table for small sites, however PO3 still requires outcomes relating to bulk, separation, light, air and privacy.

Performance-based response to PO3:
The proposal achieves PO3 in the following ways:

- Streetscape cohesion and character:

The development replaces a vacant site with an articulated, landscaped built form and a ground-level active use, improving streetscape function and urban continuity along Upper Edward Street.

- Light, air, views and privacy:

The slender tower form and the design approach (screens, controlled openings, planting) support privacy outcomes and aim to maintain openness of street vistas, consistent with the neighbourhood plan's broader overall outcomes for slender towers.

- Heritage/character respect:

The building is designed to be refined and non-monolithic, with façade articulation and greenery softening. Impacts on nearby heritage and character settings are appropriately assessed through the Urban Context Report and streetscape/visual analysis, consistent with Table 7.2.19.5.3.C.

Conclusion – PO3:
Even where strict dimensional setbacks may not be met due to site constraints, the proposal is capable of achieving PO3 by delivering a cohesive streetscape outcome and managing amenity impacts through slender form, articulation, screening and landscape integration, supported by context analysis material.

PO4 – Street building and street activation; subtropical comfort
PO4 requires development to incorporate a street building with façade treatment designed to address and activate the street with permeability, landscaping, shade and shelter, and a smooth indoor–outdoor transition.

AO4.1 requires inclusion of a street building (Figure c).
AO4.2 requires maximum street building height of 3 storeys (Principal centre).
AO4.3 requires permeability and shading devices (balconies/openings/louvres/ landscaping).

Response:
- The proposal provides a ground-level Food & Drink Outlet, delivering activation, surveillance and pedestrian interest.
- The street interface is designed to be permeable and climate-responsive through the use of screening, openings and landscape integration.
- The building form intent aligns with Figure c by establishing a human-scale street interface with tower form above.

Conclusion – PO4: Achieved in intent; detailed façade and podium/street building drawings will evidence AO4 outcomes.

PO5 – Best practice subtropical design and highly landscaped environment
PO5 requires best practice subtropical design and a highly landscaped environment (ground, roofs, balconies, terraces and edges).

AO5 requires landscaped outdoor spaces equivalent to a minimum 30% of site area (subject to exclusions).

Response:
- The proposal provides a deep-soil planting terrace at podium level (including a feature tree), integrated balcony planting and significant private outdoor space areas including a penthouse roof terrace.
- The landscaping is not tokenistic; it is integrated into the architecture and visible to the public realm, supporting microclimate and visual amenity.
- Given the constrained lot, the proposal focuses on deep soil and meaningful canopy potential, which is consistent with the intent of PO5.

Conclusion – PO5: Achieved on performance; AO5 can be demonstrated through a landscape/open space calculation plan (and where numerical compliance is constrained, justify through the quality and function of deep planting and multi-level greening).

PO6 – Best-practice climate responsive design
PO6 requires orientation and design to mitigate heat and reduce the need for mechanical heating, cooling and lighting.

Response:
- The proposal incorporates climate-responsive design through:

- shading and operable screening to control sun and heat gain;
- design intent for cross-ventilation supported by a central vertical void;
- generous outdoor spaces to support subtropical living; and
- planting integrated into balconies and terraces to cool and soften the building envelope.

Conclusion – PO6: Achieved.

PO7 – Landscape buffer to special boundary

PO7 applies where a special boundary is identified on Figure b.

Response:
The site is not affected by a special boundary. PO7 is therefore not applicable.
Conclusion – PO7: Not applicable.

6.3.5 Urban context report (Table 7.2.19.5.3.C) – alignment and evidentiary support

The neighbourhood plan explicitly identifies the Urban Context Report as an important mechanism to demonstrate how a proposal achieves neighbourhood plan outcomes. The proposal aligns with the content expectations of Table 7.2.19.5.3.C as follows:

- Site characteristics: the design is derived from the narrow footprint and constrained servicing opportunities, resulting in a slender tower and efficient basement solution.
- Cityscape and built form: the proposal is designed as a landmark-quality, site-responsive tower with attention to privacy, light, air and view corridors.
- Streetscape: active ground level use, permeability, landscape integration and awning opportunity improve street functioning and amenity.
- Heritage and views/vistas: the slender form and articulated façade are intended to respect Spring Hill's broader heritage setting and maintain public realm outlooks.
- Public realm and movement: improved interface and activity on Upper Edward Street contributes to walkability and wayfinding spine outcomes.
- Subtropical climate: integrated shading, ventilation intent and greening deliver climate-responsive architecture consistent with Brisbane's subtropical design direction.

6.3.6 Overall conclusion – Spring Hill neighbourhood plan code

The proposal:

- is consistent with the precinct's mixed-use and City Centre expansion intent;
- strongly aligns with PO2, PO4, PO5 and PO6 through design excellence, street activation and subtropical architecture; and
- while not complying with AO1 (height) and potentially strict numerical setback outcomes, is capable of achieving PO1 and PO3 on a performance basis due to its strategic location, low-yield slender form, high-amenity residential typology and demonstrated impact management supported by the Urban Context Report framework.

6.4 Applicable Overlay Code

6.4.1 Overview

The subject site is affected by the following overlays under Brisbane City Plan 2014:

- Airport environs overlay;
- Bicycle network overlay;
- Community purposes network overlay;
- Critical infrastructure and movement network overlay;
- Road hierarchy overlay;
- Streetscape hierarchy overlay; and
- Transport noise overlay.

This section addresses the overlay codes relevant to the proposed Multiple dwelling (8 dwellings) and Food & Drink Outlet within the Spring Hill City Centre expansion precinct.

6.4.2 Transport noise overlay code

Planning intent

The Transport noise overlay code seeks to ensure that development for sensitive land uses, including residential uses, is designed and constructed to maintain acceptable acoustic amenity where exposed to noise from transport infrastructure.

Response

The proposed development is capable of achieving the intent of the Transport noise overlay through appropriate building design and construction measures, including:

- incorporation of building envelope and glazing treatments capable of achieving acceptable internal acoustic levels;
- use of balconies, façade articulation and screening elements that assist in moderating noise exposure; and
- internal layout arrangements that can be detailed to ensure suitable amenity for residents in an inner-city environment.

It is acknowledged that development within the Principal centre zone is subject to higher levels of background activity and noise than low-density residential areas. The proposal appropriately balances residential amenity with its urban context.

Conclusion

The proposal is suitable within the Transport noise overlay. Compliance can be achieved through detailed design and conditions requiring acoustic assessment and certification.

6.4.3 Road hierarchy overlay code

Planning intent

The Road hierarchy overlay code seeks to protect the function, safety and efficiency of the road network by ensuring development access and works do not compromise road operations or pedestrian safety.

Response

The proposal responds to the road hierarchy outcomes by:

- retaining use of the existing crossover to Upper Edward Street, avoiding unnecessary additional access points;
- providing basement access via a compact arrangement that avoids large ramps or excessive vehicle dominance at street level;
- ensuring servicing and vehicle movements are appropriate for an inner-city street environment; and

- accommodating any minor verge or frontage works through standard Council approval processes.

Conclusion
The proposal is consistent with the intent of the Road hierarchy overlay and will not adversely affect the function or safety of Upper Edward Street.

6.4.4 Critical infrastructure and movement network overlay code

Planning intent
The Critical infrastructure and movement network overlay code seeks to ensure that development does not compromise the operation, safety or accessibility of critical infrastructure and movement corridors.

Response
The development:

- relies on existing, established inner-city infrastructure networks;
- does not propose works that would interfere with critical infrastructure corridors;
- incorporates a compact basement and servicing arrangement that limits excavation and avoids unnecessary disruption; and
- ensures that access and servicing arrangements do not adversely affect pedestrian or vehicular movement along Upper Edward Street.

Conclusion
The proposal is capable of achieving the intent of the Critical infrastructure and movement network overlay, subject to standard conditions relating to infrastructure protection and works approvals.

6.4.5 Streetscape hierarchy overlay code

Planning intent
The Streetscape hierarchy overlay code seeks to enhance the quality, comfort and visual amenity of streets and public spaces, particularly where streets function as important pedestrian environments.

Key outcomes include:

- active and engaging street frontages;
- pedestrian comfort through shade and shelter;
- high-quality architectural presentation; and
- landscaping that contributes positively to the public realm.

Response
The proposal strongly aligns with these outcomes by:

- providing a ground-level Food & Drink Outlet, delivering activation, lighting and passive surveillance;
- presenting a permeable and pedestrian-oriented street interface rather than a vehicle-dominated frontage;
- incorporating subtropical design elements including screening, planting and shading to enhance pedestrian comfort; and
- retaining existing street trees, with no removals proposed.

Redevelopment of the currently vacant site with an active and landscaped frontage represents a clear improvement to streetscape quality and street function.

Conclusion
The proposal is consistent with the intent of the Streetscape hierarchy overlay and will positively contribute to the Upper Edward Street streetscape.

6.4.6 Bicycle network overlay code

Planning intent

The Bicycle network overlay code encourages development to support cycling as a viable mode of transport through the provision of appropriate end-of-trip facilities.

Response

The proposal provides:

- 8 resident bicycle spaces; and
- 1 visitor bicycle space,
- which is appropriate for the scale and inner-city location of the development and supports Council's active transport objectives.

Conclusion

The proposal is consistent with the Bicycle network overlay code.

6.4.7 Airport environs overlay code

Planning intent

The Airport environs overlay seeks to ensure development is compatible with aviation operations, including considerations relating to building height, lighting and aircraft noise.

Response

The proposal can be assessed against any applicable aviation safeguarding requirements through standard assessment processes. Where relevant, matters such as rooftop plant, finishes and lighting can be addressed through detailed design and conditions.

Conclusion

No airport-related constraint is identified that would preclude the proposed development. Any applicable requirements can be managed through standard conditions of approval.

6.4.8 Community purposes network overlay

Planning intent

The Community purposes network overlay identifies land intended to support community infrastructure and services.

Response

The proposed development does not compromise the function or intent of the community purposes network. No community facilities are displaced or impacted, and the development is compatible with the surrounding land use context.

Conclusion

The proposal is consistent with the intent of the Community purposes network overlay.

6.4.9 Overall conclusion – Overlay codes

The proposed development is capable of achieving the intent of all applicable overlay codes. In particular, the proposal:

- appropriately manages transport noise impacts;
- protects the function and safety of the road and movement network;
- enhances streetscape quality and pedestrian amenity;
- supports active transport outcomes; and
- does not conflict with airport safeguarding or community infrastructure requirements.

No overlay is considered to preclude approval of the development, subject to standard conditions and detailed design certification.

6.5 Urban Context and Subtropical Design Response

Brisbane City Council's New World City Design Guide *Buildings that Breathe* establishes a clear framework for high-quality subtropical development within the inner city, including the City Centre expansion area. The Guide identifies eight key elements that collectively promote climate-responsive design, improved liveability, reduced energy demand and a strong relationship between buildings, people and place.

The proposed development at 440 Upper Edward Street, Spring Hill has been consciously designed to embody these principles. The following assessment demonstrates how the proposal responds to each of the eight elements.

6.5.1 Orientate Yourself

The Guide identifies building orientation as the first and most influential step in achieving climate-responsive design.

Response

- The building form responds directly to the site's elongated north–south configuration and narrow frontage, resulting in a slender tower that minimises bulk while maximising outlook.
- Habitable rooms and balconies are oriented to take advantage of views along Astor Terrace and to capture prevailing breezes, while service cores are consolidated to less favourable edges.
- The tower form deliberately limits overshadowing and maintains separation from adjoining development, supporting light penetration and air movement.
- Ground-level uses and entries are oriented to Upper Edward Street, reinforcing street presence and legibility.

Outcome

The proposal demonstrates a site-responsive orientation that balances climatic performance, views, and urban context, consistent with the Guide's intent.

6.5.2 Occupy Outdoor Spaces

The Guide promotes outdoor spaces as essential infrastructure for subtropical living.

Response

- Each apartment is provided with generous private balconies exceeding minimum expectations, supporting daily outdoor occupation.
- The penthouse includes a substantial roof terrace, offering a meaningful elevated outdoor space with shading and landscape opportunities.
- A deep-soil landscaped terrace at podium level provides a visible and functional outdoor space that contributes to both resident amenity and the public realm.
- The ground-level food and drink outlet creates an active, outward-facing interface that strengthens the connection between indoor uses and the street.

Outcome

The development prioritises usable outdoor space at multiple levels, reinforcing Brisbane's outdoor lifestyle and supporting long-term residential liveability.

6.5.3 Illuminate with Natural Daylight

Maximising daylight while managing heat gain is a core principle of the Guide.

Response

- The slender tower form and single-residence-per-floor layout ensure multiple aspects to each dwelling, allowing daylight penetration throughout living areas.
- Floor-to-ceiling glazing is balanced with screening and balcony overhangs to admit daylight while moderating glare and heat.
- A central vertical void enables daylight to reach internal areas that would otherwise rely on artificial lighting.

- The ground-level tenancy and lobby areas incorporate high levels of glazing to support an open and welcoming streetscape.

Outcome
The proposal maximises access to natural daylight, reducing reliance on artificial lighting and enhancing occupant comfort.

6.5.4 Natural Air and Ventilation
The Guide emphasises natural and hybrid ventilation as fundamental to sustainable high-rise living.

Response
- All apartments are designed for cross-ventilation, supported by operable windows and opposing openings.
- The central vertical void assists with stack ventilation, drawing air through the building.
- Operable façade elements allow occupants to control airflow and thermal comfort.
- The building avoids deep, double-loaded corridors, ensuring fresh air access to habitable spaces.

Outcome
The design significantly reduces dependence on mechanical cooling and aligns strongly with the Guide's ventilation objectives.

6.5.5 Shade and Protect
Protection from sun and rain is essential to Brisbane's climate.

Response
- Balconies, façade screens and overhangs provide layered shading tailored to orientation.
- Adjustable screening allows occupants to respond to seasonal and daily changes in sun angle.
- The ground-level interface allows for awning opportunities, improving pedestrian comfort and weather protection.
- External shading devices are integrated architecturally rather than applied as afterthoughts.

Outcome
The proposal delivers a well-considered shading strategy that enhances comfort, reduces heat load and supports subtropical living.

6.5.6 Living Greenery
The Guide identifies urban greenery as critical to microclimate, biodiversity and wellbeing.

Response
- A deep-soil planting zone at podium level supports substantial vegetation, including a feature tree visible from the street.
- Integrated balcony planters and cascading greenery soften the building's appearance and provide shading benefits.
- The roof terrace offers opportunities for elevated landscaping and urban greening.
- Landscaping is designed as a permanent architectural component, supported by an ongoing maintenance regime.

Outcome
The development meaningfully contributes to Brisbane's identity as a green, subtropical city and enhances both visual and environmental performance.

6.5.7 Identity Matters
Buildings are expected to express Brisbane's character and contribute positively to the city's image.

Response

- The façade draws on Queensland subtropical traditions, including operable screening, permeability and layered depth.
- Lightweight materials, articulated forms and greenery avoid monolithic presentation and reinforce human scale.
- The building is conceived as a boutique architectural statement, contributing to the evolving identity of Upper Edward Street and the City Centre expansion area.
- Subtle night-time lighting opportunities enhance safety and legibility without visual clutter.

Outcome

The proposal demonstrates architectural identity that is contemporary, climate-responsive and locally grounded.

6.5.8 Reduce Energy and Waste

The Guide promotes reduced operational demand through passive design and efficient systems.

Response

- Passive design measures (orientation, shading, ventilation) reduce energy demand before mechanical systems are required.
- Efficient servicing solutions, including automated car stacking, minimise excavation and structural impact.
- Bicycle parking encourages active transport and reduces reliance on private vehicles.
- The building is capable of accommodating future sustainability initiatives, supporting long-term adaptability.

Outcome

The proposal reduces energy and resource consumption through design-led solutions consistent with best-practice sustainability outcomes.

6.5.9 Overall Conclusion – *Buildings that Breathe*

The proposed development demonstrates a strong and deliberate response to the *Buildings that Breathe* framework. Through orientation, ventilation, greenery, shading, outdoor living and architectural expression, the design delivers a high-quality subtropical residential building that aligns with Brisbane City Council's vision for inner-city development. The proposal exemplifies how a constrained site within the City Centre expansion area can deliver climate-responsive, design-led density that enhances liveability, environmental performance and urban character.

7.0 Key Planning Considerations

The assessment of the proposed development has been informed by a number of key planning considerations that arise from the site's physical characteristics, its inner-city context, and the strategic intent for Spring Hill as a City Centre expansion area. These matters are addressed holistically rather than in isolation, recognising the constrained nature of the site and the deliberate design response adopted.

1. Site Constraints and Urban Context

- The subject site is a small, narrow inner-city allotment with a frontage of approximately 10 metres and a total area of 304 m². These physical constraints significantly influence achievable built form outcomes and limit the applicability of conventional setback, open space and basement design expectations typically associated with larger development sites.
- The proposal has been expressly designed to respond to these constraints by adopting a slender podium-and-tower form, minimising bulk while maximising liveability and urban design quality. The development reflects a realistic and appropriate use of the site, which has remained underutilised for an extended period.

2. Building Height and Built Form

- The proposed building height has been carefully considered in the context of surrounding development, including approved and constructed buildings within the immediate streetscape. The height aligns with the established urban scale along Upper Edward Street and Astor Terrace and is consistent with the evolving character of Spring Hill as part of the city centre frame.
- Importantly, the building form is articulated to reduce visual dominance, with podium modulation, façade screening, deep planting, and a slender tower profile contributing to a balanced and contextually responsive outcome. The proposal prioritises design quality over yield-driven outcomes and avoids excessive bulk on a constrained site.

3. Boundary Setbacks

- Given the width and depth of the allotment, reduced side and rear setbacks are an inherent characteristic of development on the site. The proposal responds appropriately by:
- Locating primary openings, living spaces and balconies to optimise outlook, light and ventilation;
- Incorporating vertical voids to facilitate airflow and daylight access;
- Addressing privacy through screening, façade articulation and controlled glazing.
- These design measures ensure that amenity impacts are mitigated and that the built form functions effectively within its constrained envelope.

4. Residential Amenity and Liveability

- The development delivers exceptionally high-quality residential outcomes through:
- Full-floor apartments providing privacy and exclusivity;
- Large dwelling sizes suitable for families, intergenerational households and downsizers;
- Dual-living configurations supporting long-term occupation;
- Strong connections to outlook, breezes and natural light.
- The absence of on-site communal open space is considered appropriate in this context, given:
- The generous private living spaces within each dwelling;

- The site's immediate proximity to numerous public parks, open spaces and pedestrian networks;
- The highly walkable, transit-oriented location.

5. Streetscape Activation and Public Realm

- The inclusion of a food and drink outlet at ground level provides meaningful activation to a section of Upper Edward Street that is currently characterised by limited pedestrian engagement. This use enhances street vitality, passive surveillance and day-to-night activity, contributing positively to the public realm.
- Deep planting at podium level and cascading greenery reinforce a subtropical streetscape character and soften the interface between the building and the street.

6. Access, Servicing and Parking

- Vehicle access and servicing have been carefully designed to reflect the site's constraints and inner-city location. The use of an automated car parking system allows efficient use of space, reduces excavation requirements and supports the development's boutique residential character.
- The proposal prioritises walkability, public transport accessibility and sustainable transport modes, consistent with the strategic intent for development within the City Centre.

7. Strategic and Long-Term Considerations

- The proposal has been conceived with an understanding of the future redevelopment potential of surrounding underutilised land. The building form does not preclude orderly and coordinated future development and instead contributes to the incremental renewal of the area in a manner consistent with strategic planning objectives.

8.0 Reasons for Approval

The proposed development warrants approval for the following reasons:

1. **It delivers a unique residential typology** that is underrepresented in Brisbane's inner city, providing large-format dwellings suitable for families, intergenerational households and long-term residents in a highly accessible location.

2. **It represents an exemplary design-led response** to a highly constrained site, prioritising architectural quality, liveability and urban contribution over maximum yield.

3. **It contributes positively to the evolution of Spring Hill** as a City Centre expansion precinct, reinforcing its role as a transition area between the CBD and surrounding inner-city neighbourhoods.

4. **It enhances the streetscape and public realm**, introducing active ground-floor uses, subtropical planting, and an articulated façade that improves visual amenity along Upper Edward Street and Astor Terrace.

5. **It supports strategic city-wide objectives**, including urban consolidation, housing diversity, sustainable transport outcomes and the efficient use of well-located land.

6. **It demonstrates innovation and best-practice design**, incorporating subtropical principles, natural ventilation, adaptable façade systems and contemporary parking solutions that reduce environmental impacts.

7. **It delivers high-quality residential amenity**, with generous dwelling sizes, privacy, outlook, and long-term adaptability that exceed typical inner-city apartment outcomes.

8. **It responds appropriately to its context**, including surrounding built form, site constraints and future redevelopment potential, without generating unacceptable amenity impacts.

9. **It transforms a long-underutilised site** into a meaningful, active and architecturally refined development that contributes to the identity and vitality of the locality.

10. **On balance, the proposal represents a net community benefit**, providing a well-considered, forward-looking development outcome aligned with Brisbane's strategic vision for its inner city.

9.0 Appendices

Appendix A – Architectural Plans & Landscape Design Concept

Appendix B – Code Compliance Assessment

Appendix C - Access, Servicing and Automated Valet Parking – Operational Framework

Appendix D – Previous Approval