Development Application Report

57 Berwick Street, Fortitude Valley QLD 4006

Development Permits for:

- A Material Change of Use for Multiple Dwellings (189 Units), and
- A Material Change of Use for an Office

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Document Information

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Executive Summary

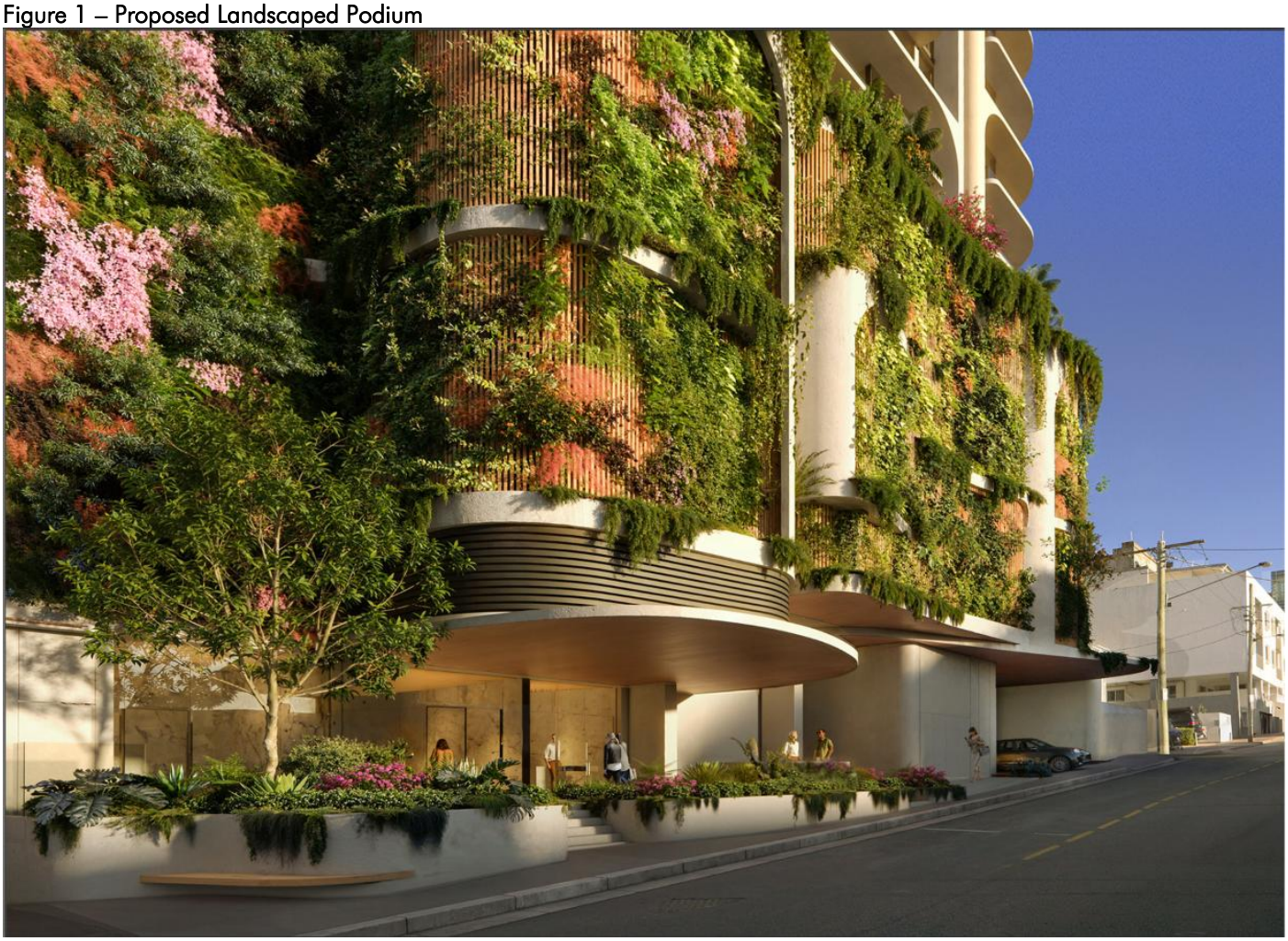
This Town Planning Application Report has been prepared on behalf of the Applicant, TRK Property Group Pty Ltd, to support a development application over 57 Berwick Street, Fortitude Valley, which is formally described as Lot 35 on SP210649. The Impact Assessable development application seeks approval for the following aspects of development:

- A Development Permit for a Material Change of Use for Multiple Dwelling; and
- A Development Permit for a Material Change of Use for Office.

The subject site has an area of approximately 1,774m^2 and 40m of frontage to Berwick Street. The Brisbane City Plan 2014 (the Planning Scheme) includes the subject site within the Mixed Use (Inner City) Zone and the James Street Precinct (NPP-005) of the Fortitude Valley Neighbourhood Plan area - NPP-005. The site is not burdened by any easements, covenants or environmental constraints.

The Applicant seeks to redevelop the existing two storey commercial office building into a truly iconic and world-class residential-led mixed-use building. Internationally recognised Koichi Takada Architects have developed the proposal to integrate biophilic design, drawing inspiration from the subtropical landscape and inserting this into the built fabric of the Fortitude Valley. The building façade incorporates strong vertical structural components that branch into the balconies, reflecting the natural structure of a plant. This core of the built form is complemented by extensive ferns, tropical flowering species and large canopy trees within vertical and podium planting throughout the base and rooftop levels of the building, reflecting the ground cover and canopy of remnant rainforest vegetation.

Figure 1 – Proposed Landscaped Podium



A total of 189 apartments are proposed within the tower, which include a mix of 1, 2, 3 and 4 bedroom apartments. This diverse range of apartment sizes, which come in a range of layouts with and without additional multi-purpose rooms, will extend the housing choice available within the Fortitude Valley and directly respond to the short-term need for additional housing supply. The development also incorporates a single floor level of commercial Office space between the podium car park and residential floor levels. Separate residential and commercial lobby's and lift access points are provided. More resident and visitor car parks and bicycle spaces are provided than are required by the Planning Scheme.

Figure 2 – Façade Articulation

Communal open space for the residents is provided over two storeys of rooftop indoor and outdoor recreation area, which includes wellness spaces, work from home areas and meeting rooms, dining and entertaining areas, cinema and games room. These areas overlook the swimming pool and extensively landscaped podium planters, towards the CBD and skyline beyond.

The development achieves a green plot ratio of approximately 75.2%, based on 1,334m^2 of green infrastructure area over the 1,774m^2 site. Landscaping is integrated across the ground plane, podium, façade, plant and rooftop levels, including deep planting, containerised planting, green walls and rooftop planting. This supports the project's subtropical design response and softens the presentation of the built form to Berwick Street and adjoining properties.

Figure 3 – Rooftop Resident Amenity and Landscape Crown

The key performance outcome that is sought by the development relates to the proposed building height of 34 storeys above ground level. Whilst this exceeds the acceptable outcome nominated by the Fortitude Valley Neighbourhood Plan, it is an appropriate performance outcome that is supported by a detailed built form response

that achieves design excellence in the context of a location that has been earmarked for significant additional height and density in the immediate future. This report identifies the following key planning considerations in support of the proposal and the associated building height:

- The Brisbane City Council (Council) has recognised the need for additional density and height within well located areas of the city to respond to the housing crisis and ensure that existing high-quality and fully capable infrastructure is fully utilised. Through this process, Council has commenced work on the Fortitude Valley Sustainable Growth Precinct Plan. It is anticipated that the building heights within this Precinct will increase substantially in comparison to the current Neighbourhood Plan, given that Neighbourhood Plan updates in the comparable inner-city locations of Newstead, Woolloongabba, South Brisbane and Milton have provided for heights of 30 – 50 storeys.
- The Council have already recognised that the acceptable outcomes for building height under the Neighbourhood Plan, which was released in 2010, no longer reflect the intended built form or density outcomes for the Fortitude Valley. This is reflected by the recent approval of an 18 storey commercial building at 88 Robertson Street, which is only 30m to the east of the subject site (A006677589). The proposal will transition between buildings of this scale to the east, and the existing 33+ storey buildings within Ann, Constance and Wickham Streets that are likely to support greater heights through the Fortitude Valley Sustainable Growth Precinct Plan process.
- The Applicant is a developer that has an internal construction arm, who can therefore confidently deliver the project in the short term to directly respond to the current housing crisis.
- The proposed built form achieves design excellence and responds to all key metrics within the Buildings that Breathe Design Guidelines.

This development application is supported by architectural, landscape, transport, civil engineering, stormwater, acoustic, waste and structural inputs from specialist consultants. These reports confirm that the site can be appropriately serviced and that relevant amenity, access, drainage, acoustic and infrastructure matters can be managed through the proposed design and subsequent detailed design processes.

The applicable categorising instrument under Chapter 3, Part 1, s41 of the Planning Act 2016 is the Brisbane City Plan 2014. The development application is Impact Assessable as the proposal exceeds the building height and podium height prescribed as acceptable outcomes for the site under the Fortitude Valley Neighbourhood Plan. The development application requires public notification but does not trigger referral to any external agencies.

This office has undertaken an assessment of the relevant provisions of the Planning Scheme and other relevant matters and recommends that it be approved, subject to reasonable and relevant conditions.

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Appendices

Appendix	Title	Author
A	Proposal Plans	Koichi Takada Architects
B	Architectural Report	Koichi Takada Architects
C	Code Compliance	Murray Bell Planning Co.
D	Landscape Concept Report	Lat Studios
E	Irrigation Strategy	RP Design
F	Irrigation and Tank Capacity Assessment	RP Design
G	Transport Engineering Report	Colliers Engineering & Design
H	Engineering Services Report	Colliers Engineering & Design
I	Stormwater Management Plan	Colliers Engineering & Design
J	Structural Engineering Advice	Colliers Engineering & Design
K	Acoustic Code Assessment	Colliers Engineering & Design
L	Draft Construction Management Plan	TRK Property Group
M	Operational Waste Management Plan	Colliers Engineering & Design

1.0 Site and Application Details

Subject Site	
Address:	57 Berwick Street, Fortitude Valley QLD 4006
Lot Description:	Lot 35 on SP210649
Site Area:	1,774m^2
Ward:	Central
Easement(s):	Nil
Covenant(s):	Nil
Land Classification:	MU1 Mixed Use (Inner City) Zone
Neighbourhood Plan:	Fortitude Valley Neighbourhood Plan ▪ James Street Precinct (NPP-005)
Overlay(s):	Airport Environs Overlay Community Purposes Network Overlay Critical Infrastructure and Movement Network Overlay Potential and Actual Acid Sulfate Soils Overlay Road Hierarchy Overlay Streetscape Hierarchy Overlay Transport Noise Corridor Overlay
SEQRP:	Urban Footprint
Applicant	
Applicant:	TRK Property Group Pty Ltd C/- Murray Bell Planning Co.
Contact Details:	Name: Sam Underwood Address: Level 10, 167 Eagle Street, Brisbane QLD 4000 Phone: 0405 300 290 Email: sam@mbplanning.com.au
Registered Landowner(s):	Master Electricians Association Queensland Industrial Organisation of Employers
Application	
Development Application:	Development Permits for a Material Change of Use for: ▪ Multiple Dwellings (189 Units) and ▪ Office
Level of Assessment:	Impact Assessable
Public Notification Period:	15 Business days
Referral Agencies:	Nil

2.0 Subject Site and Locality Description

2.1 Current Use

The subject site is located at 57 Berwick Street, Fortitude Valley and is formally described as Lot 35 on SP210649. The site is currently improved by a two-storey commercial office building, which has an associated basement car park and hardstand/servicing areas.

The existing building is occupied by a range of commercial tenants, including professional, industry association and financial services uses that are consistent with the definition for an Office. This is consistent with the following historical approvals for a Centre Activity / Office over the site:

- On the 16 November 2006, the Brisbane City Council approved a Material Change of Use and Preliminary Approval for Building Work in relation to the an extension to a Centre Activity for an Office (DRS/USE/H06-949507). The approved plans showed a two-storey office building extension, basement parking and associated building works.

- On 28 May 2008, Council approved a request to change the 2006 approval (A002031210). The change retained the Centre Activity / office extension approval framework and amended the approved drawing package, including revised basement, ground / level 1 and elevation drawings.

- Associated compliance assessment approvals were also obtained in 2008 for the delivery of the approved commercial development, including:
    - A002056803 - bulk earthworks;
    - A002056825 - erosion and sediment control;
    - A002056838 - Site Based Stormwater Quantity Management Plan; and
    - A002056856 - landscape works in streetscape.

Based on the above, the existing building and associated use are considered to have extant lawful use rights for Centre Activities.

2.2 Site Description

The subject site is located midway along Berwick Street, Fortitude Valley, approximately 100m from the intersection with Brunswick Street. The site has an area of approximately 1,774m^2 and 40m of frontage to Berwick Street.

Berwick Street is a narrow inner-city street with a mixed built form character, including older commercial and light industrial buildings, newer apartment buildings and emerging mixed-use development. The Berwick Street frontage provides pedestrian, vehicle and servicing access to the site.

The property is exceptionally well located, as it is within easy walking distance of James Street, the Brunswick Street Mall, Howard Smith Wharves and Fortitude Valley Railway Station. The site is well positioned for inner-city residential redevelopment due to its zoning, proximity to activity centres, public transport, employment and lifestyle destinations, and its location within an area undergoing continued renewal.

The Planning Scheme includes the land within the Mixed Use (Inner City) Zone, zone precinct, and the James Street Precinct of the Fortitude Valley Neighbourhood Plan. The site is not constrained by flooding or environmental overlays, with consideration only being required for potential acid sulfate soils and the transport noise corridor associated with McLachlan Street.

Figure 4 – Aerial Photograph (QLD Globe)

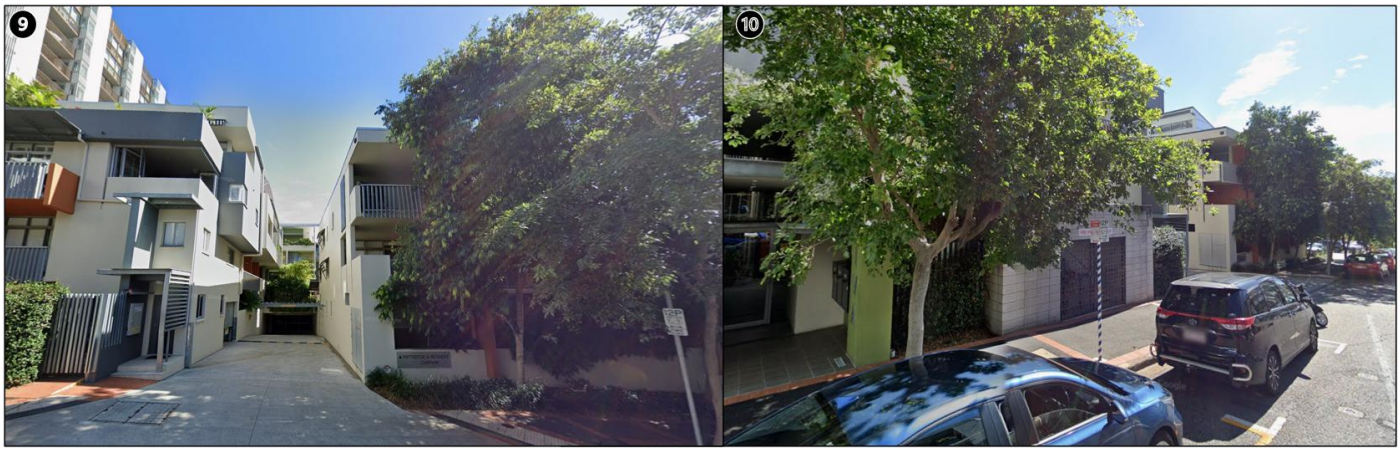
Table 1, Figure 5 and Figure 6 identify the immediately adjoining properties and relevant viewpoint locations.

Table 1 – Adjoining Properties and Operating Land Use

#	Address / location	Built form / land use	Land classification
A	61 Berwick St, Fortitude Valley 4006	2 storey Office	Mixed Use (inner City)
B	58 Robertson St, Fortitude Valley 4006	1 storey Office/Showroom	Mixed Use (inner City)
C	54 Robertson St, Fortitude Valley 4006	2 storey Shop /Showroom	Mixed Use (inner City)
D	38 Robertson St, Fortitude Valley 4006	4-5 storey Multiple Dwelling	Mixed Use (inner City)
E	39 Berwick St, Fortitude Valley 4006	2 storey Shop	Mixed Use (inner City)

Figure 5 – Adjoining Properties and Viewpoint References

Figure 6 – External Views (Google & Site Photos)

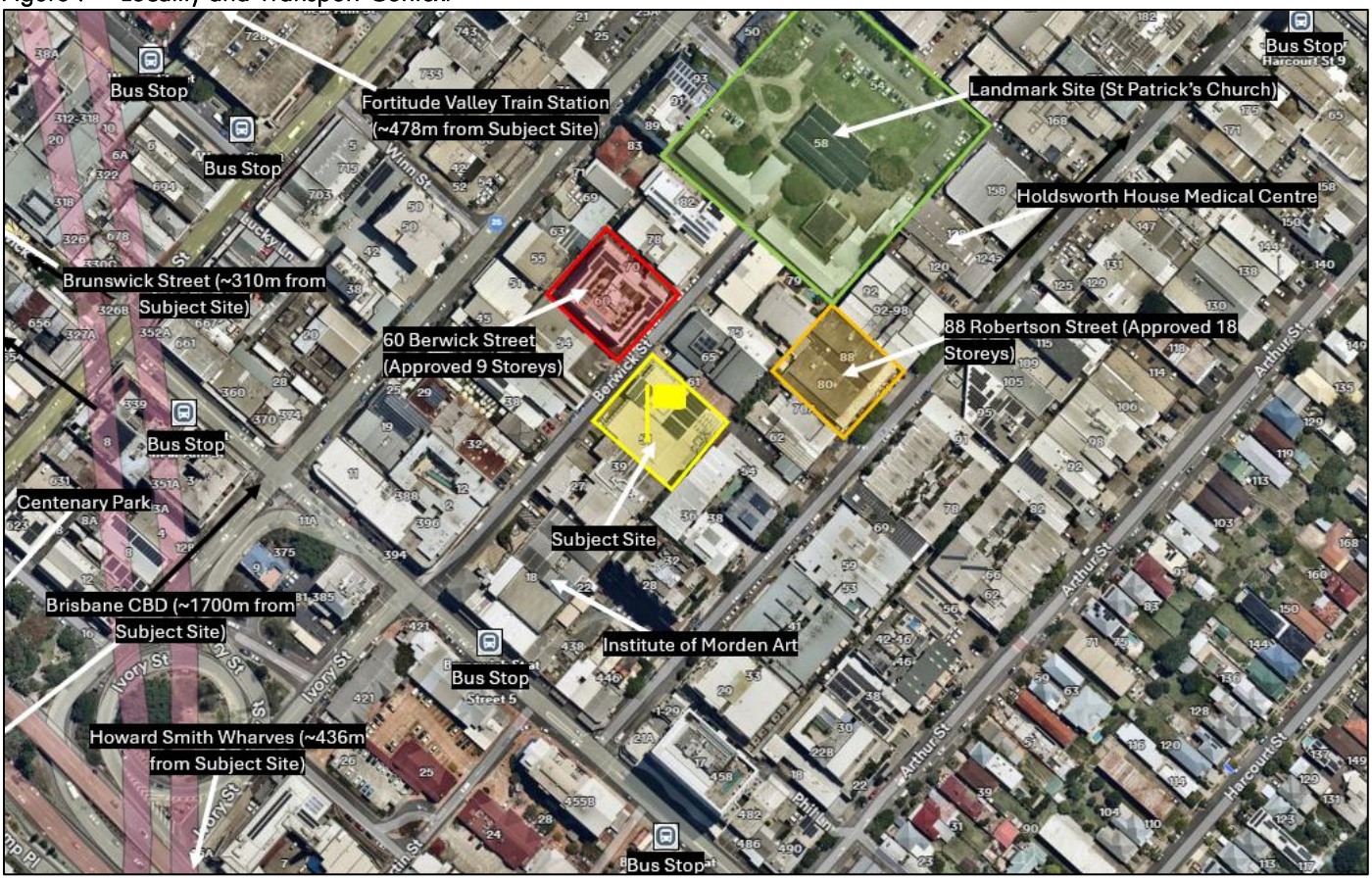


2.3 Locality Description

The subject site is located in Fortitude Valley, approximately 1km north-east of the Brisbane CBD. The locality forms part of Brisbane's inner-city frame and contains a diverse mix of residential, commercial, retail, entertainment, cultural and hospitality uses.

Fortitude Valley is one of Brisbane's most well-established mixed-use inner-city precincts. The broader locality is anchored by Brunswick Street Mall, James Street, Howard Smith Wharves, Fortitude Valley Railway Station, New Farm and the Brisbane CBD. These destinations support high levels of pedestrian activity, public transport use and lifestyle-oriented urban living.

Figure 7 – Locality and Transport Context



Berwick Street forms part of the James Street Precinct of the Fortitude Valley Neighbourhood Plan and is transitioning from a low-scale commercial / warehouse street toward a higher-density mixed-use environment. The site is well placed within this context, with nearby approvals at 60 Berwick Street and 88 Robertson Street demonstrating the emerging scale and renewal pattern in the immediate locality. The proposal responds by replacing the existing low-rise commercial building with a high-quality residential-led mixed-use tower, supported by office floor space, streetscape improvements, landscaping and an activated ground plane.

Figure 8 – Zoning Map (City Plan 2014)

2.4 Property Ownership

The Subject Site is owned by Master Electricians Association Queensland Industrial Organisation of Employers. Consent has been obtained from the registered owners for the lodgement of this development application.

2.5 Flooding

A review of the Flood Overlay mapping confirms that the Subject Site is not subject to flood risk.

2.6 Biodiversity Constraints

The Planning Scheme does not regulate the removal of vegetation on the Subject Site, as the property is not included within the Biodiversity Overlay or Significant Landscape Tree Overlay. Furthermore, the Subject Site is not identified as containing protected vegetation by the Natural Asset Local Law. The State does not make the removal of vegetation assessable under the Vegetation Management Act 1999.

2.7 Heritage

A review of the Brisbane City Council heritage register and Heritage Overlay mapping confirms that the Subject Site is not identified as a Local Heritage Place. The Subject Site does not adjoin a Local Heritage Place. The Subject Site is not a State Heritage Place.

2.8 Bushfire Hazard

A review of the Bushfire Overlay mapping confirms that the Subject Site is not subject to bushfire risk. Additionally, a review of the State Planning Policy mapping reveals that the Subject Site is not located in a bushfire prone area.

3.0 Proposal

The Applicant seeks approval for a Development Permit for Material Change of Use for Multiple Dwellings and an Office over the subject site. The proposal involves the redevelopment of the subject site for a mixed-use tower comprising 189 residential apartments, a single floor of office (785m^2), residential lobby and concierge areas, resident co-working space, communal recreation areas, podium and basement car parking, bicycle parking, refuse storage, building services, landscaping and associated access and servicing arrangements.

The proposed development has been designed as a residential-led mixed-use tower with an activated and landscaped ground plane addressing Berwick Street. The lower levels accommodate the residential and commercial lobbies, building services, loading and access arrangements, with car parking provided across basement and podium levels. Office floor space is provided at Level 6, above the podium, while residential apartments are located within the tower levels above. Communal recreation and resident amenity areas are provided at the upper levels of the building, taking advantage of the site's outlook and supporting a high-quality inner-city residential offering.

Fortitude Valley is at a pivotal point of change. The suburb has historically been associated with lower quality apartment development and the iconic entertainment precinct. The Applicant recognises that the Fortitude Valley is evolving beyond this historical identity and has the potential to become one of the most significant extensions of the Brisbane CBD as the city grows in the lead up to the 2032 Olympic Games. The Applicant seeks to realise this potential by delivering apartment development of a calibre that is presently only available within suburbs such as New Farm and Newstead. The proposal represents a watershed moment for the locality, elevating the quality of design and housing choice for residents in a manner that has previously been limited to the suburbs of New Farm and Teneriffe.

The Applicant has engaged internationally recognised Koichi Takada Architects to create an architectural design that is unique and rivals or surpasses celebrated and iconic buildings within James Street. The development will comprise a podium-level commercial tenancy and car parking levels, with a residential tower above, providing an overall building height of 34 storeys and delivering 189 apartments.

Table 2 – Built Form Summary

Apartment Mix:	
▪ 1 Bedroom	13 (7%)
▪ 2 Bedrooms	39 (21%)
▪ 2 Bedrooms + multi-purpose room	76 (40%)
▪ 3 Bedrooms	33 (17%)
▪ 3 Bedrooms + multi-purpose room	20 (11%)
▪ 4 Bedrooms + multi-purpose room	8 (4%)
	189 total
Building Height:	
▪ Basement	2 basement levels
▪ Podium	5 storeys
▪ Tower	29 storeys
	34 storeys above ground level
Site Cover:	
▪ Ground/Podium	1,606m^2 (90%)
▪ Tower	1,136m^2 (64%)
Private Open Space	
▪ 1 Bedroom Apartments	15.9m^2
▪ 2 Bedroom Apartments	13.1m^2 - 19.1m^2
▪ 3 Bedroom Apartments	15.8m^2 - 20.2m^2
▪ 4 Bedroom Apartments	21.3m^2 - 38.7m^2

Communal Open Space	
▪ Ground level POPAOS	76m²
▪ Amenities Level 1	489m² (295m² internal GFA)
▪ Amenities Level 2	472m² (277.9m² internal GFA)
▪ Total residential amenity GFA	**Total: 572.8m²**
▪ Total rooftop amenity footprint	**Total: 960.8m²**
Landscaping	
▪ Green infrastructure area	1,334m²
▪ Green plot ratio	1,774m² (75.2% of the site area)
Carparks	
▪ Resident	226 spaces
▪ Visitor	10 spaces
▪ Inclusive/PWD	3 spaces
▪ Office	11 spaces
	Total: 247 spaces
Bicycle	
▪ Resident	200 spaces
▪ Visitor/ Office	65
	Total: 265 spaces

3.1 Design Concept

The architectural design concept has been prepared by the internationally recognised Koichi Takada Architects. The proposal is founded on a subtropical design response that draws from Queensland's layered rainforest canopies, cascading vines and the idea of nature reclaiming the city. This concept is expressed through a slender residential tower, landscaped podium, green façade, warm material palette and planted rooftop crown.

The design seeks to transform the Berwick Street frontage from a low-scale industrial edge into a more active, landscaped and pedestrian-focused inner-city address. At ground level, the residential and commercial lobby's, landscaped forecourt, canopy and transparent frontage provide activation, passive surveillance and a clear sense of arrival.

The proposal is also informed by the transformation of the nearby James Street precinct, where former industrial streets have evolved into high-quality mixed-use, retail and lifestyle environments through design-led renewal. In this context, the proposal is intended to act as a catalyst for the continued renewal of Berwick Street and the immediate surrounding area.

3.2 Land Use Mix

The proposal provides a mixed-use development comprising single commercial office tenancy on top of the podium car park, with the residential tower situated above. The residential component forms the primary use, supported by a commercial office component that contributes to the mixed-use character and daytime activation of the development.

3.2.1 Multiple Dwelling

The Multiple Dwelling component is provided across Levels 7 to 31 and comprises 189 apartments in total. The apartment mix includes one, two, three and four-bedroom dwellings, with larger apartment types concentrated on the upper levels to take advantage of views and outlook.

The unit mix provides a range of dwelling sizes suited to inner-city living, including a significant proportion of two-bedroom-plus, three-bedroom and larger dwellings. In addition to the overall mix of apartment types, the layout

also provides options with and without multi-purpose rooms. The proposal therefore offers a much greater housing diversity for existing and future residents within the Fortitude Valley that will suit a broader range of household types.

Table 3 – Unit Typologies

Level / Unit Mix	1B	2B	2B+	3B	3B+	4B	TOTAL
Level 7 to 19 (13 floors)	1	3	4	1			9
Levels 20 to 27 (8 floors)			3	2	2		7
Levels 28 to 31 (4 floors)				1	1	2	4
TOTAL (all floors)	13	39	76	33	20	8	189

3.2.2 Office

The Office component is located at the top of the podium and is accessed via a dedicated commercial lobby at ground level. The office provides a full-floor single tenancy with 785m^2 of gross floor area. The commercial use will complement the residential tower and contributes to activity within the building during daytime hours.

The office layout includes reception, boardroom, meeting rooms, manager offices, CEO office, event room, breakout rooms, amenities and outdoor working pods. The tenancy is surrounded by landscaped podium edges and outdoor work areas, providing a high-amenity commercial environment within the mixed-use building.

3.3 Built Form

The proposed building height is supported by a deliberate massing strategy that avoids a simple vertical extrusion and instead delivers a slender, articulated tower above a landscaped podium.

The key built form elements of the proposal are:

- a densely vegetated podium that establishes a human-scaled base to Berwick Street, and forms the 'forest floor' of the development;
- an activated ground plane with residential and commercial entries, a landscaped forecourt and pedestrian canopy;
- a slender residential tower form with rounded corners, curved balconies and repeated arched façade bays;
- upper-level articulation and setbacks to reduce visual bulk;
- a densely landscaped rooftop crown that establishes the 'canopy' of the building;
- a warm, restrained material palette that allows the green façade and planting to remain the primary visual expression.

The resulting built form pairs additional height with architectural quality, subtropical landscape integration, housing delivery and high-amenity communal open space.

3.3.1 Ground Floor Arrangement

The ground floor has been designed to provide a clear, landscaped and accessible arrival sequence from Berwick Street. Pedestrian access is provided through a landscaped forecourt, with entry to the residential and commercial lobby's available by either stairs or a gently graded ramp. This arrangement responds to the natural fall of Berwick Street and creates a legible, inclusive and welcoming address for residents, workers and visitors.

The Berwick Street frontage is softened by deep planting, feature podium planting and landscaped forecourt areas, contributing to the proposal's subtropical design response and improving the pedestrian experience. The residential lobby, concierge and seating areas are positioned toward the street, while the commercial lobby is also accessed from the ground floor, creating a visible and activated interface that supports passive surveillance and activity across different times of the day.

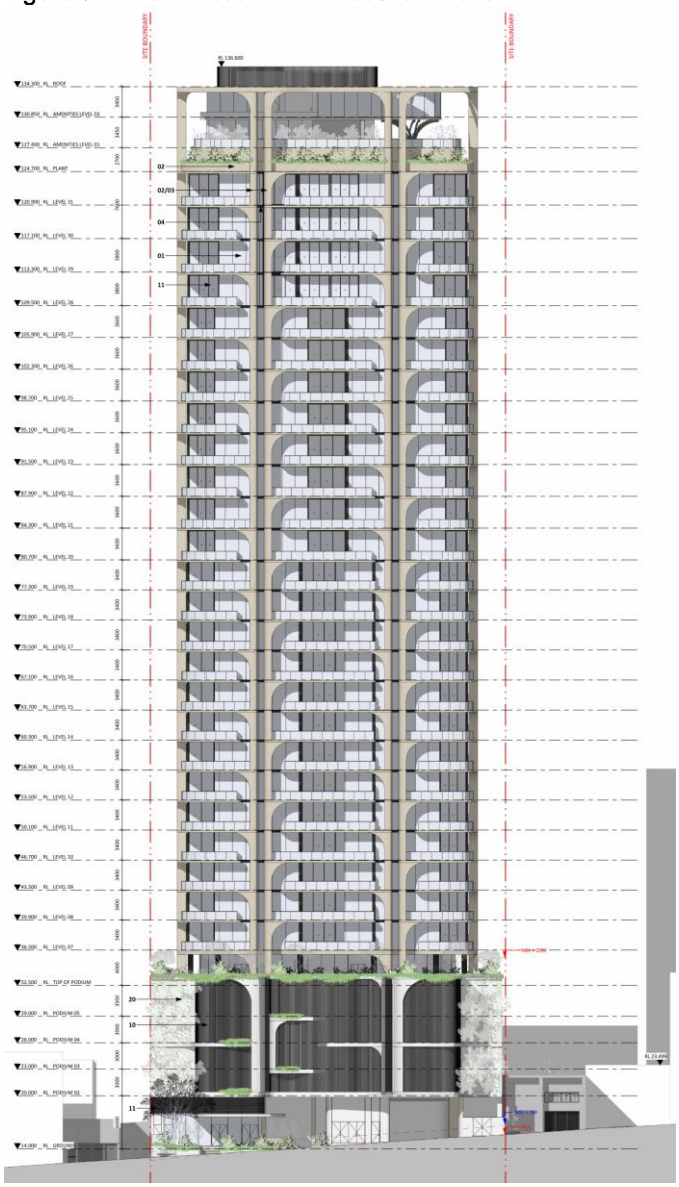
Vehicle access is consolidated to a single crossover on Berwick Street, serving the basement, podium parking and loading areas. Building services, waste storage, mail and parcel delivery, fire services and loading/refuse collection are integrated within the ground floor layout and located away from the primary pedestrian arrival areas where practicable. Overall, the ground floor balances pedestrian amenity, landscape quality, activation and servicing efficiency.

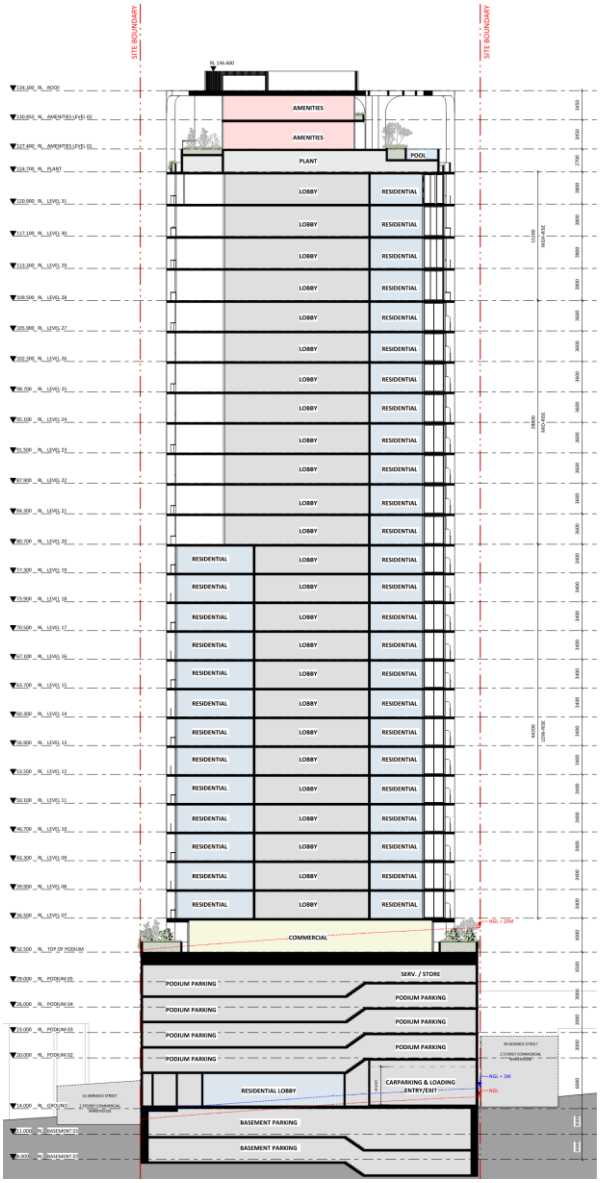
3.3.2 Building Height

The proposed development has a maximum building height of 136.6mAHD and comprises 34 storeys above ground level. The building includes a 5-storey podium, Level 6 office floor space, residential tower levels from Level 7-31, dedicated plant and equipment rooms on Level 32, rooftop communal recreation / amenity levels on Level 33 and 34, and 2 basement levels below ground.

The proposed height supports the delivery of a residential-led mixed-use tower in a highly accessible inner-city location. The building is arranged with a podium base addressing Berwick Street and a taller tower form above, allowing the proposal to accommodate residential apartments, office floor space, communal amenity, parking, services and landscape within a compact urban site.

Figure 9 – Front Elevation and Section Plans





3.3.3 Setbacks and Site Cover

As demonstrated in Table 4, the proposal adopts a varied setback and site cover strategy across the ground, podium, tower, plant and rooftop amenity levels. The highest site cover occurs at the ground and lower podium levels, where the building accommodates access, servicing, loading, parking, waste management, fire services and lobby functions. The ground floor and podium levels have a site cover of 1,605m^2, equivalent to 90% of the site area.

Table 4 – Setbacks by Floor Level

Level	Front (Berwick St)	Rear (adj. 38 Roberston St)	Side (south)	Side (north)
Ground	6.1m - wall	Built to boundary	Built to boundary	Built to boundary
Podium 02 and 03	Built to boundary	Built to boundary	Built to boundary	Built to boundary
Podium 04 and 05	Built to boundary	5.8m - wall	Built to boundary	Built to boundary
Level 6 Office	9.28m - wall	8.2m - wall	5.5m - wall	5.6m - wall
Level 7 to 31 Residential	3.1m - balcony 4.2m – wall	5.57m - balcony 6.2m – wall	3.32m - balcony 3.95m – wall	3.57m - balcony 4.2m - wall
Level 32 Plant	3.57m	5.57m	3.32m	3.57m
Level 33 Amenities	17.9m	12.85m	14.75m	6.4m
Level 34 Amenities	10m	7.75m	14.75m	6.45m
Roof (Outermost projection)	3.1m	5.1m	2.85m	3.1m

The building progressively steps in from the podium, with the tower component reducing to a maximum site cover of 1,136.9m^2, equivalent to 64.1% of the site area. This reduction in site cover is reinforced by increased setbacks to the office, residential, plant and rooftop amenity levels, which assist in moderating the apparent bulk and scale of the building above the podium. The resulting built form presents as a stronger urban podium with a more slender and recessed tower above.

Particular consideration has been given to the rear interface with 38 Robertson Street. While parts of the podium are built to boundary, the upper podium, office, residential and rooftop amenity levels step away from the rear boundary. The section mark-ups illustrate how this creates greater visual separation to adjoining balconies, reduces the sense of enclosure and allows landscaping to be integrated within rear notches and podium setback areas.

Overall, the combination of reduced upper-level site cover, progressive setbacks and integrated landscaping provides a calibrated built form response that manages massing, scale, natural light, ventilation and outlook, while softening the interface to adjoining properties.

3.3.4 Private Open Space

Private open space is provided to apartments in the form of balconies integrated into the tower façade. The balconies contribute to the architectural rhythm of the building while providing functional outdoor living areas for residents.

The balcony areas vary by apartment type and level, with larger balconies generally provided to the larger upper-level apartments. The vast majority of the apartments have balconies ranging from 15m^2-22m^2 in size, with only a handful of 2-bedroom and 4-bedroom apartments having 13m^2 and 38m^2 balconies, respectively. The private open space provision supports subtropical living by providing residents with usable outdoor areas, access to daylight and outlook, and a direct relationship between internal living areas and the external environment.

3.3.5 Communal Open Space

The proposal provides communal resident amenity across two rooftop levels. The rooftop location maximises access to daylight, breezes and views across Fortitude Valley, New Farm, the Brisbane River, Story Bridge and the CBD skyline.

Table 5 – Communal Open Space Provision

Level	Communal area / facility	Area
Amenities Level 01	Residential amenity GFA	295m²
	Rooftop amenity footprint	489m²
	Gym, yoga, steam room, sauna, spa, hot / cold facilities, BBQ / outdoor dining, wellness terrace and outdoor meditation area	Refer architectural plans
	Outdoor meditation area	45m²
Amenities Level 02	Residential amenity GFA	278m²
	Rooftop amenity footprint	472m²
	Work / library, meeting room, cinema, games lounge, outdoor dining, outdoor work area, feature pods and Zoom rooms	Refer architectural plans
Total	**Residential amenity GFA**	**573m²**
Total	**Rooftop amenity footprint**	**961m²**

The proposal also includes 76m² of publicly accessible privately owned open space at ground level, which is separate to the resident communal amenity areas and contributes to the Berwick Street public realm. This is discussed in further detail within **Section 4.3** below.

3.3.6 Landscaping

The proposal includes an integrated landscape strategy prepared by LatStudios, as detailed in the Landscape Concept Report. Landscaping is provided from ground level through to the podium, façade, plant level and rooftop amenity levels, supporting a subtropical design response and softening the presentation of the building to Berwick Street and adjoining properties. The planting strategy includes deep planting, containerised planting, green walls, podium planting, façade climbers and cascading planting. Species have been selected to respond to the varied microclimates created by the built form, including sunny and exposed areas, windy upper levels and protected shaded spaces. The proposal achieves a green plot ratio of 75.2%, as summarised below.

Table 6 – Green Plot Ratio Calculation by Level

Level	Green infrastructure area	Area	Percentage of site area
Podium façade	Green wall	299m²	16.9%
Ground	Containerised planting	39m²	2.2%
Ground	Deep planting	84m²	4.7%
Podium 02	Containerised planting	13m²	0.7%
Podium 03	Containerised planting	5m²	0.3%
Podium 04	Containerised planting	5m²	0.3%
Podium 04	Deep planting - 1m+ containerised	151m²	8.5%
Podium 05	Containerised planting	2m²	0.1%
Top of podium	Deep planting - 1m+ containerised	439m²	24.7%
Plant	Containerised planting	33m²	1.9%
Amenities Level 01	Containerised planting	154m²	8.7%
Amenities Level 01	Deep planting - 1m+ containerised	84m²	4.7%
Amenities Level 02	Containerised planting	43m²	2.4%
Total	**Green plot ratio**	**1,351m²**	**76.1%**

The landscape strategy is supported by an irrigation strategy prepared by RP Design (refer **Appendix E & F**). The irrigation system is intended to use a minimum 75% non-potable water supply, with rainwater harvested from rooftop catchments, filtered and stored in a centralised tank on the plant deck. RP Design recommends a 39,000L effective capacity storage tank, with smart irrigation controls, rain sensors, fertigation and low-pressure drip irrigation to planted areas. The system is supported by potable water backup to manage seasonal demand and maintain landscape performance.

3.4 Transport, Access, Parking and Servicing

A Transport Engineering Report has been prepared by Colliers in support of the development application. The report assesses the proposed access, parking, bicycle parking, servicing and traffic impacts associated with the development.

3.4.1 Access

Vehicle access is provided from Berwick Street via a 6.5m wide Type B2 crossover on the western site frontage. The access accommodates all vehicle movements and provides access to the basement and podium parking levels, as well as the on-site loading / refuse collection bay. Pedestrian access is provided from the Berwick Street frontage via separate residential and commercial lobby entries. Cyclist access is also provided from Berwick Street, with bicycle parking located across the basement, podium and ground floor levels.

3.4.2 Parking

The proposal provides a total of 247 car parking spaces across Basement Levels 1 and 2, ground level and podium parking levels. This comprises 226 resident spaces, 10 visitor spaces, including 1 PWD space and 11 commercial / staff spaces. The Transport Engineering Report confirms that the proposed parking supply exceeds the TAPS PSP City Core maximum parking rate by 15 spaces, or approximately 6%. The surplus comprises 8 resident spaces and 7 commercial / office spaces. Visitor parking complies with the TAPS PSP rate.

The Transport Engineering Report concludes that the proposed parking supply is acceptable having regard to the projected parking demand of the development, the modest scale of the exceedance and the lack of practical parking alternatives in the immediate area. The proposal also provides 265 bicycle parking spaces, exceeding the TAPS PSP requirement of 237 bicycle spaces, supporting active transport use by residents, visitors and workers.

3.4.3 Bicycle Parking

The proposal provides a total of 265 bicycle parking spaces, comprising 200 resident bicycle spaces and 65 visitor / office bicycle spaces. This exceeds the minimum TAPS PSP requirement of 237 bicycle spaces. Resident bicycle parking is provided within the basement and podium levels, with visitor bicycle parking provided at ground level. The Transport Engineering Report confirms that the bicycle parking supply and design are generally in accordance with AS2890.3:2015.

3.4.4 Servicing

Servicing is provided on site via a shared loading / refuse collection bay accessed from Berwick Street. The loading bay is designed to accommodate regular access by a 10.24m rear-loading refuse collection vehicle and occasional access by an 8.8m medium rigid vehicle. The loading bay is 10.5m long and 3.5m wide, with a 6.5m two-way service aisle, 1:25 maximum loading bay grade and 4.5m height clearance. Service vehicles enter and exit the site in forward gear, with swept path analysis confirming suitable manoeuvring to and from the loading bay. The Transport Engineering Report confirms that the shared MRV / RCV loading bay is acceptable for the proposed land uses and that the servicing arrangement is generally in accordance with the TAPS PSP.

3.5 Waste Management

An Operational Waste Management Plan has been prepared by Colliers in support of the development application. Waste storage and collection is provided on site at ground level, with separate refuse storage areas for the residential and office components. The residential waste room is located within the ground floor back-of-house area and is designed to accommodate 5 x 1,100L general waste bins and 14 x 1,100L commingled recycling bins, supported by a dual chute system, linear conveyor system and 3:1 compaction for general waste. The waste room is accessed by building management and the appointed waste collection contractor.

The office waste room is separate from the residential waste room and is designed to accommodate 1 x 240L general waste bin and 1 x 360L commingled recycling bin. Waste collection will be undertaken by Council's appointed contractor using a rear-loading refuse collection vehicle. The refuse collection vehicle will enter the site from Berwick Street in a forward gear, reverse into the loading / refuse collection bay, service the bins directly from the refuse rooms, and exit the site in a forward gear.

3.6 Building Services and Plant

Building services and plant areas are integrated throughout the basement, ground floor, podium and upper plant levels. At ground level, the proposal is required to maintain the pad mount electrical transformer on the north-western side of the front boundary that services the remainder of Berwick Street. Additional capacity is also required to be provided and hence a substation is located within the building behind.

The fire booster and water meter assembly are directly accessible from Berwick Street. A fire pump room and pump room are located within the ground floor back-of-house area, and have been designed to comply with the QFRS accessibility and serviceability requirements.

The ground level provides separate residential and commercial lobby entries, with stair and ramp access from Berwick Street and a central lift core providing access to the residential levels, office level, rooftop amenity levels and basement / podium parking areas. Basement Level 2 includes residential parking and a stormwater pump station. Basement Level 1 includes residential parking and basement fan rooms. Podium Level 4 includes a residential storage cage area. Additional building services, including plant, heat pump, break tank / pump and irrigation / rainwater tank areas, are provided at the upper plant level.

3.7 Civil Engineering and Infrastructure Services

A Civil Engineering Services Report has been prepared by Colliers in support of the development application. The report confirms that the site can be appropriately serviced by civil infrastructure, including earthworks, sediment and erosion control, roadworks, sewerage, water supply, stormwater and utilities.

3.7.1 Earthworks & Basement Excavation

Bulk earthworks are required to facilitate the basement levels and associated building works. The preliminary civil design identifies approximately 288m^3 of stripping and 7,603m^3 of cut, with no fill proposed. Excavated material will be removed from the site and disposed of at an approved location using lawful haul routes to be confirmed at the construction stage.

The basement excavation will extend across the majority of the site and will be supported by a retention system designed to avoid requiring ground anchors that extend beyond the property boundary. Colliers has confirmed that ground anchors are not required, with the retention system to be designed using alternative structural measures, which may include cantilevered retaining walls, internal bracing or other compliant systems.

Based on the current civil design, the proposed excavation does not extend below 5m AHD. Accordingly, the works do not trigger assessment against the Potential and Actual Acid Sulfate Soils Overlay. Earthworks will be undertaken in accordance with AS3798-2007 and relevant Council requirements.

3.7.2 Sediment and Erosion Control

The site is identified as having medium erosion risk potential. Sediment and erosion controls will be implemented during construction and may include clean and dirty water diversion drains, temporary sediment basins, silt fences, stabilised site access, early stabilisation of disturbed areas and other measures required by Council. The detailed erosion and sediment control strategy will be prepared prior to construction by the civil contractor's CPESC or RPEQ and submitted to Council as required.

3.7.3 Roadworks

Vehicle access is proposed from Berwick Street via a new 6.5m wide flared concrete driveway crossover, designed in accordance with Council standard drawings. The existing driveway will be demolished to accommodate the new crossover. The submitted civil material does not identify any road widening requirement. Roadworks are therefore expected to be limited to the new driveway crossover, relocation of the existing stormwater gully pit where required, and associated frontage works.

The Berwick Street frontage will be reinstated following construction, including verge and streetscape works to integrate the new crossover, landscaped forecourt and pedestrian frontage with the public realm. Final frontage levels, pit configuration, pipework layout and verge works will be confirmed through the Operational Works detailed design and approval process.

3.7.4 Sewerage Reticulation

The site is serviced by an existing 150mm vitrified clay sewer main within the Berwick Street carriageway. Existing 100mm property connections are proposed to be decommissioned and consolidated into a single connection to the Berwick Street sewer main, subject to Urban Utilities requirements.

The sewer connection will be confirmed through a Service Advice Notice and future Water Application process, with detailed design to occur at the Operational Works / Building Application stage.

3.7.5 Water Supply

The site is serviced by an existing 150mm ductile iron water main within Berwick Street. Two existing 20mm domestic property connections are proposed to be decommissioned, and the existing 100mm fire / domestic connection will be upgraded to service the development.

Final water connection details, submetering and internal hydraulic design will be resolved through detailed design and the Urban Utilities approval process.

3.7.6 Utilities

The site is capable of being serviced by existing utility infrastructure within the Berwick Street frontage, including electrical, telecommunications and gas services. Final service connections, relocations and upgrades will be coordinated with the relevant service providers during detailed design.

3.7.7 Stormwater Management

A Stormwater Management Plan has been prepared by Colliers. Stormwater from the development will be collected internally and discharged to the existing Berwick Street drainage network, consistent with the existing drainage arrangement.

The lawful point of discharge is Berwick Street. The site currently connects to the existing stormwater pipe network in Berwick Street via two roofwater connection points, and this discharge arrangement is proposed to be maintained. From Berwick Street, stormwater is conveyed approximately 1.6km north-east before discharging to the Brisbane River near Wharf Park, Newstead.

The site is currently 99% impervious area. The proposed development will reduce effective imperviousness to approximately 80% through the inclusion of landscaped ground, podium and rooftop areas. Peak stormwater runoff is therefore expected to reduce slightly compared with existing conditions, achieving non-worsening of peak flows. On-site detention is not required.

The proposed development does not exceed the 2,500m^2 impervious area threshold under the State Planning Policy and therefore does not trigger tertiary stormwater quality treatment. Notwithstanding this, best practice stormwater quality measures will be implemented where practical, including construction phase erosion and sediment controls and appropriate operational drainage design.

3.8 Structural Engineering

The applicant has engaged with a structural engineer early to ensure the basement design, structural column placement, transfer slab design, and CMP set-down slab design are well considered at the early development application stage to ensure construction can progress swiftly following development approval. The attached structural engineer's advice has been obtained from Colliers (RPEQ) for the benefit of Council to confirm that the proposed basement design will not rely on ground anchors external to the site and therefore can be constructed without impacting neighbouring properties or the road reserve.

3.9 Acoustic

An Acoustic Code Assessment has been prepared by Colliers to support the development application. The assessment considers the relevant Brisbane City Plan 2014 acoustic requirements, including the Multiple Dwelling Code, Centre or Mixed Use Code and Transport Noise Corridor Overlay.

The acoustic strategy is to incorporate appropriate façade treatments to habitable rooms, acoustic screening to exposed mechanical plant where required, and acoustic barriers to car parking and driveway areas where they adjoin sensitive residential uses. The assessment also recommends that commercial uses, including deliveries, operate between 6am and 10pm.

The site is partially affected by a Category 1 road transport noise corridor at the north-western edge of the site. Notwithstanding this, Colliers recommends that façades to all habitable rooms be designed and constructed to achieve QDC MP4.4 Noise Category 2 minimum acoustic performance requirements.

3.10 Construction Management Plan

The Applicant, who will also be the builder for the project, has prepared a Construction Management Plan to support the development application. This document outlines the considered construction methodology that will be employed to build the project. Of relevance is that the ground floor level foundation will be structurally engineered to support all loading, unloading and vehicle sizes, therefore allowing for materials and equipment to be delivered directly onto the subject site. This will substantially reduce the amount of vehicles, loading and unloading that is required to be undertaken from Berwick Street. The Construction Management Plan also provides a detailed Traffic Management Plan to demonstrate how the construction vehicles will access the site and make deliveries without any significant impact on other occupants in Berwick Street.

4.0 Key Planning Considerations

The proposed development, as described in Section 3, has been designed to respond to the relevant assessment benchmarks of the Planning Scheme. However, the proposal is advanced in the context of a planning framework that has not kept pace with the scale and intensity of development now emerging within Fortitude Valley. This has been acknowledged by Council in its recent approval of the 18-storey building at 88 Robertson Street, where the Notice About Decision accepted a substantial height exceedance and acknowledged that "*recent development in the area typically exceeds the acceptable outcome*". Council is responding to this broader shift through the Fortitude Valley Sustainable Growth Precinct Plan. While it is acknowledged that this precinct planning process is underway, the current development needs of the City are immediate.

Brisbane is responding to a significant undersupply of housing, which is continuing to grow in the lead up to the 2032 Olympic and Paralympic Games. In this context, it is necessary for well-located inner-city sites to deliver an urban form and design response that reflects the City's growth, established development trends and need for high-quality housing in accessible locations.

Accordingly, the proposal necessarily adopts a performance-based design response across a number of key assessment matters. This results in a development outcome that responds to the needs of the City and establishes a level of architectural design excellence that could not be achieved through strict adherence to the acceptable outcomes alone. The following key planning considerations address the principal matters relevant to Council's assessment of the application and demonstrate how the proposal achieves an appropriate performance-based development outcome for the site.

4.1 Built Form

4.1.1 Building Height

The subject site is located within the James Street precinct of the Fortitude Valley Neighbourhood Plan. As the proposal exceeds the acceptable outcome that is prescribed for building height, an assessment against Performance Outcome PO1 of the Fortitude Valley Neighbourhood Plan Code is required:

Development is of a height, scale and form that achieves the intended outcome for the precinct, improves the amenity of the neighbourhood plan area, contributes to a cohesive streetscape and built form character and is:

a. *consistent with the anticipated density and assumed infrastructure demand;*
b. *aligned to community expectations about the number of storeys to be built;*
c. *proportionate to and commensurate with the utility of the site area and frontage width;*
d. *designed to avoid a significant and undue adverse amenity impact to adjoining development;*
e. *sited to enable existing and future buildings to be well separated from each other and to avoid affecting the potential development of an adjoining site.*

The following assessment demonstrates how the development achieves compliance with this performance outcome.

Contemporary Inner-City Growth Context

The proposed height is advanced in a broader planning context in which Brisbane's inner-city neighbourhoods are being called upon to accommodate a greater share of the city's housing growth. The acceptable outcome for the site should not be considered in isolation from more recent strategic planning direction, housing supply pressures and Council's contemporary approach to well-located inner-city land. Council is currently preparing the Fortitude Valley Sustainable Growth Precinct Plan, which is intended to guide future growth, employment, housing choice and mixed-use renewal in Fortitude Valley. The subject site is located within this emerging precinct planning area. While

the precinct plan is not yet an adopted assessment benchmark, it is relevant to the extent that it identifies Council's current direction for Fortitude Valley as an inner-city growth location.

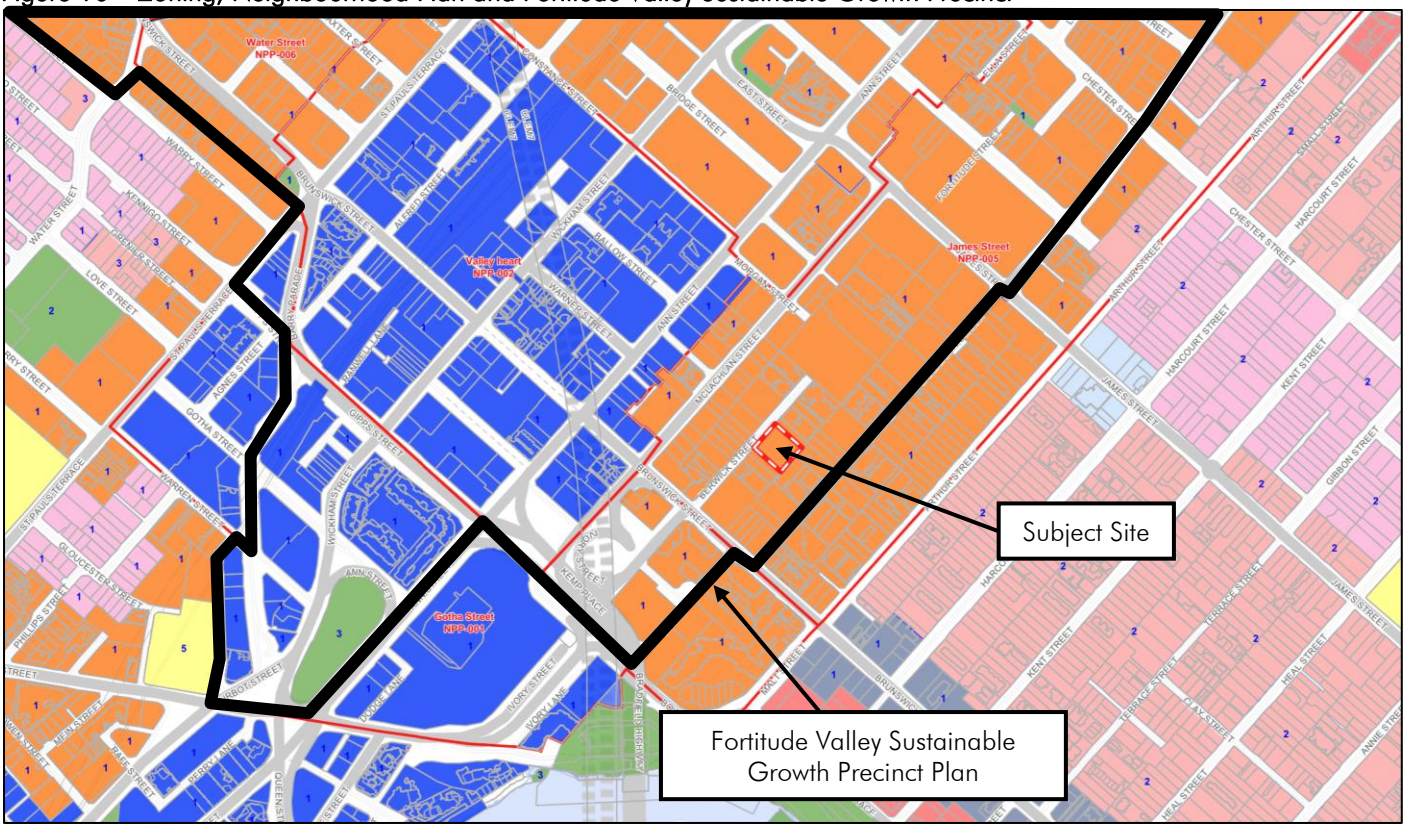
The proposed Fortitude Valley Sustainable Growth Precinct Plan advances the direction established by Brisbane's Inner City Strategy. While the precinct plan is not yet an adopted assessment benchmark, it identifies Council's current strategic direction for Fortitude Valley as an inner-city location where housing choice, mixed-use renewal, improved connectivity and high-quality public realm outcomes are being actively considered.

The Kurilpa Sustainable Growth Precinct TLPI also provides useful strategic context. It does not apply to the subject site and does not displace the current Fortitude Valley Neighbourhood Plan. However, it demonstrates Council's contemporary approach to managed uplift in highly accessible inner-city locations, where additional height is linked to housing supply, design quality, green infrastructure, public realm improvements and reduced car dependency. In particular, the Kurilpa framework contemplates substantially increased heights, including 30-50 storeys in certain well-located mixed-use and high-density residential areas.

Fortitude Valley has a strong strategic basis for additional height and density. It has excellent access to public transport, employment, services and lifestyle amenity, is not affected by Brisbane River flooding in the same manner as parts of Kurilpa, and has a longer-established history of dense inner-city urban form.

In that context, the proposed 34-storey height is not an arbitrary departure. It reflects the type of uplift now being considered for well-located inner-city land, while remaining subject to site-specific assessment of built form, shadow, amenity, access, servicing, interface and landscape outcomes.

Figure 10 – Zoning, Neighbourhood Plan and Fortitude Valley Sustainable Growth Precinct



The scale of uplift contemplated for other key inner-city locations is relevant to understanding what may constitute an appropriate density and height outcome within the Fortitude Valley Sustainable Growth Precinct. The Kurilpa Sustainable Growth Precinct TLPI demonstrates the level of building height and development intensity that has recently been considered necessary to unlock housing supply in highly accessible inner-city locations. That planning response increased supported building heights within Principal Centre zoned land up to 50 storeys, while well-

located Mixed Use and High Density Residential zoned land was identified for building heights in the order of 30 - 50 storeys. This significant increase in density and building height has been supported notwithstanding the presence of significant flood constraints across parts of the TLPI area.

Fortitude Valley has a strong strategic basis for additional height and density. The area is not affected by Brisbane River flooding in the same manner as parts of the Kurilpa precinct, has a level of access to public transport, services, employment and lifestyle amenity that is comparable to, if not greater than, other key inner-city growth locations, and has a longer-established history of dense inner-city urban form. These factors support the proposition that significant height uplift can be accommodated within the Fortitude Valley Sustainable Growth Precinct.

While the Kurilpa TLPI does not apply to the subject site, it provides a useful indication of the scale of uplift that may be established in Brisbane's most strategically located inner-city precincts to respond to housing supply, infrastructure efficiency and urban renewal objectives. If a comparable uplift in development intensity is applied through the Fortitude Valley Sustainable Growth Precinct planning process, the subject site would reasonably be expected to support a building height of 30 – 50 Storeys. The compatibility of this scale of height is tested through the following analysis of shadowing impacts, which demonstrates that the proposed 34-storey building height will maintain the existing overshadowing thresholds established by approved and constructed built form in the locality.

This outcome suggests that the proposed building height represents a relatively conservative response within the broader context of future precinct planning, as a height uplift consistent with the Kurilpa TLPI would reasonably be expected to alter the allowable extent of overshadowing established under a planning framework based on significantly lower building heights.

Surrounding Development

Council has also recently accepted substantially greater height outcomes in comparable inner-city locations through preliminary approvals and variation requests, including 50 McDougall Street, Milton (Council ref. A006291436) and 98 Montpelier Road, Bowen Hills (Council ref. A006634406). Those approvals are not relied upon as direct precedents for this application. Their relevance is that they demonstrate that existing neighbourhood plan height settings may be departed from where a proposal is supported by housing need, public transport accessibility, efficient use of well-located land and a managed built form response.

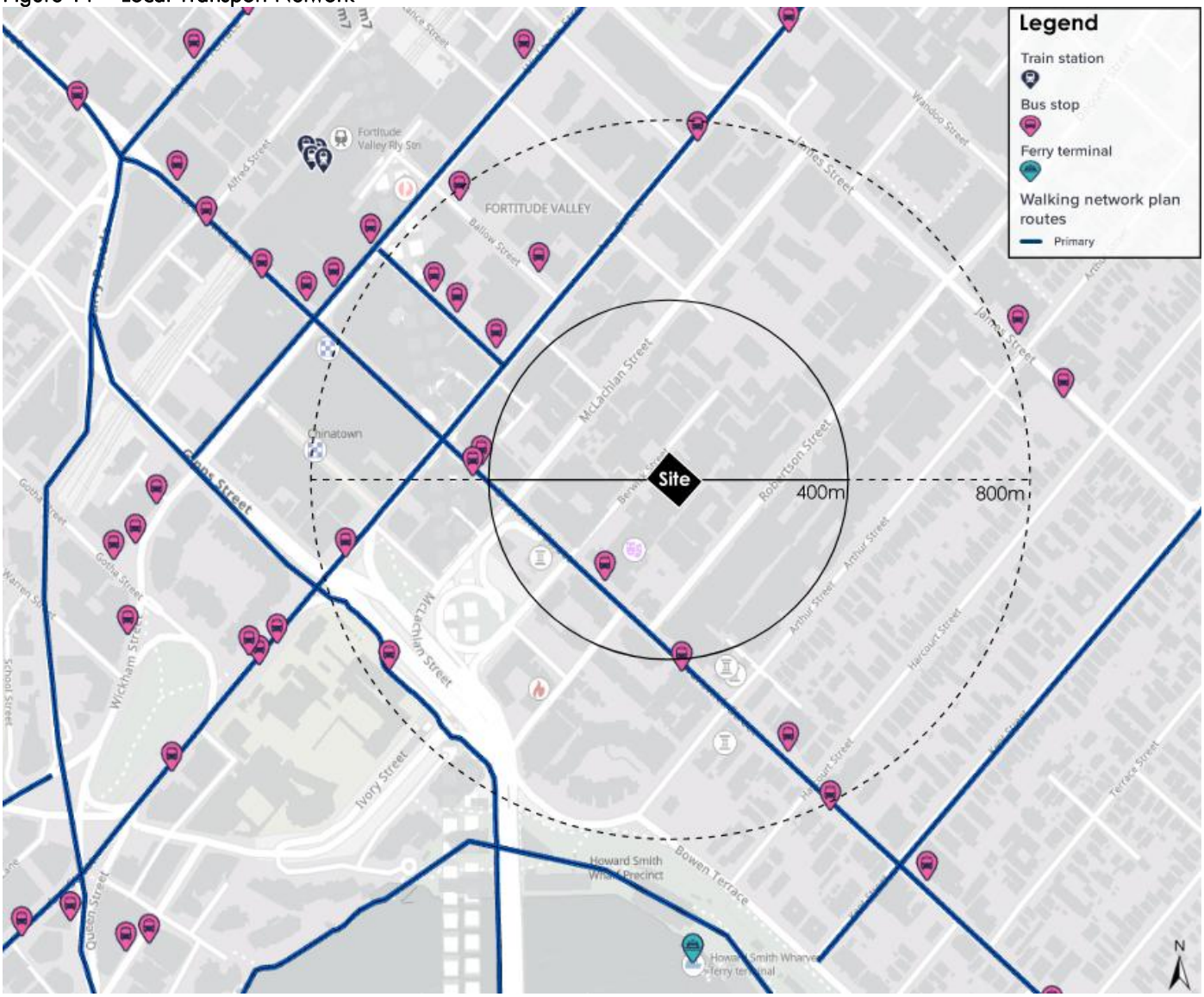
The subject site sits within this contemporary planning context. It is in the Mixed use (Inner city) zone, within the Fortitude Valley Neighbourhood Plan area, and within walking distance of James Street, Brunswick Street, Fortitude Valley Railway Station, Howard Smith Wharves, New Farm, Newstead and the Brisbane CBD fringe. It is therefore a strategically suitable location for additional residential density.

Site Utility and Servicing

The site has a high level of utility for inner-city residential development. Although Berwick Street is a quiet no-through street, the site forms part of the broader Fortitude Valley activity area and is located within the inner-city frame, close to James Street, Brunswick Street, Howard Smith Wharves, New Farm, Newstead and the Brisbane CBD fringe. The site is also well served by public and active transport, including Fortitude Valley Railway Station, nearby bus services on Brunswick Street, Howard Smith Wharves ferry terminal, the Riverwalk cycle route and local cycle connections on Brunswick Street and Kent Street.

This accessibility supports the proposed height. The development places additional housing in a location where future residents can access employment, services, entertainment and recreation without strong reliance on private vehicle travel. The proposed building height therefore responds to the functional role of the site within Fortitude Valley's urban structure and supports the efficient use of serviced inner-city land.

Figure 11 – Local Transport Network



Position within the Existing and Emerging Urban Form

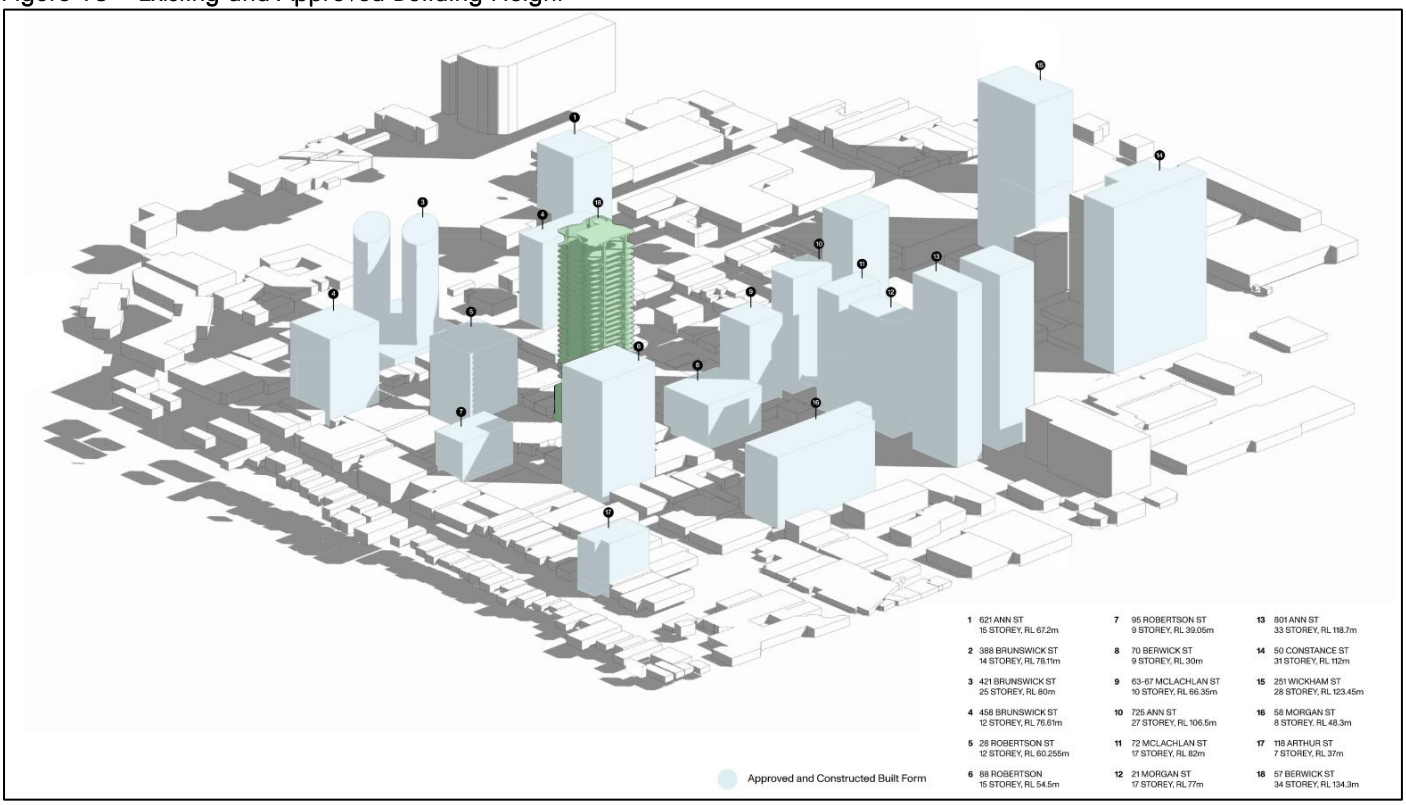
The proposed height is appropriate having regard to the existing and emerging built form context of Fortitude Valley. The locality has already transitioned beyond the low to medium-rise form contemplated by the 6-storey acceptable outcome, with constructed and approved taller buildings along and around Ann Street, Brunswick Street, Robertson Street, McLachlan Street and Berwick Street.

The subject site is positioned at the edge of the City Centre and within the inner-city growth frame of Fortitude Valley. The site is approximately 140m from the City Centre. It therefore sits at the immediate edge of Brisbane's principal employment, commercial, entertainment and cultural core, in a location where more intensive mixed-use and residential outcomes are appropriate.

As illustrated within **Figure 13**, existing and approved buildings of approximately 12 to 33 storeys in the surrounding area demonstrate the continuing transition of Fortitude Valley and adjoining precincts toward higher-density mixed-use and residential built form. The proposed 34-storey building will sit within this broader pattern of inner-city uplift. It will not appear as an isolated tower in a low-scale suburban setting. Rather, it will form part of the continuing transition of Fortitude Valley, Newstead, Bowen Hills, the New Farm edge and the CBD fringe toward higher-density mixed-use urban form.

Figure 12 - Subject Site (blue)

Figure 13 – Existing and Approved Building Height



Management of Shadowing Impacts

A shadow study has been prepared by Koichi Takada Architects to assess the shadow impacts associated with the proposed building height. The study demonstrates that shadow impacts are acceptable having regard to the inner-city context and the established pattern of taller built form in the locality. During the 3pm winter solstice event, the

proposal's shadow extends beyond Arthur Street to the east. However, it does not reach or extend beyond Harcourt Street. This extent of shadowing is consistent with the established shadowing threshold associated with approved and constructed taller buildings in the area, including the approved 18-storey development at 88 Robertson Street, the 7-storey development at 46 Arthur Street and the 12-storey development at 485 Brunswick Street.

The 3pm winter solstice shadow extends beyond Arthur Street but does not reach Harcourt Street, maintaining the established local shadowing threshold associated with nearby approved and constructed taller built form. The proposal therefore does not result in a significant or undue adverse shadowing impact. The shadow is consistent with the emerging built form context and remains acceptable for an inner-city mixed-use location where increased development intensity is anticipated.

Design Excellence and Amenity

The proposed height is supported by a high-quality architectural and landscape response. The building is not expressed as a simple vertical extrusion. It adopts a podium-and-tower form, with a landscaped base, curved balconies, arched structural bays, façade depth, warm materials, rooftop amenity and a planted rooftop crown.

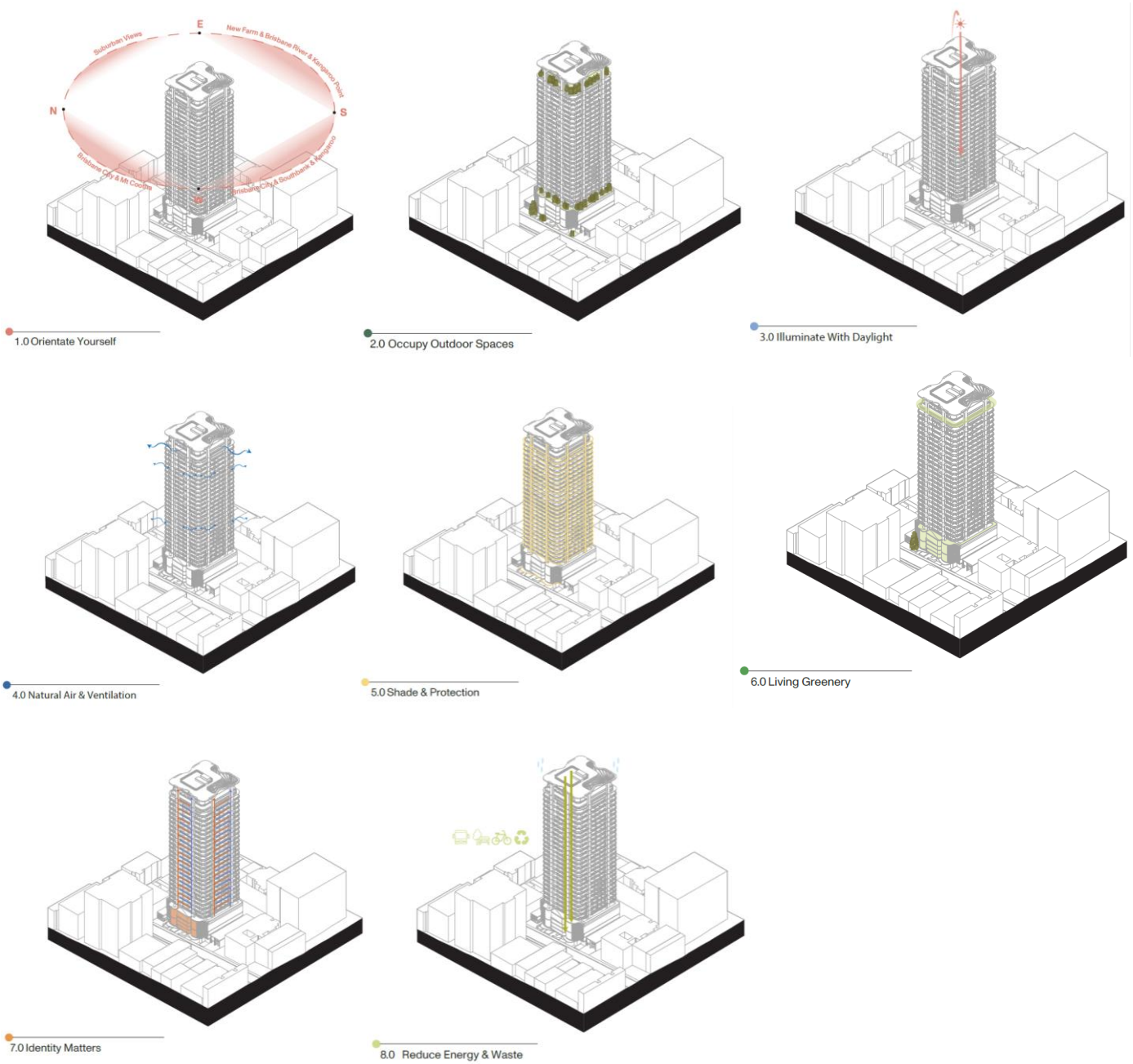
Figure 14 – Proposed Podium

The podium establishes a human-scaled base to Berwick Street, replacing the existing low-scale commercial building, car parking and hardstand areas with an activated and landscaped ground plane. The frontage includes separate residential and commercial entries, transparent lobby edges, awning cover, seating, forecourt planting, deep planting, façade articulation and vertical landscape treatments.

The tower adopts a sculpted and landscape-integrated form, contributing to the emerging skyline while maintaining a subtropical architectural expression. The proposal achieves a green plot ratio of 76.1%, comprising 1,351m^2 of green infrastructure across the ground plane, podium, façade, plant and rooftop levels, including deep planting,

containerised planting, 1m+ containerised planting, green walls, climbers, cascading planting and rooftop landscape. This softens the building's scale, improves microclimate and supports height/site cover, while private balconies and two rooftop communal recreation levels provide high-quality residential amenity, wellness, work, dining, gathering spaces and elevated views across Fortitude Valley, New Farm, the Brisbane River, Story Bridge and the CBD skyline.

Figure 15 – Sustainability Management



The proposal incorporates subtropical design principles, substantial green infrastructure, rainwater harvesting for irrigation, active transport support and energy efficiency measures to assist in achieving the applicant's sustainability objectives. Please refer to the Design Response from Koichi Takada for a full demonstration of how the building achieves the Buildings that Breathe Guidelines.

Conclusion

The proposed height achieves the intent of Performance Outcome PO1 of the Fortitude Valley Neighbourhood Plan Code. Although the proposal exceeds the acceptable outcome, the height is justified by the site's inner-city mixed-use zoning, strategic accessibility, proximity to major activity and transport destinations, emerging built form context, housing supply contribution, design excellence, substantial green infrastructure and acceptable amenity impacts.

The proposal is of a height, scale and form that responds to the evolving role of Fortitude Valley, improves the Berwick Street frontage, contributes to the emerging built form character of the locality and is proportionate to the utility of the site. As addressed in the following sections, the building is also designed to manage separation, privacy, podium interface, access, servicing and adjoining development potential.

4.1.2 Setbacks, Separation and Transition

Front setback and street interface

The Berwick Street frontage defines the street edge while providing a clear public-to-private transition. The ground plane includes separate residential and commercial entries, transparent lobby edges, awnings, seating, deep planting and a landscaped forecourt. This provides an activated street interface, passive surveillance and pedestrian amenity while softening the podium form.

Side setbacks and interfaces

The side setbacks are appropriate to the inner-city Mixed use zone context. The tower is set above the podium and incorporates curved balconies, façade depth, recessed edges and articulated structural bays to reduce perceived bulk and maintain access to light, air and outlook. All adjoining land is within the same mixed-use urban context. The proposal does not adjoin a low-density residential zone, Character residential zone or heritage place. The side interfaces therefore do not require a suburban-style transition, but are managed through articulation, separation and landscaping.

Rear setback and residential interface

It is acknowledged that the rear interface is a sensitive interface, given the existing residential building to the rear. The existing building on the adjoining property to the rear has therefore been accurately surveyed to confirm the location of the blank walls, balconies and openings. The proposal has subsequently responded to the adjoining balcony locations by recessing and landscaping the podium to soften the built form, incorporating cut-outs and landscaped planters to break up the built edge, reducing the visual dominance and providing a visually pleasing outlook for the adjoining residents. The proposal therefore represents a vast improvement upon the existing blank built to boundary wall that is currently located on the rear boundary. It is further noted that an easement within the rear property adjacent to the common boundary preserves additional physical separation to the existing residential building.

Figure 18 – Adjoining Building on 38 Robertson Street, facing the rear boundary

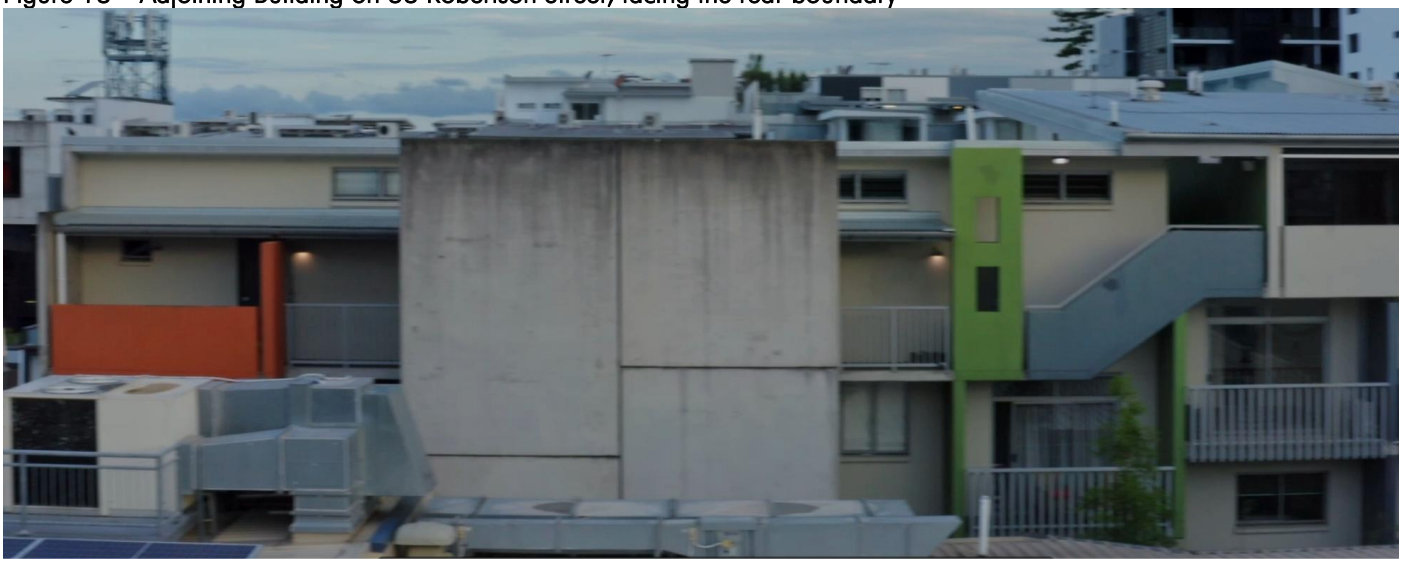


Figure 19 – Podium Interface with 38 Robertson Street

Building separation

The proposal does not strictly meet every numerical separation benchmark. However, the tower adopts a compact floorplate of approximately 36m by 34m and is separated from adjoining sites through setbacks, curved balconies, façade articulation, landscaped edges and podium stepping. The building does not present as a broad slab form and does not prejudice the future redevelopment potential of adjoining mixed-use sites.

Transition

The site is not identified in the Fortitude Valley Neighbourhood Plan as requiring a building height transition and is not in the High density residential or Medium density residential zones where the standard residential transition provisions apply. A prescribed height transition is therefore not required. Notwithstanding, the proposal provides a practical transition through podium stepping, landscaped upper podium areas, tower setbacks, façade articulation and the rear easement separation.

Privacy and overlooking

Privacy is managed through building layout, balcony orientation, façade depth, curved balconies and the rear landscaped interface. Balconies are generally oriented toward the street, rear, city, river or skyline outlooks, rather than relying on direct side-facing views into adjoining dwellings.

Where any direct overlooking is identified through detailed design, privacy screening can be conditioned and integrated into the architectural expression of the building.

Conclusion

Although the proposal does not strictly comply with all setback and separation benchmarks, the relevant performance outcomes are achieved. The front interface is activated, the side interfaces are appropriately articulated, the rear residential interface is softened through podium stepping and landscaping, and the proposal maintains amenity and future development potential in the surrounding mixed-use context.

4.1.3 Site Cover

The tower has a site cover of approximately 64%, exceeding the 60% acceptable outcome in AO3 of the Fortitude Valley Neighbourhood Plan Code. Compliance is therefore assessed against the relevant performance outcomes and overall outcomes.

Tower site cover
The tower remains compact and proportionate despite the numerical exceedance. It has an approximate horizontal depth of 36m and width of 34m, both below the 50m maximum horizontal dimension contemplated by the neighbourhood plan.

The tower does not present as a broad slab form. Its mass is moderated through curved balconies, façade depth, alternating arched structural bays, recessed edges, tower setbacks, landscaped podium edges and a landscaped rooftop crown. The proposal therefore achieves the intent of the relevant built form outcomes by providing a compact, articulated and design-led tower form.

Podium site cover
The podium has a higher site cover, reflecting the site's inner-city Mixed use zoning, basement and podium parking arrangement, internalised servicing, loading, waste storage, commercial lobby, residential lobby and need to maintain a strong built edge to Berwick Street.

Although substantial, the podium is not experienced as a blank or dominant parking structure. It is softened and activated by the landscaped forecourt, pedestrian entries, awnings, seating, deep planting, façade articulation, green wall treatments, podium planting and landscaped upper podium levels. The podium therefore supports the intended inner-city street edge while managing visual bulk and streetscape impacts.

Streetscape and public realm
The proposal improves the Berwick Street interface. The frontage is not dominated by parking or servicing, but by separate residential and commercial entries, transparent lobby edges, awnings, seating, a landscaped forecourt and deep planting. Vehicle access is limited to one crossover, with servicing, loading, waste and parking internalised within the building. This allows the development to maintain an active and pedestrian-focused street edge despite the podium footprint.

Open space and landscaping balance
The increased site cover is balanced by substantial private open space, communal recreation and landscaping. The proposal provides approximately 2,619.1m^2 of private open space, two rooftop communal recreation levels, approximately 572.8m^2 of indoor resident amenity GFA and approximately 960.8m^2 of rooftop amenity footprint.

The proposal also provides approximately 1,334m^2 of green infrastructure, achieving a green plot ratio of approximately 75.2%. Landscaping is distributed across the ground plane, podium, façade, plant and rooftop levels, including deep planting, podium planters, green walls, climbers, cascading planting, rooftop planting and a planted tower crown. This landscape strategy offsets the reduced at-grade deep planting and assists in softening the tower and podium form, improving microclimate, mitigating urban heat and reinforcing Brisbane's subtropical character.

Amenity and adjoining development potential
The site cover does not result in unacceptable amenity impacts. The building is designed with tower setbacks, curved balconies, façade articulation, landscaped edges, acoustic treatment, wind mitigation and a stepped rear podium interface. The proposal does not obstruct the identified view to St Patrick's Church from James Street and does not prejudice the future redevelopment potential of adjoining mixed-use sites.

Strategic context

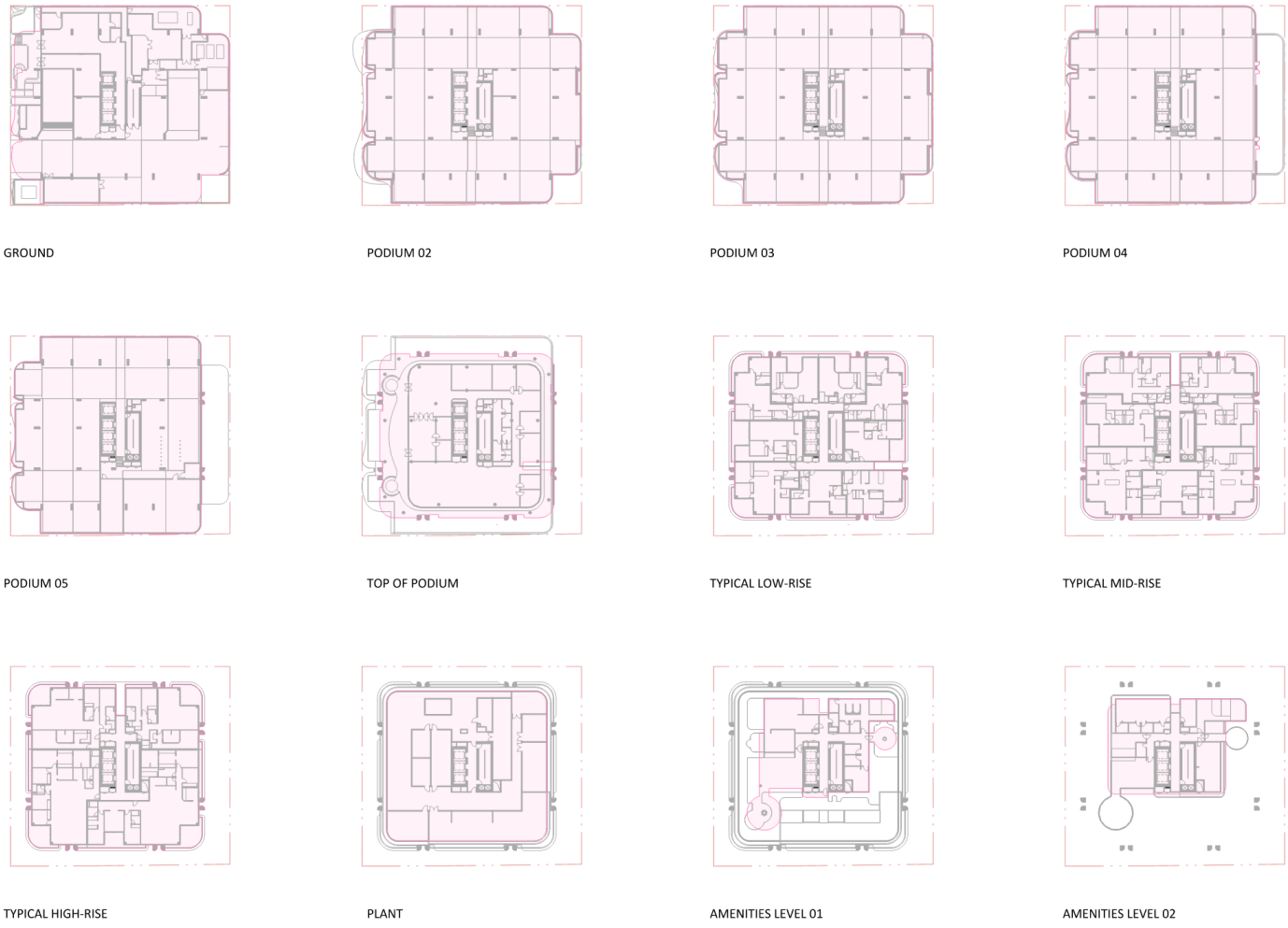
The site is located in the Mixed use zone, Inner city zone precinct, within walking distance of Fortitude Valley Railway Station, Brunswick Street bus services, James Street, Brunswick Street, Howard Smith Wharves, New Farm, Newstead and the Brisbane CBD fringe.

The additional tower and podium site cover supports compact urban growth, efficient use of existing infrastructure, housing choice and increased residential density in a well-serviced location. It also aligns with the emerging strategic direction for Fortitude Valley, including Council's preparation of the Fortitude Valley Sustainable Growth Precinct Plan, which indicates a contemporary policy direction toward increased housing choice, mixed-use renewal, improved connectivity, vibrant streets and high-quality public realm outcomes.

Conclusion

Although the proposal exceeds the numerical tower site cover outcome and provides a substantial podium footprint, the performance outcomes are achieved. The tower is compact and articulated, the podium is activated and landscaped, amenity impacts are managed, adjoining development potential is maintained, and the additional site cover is balanced by housing, design, landscape, public realm and strategic planning benefits.

Figure 20 - Proposed Tower and Podium Footprint



4.2 Parking

The proposal provides 247 car parking spaces, exceeding the TAPS PSP maximum of 232 spaces by 15 spaces, or approximately 6%. The surplus comprises 8 resident spaces and 7 office spaces. Visitor parking complies with the TAPS PSP rate.

This is acknowledged as a departure from the City Core maximum parking rates, which seek to reduce car dependency. However, the exceedance is modest and is supported by the Transport Engineering Report having regard to the projected parking demand for the development.

Parking supply and transport context
The site is highly accessible by non-car modes, being within walking distance of Fortitude Valley Railway Station, Brunswick Street bus services, Howard Smith Wharves ferry terminal, Riverwalk and local cycle routes. The proposal provides 265 bicycle spaces, exceeding the TAPS PSP requirement of 237 spaces. This supports active transport and offsets the modest car parking surplus.

Basement and podium parking form
Parking is provided within basement, ground and podium levels. While podium parking departs from the Fortitude Valley Neighbourhood Plan preference for parking to be underground or behind the building at ground level only, it is integrated into the built form and is not presented as exposed parking.

The Berwick Street frontage is occupied by residential and commercial lobbies, a landscaped forecourt, awnings, seating, deep planting and pedestrian entries. Podium parking is sleeved and screened by façade articulation, vertical landscaping, green wall treatments, podium planting and architectural framing.

Access and servicing
Vehicle access is consolidated to one 6.5m Type B2 crossover from Berwick Street. No laneway or secondary frontage is available, and a single access point minimises driveway disruption and pedestrian / vehicle conflict. Servicing is internalised through a shared MRV / RCV loading bay, avoiding kerbside collection. The loading bay provides a 10.5m length, 3.5m width, 6.5m two-way service aisle, 1:25 maximum grade and 4.5m clearance, with swept paths confirming suitable manoeuvring.

Traffic impact
The Transport Engineering Report estimates approximately 50 AM peak and 58 PM peak vehicle movements. The report concludes that the projected development traffic will not significantly impact the safety or operation of the surrounding road network.

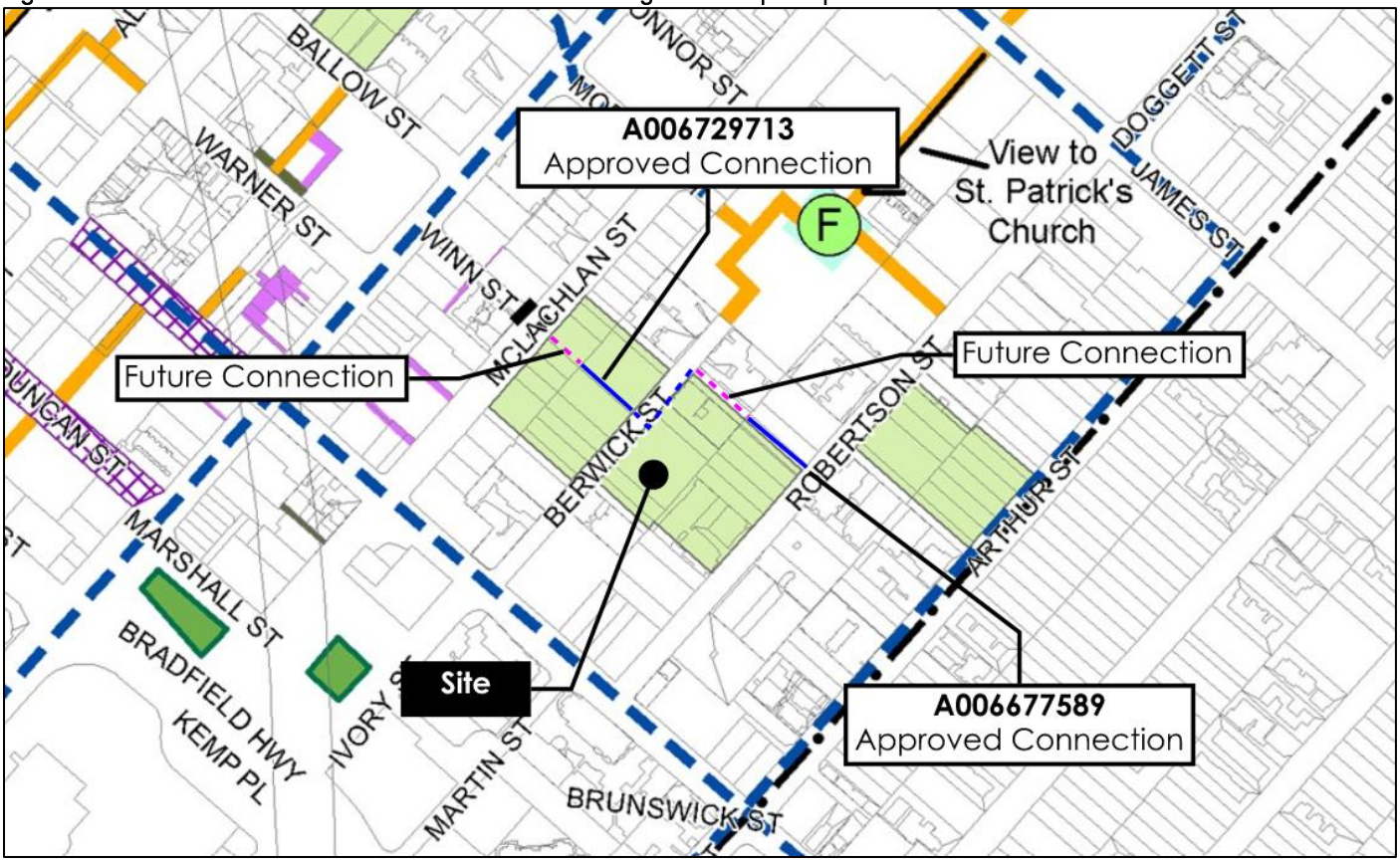
Traffic survey data indicates that the Berwick Street approach to the Brunswick Street signalised intersection has sufficient available capacity, with existing queues typically limited to 1-2 vehicles and the development expected to add approximately 1 additional vehicle to the queue on average during peak periods.

Conclusion
Although the proposal exceeds the TAPS PSP maximum parking rate by 15 spaces, the surplus is minor and acceptable in context. The site is highly accessible by public and active transport, bicycle parking exceeds requirements, vehicle access is consolidated, servicing is internalised, and podium parking is screened and landscaped so that the Berwick Street frontage remains active, green and pedestrian-focused.

4.3 Arcade Planning & Activation

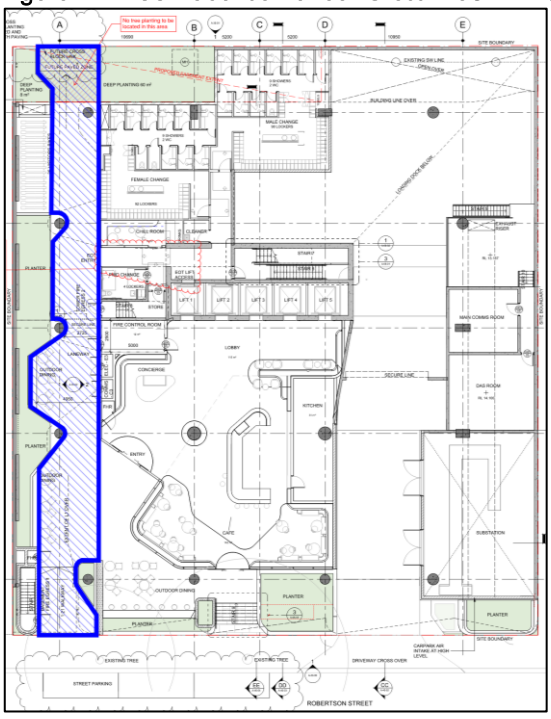
The Fortitude Valley Neighbourhood Plan identifies a broad network of indicative arcades, alleys and inter-suburban connections through the James Street precinct. The intent is to achieve a safe, logical and continuous pedestrian network over time, coordinated with approved developments, site opportunities and future redevelopment potential.

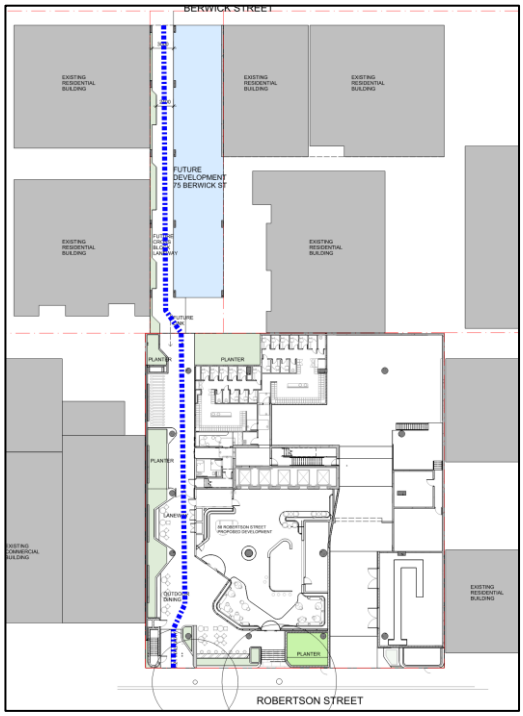
Figure 21 – James Street Precinct arcade assessment of Figure b - Open Space



The subject site is located between two nearby approved / constructed cross-block links. To the west, Council has approved (and it has been constructed) a 3m wide pedestrian pathway through the 60 Berwick Street development, located directly opposite the subject site. To the north-east, Council has approved the Robertson Street portion of a future cross-block link through the 88 Robertson Street development, with 75 Berwick Street identified as the logical future connection to Berwick Street.

Figure 22 – 88 Robertson Street Cross Block Linkage (blue)

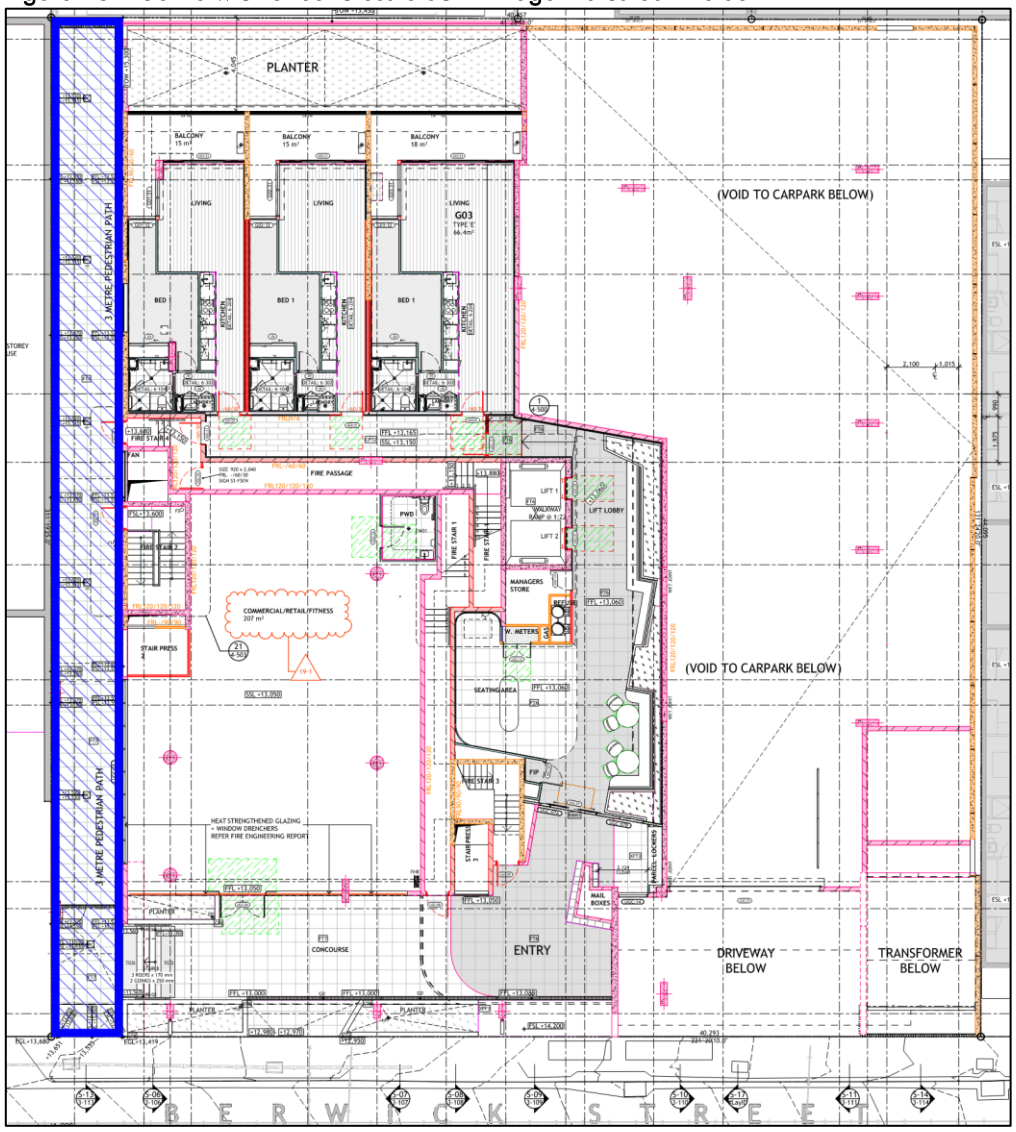




The 88 Robertson Street approval is particularly relevant. During assessment of that application, Council required the applicant to demonstrate that 75 Berwick Street could physically accommodate the balance of the future link to Berwick Street. In response, an indicative cross-block link plan was prepared showing how the connection could be completed. Council subsequently approved the development, including plans that identify a laneway, future cross-block link and future paved zone.

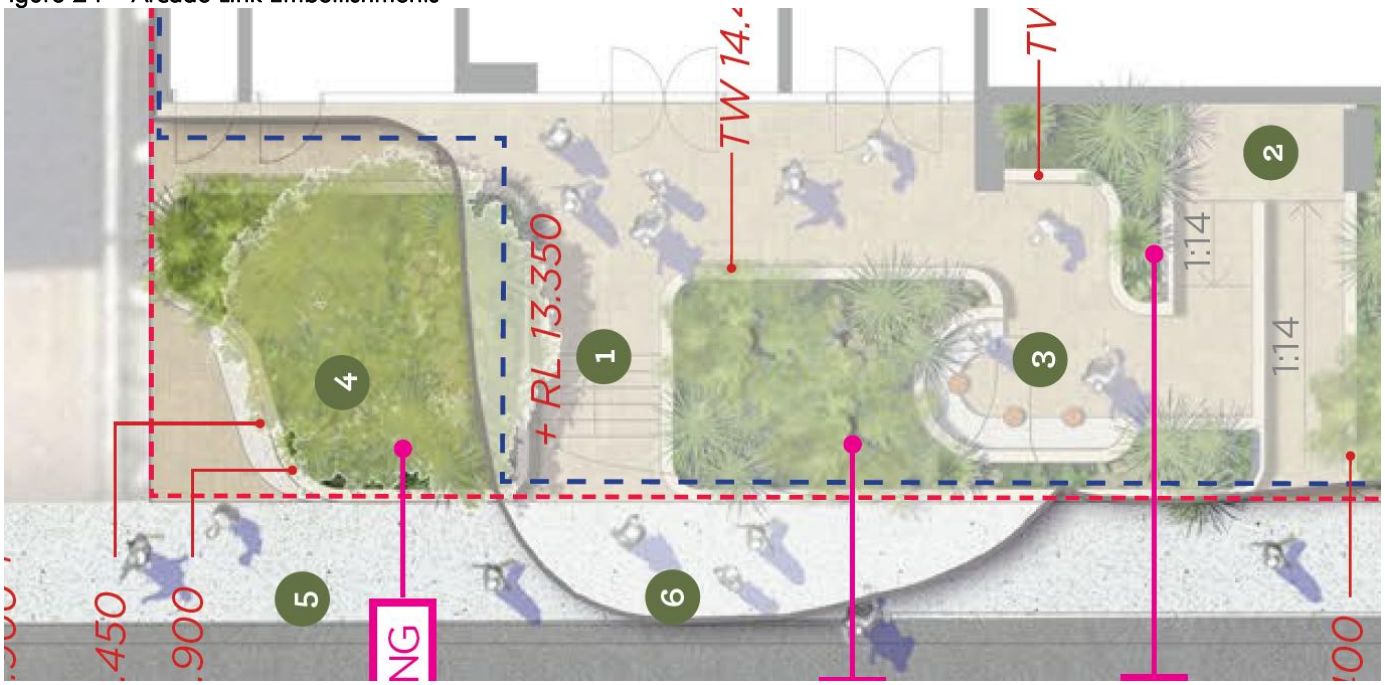
The 60 Berwick Street approval is also relevant, as it secures a pedestrian connection directly opposite the subject site. The approved drawing package identifies the 3m wide pedestrian path along the eastern side of that development, generally consistent with the indicative arcade network shown in the neighbourhood plan.

Figure 23 – 60 Berwick Street cross block Linkage indicated in blue



The cross-block link between Robertson Street and McLachlan has therefore been set by the abovementioned existing and approved laneways, hence it is not necessary for the proposal to incorporate any further dedications. Instead, the proposal provides a high-quality respite area for pedestrians at the mid-way point between Robertson Street and McLachlan Street. The development provides a widened pedestrian footpath area adjoining the future connection pathway, integrated seating and a landscaped edge containing the site's feature deep planting area. The adjacent forecourt seating area will also enhance activation and actual surveillance of the future arcade link. The proposal therefore contributes positively to the pedestrian network intent of the Fortitude Valley Neighbourhood Plan without fragmenting or unnecessarily duplicating the planned arcade structure.

Figure 24 – Arcade Link Embellishments



5.0 Legislative Requirements

The Planning Act 2016 (the Act) and supporting legislation replaced the Sustainable Planning Act 2009 on 3 July 2017. The legislation establishes the framework of planning instruments that supports the operation of the planning system, including:

5.1 State Planning Policy

A single State Planning Policy was introduced by the Department of State Development, Infrastructure and Planning (the Department) on the 2 December 2013, with the most recent amendment dated July 2017. Section 2.1 of the Planning Scheme confirms that the State Planning Policy has been integrated into the Planning Scheme, with the exception of:

- State interest – Natural hazards, risk and resilience – The bushfire prone area in the Planning Scheme does not reflect the State mapping layer; and
- State interest – Strategic airports and aviation facilities – The building restricted area is not identified in the Planning Scheme.

The Subject Site is not affected by either of the above State interest exceptions. Accordingly, the State Planning Policy has been appropriately integrated into Brisbane City Plan 2014 and no separate assessment against the State Planning Policy is required.

5.2 South-East Queensland Regional Plan

The subject site is located within the Urban Footprint of the South East Queensland Regional Plan. The proposal is for urban development within an established inner-city area and is therefore consistent with the intent of the Urban Footprint. Section 2.2 of Brisbane City Plan 2014 confirms that the Planning Scheme, specifically the Strategic Framework, has appropriately integrated the South East Queensland Regional Plan as it applies to the Brisbane local government area.

5.3 Planning Regulation 2017

The Planning Regulation 2017 (the Regulation) sets out the triggers for assessable development, the category of assessment required and the relevant Assessment Benchmark. Schedule 10 of the Regulation prescribes certain assessable development. An analysis of these provisions are provided within Table 5 below.

Table 8 – Schedule 10 of the Regulation

Part	Response
Part 1 – Airport Land	Not Applicable The Subject Site is not located on airport land.
Part 2 – Battery Storage Facilities	Not Applicable The proposal is not for a battery storage facility.
Part 2A – Caboolture West Interim Structure Plan	Not Applicable The Subject Site does not form part of the Caboolture West development area.
Part 3 – Clearing Native Vegetation	Not Applicable The Subject Site contains Category X regulated vegetation. The clearing of Category X regulation does not require referral.
Part 4 – Contaminated Land	Not Applicable The Subject Site is not on the environmental management register or contaminated land register.

Part 5 – Environmentally Relevant Activity	Not Applicable The proposed use is not an environmentally relevant activity.
Part 6 – Fisheries	Not Applicable The proposal is not for aquaculture. The Subject Site is not located within a Declared Fish Habitat Area. The Subject Site does not contain marine plants.
Part 7 – Hazardous Chemical Facilities	Not Applicable The proposal does not involve a hazardous chemical facility.
Part 8 – Heritage Places	Not Applicable The Subject Site is not a Local Heritage Place or State Heritage Place.
Part 9 – Infrastructure-related Referrals	Not Applicable Schedule 10, Part 9 of the Planning Regulation 2017 does not trigger referral to the Chief Executive for the proposed development. The development proposes 189 dwellings which is under the 200 dwelling threshold set by Schedule 20 in Local Government Area 1. To remove any doubt, the site is in the Excluded Area. Accordingly, referral under Schedule 10, Part 9 is not required.
Part 10 – Koala Habitat in SEQ Region	Not Applicable The Subject Site is not in a koala priority area or koala habitat area.
Part 11 – Noise Sensitive Place on Noise Attenuation Land	Not Applicable The Subject Site is not on noise attenuation land.
Part 12 – Operational Work for Reconfiguring a Lot	Not Applicable The proposal does not involve Reconfiguring a Lot.
Part 13 – Ports	Not Applicable The Subject Site is not on Brisbane port land, Brisbane port limits, another port or strategic port land.
Part 14 – Reconfiguring a Lot under Land Title Act	Not Applicable Reconfiguration of a lot is not proposed.
Part 15 – SEQ development area	Not Applicable The Subject Site is not within an SEQ major development area.
Part 16 – SEQ Regional Landscape and Rural Production Area and Rural Living Area	Not Applicable The Subject Site is within the Urban Footprint.
Part 16AA – Solar Farms	Not Applicable The proposed uses do not relate to a solar farm.
Part 16A – Southport Spit	Not Applicable The Subject Site is not located within the Southport Spit.
Part 17 – Tidal Works in a Coastal Management District	Not Applicable The subject site is not identified within a Coastal Management District.
Part 18 – Urban Design	Not Applicable The proposal does not exceed the development thresholds for this trigger.
Part 19 – Water-related Development	Not Applicable The proposal does not involve taking or interfering with water.
Part 20 – Wetland Protection Area	Not Applicable The Subject Site is not mapped within a Wetland Protection Area.
Part 21 – Wind Farms	Not Applicable The proposal is not for a wind farm.

5.3.1 State Development Assessment Provisions

The development is not considered to result in assessable development under Schedule 10 of the Planning Regulation 2017, and therefore does not require assessment of the State Development Assessment Provisions.

5.3.2 Category of Development

The Category of Development for this development application is determined by assessing the proposal against the Category of Assessment for the zone, neighbourhood plan and applicable overlays as outlined in Table 9 below.

The proposed Material Change of Use is Impact Assessable and public notification is required.

Table 9 – Applicable Level of Assessment

Neighbourhood Plan	
Fortitude Valley Neighbourhood Plan	No Change
Zone	
Mixed Use Zone	Impact Assessable
Overlays	
Airport Environs Overlay	Code Assessable
Community Purposes Network Overlay	Code Assessable
Critical Infrastructure and Movement Network Overlay	Not Applicable
Potential and Actual Acid Sulfate Soils Overlay	Not Applicable
Road Hierarchy Overlay	Code Assessable
Streetscape Hierarchy Overlay	Code Assessable
Transport Noise Corridor overlay	Code Assessable

5.3.3 Assessment Benchmarks

As the application is Impact Assessable, the assessment manager may assess the proposal against the Planning Scheme, including the Strategic Framework, and any other relevant matters prescribed under the Planning Act 2016.

The Park Planning and Design Code is not applicable, as the proposal does not involve the creation of a park. The applicable assessment benchmarks for the development application are outlined within Table 10.

Table 10 – Assessment Benchmarks

Zone Code	
Mixed Use Zone Code	Appendix B – Code Compliance
Neighbourhood Plan Code	
Fortitude Valley Neighbourhood Plan Code	Appendix B – Code Compliance
Development Codes	
Centre or Mixed Use Code	Appendix B - Code Compliance
Multiple Dwelling Code	Appendix B - Code Compliance
Overlay Codes	
Airport Environs Overlay Code	Appendix B - Code Compliance
Community Purpose Network Overlay Code	Appendix B - Code Compliance
Road Hierarchy Overlay Code	Appendix H - Transport Engineering Report
Streetscape Hierarchy Overlay Code	Appendix B - Code Compliance
Transport Noise Corridor overlay Code	Appendix B - Code Compliance
Prescribed Secondary Codes	
Filling and Excavation Code	Appendix I - Engineering Services Report
Infrastructure Design Code	Appendix I - Engineering Services Report
Landscape Work Code	Appendix B - Code Compliance
Outdoor Lighting Code	Appendix B - Code Compliance
Park Planning and Design Code	Not Applicable
Stormwater Code	Refer to Appendix I - Engineering Services Report
Transport, Access, Parking and Servicing Code	Refer to Appendix H - Transport Engineering Report
Wastewater Code	Appendix B - Code Compliance

5.3.4 Assessment Manager

In accordance with s21 of the Regulation, as the proposed development is assessable development under the Planning Scheme, the Assessment Manager for this application is the Council.

5.3.5 Strategic Framework

As the application is Impact assessable, the assessment manager may assess the proposal against the Planning Scheme, including the Strategic Framework. The Strategic Framework establishes the higher-order policy direction for Brisbane and provides relevant context for the assessment of the proposed development.

The Strategic Framework mapping identifies the subject site within the broad Suburban Living Area designation. However, the site is located in an inner-city context within Fortitude Valley, close to the City Centre, the Fortitude Valley corridor hub, the Newstead Riverpark growth node, major employment and activity destinations, public transport infrastructure and the Brisbane River open space network.

The site's mapped context includes proximity to Queensland University of Technology and the City Centre to the south-west, the Royal Brisbane and Women's Hospital to the north-west, the CH2 Fortitude Valley corridor hub, the E1 Newstead Riverpark growth node, the Brisbane River corridor, Howard Smith Wharves parkland and strategic transport infrastructure including the rail network, Ann Street, Gipps Street, the Bradfield Highway and the Story Bridge corridor.

The Mixed use zone code identifies the following Strategic Framework themes and elements as particularly relevant to achieving the purpose and overall outcomes of the zone:

- Theme 1: Brisbane's globally competitive economy and
  - Element 1.3 – Brisbane's population-serving economy;
- Theme 2: Brisbane's outstanding lifestyle and
  - Element 2.2 – Brisbane's housing and accommodation choices;
- Theme 5: Brisbane's CityShape,
  - Element 5.3 – Brisbane's Major Centres and
  - Element 5.8 – Brisbane's Growth Nodes on Selected Transport Corridors.

The following assessment focuses on the Strategic Framework outcomes most relevant to the proposed development, including Brisbane's population-serving economy, housing and accommodation choices, and growth nodes on selected transport corridors. Some outcomes are of contextual relevance only, particularly where they relate to Major Centres or land use categories not directly applicable to the subject site.

The following section provides an assessment of the proposal against the relevant benchmarks of the Strategic Framework.

Figure 25 – Extract of SFM-002 Brisbane CityShape 2031 Land Use Strategic Framework Map

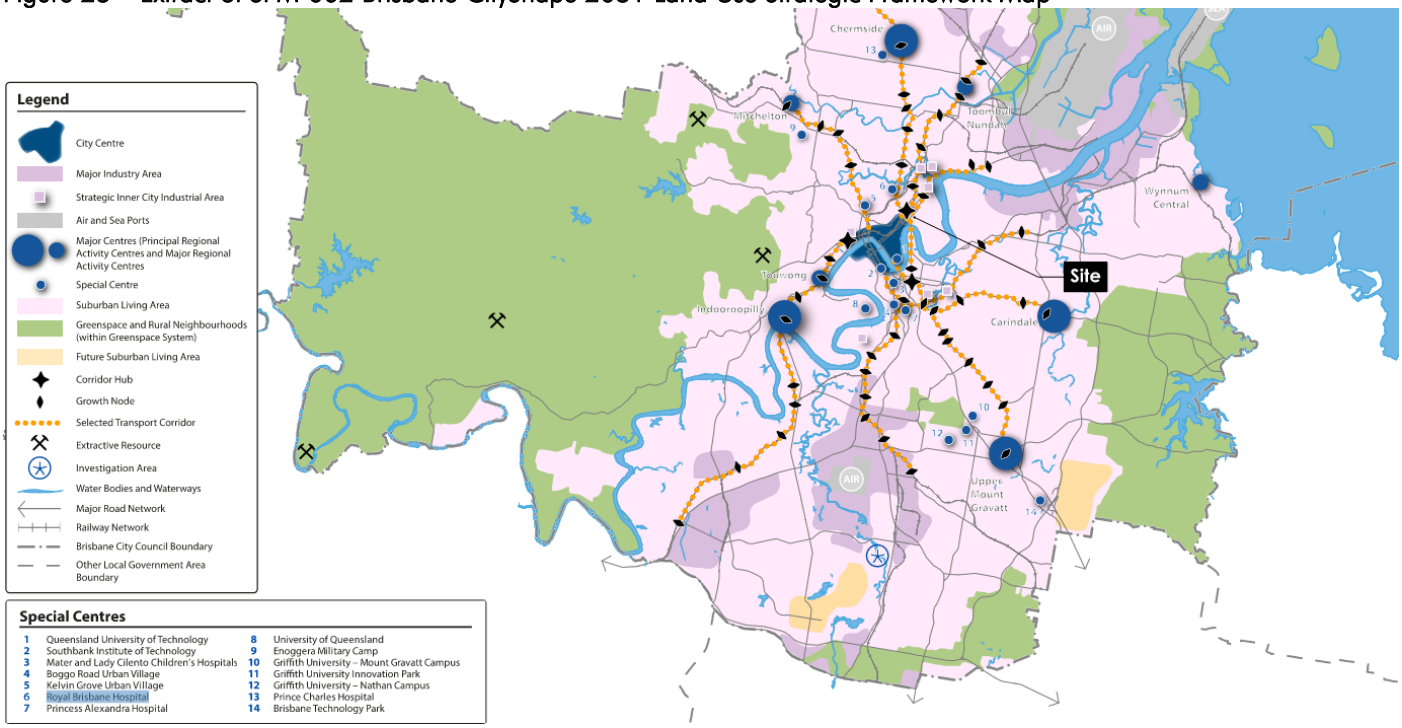


Figure 26 – Extract of SFM-003 Brisbane Selected Transport Corridors and Growth Nodes Map

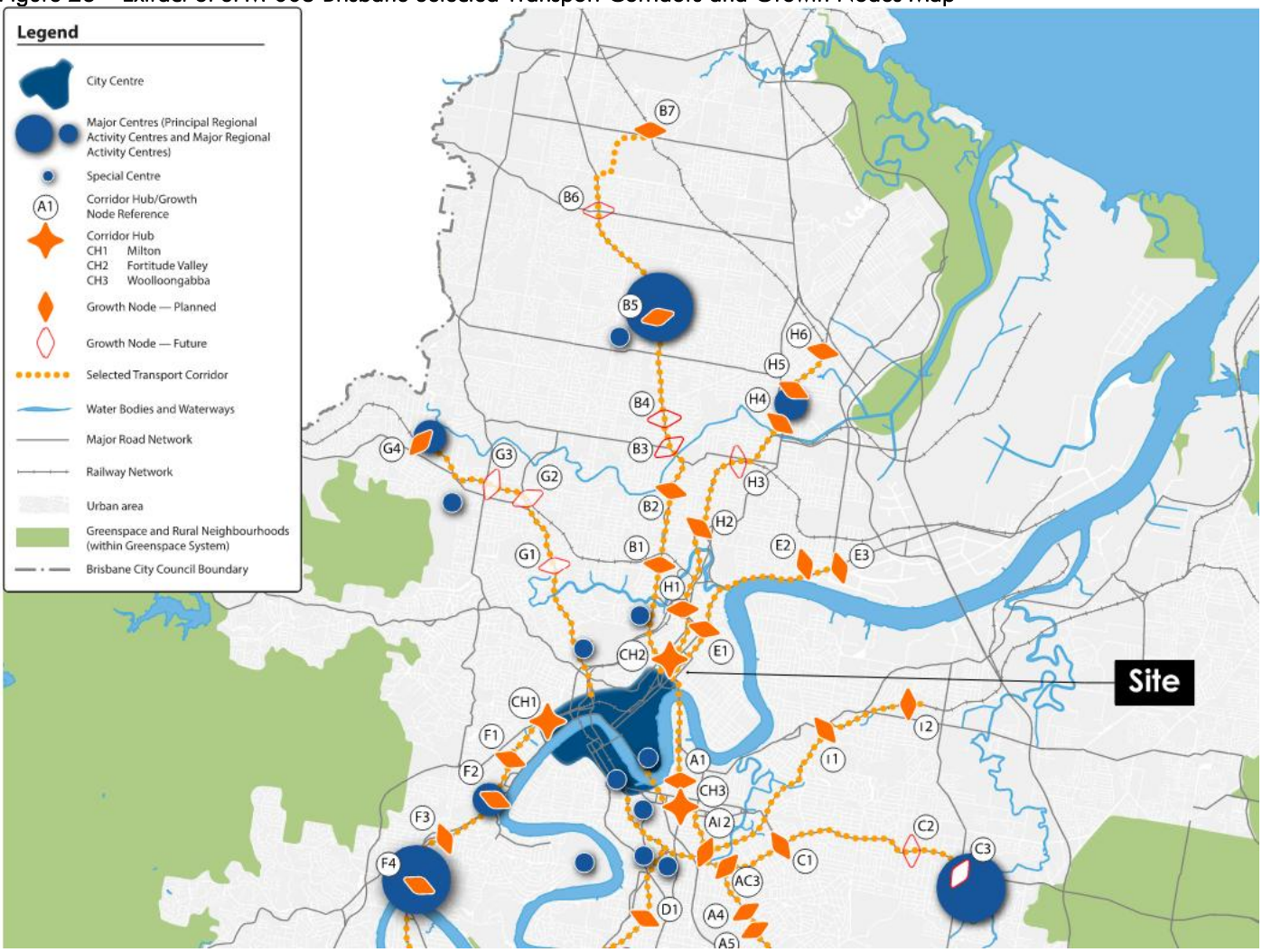


Figure 27 – Extract of SFM-004 Brisbane Greenspace System Strategic Framework Map with site context

Figure 28 – Extract of SFM-005 Brisbane Transport Strategic Framework Map with site context

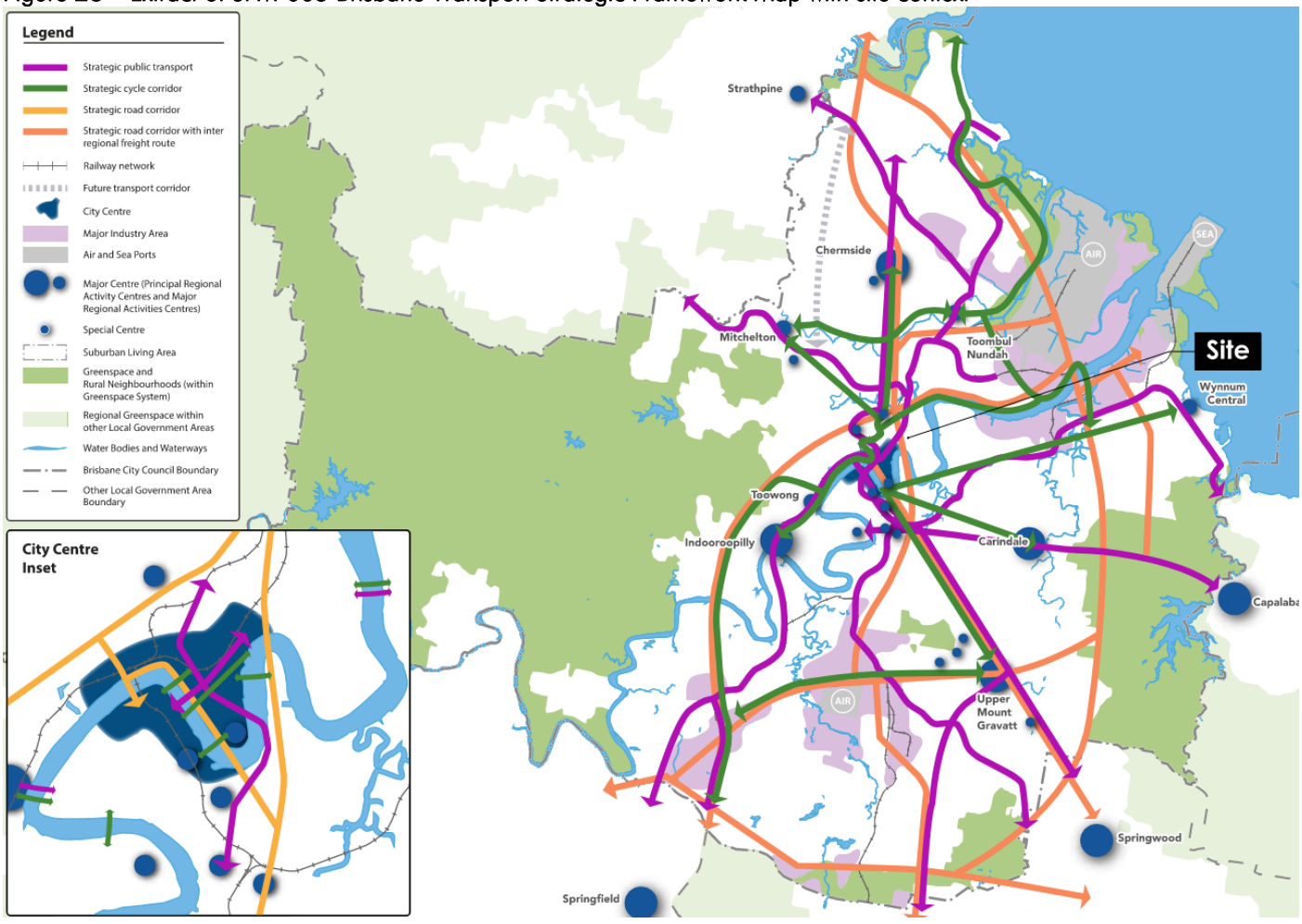


Table 11– Assessment of the Strategic Framework

Specific Outcome	Response
Theme 1: Brisbane's globally competitive economy	
Element 1.3 – Brisbane's population-serving economy	
SO1 Brisbane provides for a diverse mix of highly accessible retail and commercial locations to service a growing population.	Complies The proposal provides a residential-led mixed-use development in a highly accessible inner-city location. The Office component contributes to the diversity of commercial activity within Fortitude Valley, while the residential component increases the local population within walking distance of existing retail, commercial, entertainment and lifestyle services.
SO2 Brisbane's City Centre offers the greatest concentration of the highest order retail, personal and community services and facilities, and cultural, recreational and entertainment experiences.	Complies The site is located near the City Centre and has strong access to its retail, employment, cultural, recreational and entertainment functions. The proposal supports this role by providing additional inner-city residents and workers within close proximity to the City Centre and Fortitude Valley activity network.
SO3 Brisbane's Major Centres and Growth Nodes on Selected Transport Corridors contain significant concentrations and diversity of population-serving activities.	Complies The site is proximate to the Fortitude Valley corridor hub and Newstead Riverpark growth node. The proposal supports the concentration of population-serving activity in this part of the inner city by providing additional housing and office floor space close to established centres, services and transport infrastructure.
SO4 Brisbane's district centres and neighbourhood centres continue to service local population needs.	Complies The proposal will increase the local residential population within walking distance of nearby centres and neighbourhood services, including James Street, Brunswick Street and New Farm. This supports ongoing demand for local services without compromising the role of district or neighbourhood centres.
SO5 Brisbane's population-serving economy is supported by home-based businesses.	Complies The proposal provides a range of apartments suited to inner-city living, including larger apartment types and apartments with multi-purpose rooms. These dwelling types can support flexible working and home-based business activity where appropriate.
SO6 Brisbane provides opportunities in its centres for start-up businesses seeking cost-effective business locations.	Complies The proposal includes an Office component within a mixed-use building, contributing additional commercial floor space within Fortitude Valley. The scale and location of the Office component supports business activity without displacing higher-order commercial functions from the City Centre.
SO7 Brisbane preserves opportunities for low impact industry throughout the city in support of a strong population and economic growth.	Not Applicable The proposal does not involve low impact industry and the site is not identified for industrial purposes. Redevelopment for residential-led mixed use is consistent with the site's Mixed use zoning and inner-city context.
SO8	Not Applicable

Brisbane provides appropriately zoned and accessible areas for large-format retailing.	The proposal does not involve large-format retailing.
SO9 Brisbane's large public and private community facilities are highly accessible by public transport and are well serviced with a range of associated and supporting services and facilities.	Complies The proposal does not involve a large community facility. However, it is located within an area with strong access to public transport and nearby community, recreational, cultural and lifestyle facilities, including Fortitude Valley Railway Station, Howard Smith Wharves, the Brisbane River public realm and surrounding inner-city services.
Theme 2: Brisbane's outstanding lifestyle	
Element 2.2 – Brisbane's housing and accommodation choices	
SO1 Brisbane's dwelling needs for future populations are met by matching growth to the existing and planned infrastructure in the city.	Complies The proposal delivers 189 apartments in a highly accessible inner-city location with access to existing road, public transport, active transport, water, sewer, stormwater and utility infrastructure. The site's proximity to Fortitude Valley Railway Station, bus services, employment, services and lifestyle destinations supports increased residential density in a location where growth can be efficiently accommodated.
SO2 Brisbane's housing is diverse in type and form, offering choice to different household types and income levels and individuals with specific housing needs.	Complies The proposal provides a range of apartment types, including 1, 2, 3 and 4 bedroom apartments, as well as apartments with multi-purpose rooms. This mix supports housing choice for different household sizes and living arrangements within Fortitude Valley.
SO3 Brisbane provides its temporary population ready access to suitable accommodation for business visitors, tourists and students.	Not Applicable The proposal does not include short-term accommodation, student accommodation or tourist accommodation.
SO4 Brisbane's existing Rural Neighbourhoods are maintained without expansion.	Not Applicable The subject site is located in Fortitude Valley within the Mixed use zone and does not affect a Rural neighbourhood.
SO5 Brisbane's last remaining greenfield development areas are well planned and well delivered.	Not Applicable The proposal is for infill redevelopment of an established inner-city site and does not involve greenfield land.
SO6 Brisbane provides a variety of accommodation and housing near the city's major institutions and other Special Centres.	Complies The proposal provides additional apartment housing near the City Centre, Fortitude Valley, Newstead, New Farm, the Royal Brisbane and Women's Hospital and other inner-city employment, health, education, entertainment and lifestyle destinations. This supports housing choice close to major institutions, services and activity areas.
Theme 5: Brisbane's CityShape	
Element 5.3 – Brisbane's Major Centres	
SO1 Major Centres accommodate significant population-serving activities and employment.	Complies The subject site is not within a Major Centre; however, it is located near the City Centre, Fortitude Valley activity areas and Newstead / New Farm. The proposal

	supports these nearby centres by providing additional residents and Office floor space within walking distance of employment, services, entertainment and lifestyle destinations.
SO2 Major Centres are well serviced by the city's public transport and active transport networks which are supported by development.	Complies The proposal supports the use of nearby public and active transport networks by providing additional housing in close proximity to Fortitude Valley Railway Station, bus services, pedestrian routes and cycle connections. Bicycle parking is also provided within the development.
SO3 Major Centres support an 18-hour economy.	Complies The proposal provides additional residents and workers within Fortitude Valley, supporting demand for local retail, hospitality, entertainment and services across extended hours.
SO4 Major Centres comprise integrated residential development.	Complies The proposal provides a residential-led mixed-use development within the inner-city frame of Fortitude Valley. The Office component, ground-level activation, resident amenity and pedestrian-oriented frontage support an integrated mixed-use outcome.
SO5 Major Centres are key locations for community hubs, services and facilities.	Complies The proposal does not involve a community hub or major community facility. However, it increases the residential population within walking distance of established community, cultural, recreation, transport and lifestyle facilities in Fortitude Valley, New Farm, Newstead and the City Centre.
SO6 Major Centres are part of a network of centres across the city where the key distinguishing characteristics of the centres is the physical scale, urban design and relationship to the surrounding land uses, not the type or function of business or other centre type activity being undertaken.	Complies The proposal responds to the physical scale and emerging urban design character of Fortitude Valley through a mixed-use tower form, landscaped podium, activated frontage and high-quality architectural expression. The development supports the evolving inner-city role of the locality while managing its relationship to adjoining residential and commercial uses.
Element 5.8 – Brisbane's Growth Nodes on Selected Transport Corridors	
SO1 Growth Nodes on Selected Transport Corridors provide opportunities for a range of more intense urban form, mix of land uses and activities that are tailored to the locality and catchment's community needs in accordance with the applicable land use strategies.	Complies The site is located near the Fortitude Valley corridor hub and Newstead Riverpark growth node. The proposal provides a more intensive residential-led mixed-use form in a highly accessible inner-city location, contributing housing supply, Office floor space and improved public realm outcomes suited to the locality's evolving role.
SO2 Growth Nodes on Selected Transport Corridors provide an integrated urban form and exhibit leading practice in urban and public domain design and social and environmental outcomes.	Complies The proposal delivers an integrated podium and tower form with substantial landscaping, green walls, rooftop planting, resident amenity, bicycle parking and an activated Berwick Street frontage. The design supports

	subtropical design, public realm improvement, housing supply and a high-quality urban outcome.
SO3 Growth Nodes on Selected Transport Corridors are based on railway stations and land within the centre zone which are focus points of activity, accessibility and employment.	Complies The site is located near Fortitude Valley Railway Station and within an established inner-city mixed-use area. The proposal increases residential density and provides Office floor space in a location with strong access to rail, bus, walking and cycling networks and nearby employment areas.
SO4 Growth Nodes on Selected Transport Corridors protect the character and amenity of the surrounding Suburban Living Areas within which they are located.	Complies The proposal is located within the Mixed use zone and an established inner-city context, rather than within a low-density suburban neighbourhood. The built form incorporates setbacks, podium articulation, landscape screening, acoustic treatments and wind mitigation measures to manage amenity impacts to adjoining and nearby properties.

5.4 Other Relevant Matters

Section 45 of the Act outlines the assessment matters for different categories of assessment. For an application subject to Impact Assessment, these matters are:

An Impact Assessment is an assessment that—

a. must be carried out—

(i) against the assessment benchmarks in a categorising instrument for the development; and

(ii) having regard to any matters prescribed by regulation for this subparagraph; and

b. may be carried out against, or having regard to, any other relevant matter, other than a person's personal circumstances, financial or otherwise.

Examples of another relevant matter—

- *a planning need*
- *the current relevance of the assessment benchmarks in the light of changed circumstances*
- *whether assessment benchmarks or other prescribed matters were based on material errors*

The development application is subject to Impact Assessment, and therefore Council may carry out the assessment against, or having regard to, relevant matters other than assessment benchmarks and matters prescribed by the Regulation. In the circumstances, there are other relevant matters, as outlined below, which ought to be taken into account and given considerable weight in the assessment of the proposed mixed use development.

The other relevant matters identified below demonstrate why, in the current circumstances, a balanced decision in the public interest favours approving this development application.

5.4.1 Relevant Matter 1: Housing Supply

There is a clear planning need for additional housing supply in Brisbane, particularly in well-located inner-city areas with access to public transport, employment, services and lifestyle destinations. ShapingSEQ 2023 identifies significant population and dwelling growth for South East Queensland to 2046 and establishes a clear policy direction toward compact urban growth, increased housing diversity and greater delivery of attached dwellings in accessible locations.

The proposal directly contributes to this housing task by providing 189 apartments in the Fortitude Valley, one of Brisbane's most accessible inner-city locations. The apartment mix includes 1, 2, 3 and 4 bedroom dwellings, including apartments with multi-purpose rooms, contributing to housing choice for a range of household types and

life stages. The proposal places additional housing within walking distance of Fortitude Valley Railway Station, Brunswick Street bus services, James Street, Brunswick Street, Howard Smith Wharves, New Farm, Newstead and the Brisbane CBD fringe. This is the type of location where additional housing can be accommodated with reduced reliance on private vehicle travel and efficient use of existing urban infrastructure.

Accordingly, the proposal responds to a demonstrated community need for additional housing supply and housing diversity in a strategically appropriate location.

5.4.2 Relevant Matter 2: Design Excellence & Sustainability

The proposal delivers a high-quality architectural and landscape response that materially exceeds a conventional residential tower outcome. The design adopts a podium-and-tower form, sculpted tower profile, curved balconies, arched structural bays, façade depth, warm material palette, landscaped podium and planted rooftop crown. The architectural concept is founded on Brisbane's subtropical landscape character and the integration of nature into the built form.

The proposal provides substantial green infrastructure across the ground plane, podium, façade, plant and rooftop levels. This includes ground-level deep planting, podium planting, green walls, climbers, cascading planting, rooftop planting and deep structural planters. The proposal achieves approximately 1,334m^2 of green infrastructure and a green plot ratio of approximately 75.2%. Sustainability outcomes are also supported through subtropical design, natural ventilation opportunities, shaded outdoor spaces, rainwater harvesting for irrigation, internalised waste management, substantial bicycle parking and the site's highly walkable and transit-accessible location.

The proposal therefore delivers a design outcome that responds to Brisbane's subtropical character, improves Berwick Street and contributes positively to Fortitude Valley's evolving urban identity.

5.4.3 Relevant Matter 3: Emerging Fortitude Valley Sustainable Growth Precinct Plan

Council is currently preparing the Fortitude Valley Sustainable Growth Precinct Plan. The subject site is located within the proposed precinct plan area. The plan is not yet adopted into Brisbane City Plan 2014 and is not an assessment benchmark. However, given this application is Impact assessable, the emerging plan is a relevant matter to the extent that it identifies Council's current strategic direction for Fortitude Valley.

Council's published material identifies that the plan is intended to create a long-term vision for Fortitude Valley, including facilitating housing choice and diversity, improving connections, supporting vibrant streets, laneways and public spaces, boosting the 24/7 economy, and creating mixed-use communities. The proposal is consistent with this emerging policy direction. It provides high-density housing in a well-located inner-city area, contributes to housing supply and diversity, includes office floor space, incorporates a landscaped and subtropical architectural response, and improves the Berwick Street frontage.

The direction is also consistent with Council's recent sustainable growth precinct approach in Kurilpa, where additional development opportunity is linked to high-quality design, green infrastructure, public realm improvements, reduced car dependency and housing supply. While the Kurilpa TLPI does not apply to the subject site, it demonstrates Council's contemporary approach to appropriate inner-city uplift. The proposal aligns with that broader policy direction and should be given weight as part of the impact assessment.

5.4.4 Relevant Matter 4: Superior Location

The subject site has a superior inner-city location that strongly supports additional residential density. The site is within walking distance of Fortitude Valley Railway Station, bus services on Brunswick Street, Howard Smith Wharves ferry terminal, James Street, Brunswick Street, New Farm, Newstead and the Brisbane CBD fringe. It is also close to the Riverwalk primary cycle route and local cycle routes on Brunswick Street and Kent Street.

The site provides immediate access to employment, entertainment, retail, recreation and lifestyle destinations, including the Special Entertainment Area, James Street, Howard Smith Wharves, the Brisbane Showgrounds and the broader Fortitude Valley cultural and employment precinct. This location means additional residents can access daily needs, employment, public transport and recreation without strong reliance on private vehicle travel. The proposal therefore supports compact growth in a location where infrastructure, services and urban activity already exist. The site's accessibility is a strong relevant matter in favour of approval.

5.4.5 Relevant Matter 5: Proximity to Higher Density Zoning

The subject site is located in the Mixed use zone, Inner city zone precinct, and is surrounded by an established urban mixed-use context. It is not an isolated uplift within a low-density suburban area.

The Fortitude Valley is already experiencing substantial built form transition, with recent approvals and constructed development demonstrating a clear pattern of higher density residential and mixed-use development along and around Brunswick Street, Robertson Street, McLachlan Street, Ann Street, Wickham Street and other inner-city corridors. The site is also within the proposed Fortitude Valley Sustainable Growth Precinct Plan area, where Council is actively considering future growth, increased housing choice and mixed-use renewal. The proposal's height and podium-and-tower form should therefore be assessed in the context of an evolving inner-city precinct, rather than the historic low-scale industrial and commercial character of Berwick Street alone.

The proposal provides an appropriate response to this emerging context through tower setbacks, façade articulation, podium landscaping, acoustic treatment, wind mitigation and internalised servicing.

5.4.6 Relevant Matter 6: Public Realm Benefits

The proposal will deliver meaningful public realm benefits to Berwick Street. The existing site contains a low-scale commercial building with associated car parking and hardstand areas. The proposal will replace this with an activated, landscaped and pedestrian-focused frontage that includes separate residential and commercial entries, transparent lobby edges, awning cover, seating, deep planting and a landscaped forecourt.

The proposal will improve pedestrian comfort and safety by providing shade, weather protection, passive surveillance, visual interest and a clearer public-to-private threshold. Vehicle access is consolidated to one 6.5m Type B2 crossover, reducing driveway disruption and supporting pedestrian movement along the frontage. The proposal also supports the broader pedestrian permeability intent of the Fortitude Valley Neighbourhood Plan. The site has a single frontage to Berwick Street and does not run street-to-street, meaning a cross-block arcade through the site would not materially improve network connectivity. Instead, the proposal improves the Berwick Street frontage and complements nearby approved and contemplated permeability outcomes.

The proposal therefore transforms the site's street edge and supports Berwick Street's transition into a safer, greener and more active inner-city street.

5.4.7 Relevant Matter 7: Lack of Environmental Constraints

The subject site is relatively unconstrained and suitable for higher intensity redevelopment. The site is not affected by Brisbane River flooding, bushfire hazard or biodiversity constraints. It is not mapped as containing significant vegetation and is not identified as a local or State heritage place. The site also does not adjoin a local or State heritage place.

The proposal is supported by specialist reporting addressing stormwater, engineering services, transport, waste, acoustic, wind, irrigation, landscape and structural matters. These reports demonstrate that relevant impacts can be appropriately managed through the proposed design and normal detailed design and certification processes. Stormwater management is favourable, with the existing site being almost fully impervious and the proposed development incorporating substantial landscape areas across the ground, podium and rooftop levels. Acoustic matters have also been assessed, with recommended mitigation able to be incorporated through detailed design.

The absence of major environmental constraints strengthens the suitability of the site for increased residential and mixed-use intensity.

5.4.8 Relevant Matter 8: Infrastructure Readiness

The subject site is located within an established inner-city area with access to existing urban infrastructure and services. Existing services within or near Berwick Street include sewer, water, stormwater, electricity, telecommunications and gas infrastructure. The proposal can be connected to these networks through normal detailed design and service authority approval processes.

The development also internalises access, parking, loading, waste collection and servicing. Vehicle access is provided from a single 6.5m Type B2 crossover. The proposal provides 247 car parking spaces, 265 bicycle parking spaces and a shared MRV / RCV loading bay capable of accommodating refuse collection and service vehicles within the site. The site is also well served by public transport and active transport infrastructure, including rail, bus, ferry, pedestrian and cycling networks. This supports efficient movement outcomes and reduces reliance on private vehicle travel.

The site is therefore infrastructure-ready in the practical planning sense. It is located in an established urban area, has access to existing services, and is supported by transport, stormwater, servicing and engineering assessments.

5.4.9 Weight to be Given to Relevant Matters

The other relevant matters identified above should be given considerable weight in the assessment of the development application. The proposal responds to a demonstrated need for additional housing supply and housing choice, provides high-quality architecture and substantial green infrastructure, aligns with the emerging Fortitude Valley Sustainable Growth Precinct Plan, occupies a superior inner-city location, responds to an evolving higher density context, delivers public realm benefits, is relatively unconstrained and can be serviced by existing urban infrastructure. These matters support the conclusion that approval of the development application would advance the public interest and represent an orderly, strategic and contemporary planning outcome for Fortitude Valley.

5.5 Adopted Charges

The State Planning Regulatory Provision (Adopted Charges) and Brisbane Adopted Infrastructure Charges Resolution (No. 14) 2025 do levy infrastructure charges for the proposal. The applicable demand and credit are calculated in Table below.

Table 12 – Adopted Charges

Demand	Demand Unit	Charge per unit	Charge
Office	715m^2	$133.38	$95,366.70
Multiple Dwelling (1 or 2 bedroom dwelling)	128	$12,875.92	$1,648,117.76
Multiple Dwelling (2 or more bedroom dwelling)	61	$18,026.28	$1,099,603.08
Impervious Area	1,416m^2	$12.87	$18,223.92
Credit			
Office	1,364m^2	$133.38	-$181,930.32
Impervious Area	1,760m^2	$12.87	-$22,651.20
Total			$2,656,729.94

It is noted that Queensland Urban Utilities will also levy additional infrastructure charges for the development.

6.0 Conclusion

This report has identified and analysed the relevant town planning issues associated with the proposed development and determined that the proposal is appropriate, as:

- The development application has been structured in accordance with the requirements of the Planning Act 2016, Planning Regulation 2017 and associated Development Assessment Rules;
- The proposed building height is supported by the site's inner-city location, proximity to public transport, employment, entertainment and lifestyle destinations, and the emerging planning direction for the Fortitude Valley Sustainable Growth Precinct;
- The proposal delivers 189 apartments in a range of dwelling types, thereby responding to the immediate need for housing supply and housing choice within a highly accessible inner-city location;
- The built form adopts a podium and tower arrangement, with a slender articulated tower, rooftop crown, curved balconies, façade depth and integrated planting to reduce apparent bulk and deliver a high-quality architectural outcome;
- The podium height and site cover are balanced by an activated and landscaped ground plane, upper-level setbacks, podium planting and careful interface treatment to adjoining properties;
- The development will contribute to Brisbane's sustainability, quality of lift and support its subtropical sense of place, as it achieves a green plot ratio of 75.2% through deep planting, green walls, podium planting, containerised planting and rooftop landscaping;
- The development provides a substantial amount of high-quality resident amenity and outdoor living areas, including two rooftop communal recreation levels, wellness, work, dining and gathering spaces, together with functional private open space in the form of balconies;
- The proposal achieves the desire for mixed-use development within the Mixed Use Zone and James Street Precinct, with the proposed level of Office providing activation of the development and streetscape during business hours;
- The proposal responds appropriately to the surrounding pedestrian network, noting nearby approved pedestrian arcades at 60 Berwick Street and 88 Robertson Street by providing a mid-way respite area on the north eastern corner of the frontage;
- The proposal provides safe and efficient vehicle access from Berwick Street, with 247 car parking spaces, 265 bicycle parking spaces, on-site servicing and refuse collection accommodated within the development. The Transport Engineering Report confirms that the proposed access, parking, servicing and traffic arrangements are acceptable and will not adversely impact the safety or operation of the surrounding road network;
- The proposal is supported by specialist reporting addressing transport, waste, civil engineering, stormwater, structural, acoustic and landscape matters;
- Stormwater runoff will be discharged to a lawful point of discharge in Berwick Street, with the proposed development reducing the impervious area and improving stormwater quality in comparison with the existing site conditions; and
- The necessary infrastructure, including water, sewerage, stormwater, electricity, telecommunications and gas, is available to service the development, subject to detailed design and authority requirements.

This office trusts that the information supplied comprehensively addresses the matters to be considered by Brisbane City Council and recommends that the development be approved subject to reasonable and relevant conditions.