

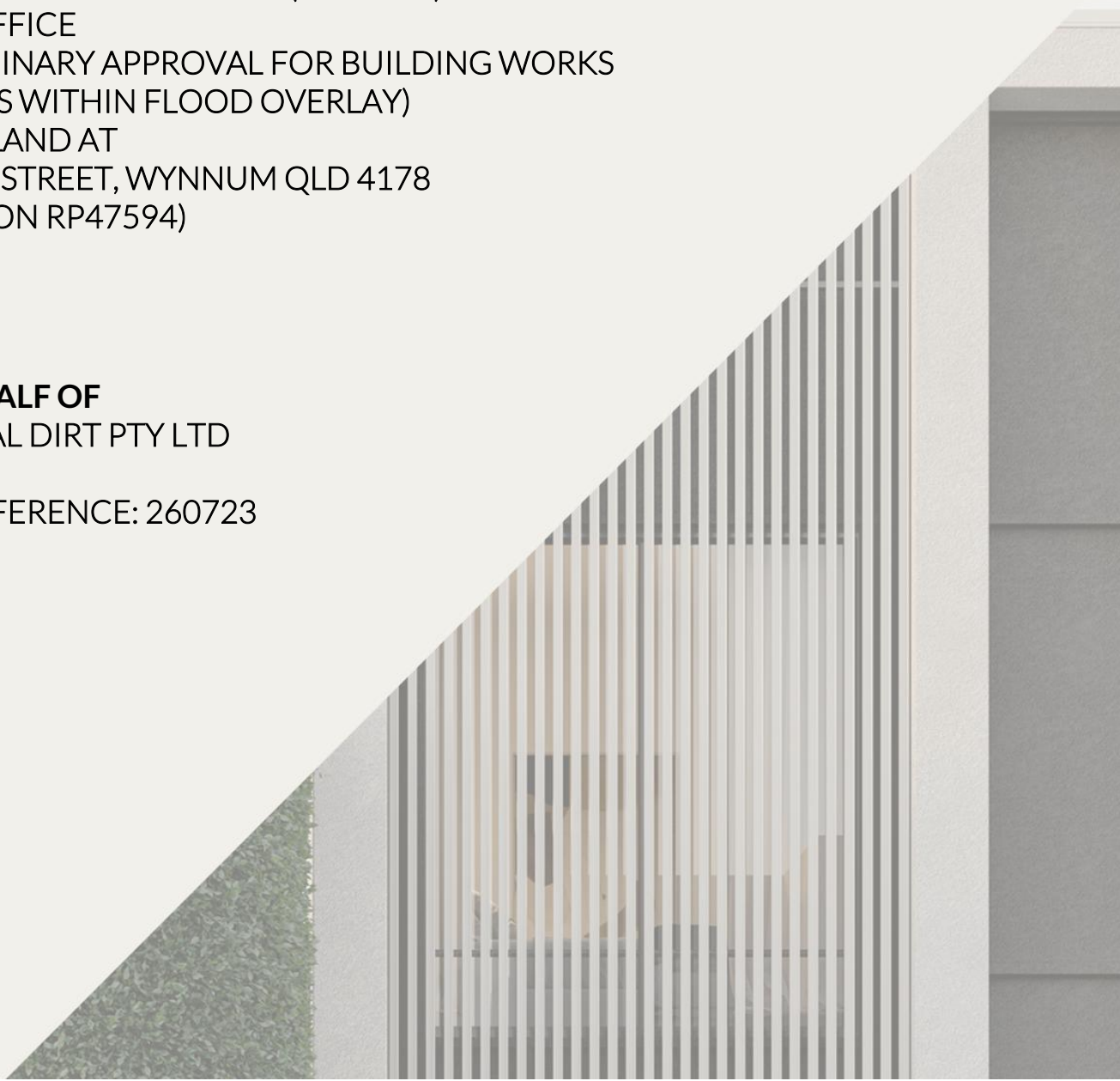


TOWN PLANNING REPORT IMPACT ASSESSABLE DEVELOPMENT APPLICATION

DEVELOPMENT PERMIT FOR MATERIAL CHANGE OF USE
FOR MULTIPLE DWELLING (17 UNITS)
AND OFFICE
PRELIMINARY APPROVAL FOR BUILDING WORKS
(WORKS WITHIN FLOOD OVERLAY)
UPON LAND AT
17 FOX STREET, WYNNUM QLD 4178
(LOT 3 ON RP47594)

ON BEHALF OF
VERTICAL DIRT PTY LTD

OUR REFERENCE: 260723



PROJECT DETAILS

Applicant:	Vertical Dirt Pty Ltd
Project Address:	17 Fox Street, Wynnum QLD 4178
TPA Project Number:	260723
TPA Project Contact:	Vu Nguyen Brendan Ferris

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1 EXECUTIVE SUMMARY

This report is submitted on behalf of *Vertical Dirt Pty Ltd* in support of the proposed Development permit for Material change of use for Multiple dwelling (17 units) and Office and a Preliminary approval for Building works (works within the Flood overlay) at 17 Fox Street and addresses the merits of the proposed development with respect to the provisions of the *Brisbane City Plan 2014* and the relevant components of the *Planning Act 2016*.

The proposal seeks to establish a Mixed use residential and office building including 17 residential units and Office space to deliver an anticipated use in accordance with the intent of the Neighbourhood centre zone and Wynnum-Manly neighbourhood plan. The proposal seeks to deliver a five storey built form that adopts a high-quality architectural style, with significant articulation, building recesses, modulation, as well as the use of variation of materials and finishes to present as development with high aesthetic value. In addition, the proposal dedicates a suitable portion of the site to landscaping to soften the built form, creating a balance between the built and natural form, positively contributing to the surrounding streetscape.

Under the *Brisbane City Plan 2014*, the subject site is located within the Neighbourhood centre zone and the Wynnum-Manly neighbourhood plan. The Neighbourhood centre zone prescribes development to provide a range of centre activities, comprising commercial, retail, service and community functions, with a level of economic and social activity that serves the convenience needs of the local neighbourhood catchment.

Further, the neighbourhood plan intends to retain and enhance its unique bayside character by promoting the area's economic and employment growth through revitalising its centres, development of strategic relationships with the Brisbane Ports region (such as providing business accommodation), and capitalising on tourism opportunities in Wynnum, Manly and Moreton Bay. The key design features of the proposal directly achieve this intent by incorporating the following:

- Provides for a form residential development that achieves a built form and scale that is consistent with the surrounding residential context and will contribute to the city's iconic skyline along the bayside area.
- Delivery of 17 residential apartments that benefit from exceptional proximity to existing services and active / public transport including a mix of 9 x two bedroom apartments and 8 x three bed apartments.
- Building height of five storeys (inc. one podium) reflecting the established and emerging context within the Wynnum locality.
- Car parking fully concealed at the rear of the ground level and one architecturally treated podium level.
- Private open space included for each unit at a minimum of 6.8m² – 41.4m². Rooftop communal area for residents offering 111.3m² communal amenity, including a pool and terrace.
- Substantial provision of living greenery and landscape amenity with a total of 217m² or 16.18% of the site area provided as deep planting and landscaping.
- Is within an established area with access to relevant infrastructure and services, as well as being suitably located with respect to facilities and transport networks.
- Appropriately responds to site-specific constraints and mitigates potential natural hazards.

As discussed in this report, the proposed design is identified as seeking performance outcomes in relation to building height, setbacks and separation, and carparking. Notwithstanding, the development is identified as achieving the overarching strategic intent of the planning scheme for development within the

Neighbourhood centre zone. A brief summary of the proposal's compliance with the relevant planning scheme built form parameters is provided below, please refer to Sections 4 and 6.4 of this report for more information:

Table 1: Built Form Parameters

APPLICABLE BUILT FORM PARAMETER		COMPLIANCE
Building Height	3 storeys	Seeking a performance solution
Setbacks	Front: 4m (to balcony) and 6m (to wall) Side: An average of 4m with: a) 5m to balconies or habitable rooms b) 3m to non-habitable rooms or blank walls Rear: 6m	Seeking a performance solution
Building Length	Max length of a wall in any direction is 30m, with a change in building line every 15m on side or rear walls	Complies
Lot size and dimensions	Development has a minimum site area of 800m ² and street frontage width of 20m.	Complies
Landscaping	▪ Minimum 10% of site area intended for deep planting ▪ Deep planting area requirements: ○ Min. dimension 4m ○ Retain significant trees ○ Min. area 25m² ▪ Boundary landscaping requirements: ○ Minimum 2m wide landscape area along length of any public road frontage.	Seeking a performance solution
Communal Open Space	Development with 10 or more dwellings (a) at a minimum rate of 5% of the site area or a minimum area of 40m ² (whichever is greater); (b) is one consolidated useable space, or where exceeding 100m ² , two separate useable areas within the site; (c) is a minimum 50% open to the sky; (d) is a minimum of 25% landscaping; (e) is a minimum of 25% shaded by trees within 5 years; (f) is a maximum 25% as internal dedicated created space; (g) is designed to provide a range of recreational facilities such as seating, barbeque, swimming pool and vegetable gardens; (h) incorporates a flat paved or grassed area with a minimum dimension of 5m in any direction.	Complies
Private Open Space	▪ For dwellings above ground storey, a balcony with a minimum area of 12m² and a minimum dimension of 3m.	Complies
Car Parking	▪ 2-bedroom units: 1.2 spaces; ▪ 3-bedroom units: 1.6; and ▪ 0.25 per dwelling for visitor spaces.	Seeking a performance solution

The proposed development concept has been informed by a prelodgement discussion undertaken with Brisbane City Council officers to ensure the design appropriately responds to the planning, engineering and environmental constraints affecting the site. In particular, the proposal has been prepared to address the key matters identified by Council officers during the prelodgement advice as noted in Section 3.5 of this report.

Overall, it is considered that having regard to the relevant tests under the *Planning Act 2016* and the *Brisbane City Plan 2014* that the proposed development should be supported by Council and an approval issued subject to reasonable and relevant conditions in accordance with the *Planning Act 2016*.

2 PROJECT OVERVIEW

Applicant Name	Vertical Dirt Pty Ltd		
Site Address	17 Fox Street, Wynnum QLD 4178		
Real Property Description	Lot 3 on RP47594		
Area of Site	1,341m ²		
Zone	Neighbourhood centre zone		
Neighbourhood Plan	Wynnum - Manly neighbourhood plan		
Overlays	▪ Airport environs overlay ▪ Bicycle network overlay ▪ Coastal hazard overlay ▪ Community purposes network overlay ▪ Critical infrastructure and movement network overlay ▪ Flood overlay ▪ Potential and actual acid sulfate soils overlay ▪ Road hierarchy overlay ▪ Streetscape hierarchy overlay ▪ Waterway corridors overlay		
Proposed Development	Multiple Dwelling (17 units) Centre Activities (Office)		
Application Type	Aspects of Development	Type of Approval Required	
		Preliminary Approval	Development Permit
	Material Change of Use		✓
	Reconfiguration of a Lot		
	Building Work	✓	
Operational Work			
Level of Assessment	Impact Assessable		
Pre-lodgement / Consultation History	ASR-12816-L9L		
Public Notification	Yes – 15 business days as prescribed by section 53(4) of the <i>Planning Act 2016</i>		
Referral Agencies	Referral Agency	Trigger	
	N/A	N/A	
Specialist Report	▪ Architectural Plans by <i>Cera Stribley</i> ▪ Context Study and Buildings that Breathe Report by <i>Cera Stribley</i> ▪ Civil Engineering Report by <i>Michael Bale & Associates</i> ▪ Flood Impact Assessment Report by <i>Water Technology</i> ▪ Landscape Concept Plan by <i>LAUDink</i> ▪ Survey Plan prepared by <i>Simpson Rayner Surveys</i> ▪ Traffic Engineering Report by <i>Modus</i> ▪ Waste Management Plan by <i>Modus</i>.		
Applicant Contact	Vu Nguyen / Brendan Ferris		
Applicant Email	eda@tpalliance.com.au		

3 BACKGROUND & SITE CHARACTERISTICS

3.1 Site Details

Site Address	17 Fox Street, Wynnum QLD 4178
Real property description	Lot 3 on RP47594
Area of site	1,341m ²
Zone	Neighbourhood centre zone



Figure 1: Aerial Image of the Subject Site

3.2 Location

The subject site comprises a single generally rectangular shaped allotment with a total site area of 1,341m² and frontage of approximately 24.9m to Fox Street in the east.

Under *Brisbane City Plan 2014*, the site is identified in the Neighbourhood centre zone. Likewise, land adjoining the site and along Fox, Wilde and Glenora Streets to the north, south and west is also identified in the Neighbourhood centre zone. Land further along Wilde and Glenora Streets to the west is in the Low density residential zone with pockets of Character residential, Low-medium density residential, Recreation and open space and Low impact industry zoning in the wider area. Please refer to Figure 3 overleaf.

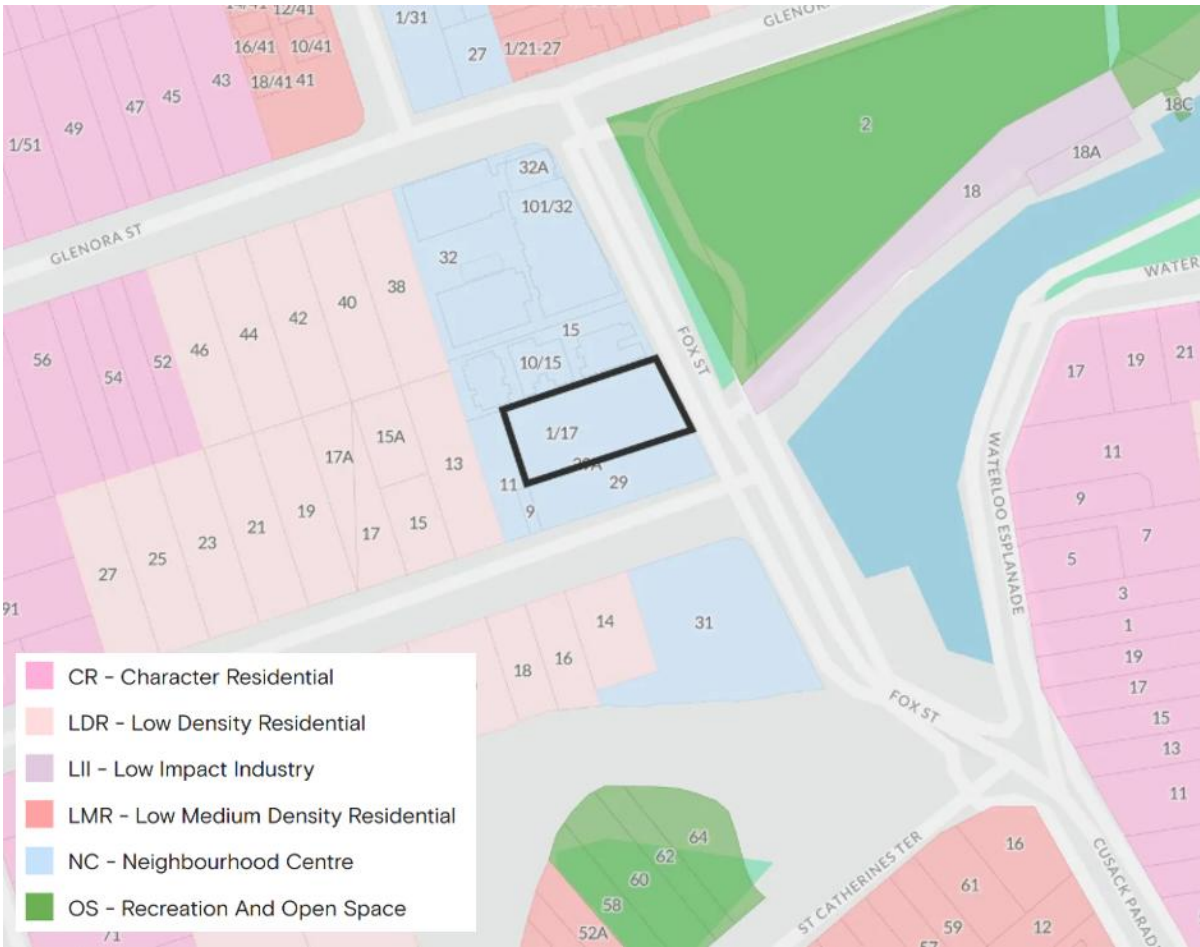


Figure 2: Zoning Map

The subject site is currently improved by a pre-1946 building containing three flats at the rear and a more modern commercial premises at the front, used currently as a food and drink outlet (Indian restaurant). A three storey multiple dwelling with ground level retail adjoins the site to the north, a similar arrangement of a pre-1946 and modern building, both used as commercial premises, adjoins the site to the south, whilst a single pre-1946 dwelling house adjoins the site to the west. Critically, to the north at 32 Glenora Street is a five storey multiple dwelling, with ground level retail (currently a food and drink outlet) at the corner of Glenora and Fox Streets. The subject site’s surrounding area is identified in Table 2 and Figure 3 below.

Table 2: Summary of Adjoining & Adjacent Developments

ADJOINING USES	
NORTH	15 Fox Street – Mixed use – 3 storeys 32 Glenora Street – Mixed use – 5 storeys
EAST	Open space (local)
SOUTH	29 Fox Street / 7 Wilde Street – Pre-1946 Dwelling house and Commercial use
WEST	11 Wilde Street – Pre-1946 Dwelling house



Figure 3: Adjoining & Adjacent Uses

3.3 Site Characteristics

The subject site comprises a single allotment with site area of 1,341m², positioned on the key site within Wynnum upon Fox Street. The site has a frontage of approximately 24.96m to Fox Street to the east and fronts Wynnum Creek.

The site currently contains an existing two storey dwelling positioned behind the established commercial premises.

3.3.1 Access

Vehicular access to the site is currently provided via a typical residential crossover at the north-eastern end of Fox Street frontage.

3.3.2 Topography

The site is generally flat with the site level sitting at 3.0m AHD.

3.3.3 Flooding

The site is identified as being subject to the Flood overlay (Creek/waterway flood planning area 4 sub-category) and the Coastal hazard overlay (Medium & high storm-tide inundation area & Erosion prone area sub-category) under the Brisbane City Plan 2014. Please refer to Flood Impact Assessment Report by *Water Technology*.

3.3.4 Vegetation

No significant vegetation is located on Local or State Mapping.

3.3.5 Road Hierarchy

The site frontage to Fox Street is identified as 'District Road' under the Road hierarchy overlay under the *Brisbane City Plan 2014*.

3.3.6 Streetscape Hierarchy

The site frontage to Fox Street is identified as 'Centre Street – Minor' under the Streetscape hierarchy overlay under the *Brisbane City Plan 2014*.

3.3.7 Infrastructure

The site reflects an established site with existing connections in place to all the necessary services including water, sewer, stormwater, electricity, telecommunications and transport. The development will be connected to the relevant services in accordance with the relevant provisions. Please refer to the supporting Civil Engineering Report by *Michael Bale & Associates*.

3.3.8 Easements

The site is not subject to any easements.

3.4 Site History

The subject site is improved by an existing Dwelling house and a closed down Food and drink outlet including vehicle access along Fox Street frontage. An overview of the relevant application history for the site to date is provided below:

- **A002145611 - Carry Out Building Work for House in DCP (Demolition/Extension)**
On 26 September 2008, an approval was granted by Council for demolition of the existing pre-1946 dwelling in a demolition control precinct. It is understood this approval was not carried out. It noted that Brisbane City Plan 2014 currently does not include protections against demolition of the existing pre-1946 dwelling, such as the Traditional building character overlay or Commercial character building overlay.

3.5 Prelodgement Meeting

A formal prelodgement meeting (ASR-12816-L9L) was held with Brisbane City Council officers on 19 May 2026 regarding the proposed mixed use development and established the key planning, design and engineering matters to be addressed prior to lodgement of the development application. Council's feedback generally focused on the proposed building height and massing, flood constraints, access and servicing, landscaping and the relationship of the development with the surrounding Neighbourhood centre context.

3.5.1 Application Pathway & Notification

Council confirmed that the proposal will be Impact Assessable within the Neighbourhood centre zone and will therefore require public notification.

3.5.2 Building Height, Massing & Design

Council acknowledged the proposed five storey built form exceeds the three storey outcome applying to the site and indicated that additional height can be considered where supported by an appropriate design response. Particular emphasis was placed on setbacks and separation, reducing perceived bulk, providing an appropriate transition to surrounding development and incorporating landscaping throughout the built form.

Council also requested that any future application be supported by sufficient urban design information, including site context analysis, building separation and interface considerations, shadow analysis, review of Council's *New Worlds City Design Guide – Buildings that Breathe* document and clear architectural plans.

3.5.3 Flooding & Engineering

Council identified flooding as a key constraint, with the site affected by creek/waterway flooding and coastal inundation. The driveway, parking areas and ground level components will respond appropriately to the applicable flood planning levels.

3.5.4 Access, Parking & Servicing

Council advised that parking, access, vehicle manoeuvring and servicing arrangements will need to be demonstrated against the relevant Transport, Access, Parking and Servicing provisions. Any performance solutions, including servicing or parking arrangements must be accompanied with traffic engineering justification.

3.5.5 Landscaping, Streetscape & Communal Open Space

Council encouraged a strong landscape response throughout the development, including meaningful deep planting, integrated podium and upper level landscaping and appropriate subtropical planting. Particular attention was given to providing sufficient deep planting at the frontage, improving the relationship between the ground floor uses and the street, and ensuring the required verge width is maintained.

The rooftop communal open space will also need to provide a functional mix of landscaped, shaded and recreational areas, while landscape treatments throughout the development should be appropriately designed for ongoing access, maintenance, irrigation and stormwater management.

The matters discussed in the prelodgement meeting have informed the ongoing design development and supporting technical documentation for the application.

4 PROPOSAL OVERVIEW

The proposal responds to the unique opportunity presented by this site in Wynnum by delivering a Mixed use residential and office building that contributes to the area's economic and employment growth. The immediate surrounding area is undergoing a renewal of its local Neighbourhood centre, with several mixed use and other commercial developments approved and constructed in the past 5 years, and the proposed development is considered to continue to strengthen the area's strategic relationship with Wynnum central and the Brisbane Ports region.



Figure 4: Concept Render Front Facade

The proposed development includes the following:

- Provides for a form residential development that achieves a built form and scale that is consistent with the surrounding residential context and will contribute to the city's iconic skyline along the bayside area.
- Delivery of 17 residential apartments that benefit from exceptional proximity to existing services and active / public transport including a mix of 9 x two bedroom apartments and 8 x three bed apartments.
- Building height of 5 storeys (inc. 1 podium) reflecting the established and emerging context within the Wynnum locality.
- The proposed design results in a high quality urban design which is functional and provides generous private open space for residential living, orientated to reduce overlooking and impacts to adjoining residential privacy.

- Car parking fully concealed at the rear of the ground level and one architecturally treated podium level.
- Private open space included for each unit at a minimum of 6.8m² - 41.4m². Rooftop communal area for residents offering 111.3m² communal amenity, including a pool and terrace.
- Substantial provision of living greenery and landscape amenity with a total of 217m² or 16.18% of the site area provided as deep planting and landscaping.
- Is within an established area with access to relevant infrastructure and services, as well as being suitably located with respect to facilities and transport networks.
- Appropriately responds to site-specific constraints and mitigates potential natural hazards.

A summary of the proposed development is provided below:

Table 3: Development Overview

DEVELOPMENT OVERVIEW					
Height	5 storeys				
Density	17 units (~1 dwelling per 78m2)				
Setbacks	Floor level / Height (FFL)	North (Side)	East (Fox Street)	South (Side)	West (Rear)
	G (NGL – 3.9m)	Built to boundary	1.3m – 6.7m (wall)	Built to boundary	3m
	Lvl 1-3 (3.9m- 14.4m)	2m – 5m	Built to boundary (balcony) – 3m (wall OMP)	3m – 5m	4.5m – 8m
	Lvl 4 (14.4m – 17.9m)	3m – 5m	6.5m	3m – 5m	8m
	Rooftop (17.9m – 21.4m)	5m		5m	15m
Site cover	1,201.53 m2 (89.6%)				
Car parking	27 resident spaces 5 visitor spaces 1 office space				
Communal space	111.3m ²				
Private open space	Min: 6.8m ² Max: 41.4m ²				
Access	Access is provided by a single 6.6m centralised driveway and crossover to Fox Street				
Landscaping	Total: 217m ² (16.81%) Deep planting: 100m ²				
Waste storage and servicing	1 x 1100L General residential bulk bin and 1 x 660L General non-residential bulk bin 1x 1100L Recycling residential bulk bins and 1 x 660L Recycling non-residential bulk bin 1 x bin press (with 3:1 compaction) for residential bulk bins				

Please note that the detailed internal bedroom layouts are still being finalised. Notwithstanding, the applicant has confirmed the intended configuration of each dwelling, including the number of bedrooms and bathrooms proposed and will not change the proposed window locations to ensure privacy and amenity impacts can be assessed. The final internal layouts will be resolved through the ongoing architectural design process. The following drawings identify the proposed development.

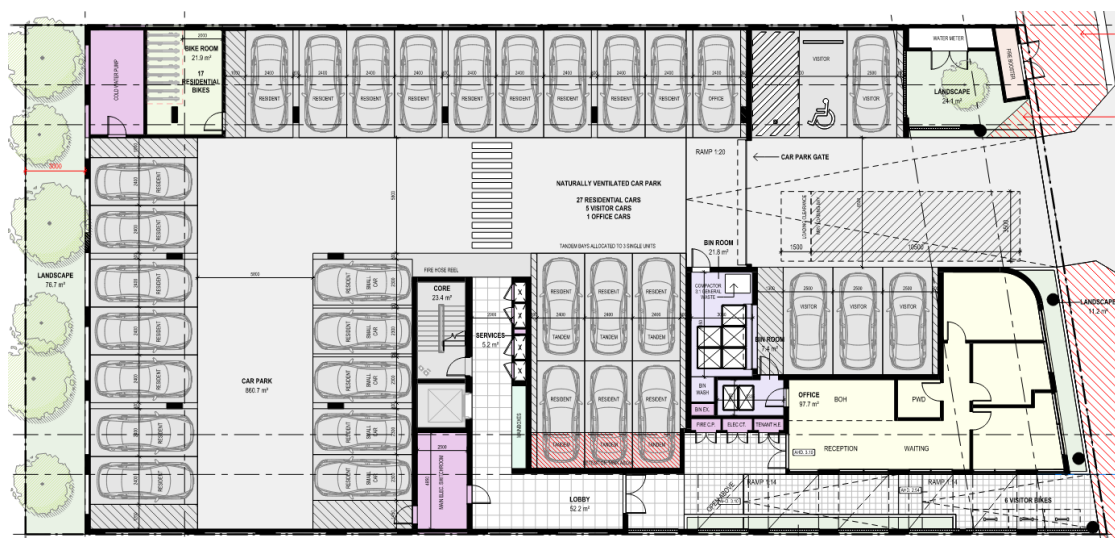


Figure 5: Proposed Ground Floor Plan

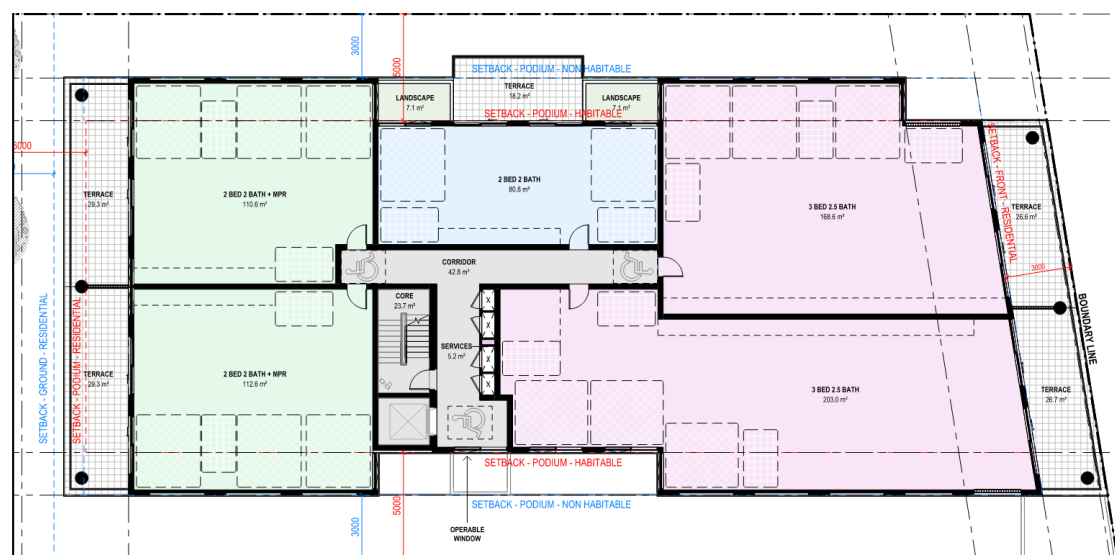


Figure 6: Proposed Typical Floor Plan (Levels 01 - 03)

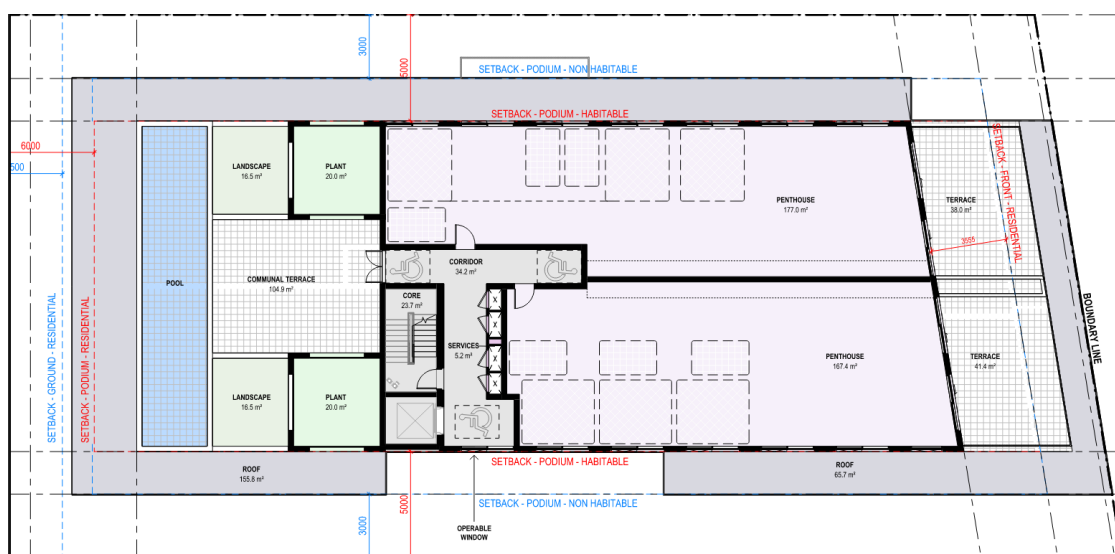


Figure 7: Proposed Penthouse Floor Plan (Level 04)

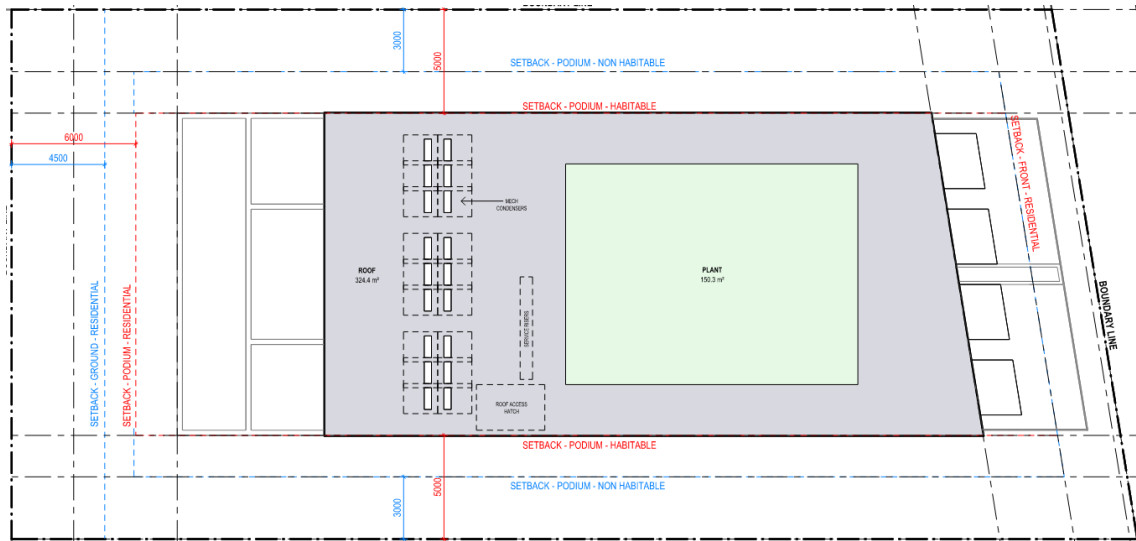


Figure 8: Proposed Roof Plan

5 STATE PLANNING FRAMEWORK

5.1 Planning Act 2016 – Framework

The *Planning Act 2016* provides the statutory planning framework for the State of Queensland and outlines the statutory process for preparing, assessing and deciding development applications. This proposal will be assessed in accordance with the relevant components of the *Planning Act 2016* and the Development Assessment Rules under section 68(1) of the *Planning Act 2016*.

5.2 State Planning Policies

The proposal fully complies with the applicable assessment benchmarks under the State Planning Policy. The assessment benchmarks in Part E of the State Planning Policy are applicable to the extent that Part E is not identified in the planning scheme as being appropriately integrated in the planning scheme. An assessment is provided below of the assessment benchmarks under the State Planning Policy that are not identified as being appropriately integrated in the *Brisbane City Plan 2014*:

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

STATE INTEREST POLICIES AND ASSESSMENT BENCHMARKS

NATURAL HAZARDS, RISK AND RESILIENCE

The proposed development is subject to the Flood hazard – local government mapping area, Medium storm tide inundation area, and Erosion prone area. As such, the development has considered appropriate measures for mitigation and includes assessment against the Brisbane City Plan's applicable code.

STRATEGIC AIRPORTS AND AVIATION FACILITIES

The site is identified as being located in proximity to a strategic airport or aviation facility. Specifically, the site is identified within the SPP Mapping:

- Obstacle limitation surface area;
- Wildlife hazard buffer zone; and
- Aviation facility

The subject site is not identified within a height limitation area however the proposed development height of one storey will not intrude within the operational airspace of an airport or aviation facility. The development does not include activities or materials that will produce light that could distract or confuse pilots. The proposal will not involve emissions which significantly increase air turbulence, reduce visibility or compromise the operation of an aircraft engine.

Development will not unnecessarily increase or attract wildlife hazards or interfere with the function of aviation facilities. The proposal does not increase the risk to public safety and is appropriately located to prevent adverse impacts from aircraft noise.

As such, the proposal appropriately addresses the State Interest - Strategic airports and aviation facilities.

5.3 Referral Agencies

As of 3 July 2017, the Department of State Development, Infrastructure and Planning launched the State Assessment and Referral Agency (SARA).

In accordance with the *Planning Regulation 2017*, the Development Application does not require referrals to any referral agencies.

5.4 State Development Assessment Provisions

As the proposed development does not trigger referral to the State Assessment and Referral Agency, the State Development Assessment Provisions (SDAP) are not applicable to the proposed development.

5.5 ShapingSEQ – Southeast Queensland Regional Plan 2023

The subject site is identified within the Urban Footprint designation of Shaping SEQ. Land within the Urban Footprint is intended to incorporate the full range of urban uses including housing, industry, business, infrastructure, community facilities and other integral components of well-planned urban environments, such as local areas for sport and recreation and urban open space.

The proposal complies with the relevant aspects of the South East Queensland Regional Plan 2023 and the proposed delivery of the 17 residential apartments by the development supports to achievement of the dwelling targets for Brisbane set by the Regional Plan.

6 LOCAL PLANNING FRAMEWORK

6.1 Definition

In accordance the *Planning Act 2016*, Building work and a Material change of use is defined as follows:

- *Building work*
 - a) *means—*
 - (i) *building, repairing, altering, underpinning (whether by vertical or lateral support), moving or demolishing a building or other structure; or*
 - (ii) *works regulated under the building assessment provisions; or*
 - (iii) *excavating or filling for, or incidental to, the activities stated in subparagraph (i); or*
 - (iv) *excavating or filling that may adversely affect the stability of a building or other structure, whether on the premises on which the building or other structure is situated or on adjacent premises; or*
 - (v) *supporting (vertically or laterally) premises for activities stated in subparagraph (i); and*
- *Material change of use*
 - (a) *the start of a new use of the premises;*
 - (b) *the re-establishment on the premises of a use that has been abandoned;*
 - (c) *a material increase in the intensity or scale of the use of the premises.”*

Furthermore, Schedule 1 of the *Brisbane City Plan 2014* provides the following use definitions applicable to this development proposal.

USE	DEFINITION
Multiple Dwelling	<i>Means a residential use of premises involving 3 or more dwellings, whether attached or detached.</i>
Office	<i>Means the use of premises for –</i> i. <i>Providing an administrative, financial, management or secretarial service or function; or</i> ii. <i>The practice of a profession; or</i> iii. <i>Providing business or professional advice or services; but</i> <i>Does not include the premises for making, selling or hiring goods.</i>

Table SC1.1.2. B of the *Brisbane City Plan 2014* identifies Office under the overarching ‘Centre Activities’ group. In view of the above, the proposal involves a Material Change of Use for Multiple Dwelling (17 units) and Office, in accordance with the above definitions.

6.2 Categories of Assessment

Under the *Brisbane City Plan 2014*, the site is identified as being contained within the Neighbourhood centre zone and the Wynnum-Manly neighbourhood plan. Additionally, the site affected by the following overlays:

- Airport environs overlay
 - OLS – Horizontal limitation surface boundary
 - Procedures for air navigation surfaces (PANS)
 - BBS Zone – Distance from airport 3-8km
- Bicycle network overlay;
- Coastal hazard overlay;
 - Erosion prone area – coastal erosion sub-category
 - Erosion prone area – permanent inundation due to sea level rise at 2100 sub-category

- Medium storm-tide inundation area sub-category
- Community purposes network overlay;
- Critical infrastructure and movement network overlay
 - Critical infrastructure and movement planning area sub-category;
- Flood overlay;
 - Creek / waterway flood planning area
 - Creek / waterway flood planning area 3 sub-category
 - Creek / waterway flood planning area 4 sub-category
- Potential and actual acid sulfate soils overlay;
 - Potential and actual acid sulfate soils sub-category
 - Land at or below 5m AHD sub-category
- Road hierarchy overlay;
- Streetscape hierarchy overlay; and
- Waterway corridors overlay.

In accordance with Part 5 of the *Brisbane City Plan 2014*, the proposed development is subject to the following category of assessment:

LEVEL OF ASSESSMENT	
NEIGHBOURHOOD CENTRE ZONE	
Impact Assessable	In accordance with Table 5.5.10 – The category of development and assessment for the Neighbourhood centre zone, Multiple dwelling and Centre activities is subject to Code assessment if – Involving a new premises or an existing premises with an increase in gross floor area, where no greater than: (a) the building height and gross floor area specified in a relevant neighbourhood plan; (b) where a neighbourhood plan does not specify building height, 3 storeys The Neighbourhood Plan (Wynnum-Manly neighbourhood) does not specify a maximum building height and gross floor area if the subject site is not located in a specific precinct. Thus, Impact assessment is triggered under the Neighbourhood centre zone as the development proposes five storeys within the subject site. An assessment against the Neighbourhood centre zone is included as part of this application.
WYNNUM-MANLY NEIGHBOURHOOD PLAN	
No Change	In accordance with Table 5.9.72.A – There is no change to the category of development and assessment for a Material Change of Use (Multiple dwelling and Office) located within the Wynnum-Manly neighbourhood plan, if assessable development and not listed elsewhere within the table. As such, an assessment against the Wynnum-Manly neighbourhood plan code is included as part of this application.
OVERLAYS	
AIRPORT ENVIRONS OVERLAY	
Code Assessable	In accordance with Table 5.10.2 – The category of development and assessment for a Material Change of Use (Multiple dwelling and Office) located within the Airport environs overlay is identified as Code assessable if for development other than a dwelling house and within the Obstacle Limitation Surfaces Sub-Categories and

LEVEL OF ASSESSMENT	
	Procedures for Air Navigation Services Aircraft Operational Surfaces (PANS-OPS) Sub-Categories. An assessment against the Airport environs overlay code is included as part of this application.
BICYCLE NETWORK OVERLAY	
Not Applicable	There is no level of assessment benchmark for the Bicycle network overlay. As such, no further assessment is required.
COASTAL HAZARD OVERLAY	
Code Assessable	In accordance with Table 5.10.62 – The category of development and assessment for a Material Change of Use (Multiple dwelling and Office) located within the Coastal hazard overlay is identified as Code assessable if development, other than for a dwelling house or a park, adheres to any of the following: a. involving an increase in the number of persons on site; or b. for a new premises; or c. involving an existing premises with an increase in gross floor area exceeding 25m²; or d. for vulnerable uses (activity group) or difficult to evacuate uses (activity group); or e. for assembly uses (activity group); or f. for essential community infrastructure (activity group); or g. for a dwelling unit, hotel where including short-term accommodation, nature-based tourism or a resort complex, or for accommodation activities (activity group) other than a dwelling house or caretaker's accommodation, in a part of a premises not previously approved for accommodation activities (activity group); or h. involving the handling or storage of hazardous chemicals identified in Table 8.2.6.3.F in the Coastal hazard overlay code As the development involves an increase in the number of persons on site, an assessment against the Coastal hazard overlay code is included as part of this application.
COMMUNITY PURPOSES NETWORK OVERLAY	
Code Assessable	In accordance with Table 5.10.7A – The category of development and assessment for a Material Change of Use (Multiple dwelling and Office) located within the Community purposes network overlay is identified as Code assessable due to development involving a new premises with an increase in gross floor area and identified as assessable in the zone and neighbourhood plan. An assessment against the Community purposes network overlay code is included as part of this application.
CRITICAL INFRASTRUCTURE AND MOVEMENT NETWORK OVERLAY	
Not Applicable	In accordance with Table 5.10.8 7A – The category of development and assessment for a Material Change of Use (Multiple dwelling and Office) located within the Critical infrastructure and movement network overlay identifies no level of assessment nominated for a Multiple Dwelling and Centre activities. As such, there is no change to the level of assessment and no assessment required against the Critical infrastructure and movement network overlay code.

LEVEL OF ASSESSMENT	
FLOOD OVERLAY	
Code Assessable	In accordance with Table 5.10.11 – The category of development and assessment for a Material Change of Use (Multiple dwelling and Office) located within the Flood overlay if located within the Creek/waterway flood planning area 4 sub-category and for a new premises is identified as Code assessable. In addition, Building Work triggers Code Assessment by the Creek/waterway flow flood planning area. As such, an assessment against the Flood overlay code – Sections B and C is included as part of this application.
POTENTIAL AND ACTUAL ACID SULFATE SOILS OVERLAY	
Not Applicable	In accordance with Table 5.10.15 – The category of development and assessment for a Material Change of Use (Multiple dwelling and Office) located in the Potential and actual acid sulfate soils overlay and if involving filling or excavation if the natural ground level is less than 20m AHD, where the disturbance of land is equal to or less than 5m AHD, involving: (a) <i>filling equal to or greater than 500m³; or</i> (b) <i>filling equal to or greater than 0.5m average depth; or</i> (c) <i>excavation equal to or greater than 100m³.</i> The proposal does not involve filling and / or excavation, thus no further assessment against the Potential and actual acid sulfate soils overlay code is required.
ROAD HIERARCHY OVERLAY	
Code Assessable	In accordance with Table 5.10.18 – The category of development and assessment for a Material Change of Use (Multiple dwelling and Office) located within the Road hierarchy overlay if involving a new premises is Code assessable. As such, an assessment against the Road hierarchy overlay code is included as part of this application.
STREETSCAPE HIERARCHY OVERLAY	
Code Assessable	In accordance with Table 5.10.20 – The category of development and assessment for a Material Change of Use (Multiple dwelling and Office) located within the Streetscape hierarchy overlay if involving a new premises is Code assessable. As such, an assessment against the Streetscape hierarchy overlay code is included as part of this application.
WATERWAY CORRIDOR OVERLAY	
Code Assessable	In accordance with Table 5.10.25 – The category of development and assessment for a Material Change of Use (Multiple dwelling and Office) located within the Waterway corridor overlay if assessable development in the zone or neighbourhood plan is Code assessable. As such, an assessment against the Waterway corridor overlay code is included as part of this application.

In view of the above, and in accordance with Part 5 of the *Brisbane City Plan 2014*, the proposed development is subject to **Impact Assessment**. As per the Development Assessment Rules (DA Rules), public notification for 15 business days is required.

6.3 Assessment against the Strategic Framework

The *Brisbane City Plan 2014* is structured around five city-shaping themes which set policy direction for the growth and development of the city.

The proposed development involves a Multiple dwelling and Office development within the Neighbourhood centre zone. As such, the proposal is to implement the policy direction set in Section 3.3 Theme 1: Brisbane's globally competitive economy, and Section 3.7 Theme 5: Brisbane's CityShape of the Strategic Framework, specifically:

- **Theme 1: Brisbane's globally competitive economy**
 - Element 1.3 - Brisbane's population-serving economy;
- **Theme 5: Brisbane's CityShape**
 - Element 5.5 - Brisbane's suburban living areas

SPECIFIC OUTCOMES	PROPOSAL
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.	L1 The proposed mixed use development provides additional housing together with ground floor commercial office space within an established Neighbourhood centre, supporting a diverse mix of residential and commercial activity.
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.	L2.1-L2.2 The subject site is not located within the Brisbane City Centre.
SO3 Brisbane's Major Centres and Growth Nodes on Selected Transport Corridors contain significant concentrations and diversity of population-serving activities.	L3.1-L3.4 The proposal is not located in a Major Centre. However, will support the surrounding neighbourhood centre precinct of Wynnum by providing higher density housing and commercial opportunity.
SO4 Brisbane's district centres and neighbourhood centres continue to service local population needs.	L4 The subject site is located within the Neighbourhood centre zone and directly supports the local population's needs by providing further housing and commercial opportunity.
SO5 Brisbane's population-serving economy is supported by home-based businesses.	L5 The proposal does not involve a home base business.
SO6 Brisbane provides opportunities in its centres for start-up businesses seeking cost-effective business locations.	L6 The proposal does not relate to low-impact manufacturing and industries.
SO7 Brisbane preserves opportunities for low impact industry throughout the city in support of a strong population and economic growth.	L7 The proposal does not relate to low impact industry.
SO8 Brisbane provides appropriately zoned and accessible areas for large-format retailing.	L8 The proposal does not relate to large format retailing.
SO9 Brisbane's large public and private community facilities are highly accessible by public transport and are well serviced with a	L9 The proposal does not relate to large public or private community facilities.

SPECIFIC OUTCOMES	PROPOSAL
range of associated and supporting services and facilities.	
THEME 5: BRISBANE'S CITY SHAPE	
ELEMENT 5.5 - BRISBANE'S SUBURBAN LIVING AREAS	
SO1 Suburban Living Areas experience growth in response to local context and needs including centres, community facilities, medium and high density residential and industrial uses.	L1 The proposal supports growth within an established centre through a mixed use development comprising additional housing and commercial activity. The development responds to the site's centre location and contributes to the broader residential and economic function of Wynnum.
SO2 Suburban Living Areas experience limited growth, providing predominantly detached housing for residents.	L2.1 – L2.2 The proposal is located within the Neighbourhood centre zone rather than land intended predominantly for detached housing. Accordingly, the development does not compromise the low density residential function of surrounding Suburban Living Areas.
SO3 Suburban Living Areas allow for adaptable small-scale multiple dwellings, retirement facilities and residential care facilities on well-located sites to provide for intergenerational housing options catering to young people, families and supporting ageing in place and ageing in neighbourhood.	L3.1 – L3.2 The proposal provides 17 residential units in a well located centre setting, increasing housing choice close to existing shops, services, employment and public transport. The mix of two and three bedroom dwellings also provides housing options suitable for a range of household types.
SO4 The local character which is typically defined by features such as consistent block size and house spacing, an established road pattern, a predominance of detached housing, the presence of mature vegetation and gardens and by local typography is maintained.	L4.1 – L4.3 The proposal is contained within an established centre and does not alter the prevailing subdivision pattern or residential character of surrounding suburban areas. Its built form responds to the existing and evolving centre context, which includes a mix of residential and commercial development of varying scale.
SO5 District centres serve local and district catchments and accommodate slightly higher densities than surrounding neighbourhoods.	L5.1 – L5.2 Not applicable, as the site is located within a Neighbourhood centre rather than a District centre. The proposal nonetheless provides an appropriate concentration of housing and commercial activity within an established centre location.
SO6 Neighbourhood centres offer small-scale, low-impact local convenience services.	L6.1 – L6.3 The proposal supports the ongoing function of the Neighbourhood centre by providing a mixed use development comprising ground floor commercial office space with residential apartments above. The commercial component maintains an active, employment generating use within the centre, while the residential component increases the number of people living within close proximity to existing shops, services and public transport. This additional population will assist in supporting local businesses and contribute to the day-to-day activity and viability of the centre. While the proposal introduces a greater level of residential intensity than ordinarily associated with a small scale Centre and mixed use activity in the

SPECIFIC OUTCOMES	PROPOSAL
	Neighbourhood centre zone, the mix of uses remains consistent with the centre's local serving role. The development does not introduce a higher order retail or commercial function that would compete with district or major centres but instead provides ground level office tenancy together with additional housing in an established centre location. Accordingly, the proposal is considered to reinforce the role of the Neighbourhood centre zone by supporting local convenience, employment and residential needs while contributing to the continued activation and revitalisation of the Wynnum centre.
SO7 Non-residential uses support local character and amenity.	L7 The proposed office use is compatible with the centre setting and supports local character and amenity by activating the ground floor and contributing additional employment and business activity within the neighbourhood centre.
SO6 Development of Emerging community zoned land reinforces intended local character and amenity, positively contributes to the creation of sustainable and functional communities that are fully integrated within the Suburban Living Area and is serviced by appropriate supporting infrastructure and services.	L8 Not applicable. The subject site is not located within the Emerging community zone.

In light of the above, the proposed development is considered to advance the strategic intent of the *Brisbane City Plan 2014 - Version 37*.

6.4 Assessment against the Codes

Under the *Brisbane City Plan 2014*, compliance with a code can be achieved by either compliance with the purpose and overall outcomes of the code; or compliance with either the performance outcomes or acceptable outcomes. Acceptable outcomes are generally quantifiable provisions, with the performance and overall outcomes generally qualitative and performance based.

The relevant assessment benchmarks of the *Brisbane City Plan 2014* for the proposed development are as follows:

APPLICABLE ASSESSMENT BENCHMARKS	
Zone Codes	Neighbourhood centre zone code
Neighbourhood Code	Wynnum-Manly neighbourhood plan code
Use Code	- Centre or mixed use code - Multiple Dwelling Code
Prescribed Secondary Codes	- Landscape work code - Stormwater code - Transport, access, parking and servicing code

APPLICABLE ASSESSMENT BENCHMARKS

Overlay Codes	▪ Airport environs overlay code ▪ Coastal hazard overlay code ▪ Community purposes network overlay code ▪ Flood overlay code ▪ Road hierarchy overlay code ▪ Streetscape hierarchy overlay code ▪ Waterway corridor overlay code
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The above codes have been addressed below and within **Appendix 1** of this report, as well as the supporting consultant documentation.

This is a 'report by exception' and only discusses issues where the development seeks alternative outcomes associated with the proposed development and offers an assessment of the departures from the applicable Acceptable and/or Performance Outcomes against the higher order provisions of the *Brisbane City Plan 2014* to demonstrate compliance. A summary of the key proposed alternative outcomes is provided below:

RELEVANT CODE	AO/PO	SUBJECT MATTER
Centre or mixed use code	PO21	Building Height
	PO24 - PO26	Setbacks
	PO27	Building Separation
Multiple dwelling code	PO56 & PO58	Landscaping
	PO31	Orientation
Transport, servicing, access and parking code	PO1 & PO13	Carparking

The proposed development has been assessed against the applicable Development and Overlay Codes and is considered to comply with the Acceptable / Performance outcomes.

6.4.1 Assessment against the Centre or mixed use code

The proposed development comprises a mixed use commercial and residential development and is considered to be a consistent land use in line with the intent of the Centre or mixed use code.

An assessment has been undertaken against the relevant Performance Outcomes, Overall Outcomes and the Purpose of the use code, as outlined below.

Built form (Building Height) – Centre or mixed use code

PERFORMANCE OUTCOME	ACCEPTABLE OUTCOME
PO21 Development ensures that the building bulk and scale is consistent with the intended form and character of the centre, mixed use or local area considering: - existing buildings to be retained; - existing significant vegetation; - significant infrastructure constraints;	AO21 Development is contained within the building envelope for the site by applying: - the maximum building height; - building height transitions requirements, where required; - front, rear and side setback requirements; - building separation requirements;

PERFORMANCE OUTCOME	ACCEPTABLE OUTCOME
d) adjoining existing and proposed building height; e) adjoining existing and proposed building setbacks and separation of buildings necessary to ensure impacts on amenity and privacy are minimized; f) building height transitions where required.	e) car parking setback requirements; f) active frontage requirements for stand- alone shopping centres or shops or for development in traditional strip centres or corridors. Refer to Figure c and Figure d examples. <i>Note—The building envelope must include all requirements from any applicable overlay codes or a neighbourhood plan.</i> <i>Note—This can be demonstrated by a building envelope plan, elevations and sections.</i>

Response:

The proposed development comprises a five storey (20.6m) Mixed use residential and office building within an established strip of Neighbourhood centre zoned land along Fox Street. The surrounding locality includes development of three storeys and greater, including the established five storey mixed use development at 32 Glenora Street. This demonstrates that a five storey built form is already present within the broader centre and contributes to the established built form character. As such, the proposed development does not represent an isolated or unexpected increase in intensity or scale.

The site forms part of a clear transition between the Neighbourhood centre context to the east and the Low density residential context to the west as seen in Figure 9 below. The proposed five storey building reinforces the higher intensity role of the centre while still providing a transition toward the lower scale residential area beyond. In this regard, the proposal is not seeking to extend a five storey built form uniformly into the surrounding residential area, but rather to consolidate that scale within the centre zoned land before transitioning to land where a maximum building height of three storeys applies. This provides a more legible change in built form and intensity between the centre and adjoining residential neighbourhood.

The recessed upper level further assists with this transition by reducing the perceived height and bulk of the building when viewed from the western residential neighbourhood. Together with the articulated façade and landscaping, the proposal presents as stepped built form rather than a continuous five storey mass which assists in breaking down the bulk of the development and reducing visual dominance to the west.

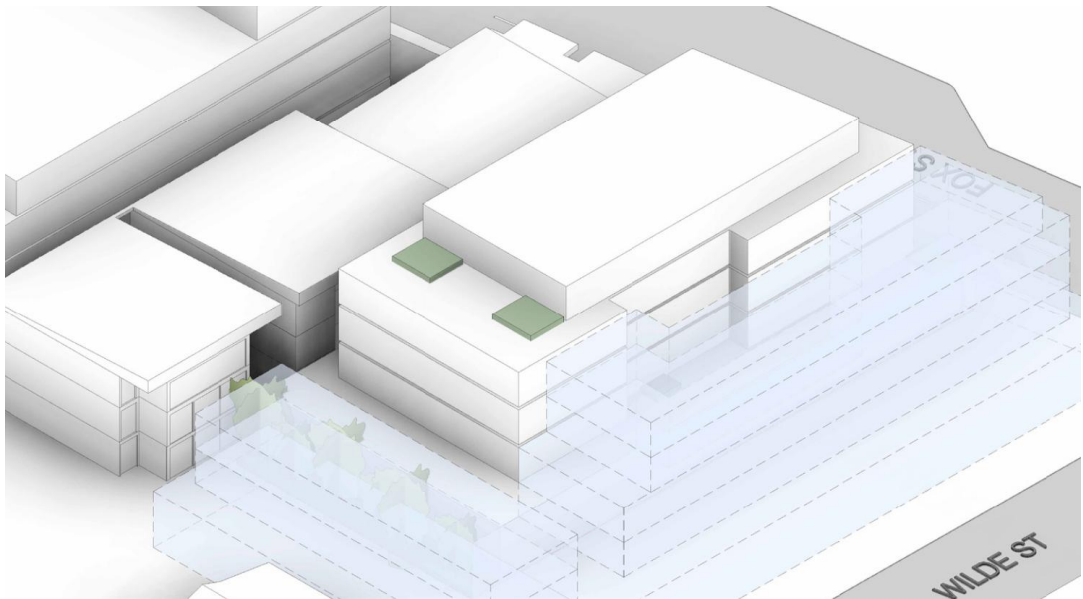


Figure 9: Future Streetscape Transition Diagram

The below shadow diagrams in Figure 10 demonstrate that overshadowing changes throughout the day and does not result in a continuous or disproportionate impact on adjoining properties or key public spaces. The recessed upper level, building separation, articulation and landscaping also assist in protecting access to light, outlook and residential amenity. These measures respond to Council's request for further consideration of shadow impacts, building separation and the relationship with adjoining development.

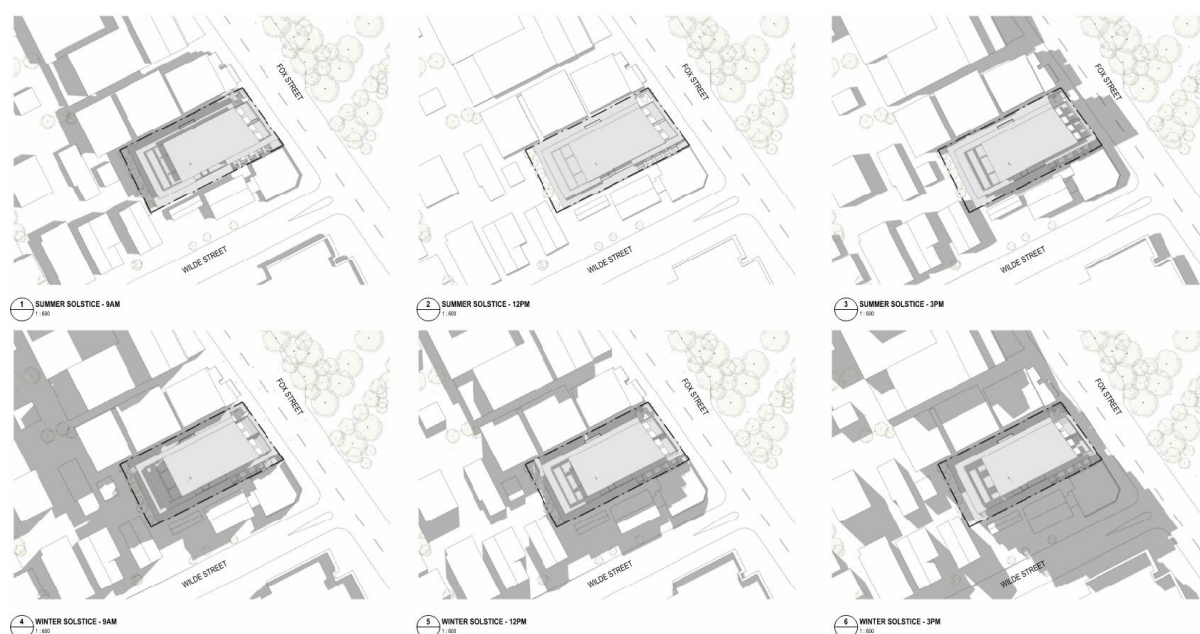


Figure 10: Shadow Impact Study

The proposed mixed use development also supports the intent of the Wynnum - Manly neighbourhood plan by contributing additional housing and employment opportunities within an established centre. The following overall outcome is prescribed:

- *Outcome (f) - The area's economic and employment growth is promoted through revitalising its centres, development of strategic relationships with the Brisbane Ports region (such as providing business accommodation), and capitalising on tourism opportunities in Wynnum, Manly and Moreton Bay.*

The inclusion of 17 residential units and office floor space provides a genuine mixed use outcome that will increase residential and employment activity within walking distance of existing shops, services and public transport. This additional population and business activity will contribute to the ongoing economic and residential revitalisation of the Wynnum centre while making efficient use of land intended for centre based development.

The proposed height should therefore be considered in the context of the site's location, surrounding development and overall design response, rather than against the storey outcome in isolation. The five storey form provides an appropriate level of intensity for the site, responds to the existing taller built form within the locality and supports the continued evolution of Wynnum as an active and unique bayside character area.

Accordingly, although the proposal requires a performance solution, the proposed building height is considered consistent with the intent of PO22, and the broader planning outcomes sought for the Wynnum - Manly neighbourhood plan area.

Built form (Setbacks) – Centre or mixed use code

The below table lists out the Acceptable Outcome setback requirements for the proposed development as per the *Brisbane City Plan 2014*.

Table 9.3.3.3.C. - Centre or mixed use code				
Height of building/wall	Land use	Minimum boundary setback (m)		
		Front/street (m)	Side (m)	Rear (m)
		Adjacent to lower intensity residential		
Ground floor storey and to 4.5m	Non-residential	3	0 if blank 2m otherwise	0
	Residential	6 to wall	1.5	4.5
Podium or up to 5 storeys	Non-residential/ Residential	4 to balcony/ 6 to wall	0 if blank 3m if non-habitable 5m if habitable or to balconies	6

As seen in proposed Architectural plans prepared by *Cera Stribley*, the applicant proposes a high quality architectural outcome incorporating the following setbacks:

Table 4: Front Boundary Setbacks

Floor level / Height (FFL)	Front Boundaries
	East (Fox Street)
	Proposed
Ground Floor (NGL – 3.9m)	1.3m – 6.7m (wall)
First Floor (3.9m- 7.4m)	Partial built to boundary (balcony) – 3m (wall OMP)
Second Floor (7.4m – 10.9m)	
Third Floor (10.9m – 14.4m)	
Fourth Floor (14.4m – 17.9m)	6.5m
Rooftop (17.9m – 21.4m)	

Table 5: Side and Rear Boundary Setbacks

Floor level / Height (FFL)	Side Boundaries		
	North (Side)	South (Side)	West (Rear)
	Proposed	Proposed	Proposed
Ground Floor (NGL – 3.9m)	Built to boundary	Built to boundary	3m (landscaping buffer)
First Floor (3.9m- 7.4m)	2m – 5m	3m – 5m	4.5m – 8m
Second Floor (7.4m – 10.9m)			
Third Floor (10.9m – 14.4m)	3m – 5m	3m – 5m	8m
Fourth Floor (14.4m – 17.9m)			
Rooftop (17.9m – 21.4m)	5m	5m	15m

PERFORMANCE OUTCOME	ACCEPTABLE OUTCOME
PO24 Development ensures that the front boundary setbacks: a) positively define the street edge; b) relate to the existing streetscape and setback pattern and reinforce the preferred character and form intent; c) provide for connections between footpaths, public spaces and private entries where level differences are proposed; d) provide for the queuing of patrons at entertainment venues; e) consider waiting areas at bus stops, taxi ranks and display windows; f) where a residential use and outside the core of a centre, takes on a more residential interface with the street; g) where facing lower intensity development or a residential neighbourhood provide for an appropriate interface and transition; h) provide for deep-planting areas and landscaping where a built to the front boundary edge is not required.	AO24 Development ensures that the front boundary setback for non-residential and residential development in a zone in the centre zones category or the Mixed use zone are in compliance with: a) a neighbourhood plan; or b) if no neighbourhood plan applies or no requirements are specified in the neighbourhood plan, the requirements in Table 9.3.3.3. C.

Response:

The development has been designed to create a more activated and pedestrian focused streetscape to reflect the site's location within the established Neighbourhood centre, its proximity to Wynnum Creek Boat Ramp / Port and location near the foreshore and nearby public transport. The proposed frontage treatment therefore seeks to strengthen the relationship between the development and the street.

The ground floor incorporates commercial office space along the Fox Street frontage, providing an active use at street level. While the proposed setback is measured at approximately 1.3m, this closer relationship with the street assists in defining the street edge, improving pedestrian activation and strengthening the interface between the development and the streetscape. The setback also responds to the established frontage pattern along Fox Street as seen in Figure 11, where adjoining development to the north and south similarly presents closer to the street. Landscaping at ground level further softens the built form and contributes to a more pedestrian focused streetscape.

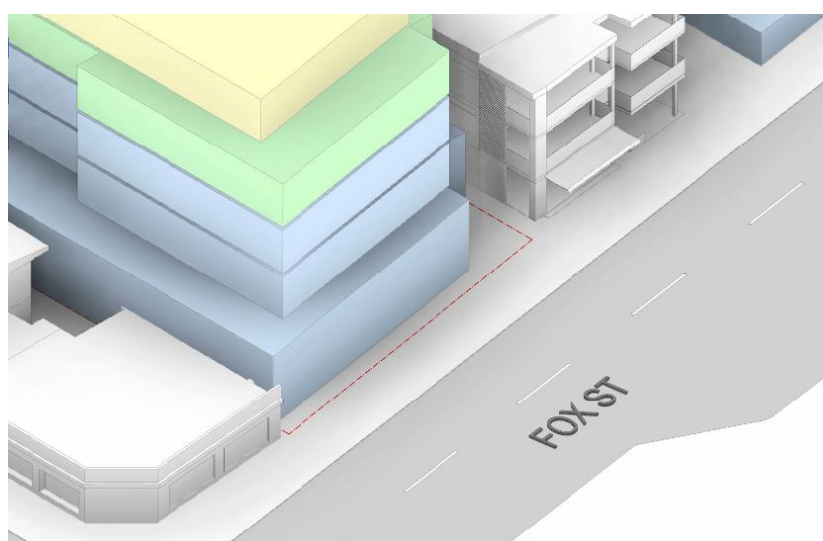


Figure 11: Front Setback Alignment with Existing Buildings

The Level 01 – 04 walls are generally set back approximately 3m from the Fox Street frontage, with balconies extending forward of the primary building line. The balconies have been positioned to increase passive surveillance and provide a stronger residential relationship with the street as noted in comments from the Prelodgement minutes, while the recessed wall line reduces the perceived bulk of the upper levels. This arrangement is consistent with the established built form context (see Figures 12 and 13), including adjoining mixed use development incorporating forward set balconies, and is supported by integrated podium and upper residential level landscaping to further soften the building presentation.



Figure 12: 15 Fox Street Front Façade



Figure 13: Proposed Development Front Façade

Overall, the frontage treatment provides an appropriate balance between street activation, residential amenity and built form transition consistent with the intent of PO24.

PERFORMANCE OUTCOME	ACCEPTABLE OUTCOME
PO25 Development ensures that the rear boundary and secondary street setbacks: a) provide for deep-planting areas; b) support building separation to provide visual and acoustic privacy without screening where residential uses are adjoining or proposed; c) maximise the opportunity to retain and protect existing mature vegetation; d) enable a suitable frontage treatment to be presented where there is a transition to a residential neighbourhood.	AO25 Development ensures that the rear and secondary street boundary setbacks for non-residential and residential development in a centre or mixed use or for a centre activity or mix of uses are in compliance with: a) a neighbourhood plan; or b) if no neighbourhood plan applies or no requirements are specified in the neighbourhood plan, the requirements in Table 9.3.3.3.C.

Response:

At ground level, the development provides a 3m rear setback, despite Table 9.3.3.3.C allowing a 0m setback for non-residential development. This additional separation accommodates a deep planting and landscape buffer along the western boundary, providing a softer interface to the adjoining property and improving visual amenity beyond the minimum acceptable outcome.

At Levels 01 – 04, the proposal provides a minimum rear setback of approximately 4.5m. Notwithstanding the performance solution sought, the building layout has been arranged so that private open space is generally oriented toward non-habitable areas, with only the side units presenting toward adjoining residential interfaces. This reduces direct overlooking and limits privacy impacts between dwellings.

The rear setback also increases progressively at Level 04 by approximately 8m and the rooftop approximately 15m, which assists in reducing perceived bulk and improving building separation. Together with the deep planting at ground level, this provides an appropriate transition and achieves the intent of PO25 by balancing building separation, privacy and landscaping outcomes.

PERFORMANCE OUTCOME	ACCEPTABLE OUTCOME
PO26 Development ensures that the side boundary setbacks: - minimise the impact of development on the amenity and privacy of adjoining existing residents; - contribute to the rhythm and pattern of the streetscape in keeping with the intended neighbourhood character; - provide for breezes and sunlight where a residential use is included on upper levels above podium levels; - consider future development.	AO26 Development ensures that side boundary setbacks for non-residential and residential development in a centre or mixed use or for a centre activity or mix of uses are in accordance with: - a neighbourhood plan; or - if no neighbourhood plan applies or no requirements are specified in the neighbourhood plan, the requirements in Table 9.3.3.3. C.

Response:

Although the proposed side setbacks vary from the requirements of Table 9.3.3.3.C from Levels 01 – 04, the development has been designed to respond to the site conditions along the northern and southern boundaries to achieve the intent of PO26 by incorporating strategic privacy treatments, articulation and consideration of future development potential.

■ Northern Interface

As established, the subject site shares a common boundary with a 3 storey building to north and has therefore been given particular consideration in the design. At ground level, the podium presents as a solid articulated wall and achieves the applicable setback outcome for a non-residential use. Levels 01 – 04 provides a typical 3m setback to the wall, with a 2m setback balcony projection associated with the central unit.

Privacy is managed through the location of private open space, with the majority of balconies directed toward the front and rear of the building rather than toward the northern interface. Where a balcony is provided along the northern boundary, it is positioned within the adjoining building's non-habitable interface to reduce direct overlooking. Please see Figure 14 below for reference and the attached Context Study prepared by Cera Stribley for further information.

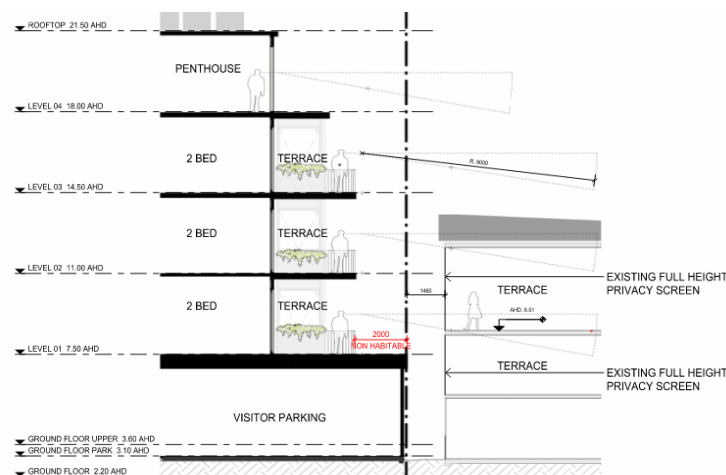


Figure 14: Proposed Development Overlooking North Boundary Section

Fixed privacy treatments, including reeded glazing and windows with minimum 1.5m sill heights, further limit direct views while maintaining access to natural light. The adjoining northern development also incorporates privacy screening, providing an additional level of separation between the two buildings.

- *Southern Interface*

The southern boundary adjoins an existing two storey commercial building. While the proposed setbacks also vary from the acceptable outcome, the building is articulated and setback in a manner that avoids presenting a continuous dominant wall to the adjoining site. The layout again directs the majority of private open space toward the front and rear of the building, limiting unnecessary overlooking toward the southern boundary and ensures that all window locations along this interface include appropriate privacy treatments to allow daylight and ventilation to habitable rooms.

Importantly, the setback arrangement also considers the future development potential of the adjoining commercial site. The proposal does not rely on this building to remain in its current low scale form and provides sufficient articulation and privacy treatment to allow that site to be redeveloped independently in the future without being unreasonably constrained by the subject development. Please see Figure 15 below for reference and the attached Context Study prepared by Cera Stribley for further information.

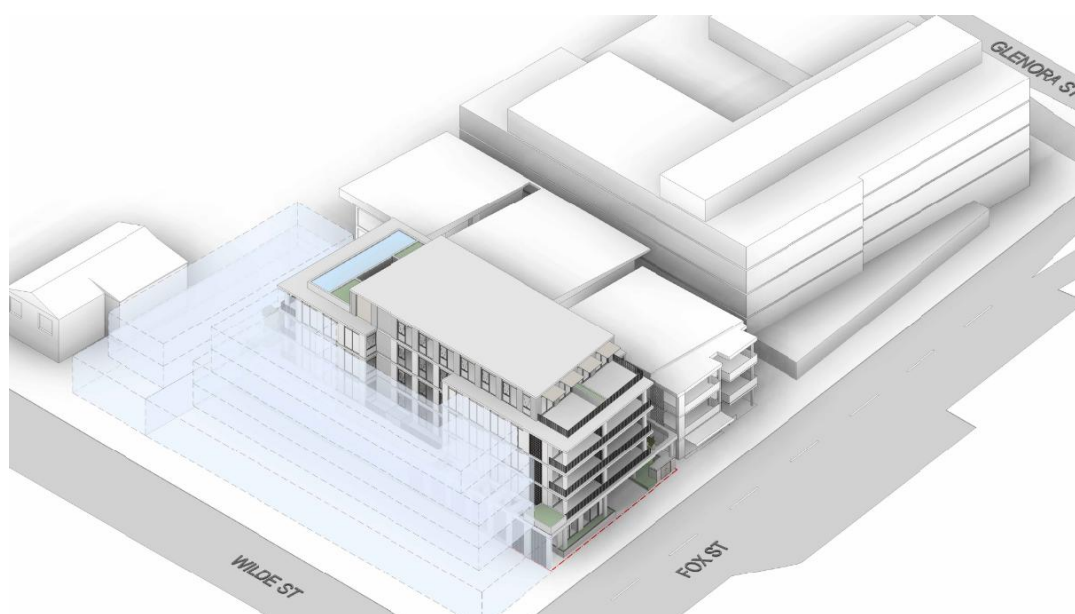


Figure 15: Proposed Development Relationship with Surrounding Development Potential

Built form (Building Separation) – Centre or mixed use code

PERFORMANCE OUTCOME	ACCEPTABLE OUTCOME
PO27 Development ensures that the separation of buildings within a site and to an adjoining existing or future building which includes a residential dwelling: a) is consistent with the form and character intent for the local area; b) is located to provide residential amenity including access to natural light, sunlight and breeze; c) provides a degree of visual privacy via site planning and design without a reliance on fixed screening; d) reasonably addresses and considers the amenity of adjoining residents and future development potential.	AO27.1 Development ensures that the building separation within a site and to adjoining buildings is in compliance with Table 9.3.3.3.E. <i>Note—This is demonstrated by a site context plan that includes adjoining and adjacent buildings and strategies to address separation issues.</i> AO27.2 Development ensures that the building separation to an adjoining residential building: a) complies with Table 9.3.3.3.E; or b) positions the primary balcony or private open space to street or rear; c) offsets balconies or habitable rooms so they are positioned outside the cone of vision of existing or approved habitable rooms or outdoor spaces; or d) uses moveable or adjustable screening to regulate privacy between lots or dwellings which do not exceed balcony screening acceptable outcomes. <i>Note—Separation distances are intended to protect amenity and provide for private open spaces on upper levels that do not require full screening for privacy.</i> <i>Note: site planning and design and strategies such as offsetting balconies, the location of private space, selective screening and other design elements can reduce the boundary separation requirements.</i>

Response:

The below table lists out the Acceptable Outcome building separation requirements for the proposed development as per the *Brisbane City Plan 2014*.

Table 9.3.3.3.E - Building separation requirements			
Building height (storeys and m)	Facing habitable rooms with windows or balconies	Habitable rooms or balconies facing non-habitable rooms with windows or blank walls	Non-habitable rooms with windows or blank walls
Ground to 4.5m	3m	1.5m	0m if blank with no windows; 1.5m if non-habitable with windows
2 storeys to 7.5m	9m	6m	0m if blank with no windows; 3m if non-habitable with windows
3 to 5 storeys	12m	9m	0m if blank with no windows; 6m if non-habitable with windows

The proposal has been carefully designed to manage building separation, privacy and residential amenity in response to the different interfaces surrounding the site. The building placement, orientation of private open space, façade articulation, landscaping and targeted privacy treatments collectively achieve the intent of PO27 by maintaining access to natural light, sunlight and breezes and minimising direct overlooking between existing and future buildings.

- Northern Interface

At ground level, the proposed podium is built to the boundary in accordance with the applicable setback outcome. Rather than presenting as a standard untreated blank wall, the elevation incorporates architectural treatment to provide an appropriate interface with the adjoining development.

Within the upper residential levels, the adjoining north building is separated from the common boundary by approximately 1.5m, while the proposed development provides a typical approximate 3m wall distance, creating a 4.5m wide separation between buildings.

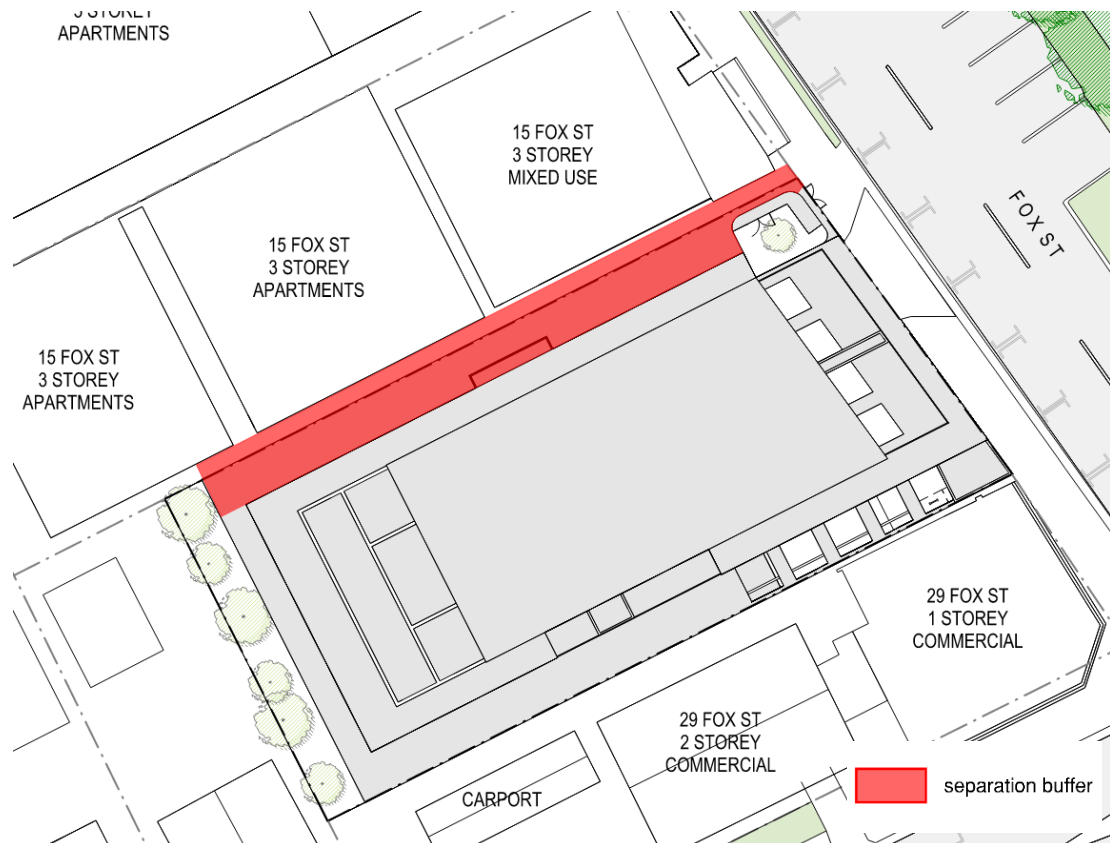


Figure 16: Northern Boundary Upper Level 4.5m Separation (excluding balconies)

The apartment layout has been designed to limit unnecessary side facing private open space, with the majority of balconies oriented toward the front and rear. Where balconies and openings do face north, they are positioned to reduce direct alignment with adjoining habitable windows and are supported by privacy treatments including reeded glazing, high sill windows and screening. Breeze block elements to the sides of the front balconies provide further privacy without restricting access to light and air. The adjoining northern building also incorporates fixed privacy screens, further reducing direct sightlines between dwellings.

Overall, this arrangement directly responds to the existing residential development through a combination of building separation, strategic balcony placement and privacy treatments. These measures minimise direct overlooking between dwellings while maintaining access to natural light, sunlight and breezes, providing an appropriate residential amenity for both properties.

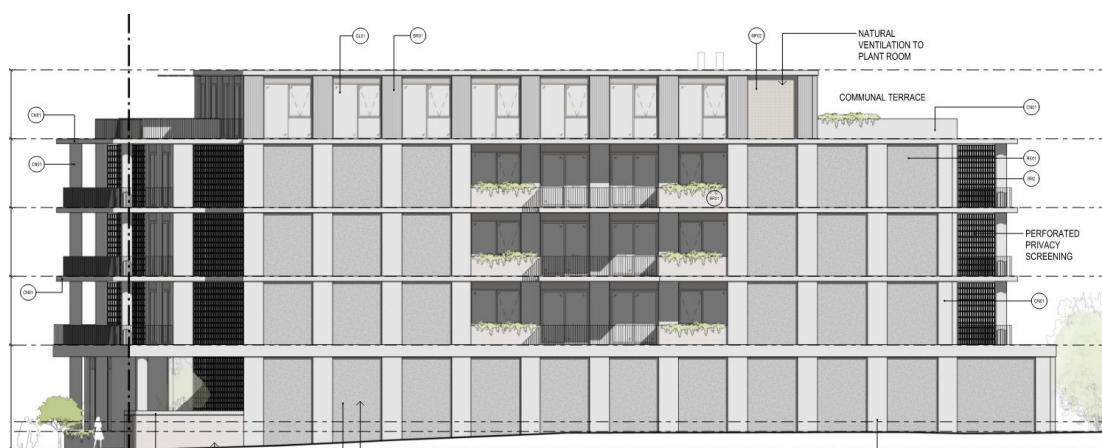


Figure 17: Proposed Northern Façade Elevation

■ Southern Interface

The southern boundary adjoins existing low rise commercial development rather than residential accommodation. The adjoining building includes a minimum separation of approximately 1.5m from the common boundary and, together with the proposed upper residential level 3m wall setback, provides a minimum combined separation of approximately 4.5m. Given the existing commercial interface, the proposal is not expected to result in unreasonable privacy impacts at this boundary.

Importantly, the design has also considered the future development potential of the southern site. The proposal does not rely on the adjoining property remaining in its current low scale form and provides a built form capable of coexisting with a future centre or mixed use redevelopment. The proposed setbacks and building arrangement therefore allow the adjoining site to respond with a similar urban form and separation outcome without being unreasonably constrained by the development.



Figure 17: Southern Boundary Upper Level Minimum 4.5m Separation (excluding level 01 terrace)

▪ Rear Interface

The rear interface has been designed to provide an appropriate relationship with adjoining development while protecting residential amenity. Deep planting is provided at ground level along the rear boundary at 3m wide and is of appropriate dimensions to facilitate large screening species, creating a landscaped buffer that softens the building edge and improves the visual outlook between properties.

The rear balconies have been strategically positioned where there can be direct interaction with the adjoining property's privacy, reducing opportunities for direct overlooking and allowing the rear elevation to accommodate functional outdoor living areas without creating unreasonable privacy impacts to existing western residents.

The rear elevation is further broken down through the reduced roof cap, articulation, glazing and landscaping, which reduce the perception of bulk and avoid a continuous or dominant building face. Together, these measures maintain access to natural light, sunlight and breezes, provide appropriate visual privacy and create a softer transition between the proposed development and adjoining properties.

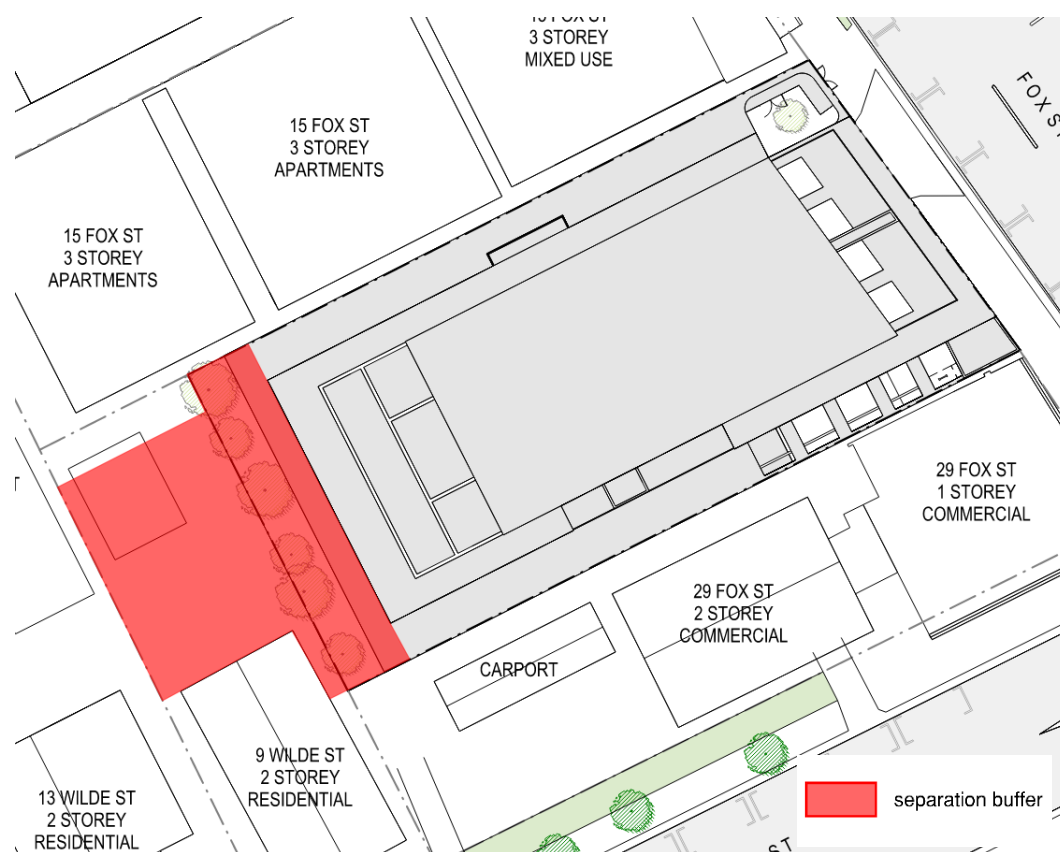


Figure 18: Rear Boundary Upper Level Minimum 4.5m Separation (excluding balconies)

Overall, the proposed building separation responds appropriately to each adjoining interface. Residential boundaries are managed through orientation and targeted screening, while the rear and commercial interfaces allow private open space and building articulation to be accommodated where they create fewer amenity impacts. The proposal therefore provides a building separation and design outcome consistent with the intended form and character of the area, protects access to natural light, sunlight and breezes, and provides an appropriate level of visual privacy consistent with PO27.

Landscaping – Centre and Mixed-use code

PERFORMANCE OUTCOME	ACCEPTABLE OUTCOME
PO56 Development incorporates deep planting which: 1. supports the retention and protection of existing significant vegetation and large subtropical shade trees; 2. provides for the establishment of vegetation to contribute to the landscape character of the centre or mixed use area; 3. is grouped with deep-planting areas on adjacent sites to maximise contiguous areas of deep planting; 4. is open to the sky with access to light and rainfall and into the natural ground with no underground development; 5. is planted with large subtropical tree species that at maturity are complementary in scale and height to the building form; 6. is capable and supported to grow and at maturity provide effective shade or screening to buildings, outdoor spaces or adjoining uses; 7. balances hard-stand areas and provides shade and informal recreation spaces that are directly accessible from residences, building tenancies or the street frontage.	AO56.2 Development: 1. provides for a minimum 10% of the site area for deep planting; 2. ensures that each deep-planting area has a minimum area of 25m² and a minimum dimension of 4m in any direction.
PO58 Development which is not located on an active frontage provides landscaping on the street frontage to: a) contribute to the centre or mixed use area or development's landscape character and the development of Brisbane's subtropical streetscapes and public spaces; b) provide shade and pedestrian comfort and visual amenity; c) contribute to the subtropical character of the streetscape and public realm; d) not impede the establishment of active frontages where required; maintain views from the street to the building and frontage and consider personal safety.	AO58 Development setback from the road, where not including an active frontage treatment or the part of the frontage not treated as an active frontage, is provided with: a) a minimum of 2m wide landscaping with advanced trees and low-level planting along the full street or public space frontage or balance part, excluding any driveway crossover and pedestrian access; or b) a minimum of 3m wide landscaping with advanced trees and low-level planting, to establish a positive landscaped street edge where a service station or outdoor sales use. <i>Note—It is envisaged that landscaping will be primarily located on frontages to arterial roads that are not suitable for active frontages.</i>

Response:

The proposal seeks a performance solution to the deep planting and frontage landscaping requirements of AO56.2 and AO58. The development incorporates a substantial and integrated landscaping response across the ground, podium, upper residential and rooftop levels. The landscape design has been considered together with the built form to soften the development, break up hardstand and building mass, provide shade and screening, improve interfaces with adjoining properties and contribute to the subtropical landscape character of the Wynnum area.

- Deep Planting

The proposal provides approximately 100m² of ground floor deep planting, representing a shortfall of approximately 34m², or 2.5% of the site area. While a shortage is proposed, the deep planting that is provided has been deliberately concentrated in locations where it can provide the greatest functional and amenity benefit, rather than providing tokenistic landscaping which provides no material benefit

A 3m wide deep planting area is provided along the rear boundary, creating a landscaped buffer to the adjoining western property and assisting with visual separation, screening and residential amenity. Additional deep planting is provided toward the north-eastern portion of the site and in front of the office location, where it assists in softening the interface with the adjoining mixed use residential development and contributes to the landscaped presentation of the development from the street. These areas provide sufficient space for meaningful vegetation establishment rather than dispersing the available deep planting into smaller areas with limited landscape function.

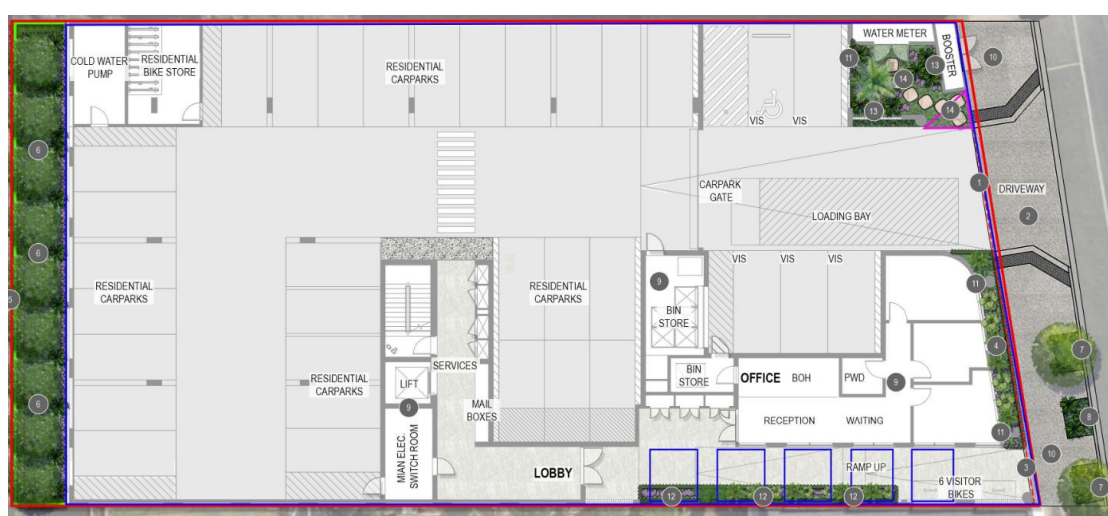


Figure 19: Proposed Ground Floor Landscape Concept Plan

Importantly, the ground level deep planting forms only part of the overall landscape response. Approximately 217m² of landscaping is provided throughout each level of the development. This integrated planting assists in breaking down the scale of the built form, softening each building elevation and providing greenery in direct association with residential and communal outdoor spaces. The distribution of landscaping throughout the building also allows planting to contribute to shade, screening and visual amenity at the levels where residents experience the building, rather than limiting landscaping solely to the ground.

The deep planting areas are intended to accommodate subtropical planting capable of establishing meaningful canopy and screening, consistent with the broader intent of PO56 to provide strategically located vegetation that is complementary to the scale of the building and contributes to the landscape character of the centre.

- Street Frontage Landscaping

The proposed design intends to include an active ground podium layout with built to boundary elements. Although the proposal does not strictly achieve the outcome prescribed in AO58, compliance with the Performance Outcome is achieved having regard to the built form context of the site.

Landscaping has been incorporated selectively along the ground frontage where it can complement the pedestrian interface, and additional podium and balcony planting is included to extend greenery vertically through the building. This maintains a landscaped and subtropical presentation along all

interfaces while retaining views between the public realm and the building and supporting passive surveillance and pedestrian activity.

Additionally, deep planting has been prioritised along the rear boundary where landscaping performs an important buffering and privacy function for the adjoining property. This is considered a more effective allocation of the available ground floor landscaping than providing a continuous frontage strip where the design intent is to establish a closer and more active relationship between the building and the street.

Overall, the proposal provides a coordinated landscape outcome that responds to the competing objectives of street activation, residential amenity, adjoining property interfaces and subtropical design. While there is a nominal proposed shortfall in deep planting, the location, extent and distribution of landscaping ensure that the development contributes positively to the landscape character of the centre, provides shade and visual amenity, softens the built form and establishes appropriate landscaped interfaces, consistent with PO56 and PO58.

6.4.2 Assessment against the Multiple dwelling code

As per the Centre or mixed use code, development for the multiple dwelling component of a mixed use development is also assessed against the Multiple dwelling code and any prescribed secondary code.

A secondary assessment has thus been undertaken against the relevant Performance Outcomes, Overall Outcomes and the Purpose of the use code, noting performance solution outcomes are sought where the Centre or mixed use zone falls silent. Please refer to the responses outlined below.

Built Form (Orientation) – Multiple dwelling code

PERFORMANCE OUTCOME	ACCEPTABLE OUTCOME
PO31 Development must provide attractive and functional private open space for residents that: - is appropriately sized and located to enhance amenity and liveability for residents; - is designed to be functional for the use of the possible number of residents in each dwelling; - is designed to contribute to the form and detail of the building. <i>Note—Private open space can be provided on ground, on balconies or in a structure over a platform, basement and on rooftops.</i>	AO31.3 Development provides balconies that are located to the front or rear of a building except where adequate building separation and screen landscaping can be achieved to maintain privacy alongside boundaries.
	AO31.5 Development provides a minimum of 75% of a dwelling's outdoor living area positioned to the north or north-east. This is balanced with street interface desired outcomes. <i>Note—Side boundary facing north or north-east facing windows or balconies may be permitted where this will significantly improve passive solar design, provided privacy for occupants and adjacent dwellings is maintained.</i>

Response:

As mentioned, the proposal includes a limited number of side facing balconies, with the majority of private open space directed toward the front and rear of the building. This arrangement allows each dwelling to retain a functional and directly accessible outdoor living area while avoiding an unnecessary concentration of private open space along the side boundaries.

Along the northern interface, the side facing balconies have been positioned between adjacent window locations to minimise direct sightlines toward the neighbouring residential development. Privacy is further managed through fixed screening, reeded glazing and the placement of openings, allowing the balconies to remain usable without creating unreasonable overlooking impacts. Along the southern interface, the adjoining land is currently occupied by a low rise commercial building, and the limited side facing balconies are not expected to result in unreasonable privacy or amenity impacts.

The proposal also does not achieve the prescribed northern or north-eastern orientation for 75% of the outdoor living area of every dwelling. This reflects the orientation of the site and the need to balance solar access with an appropriate frontage response to Fox Street. Notwithstanding this variation, each dwelling is provided with generous and functional private open space directly connected to its principal living area.

Balconies are positioned to maximise access to daylight, ventilation, cooling breezes and outlook, with deep balcony areas, shading and operable façade treatments providing appropriate climatic protection. Street-facing balconies also contribute to activation and passive surveillance of Fox Street. Overall, the distribution and orientation of private open space provides a practical response to the site while maintaining a high level of residential amenity and achieving the intent of PO31.

6.4.3 Assessment against the Transport, access, parking and servicing (TAPS) code

Assessment of the relevant Performance Outcomes, Overall Outcomes and the Purpose of the TAPS code has been prepared by *Modus* included within the Traffic Engineering Report and is attached within the Appendix of this report. Nonetheless, key performance solutions sought within this code are outlined below.

Car Parking – TAPS code

PERFORMANCE OUTCOME	ACCEPTABLE OUTCOME
PO1 Development is designed: - to include a technically competent and accurate response to the transport and traffic elements of the development; - in accordance with the standards in the Transport, access, parking and servicing planning scheme policy; - to ensure the efficient operation and safety of the development and its surrounds. <i>Note—The acceptable outcome and performance outcome can be demonstrated through a development application that:</i> <i>is accompanied by sufficient information, including computer modelling input and output data, to allow the proposed development to be properly assessed against the requirements of this code and the standards and guidelines of the Transport, access, parking and servicing planning scheme policy;</i> <i>is certified by a Registered Professional Engineer Queensland that all plans, documents and dimensioned drawings comply with the requirements of this code and the standards and guidelines of the Transport, access, parking and servicing planning scheme policy;</i> <i>ensures that any computer modelling input and output data are accurate, reasonable and carried out in accordance with sound traffic engineering practices.</i>	AO1 Development complies with the standards in the Transport, access, parking and servicing planning scheme policy.

PERFORMANCE OUTCOME	ACCEPTABLE OUTCOME
PO13 Development outside of the City core and City frame as identified in Figure a provides on-site car parking spaces to accommodate the design peak parking demand without any overflow of car parking to an adjacent premises or adjacent street.	AO13 Development outside of the City core and City frame as identified in Figure a: - provides on-site car parking spaces in compliance with the standards in the Transport, access, parking and servicing planning scheme policy; or - for accepted development subject to compliance with identified requirements, does not result in on-street car parking if no parking standard is identified in the Transport, access, parking and servicing planning scheme policy. <i>Note—For accepted development subject to compliance with identified requirements including an existing premises, no reduction to existing car parking is required to comply with a maximum car-parking rate in the Transport, access, parking and servicing planning scheme policy.</i>

Response:

The below table outlines the parking rate relevant to the proposed development under *Schedule 6.31 TAPS policy* within the *Brisbane City Plan 2014*.

Table 14 - Car parking standards in all other cases	
Multiple dwelling	Office
1 space per 1 bedroom dwelling 1.5 spaces per 2 bedroom dwelling 0.25 spaces per dwelling for visitor parking - At least 50% of visitor parking is provided in communal areas, and not in tandem with resident parking	3 spaces per 100m ² gross floor area

The proposal provides a considered transport and parking response that has been informed by the site's mixed use nature, its location within the Neighbourhood centre zone and its proximity to established public transport services. While the subject site is not formally mapped as a Key location, it is located approximately 600m from Wynnum train station and within close proximity to bus services along Tingal Road. This level of accessibility is considered generally consistent with the criteria and intent of a Key location and supports the use of the Key location residential parking rates as an appropriate benchmark for assessing the proposal.

KEY LOCATION MINIMUM REQUIRED	PROPOSED DEVELOPMENT
24 x Residential 5 x Visitor 5 x Office	27 x Residential 5 x Visitor 1 x Office

The proposed parking arrangement includes dedicated bicycle parking for both residents and visitors and is overall supported by the mixed use nature of the development. Parking demand associated with the office component is expected to occur predominantly during business hours, while visitor demand is more likely to occur outside business hours and on weekends, thus the ability to cross-utilise these spaces therefore allows the parking supply to operate more efficiently across different periods of demand rather than requiring each use to be assessed in isolation.

A desktop review has also identified existing public parking opportunities in the vicinity of the site, including parking areas across Fox Street toward Greene Park. While the proposal is not intended to rely on these

spaces to meet its core parking demand, their availability provides additional flexibility for occasional visitor demand and supports the broader accessibility of the centre.

On this basis, the proposed parking arrangement is considered to appropriately respond to the anticipated peak parking demand of the development, while making efficient use of the mixed use parking profile and the site's strong public and active transport accessibility. The development therefore provides a technically considered and operationally efficient parking outcome consistent with the intent of PO1 and PO13, without creating an unreasonable reliance on adjoining premises or the surrounding street network.

Please refer to the attached Traffic Engineering Report prepared by *Modus* for further information and response to the TAPS code in Appendix 1.

7 CONCLUSION

This report has been prepared on behalf of *Vertical Dirt Pty Ltd* in support of the proposed Development permit for Material change of use for Multiple dwelling (17 units) and Office and a Preliminary approval for Building works (works within the Flood overlay) at 17 Fox Street, Wynnum QLD 4178.

The report addresses all relevant town planning issues associated with the current proposal. It addresses the merits of the proposed development with regards to the provisions of *Brisbane City Plan 2014 v37* and the application will be assessed in accordance with the provisions of the *Planning Act 2016*.

The proposal seeks to establish a Mixed use residential and office building including 17 residential units and Office space to deliver an anticipated use in accordance with the intent of the Neighbourhood centre zone and Wynnum-Manly neighbourhood plan. The proposal seeks to deliver a five (5) storey built form that adopts a high-quality architectural style, with significant articulation, building recesses, modulation, as well as the use of variation of materials and finishes to present as development with high aesthetic value. In addition, the proposal dedicates a suitable portion of the site to landscaping to soften the built form, creating a balance between the built and natural form, positively contributing to the surrounding streetscape.

Under the Brisbane City Plan 2014, the subject site is located within the Neighbourhood centre zone and the Wynnum-Manly neighbourhood plan. The Neighbourhood centre zone prescribes development to provide a range of centre activities, comprising commercial, retail, service and community functions, with a level of economic and social activity that serves the convenience needs of the local neighbourhood catchment.

Further, the neighbourhood plan intends to retain and enhance its unique bayside character by promoting the area's economic and employment growth through revitalising its centres, development of strategic relationships with the Brisbane Ports region (such as providing business accommodation), and capitalising on tourism opportunities in Wynnum, Manly and Moreton Bay.

The development comprises a cohesive, architecturally designed mixed use development with a high-quality built form, incorporating varied façades, a refined palette of materials and finishes, quality open spaces and landscape embellishments. Significant emphasis has been placed on the provision of both private and communal open space and collectively, these elements deliver a mixed use offering that contributes positively to the character and diversity of the area.

The application has been prepared having regard to the matters raised by Council during the prelodgement process and as discussed in this report, the proposed design is identified as seeking performance outcomes in relation to building height, setbacks and separation, and carparking. Notwithstanding, the development is identified as achieving the overarching strategic intent of the planning scheme for development within the Neighbourhood centre zone. Overall, the proposal is identified as meeting the relevant requirements of the *Brisbane City Plan 2014 (v37)*. As such, the application should be approved subject to reasonable and relevant conditions.

8 APPENDIX 1 – CODE ASSESSMENT