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Urban Planning Report



Site

331 & 333 Sandgate Road and 9 Anstey Street, **ALBION**

Proposal

Multiple Dwellings (34 Units) and Centre Activities (Office)

Approvals

- Material Change of Use – Development Permit **(Multiple Dwellings)**
- Material Change of Use – Development Permit **(Office)**
- Material Change of Use – Development Permit **(Development Adjoining a Local Heritage Place)**

November 2026

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Project Manager: Max Clayton

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1. DEVELOPMENT SUMMARY

1.1 Site Details

Address	331 & 333 Sandgate Road and 9 Anstey Street, Albion 4010
Description	Lots 9 & 10 on RP19021 and 11 on SP180758
Area	1,348.30m^2 and 1,282m^2 (after verge widening along Anstey Street)
Landowner	331 Sandgate Road – Zareena Begum Islam & Nazrul Islam 333 Sandgate Road – Aaliya Pty Ltd 9 Anstey Street – Aaliya Pty Ltd

1.2 Application Details

Proposal	Multiple Dwellings (34 Units) and Centre Activities (Office)
Approval Sought	• Material Change of Use – Development Permit (Multiple Dwellings) • Material Change of Use – Development Permit (Office) • Material Change of Use – Development Permit (Adjoining Local Heritage Place)
Development Permit	Yes
Preliminary Approval	No
Level of Assessment	Impact
Referral	Nil
Public Notification	Yes
Staging	Nil

1.3 Assessment Framework

Local Government	Brisbane City Council
Planning Scheme	Brisbane City Plan 2014

1.4 Administration Details

Applicant	Albionaire Pty Ltd ACN 696 429 348 As trustee for the JASRO Unit Trust
Contact	Max Clayton
Phone	07 3367 1582
Email	planning@urbicus.com.au

2. INTRODUCTION

2.1 Application Outline

The subject site is located at **331 & 333 Sandgate Road and 9 Anstey Street, Albion 4010** (the Site) described as Lots 9 & 10 on RP19021 and 11 on SP180758.

The development proposal (the Proposal) is for Centre Activities (Office) and Multiple Dwellings (34 Units) and is assessable development under the Brisbane City Plan 2014 (BCP2014) requiring development permits for:

- Material Change of Use – Development Permit (Multiple Dwellings)
- Material Change of Use – Development Permit (Office)
- Material Change of Use – Development Permit (Adjoining Local Heritage Place)

Under BCP2014, a MCU for Centre Activities (Office) and Multiple Dwellings within the DC1 District centre (District Centre) is Code assessable:

If no greater than:

a. the building height specified in a relevant neighbourhood plan;
b. where a neighbourhood plan does not specify building height, 4 storeys.

The Proposal involves a maximum building height of 9 storeys plus a rooftop communal area (8 residential levels in total), where the maximum code assessable building height prescribed under the Albion Neighbourhood Plan (NPP-002) is 5-storeys and 3-storeys where within 20m of the property boundary to Sandgate Road.

Therefore, the level of assessment for the development application is **Impact.**

The demolition of the existing buildings is not assessable development under BCP2014.

Referral of the application to the State Assessment and Referral Agency (SARA) is not required.

This report will:

- Describe the site and surrounds;
- Outline the nature of the proposed development;
- Detail the type of development approvals sought;
- Address the relevant Statutory Frameworks;
- Address relevant provisions of the BCP2014; and
- Identify and address other planning instruments of relevance to the application.

2.2 The Site and Surrounds

The Site is situated within the established inner suburb of Albion, approximately 5 kilometres north-east of the Brisbane CBD. The surrounding locality exhibits a diverse urban character comprising commercial, light industrial and emerging high-density residential development, reflecting the area's continued transition from a historically industrial precinct to a mixed-use inner-city neighbourhood. The surrounding development context and subsequent **Figures** are summarised as follows:

- The Site is situated within an established mixed-use commercial precinct in Albion (Albion Village). Development along Sandgate Road is generally comprised of a mixture of non-

residential uses and protected heritage buildings that have been re-purposed. Examples of multiple dwellings also exist nearby.

- Building heights of up to 20 storeys have been built or approved by Council. An 8-storey multiple dwelling was recently approved by Council over 12 Anstey Street (immediately east of the Site on the eastern side of Anstey Street) and has since been built (Council ref: A006350835).

- The Albion Train Station is approximately 260m walking distance (northwest of the Site).

- The Site has frontages to:

    - **Sandgate Road** – primary street frontage – northwest; and

    - **Anstey Street** – secondary street frontage – east.

- Adjoining development is summarised as follows:

    - **North** – Centre activity uses (Albion Stores) and ground level carparking fronting Sandgate Road.

    - **South** – Heritage buildings used for commercial purposes (built to side and front boundaries). The adjoining site to the southwest (327 Sandgate Road) is identified as a Local Heritage Place, Commonwealth Bank (Former) and presents as a single storey building to Sandgate Road.

    - **Southeast** – Access easement driveway and 3-storey multiple dwellings fronting Anstey and Lever Street.

The Site is currently improved by commercial buildings fronting Sandgate Road, incorporating awnings over the footpath and an existing street tree. The Anstey Street frontage accommodates an existing dwelling house, which is accessed by a residential vehicle crossover.

The Site is relatively flat, with a gentle fall towards Anstey Street. Existing ground levels range from RL 16.1m to RL 18.2m AHD.

Stormwater from the existing commercial buildings is discharged to the Sandgate Road kerb and channel, while roofwater from the residential dwelling is directed towards Anstey Street. The Site is serviced by established urban infrastructure, including reticulated water, sewerage and electricity networks.

There are no easements over the Site, however, there are easements over adjoining land to the south (15 Lever Street – 3-storey multiple dwelling) for access and services.

Sandgate Road is classified as an Arterial Road (Major Road), comprising a two-way carriageway with a regulated kerbside parking lane along the Site frontage.

Anstey Street is a one-way local road adjoining the Site, with provision for kerbside parking.



Figure 2-1 **The Site & Surrounding Development (2026 Aerial)**
Source: *NearMap*

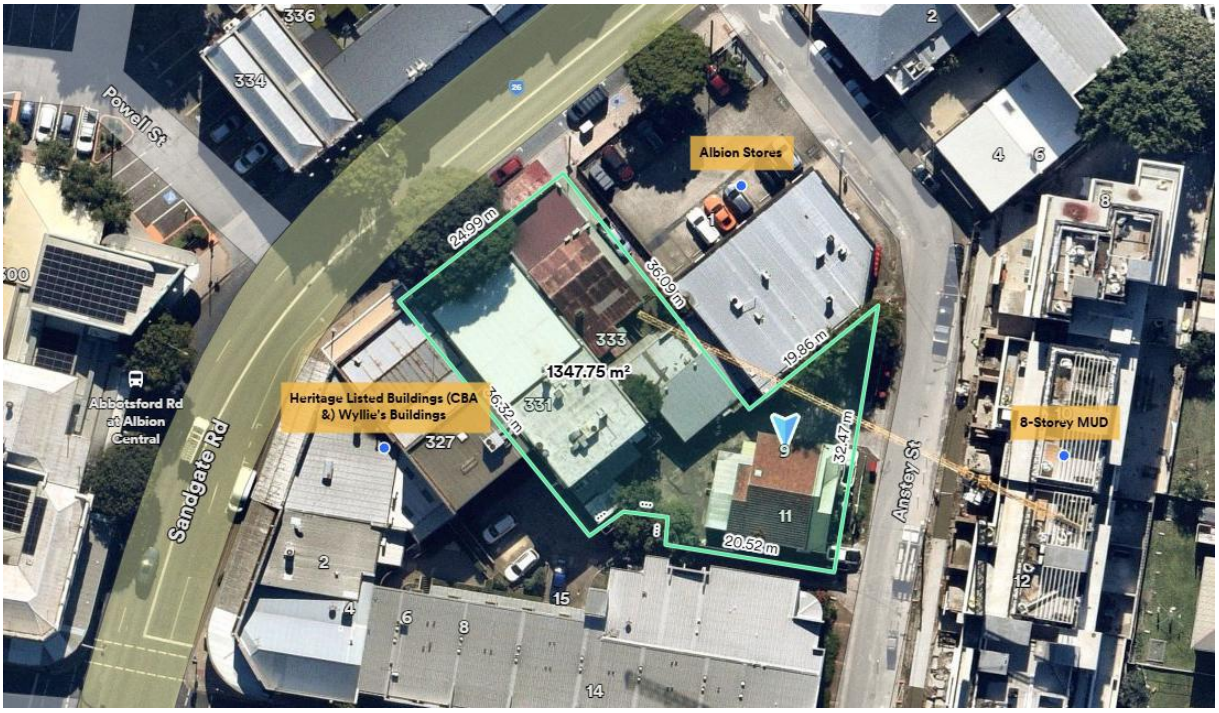


Figure 2-2 **The Site and Adjoining Development (2026 Aerial)**
Source: *NearMap*



Figure 2-3 **Street View – Sandgate Road (including street tree and adjoining local heritage place)**

Source: *Google Maps*



Figure 2-4 **Street View – Anstey Street showing adjoining 3-storey unit complex**

Source: *Google Maps*



Figure 2-5 **Street View – development immediately north of Sandgate Road (opposite the Site)**

Source: *Google Maps*

Table 2-1 details the particulars of the Site.

Site Description Table	
Address	331 & 333 Sandgate Road and 9 Anstey Street, Albion
Lot Description	Lots 9 & 10 on RP19021 and 11 on SP180758
Existing Use:	Sandgate Road – Non-residential buildings Anstey Street – Pre-1946 dwelling house (not protected)
Area:	1,348m^2
Site Frontage:	Sandgate Road – 24.35m Anstey Street – 32.65m
Dimensions:	Site is of irregular shape
Lawful Point of Discharge	Existing kerb & channel of both street frontages
Access / Cross Over:	Anstey Street
Road Hierarchy:	Sandgate Road – Arterial road Anstey Street – Neighbourhood road
Footpath:	Sandgate Road – concrete (full width) Anstey Street – grass
Street Trees	Sandgate Road – 1 Anstey Street - Nil
Vegetation:	Nil
Flooding:	Nil
Easements:	Nil

Table 2-1 Site Description Table

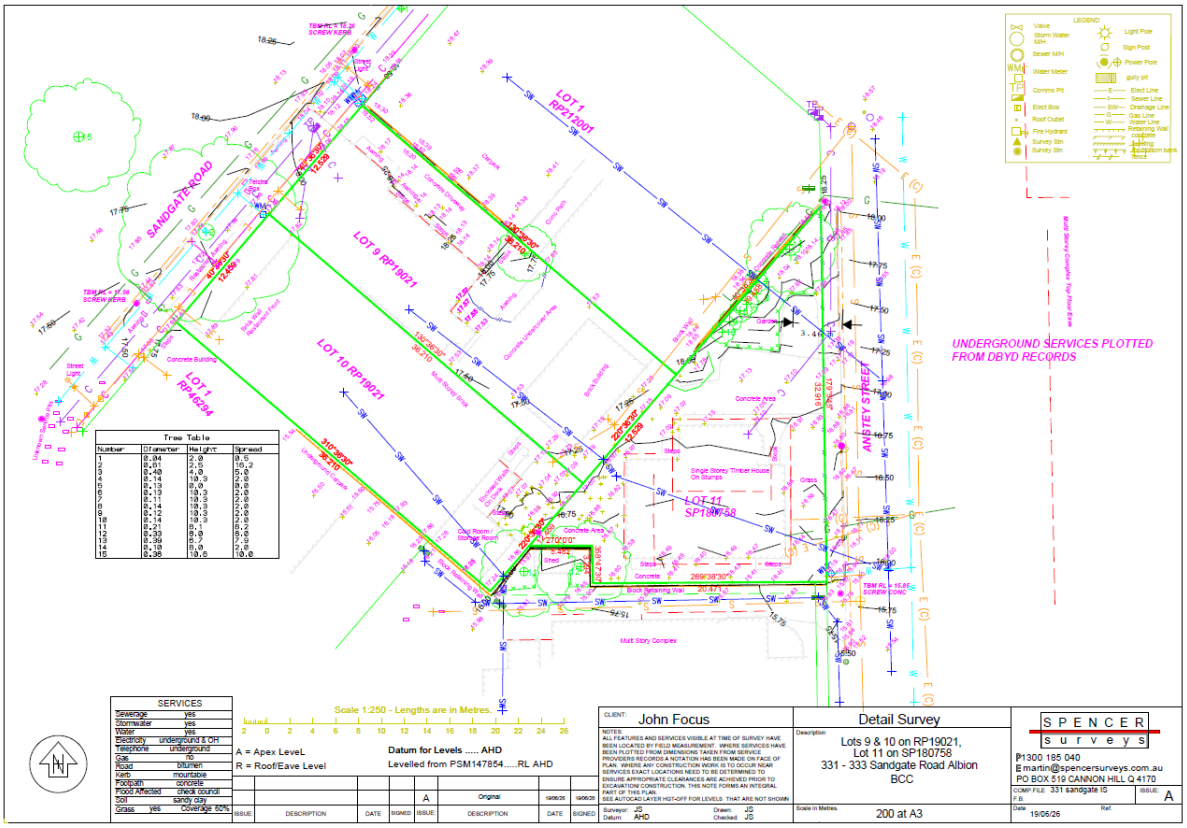


Figure 2-6 Detail Survey

Source: Spencer Surveys

2.3 Easements and Encumbrances

The Site is not encumbered by easements. Refer to **Figure 2-6.**

2.4 Contamination

The Site has historically been used for residential and commercial purposes and is not known to be contaminated. The Site is not listed on the Contaminated Land or Environmental Management Registers.

2.5 Flooding

BCC Floodwise search indicates the Site is not subject to flooding or overland flow.

2.6 Urban Services & Infrastructure

The Site is connected to all urban utilities located in the immediate vicinity and all essential services are currently accessed or can be accessed to provide an adequate level of service for all proposed development. Refer to Civil Engineering and Stormwater Management Plan prepared by Concept Engineers, **Appendix E**. Refer to **Figure 2-6** for existing location of site services**.**

As noted in **Appendix E**,

- **Roofwater** from the two existing commercial buildings is generally collected and discharged to the kerb and channel along Sandgate Rd via RHS outlets. The existing residential building discharges roofwater to the kerb and channel along Anstey St via a kerb adaptor, with runoff generally flowing southward as sheet flow towards the kerb along Anstey St.
- Based on Urban Utilities records, Lots 9 and 10 on RP19021 are serviced by existing 100 mm **sewer** property connections (Asset IDs PC265999 and PC266000) connected to the existing sewer maintenance hole MH151359 within the site. The maintenance hole connects to the existing 150 mm EW gravity sewer main (Asset ID LS152381). Lot 11 on SP180758 is serviced by an existing 100 mm sewer property connection (Asset ID PC265988) connected to the existing 150 mm EW gravity sewer main (Asset ID LS152379) along Anstey St.
- Based on Urban Utilities records, Lots 9 and 10 on RP19021 are serviced by existing 20 mm **water** services (Asset IDs WS116243 and WS116232) connected to the existing 250 mm PE water main (Asset ID RS572349) along Sandgate Rd. Lot 11 on SP180758 is serviced by an existing water service (Asset ID WS409007) connected to the existing 150 mm CI water main along Anstey St.

2.7 Site History

There were no records indicating previous application or approval over the Site.

3. PROPOSED DEVELOPMENT

3.1 Proposal Details

The Proposal is for a Material Change of Use (MCU) for Centre Activities (Office) and Multiple Dwellings (34 Units).

The Proposal is detailed within **Appendix B** - Architectural Plans prepared by CRE8TIVE Architectural Studio and is summarised below:

- Demolition of all on-site improvements.
- A verge widening and linear dedication of 1.5m is provided at the Anstey Street frontage to achieve a verge width of 3.75m as sought under the Streetscape hierarchy code. The resultant lot area will be 1,282m^2.
- Construction of a maximum 9-storey mixed-use building plus rooftop communal area (8 residential levels) with ground level single commercial tenancy, eight levels of residential development, a rooftop communal space and three basement parking levels.
- A podium level built to the Sandgate Road with a new awning providing a continuous shelter along the pedestrian footpath.
- Ground level commercial tenancy of 735m² (Office land use) with direct pedestrian access (active frontage) from Sandgate Road.
- 34 apartments on levels 1-8 – mixture of 1, 2, 3 & 4-bedroom.
- Three basement car park levels providing for:
    - 54 resident parking spaces.
    - 9 visitor parking spaces.
    - 20 commercial parking spaces.
    - 43 bicycle spaces
- Generous private open space is provided for all above-ground apartments in the form of balconies, complemented by extensive communal landscape areas across the ground level, podium, terraces and rooftop, collectively providing approximately 552m² of landscaped open space.
- Rooftop communal area of 220m².
- Site cover of 78.88%.
- Two-way vehicle access way from Anstey Street (including refuse collection). The Site access has been designed around the swept path of service vehicles and to maintain vehicle flow for access to car parking. Sight distances from the proposed crossover have been reviewed on site and meet the requirements of the TAPS Policy. Refer to the Traffic Report (**Appendix D**).
- Deep planting provided to the front boundary to Anstey Street (adjacent to pedestrian connection/ walkway), inclusive of 110m^2 (8.58%).
- In relation to proposed earthworks and civil servicing, as noted in **Appendix E**,

- Excavation is required to facilitate the basement levels. Approximately 8,064m³ of cut and 1m³ of fill are proposed, resulting in a net surplus of 8,063m³ to be removed from the Site. Excavation depths range from 0.0m to 8.5m. Any required retaining structures and excavation support will be confirmed during detailed design.

- Prior to construction, erosion & sediment control will be implemented to minimise the disturbance and ensure the water quality is the vicinity of the Site is maintained.

- Minor flows up to the 5% AEP event will be captured via the proposed drainage network, while major flows will be conveyed as overland flow. **Roofwater** will be collected via gutters and downpipes and directed to the proposed on-site stormwater pits. The combined flows will discharge to a new proposed stormwater maintenance hole connected to the existing DN300 stormwater pipe within Anstey Street, which forms the proposed Lawful Point of Discharge (LPOD).

- The existing **sewer** maintenance hole MH151359 and all three (3) existing 100mm sewer property connections are proposed to be removed, with the redundant sewer section terminated with an end cap in accordance with Urban Utilities requirements. A new minimum 150mm sewer property connection is proposed at the north-eastern corner of the Site, connecting to the existing 150mm EW gravity sewer main (Asset ID LS152379) along Anstey St.

- The two existing 20mm **water** services and meters along Sandgate Rd are proposed to be removed. The existing 20mm water service along Anstey St is proposed to be upgraded to a 100mm water connection with booster, subject to confirmation by the Hydraulic Engineer and Urban Utilities.

The general building layout, materials, and external façade treatments have taken into consideration the following:

- Surrounding building form and architecture of heritage buildings along Sandgate Road and new 8-storey building over 12 Anstey Street.

- Substantial stepping of the building from Sandgate Road, with maximum building height within the core of the Site, not visible from either street frontage.

- Balconies and habitable rooms orientated to both street frontages.

- Protection of existing street tree along Sandgate Road.

- Active frontage and continuous building façade and awning to Sandgate Road, complementary of the adjoining heritage building to the southwest.

- Access from the lowest road hierarchy, being Anstey Street, therefore, no car parking is visible from the primary street frontage (Sandgate Road).

Refer to the subsequent **Figures** below and **Appendix B** for more detail.

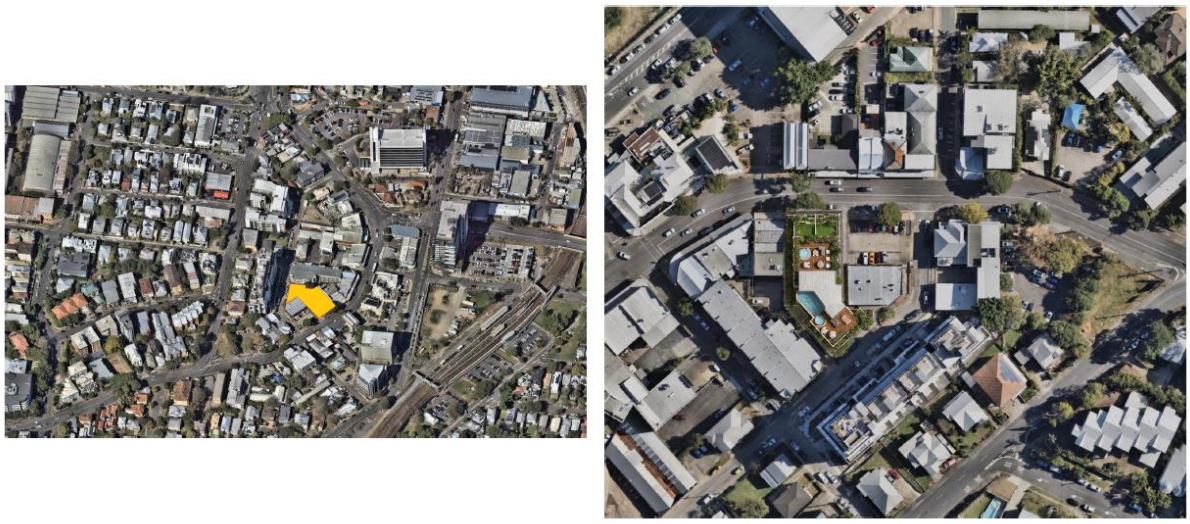


Figure 3-1 Locality and Aerial Context
Source: Cre8ive Building Concepts



Figure 3-2 3D Perspectives
Source: Cre8ive Building Concepts

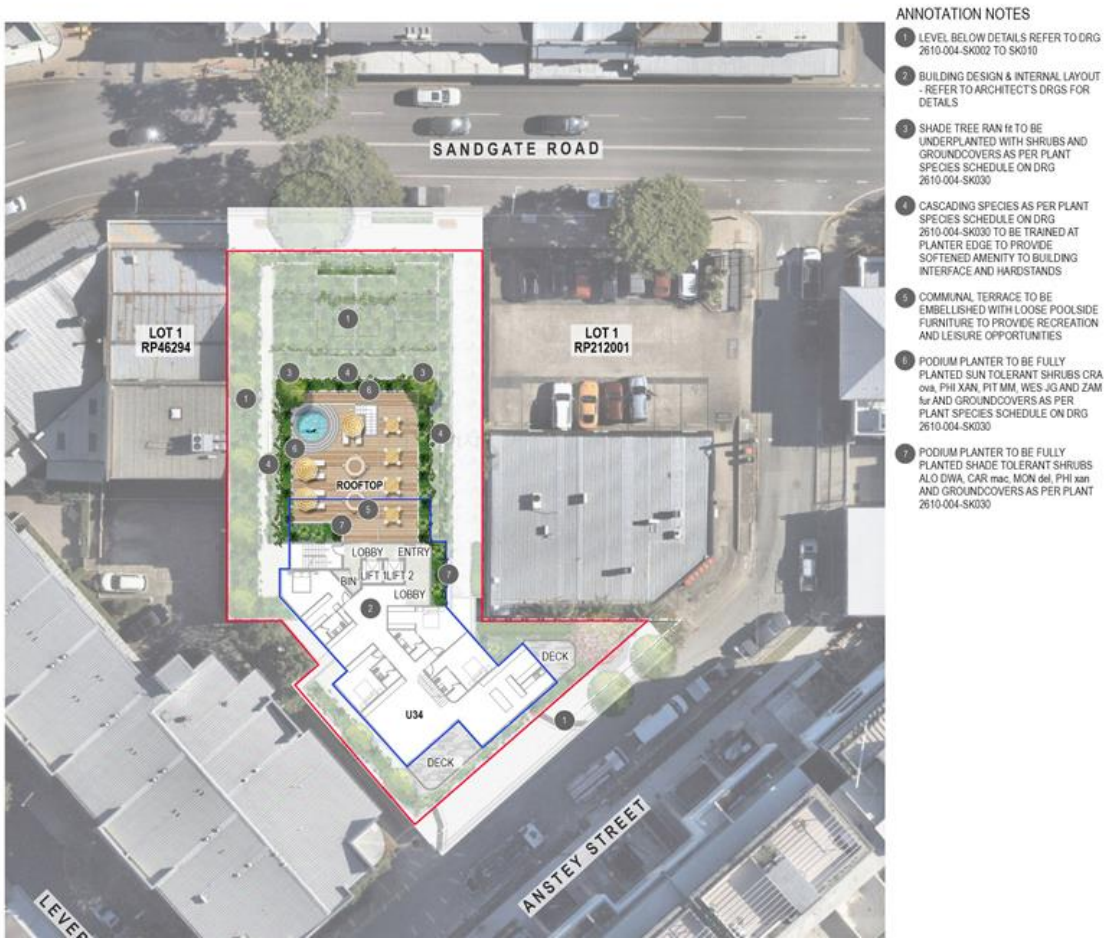


Figure 3-3 Site Plan Concept – Aerial View (Extract)

Source: Laudink Landscape Architects and Urban Design

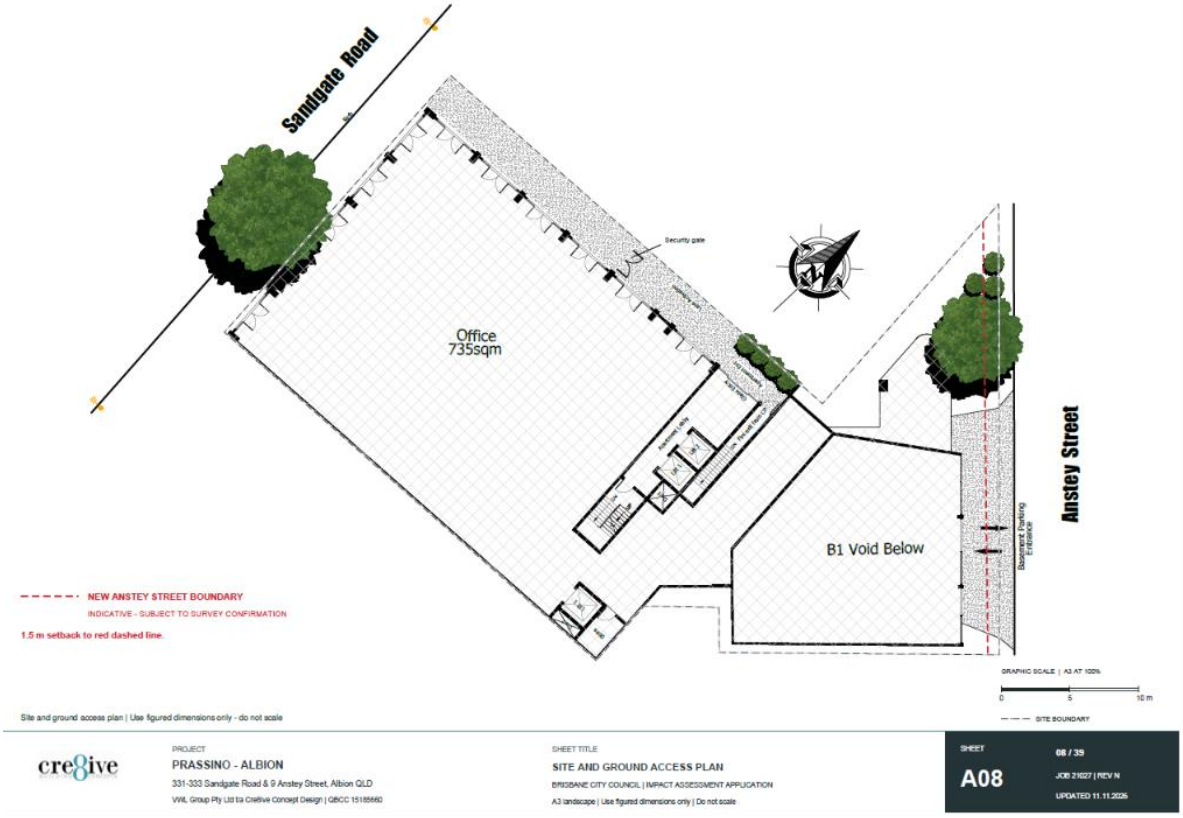


Figure 3-4 Proposed Site and Ground Level Access Plan

Source: Cre8ive Building Concepts



Figure 3-5 Proposed Northeast Side & Anstey Street Elevations

Source: Cre8ive Building Concepts



Figure 3-6 Proposed Southwest Side Elevation

Source: Cre8ive Building Concepts

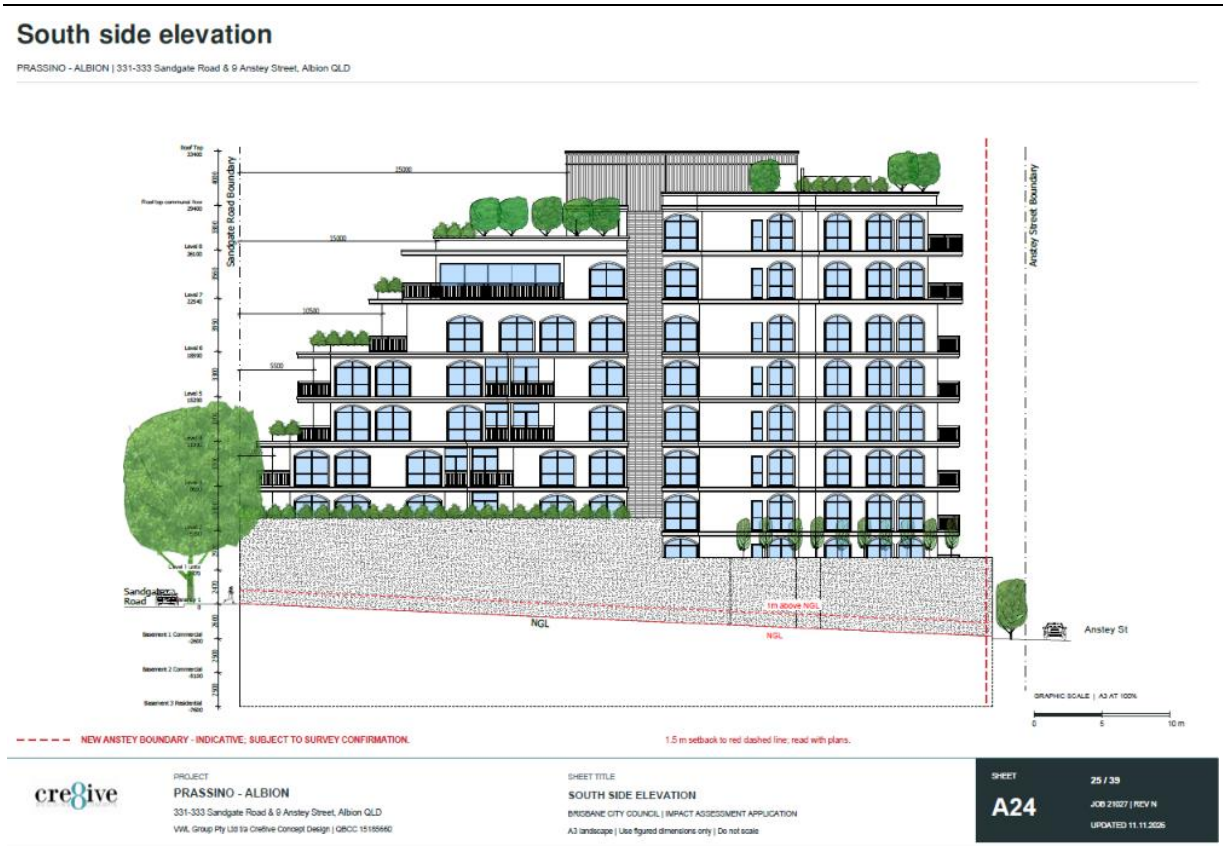


Figure 3-7 Proposed South Side Elevation

Source: Cre8ive Building Concepts



Figure 3-8 Proposed West Side & Sandgate Road Elevations

Source: Cre8ive Building Concepts



Figure 3-9 Proposed North Side Elevation
Source: Cre8ive Building Concepts

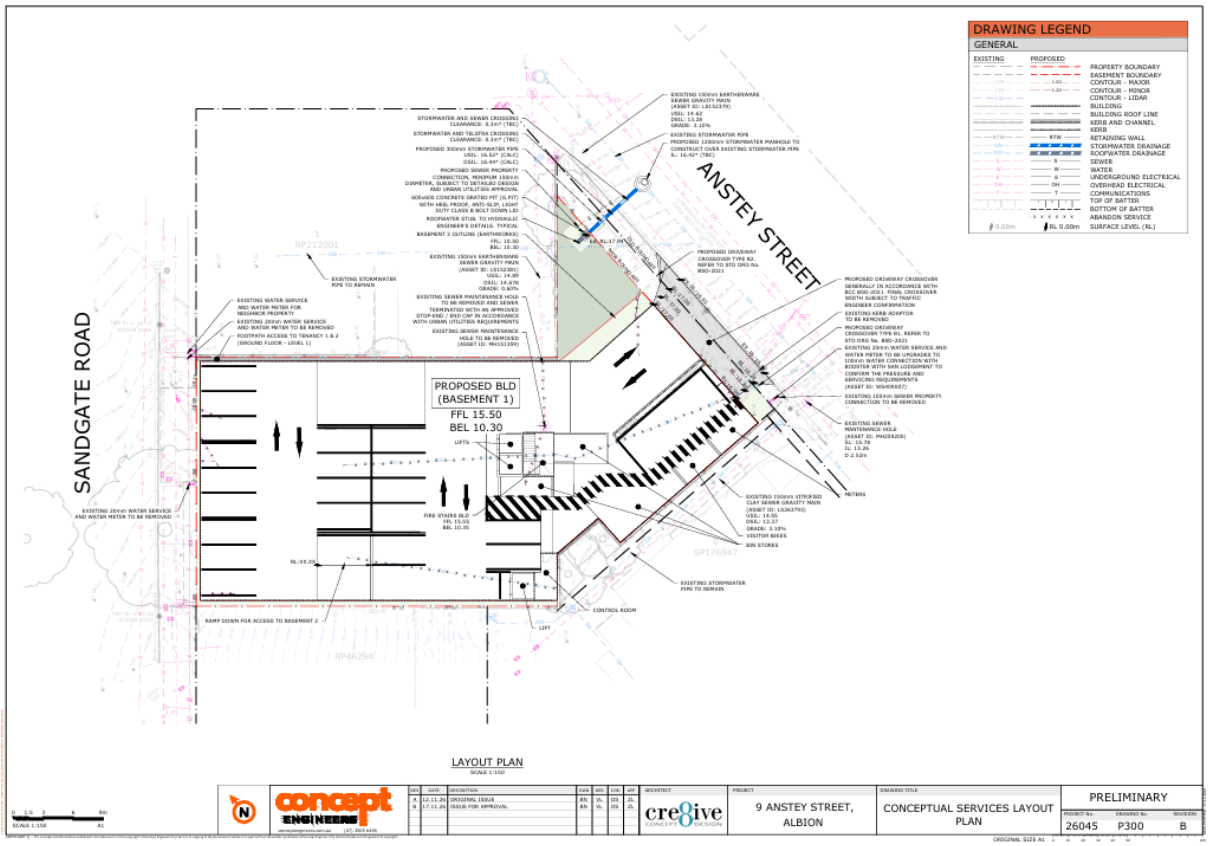


Figure 3-10 Civil Services Plan
Source: Concept Engineers

3.2 Pre-lodgement Meeting

A pre-lodgement meeting was held with the Council on 23rd July 2026.

Prelodgement Advice	Urbicus Response
Land use The subject site is located in the District centre (DC) zone (District zone precinct) and the Albion neighbourhood plan (ANP) (Albion village precinct) of Brisbane City Plan 2014 ('CP2014'). The DC zone aims to provide for a large variety of uses and activities to service a district of the local government area, including, for example, administrative, business, community, cultural, entertainment, professional, residential or retail uses or activities. The proposal for Multiple dwelling and Centre activities aligns with the land use intent of the site. As part of a future application, defined land uses within the Centre activity defined activity group will need to be identified and considered in the development design with respect to features like equivalent car parking rates, refuse storage and infrastructure charges. While residential uses can be contemplated in the District centre zone, a future development application will need to address how the inclusion of the residential land use will not prejudice the role and function of the centre – nor prevent commercial or employment growth - as intended under CP2014 under PO15 and PO18 of the Centre or mixed use code. The proposal will require an impact assessable development application with the building height exceeding that under the ANP (table 5.5.9 of CP2014) and require public notification. Any submissions received will be considered in the assessment of an application.	The development proposes centre activities (office) at ground level, with residential accommodation provided above. The proposed land uses are consistent with the intended outcomes of the Albion Neighbourhood Plan, with the built form designed to respect the local character and heritage elements, particularly at the ground-level presentation and interface with Sandgate Road. The requirement for impact assessment arising from the proposed building height exceedance is acknowledged, as is the requirement for public notification. **Section 6** of this planning report outlines the relevant planning grounds and justification supporting the favourable consideration of the proposed building height variation. .
Building height In terms of built form, the District zone precinct anticipates development of an intensity and form that maintains a human scale, respects existing heritage, character and grain and is of a height that complements surrounding residential areas. Development is to provide for a medium rise built form of a height similar to surrounding residential areas. This is reinforced by overall outcomes (5)(b) & (c) of the ANP which specifies infill development occurs between character and heritage buildings and complements their heritage values and setting; and that development fronting Sandgate Road creates a continuous pedestrian environment and maintains the human scale of development along the street with higher building forms set back from the street front and positioned behind lower building forms. The proposed 10 storey and roof top garden building height exceeds the maximum 5-storey building height described as an acceptable outcome in the ANP for the Albion Village Precinct (AO1). It is acknowledged that this precinct allows for eight storeys in the Medium density zone and that a development on the eastern side of Anstey Street, which is in the medium density zone, will achieve a final built height of approximately 8 storeys and roof top amenities. However, sites fronting Sandgate within this precinct are envisioned to remain low scale and reflect the historic character and pattern of development for Albion Village.	The proposal plans and supporting documentation demonstrate that the development is consistent with the intended built form, scale and outcomes of the Albion Neighbourhood Plan. The planning report and architectural plans further demonstrate that an appropriate transition in building height and form is achieved, maintaining a lower-scale built form and respecting the heritage values along the Sandgate Road frontage. The proposed height and built form also have limited impacts on the privacy and residential amenity of adjoining properties. Following on from Council's architectural feedback at the pre-lodgement meeting, further reduction of overall building height (now 9-storeys plus rooftop recreation area – 8 residential levels), and stepping of the building from Sandgate Road has been proposed. Substantial building setbacks, particularly above 5-storeys are proposed to ensure that from Sandgate Road (at street level), the Proposal presents as 'human scale'. Refer to **Section 6** of the planning report.

The ANP also identified a need for building height transition where proximate to the Sandgate Road frontage of no greater than 3 storeys where within 20m of the property boundary to Sandgate Road Noting the above, the proposed 10-storey building height, which is located with 10m of the frontage to Sandgate Road, is not consistent with the intended built-form character for the precinct and does not align with CP2014. It is recommended to reduce the overall building height to be more consistent with the anticipated building height for the locality in accordance with PO1 of the ANP and a more considered building height transition to the Sandgate Road frontage. Any future development application seeking additional height will need to demonstrate the performance outcome is met through streetscape elevations and 3D views. These will need to demonstrate that the development sits comfortably within its streetscape. Streetscape elevations will need to include the existing built form to Sandgate Rd. Three-dimensional (3D) views will need to be accurate rendered images based off accurately scaled 3D CAD models. It is recommended the Council interpretation guideline '01/20 Basement vs storey and calculating building height in 'storeys' is reviewed to assist in clarifying what is a basement, storey and rooftop garden under CP2014. Submission of a series of dimensioned elevations and sections will be required to assess the proposal and should include a line of natural ground level (NGL) and a line 9.5m above NGL.	
Setbacks The proposed side boundary setbacks of 2-3m for residential dwellings is unlikely to be sufficient to ensure amenity impacts are managed on adjacent sites nor sufficient for adequate relief in building bulk and scale contrary to PO26 of the Centre or mixed use code. The acceptable outcome for side boundary setbacks for development in the Centres zone for building heights of five storeys or greater is 6m. Noting that units include extensive full height glazing facing towards side boundaries, it is not apparent how amenity impacts (privacy and overlooking) would be managed nor is it apparent the development considers future development on the adjacent sites. It is recommended greater side boundary setbacks are incorporated into the development and greater variation in the alignment of external walls. It is also recommended the window design is amended to ensure privacy and overlooks like are mitigated. With the revised setbacks, it is also recommended that a site context plan be submitted with a future application that includes adjoining and adjacent buildings at their full development potential and strategies to address separation issues in accordance with PO27 of the Centre or mixed use code. Further information is required to demonstrate the proposed 3.5m secondary front boundary setback to Anstey Street meets PO25 of the Centre or mixed use code, however preliminarily it appears it could meet the performance outcome including provision of deep planting, opportunities for tree retention and building separation.	The revised development plans provide increased front and side boundary setbacks, with substantial upper-level setbacks proposed along the Sandgate Road frontage. Notwithstanding the above, the proposed setbacks incorporate variation and articulation across the building form, with a minor performance solution sought in respect of part of the front and side boundary setback requirements. Refer to **Section 6** of the planning report
Layout & design <u>Arcade</u>	The revised development plans have reconfigured the previously proposed arcade arrangement to provide a more

The development provides a pedestrian arcade connecting Sandgate Rd and Anstey Street. The arcade includes significant changes in height, a 90-degree turn and ramps. This presents some CPTED related concerns. It is unclear if this is a viable alternative to pedestrian movement at grade to the nearby corner of Anstey and Sandgate Road. If the arcade is pursued, the abovementioned issues would need to be addressed to demonstrate the benefit and safety to the broader community. <u>Anstey Street interface</u> There is opportunity to revise the location and layout of the Anstey St tenancy to provide ground level activation. The current elevated tenancy - which is located at level one relative to Anstey Street - is located well above the secondary street interface, which is unlikely to provide sufficient at grade activation. It is recommended the design and location of commercial tenancies be reviewed along the Anstey Street to ensure an at-grade active frontage is incorporated into the development. <u>Services & utilities</u> Common site service and utilities (PMTs, Fire Booster Cabinets, Meterboards/Comms) will need to be identified for the site. It is likely that these services will ultimately be located to the Anstey Rd frontage and will need to be considered in the design of the development in the early stages to ensure deep planting, visual presentation and streetscape activation is not eroded. <u>General design</u> Beyond the abovementioned, a future development application will need to demonstrate a built form and site design in accordance with the Centre and mixed use code and the Multiple dwelling code, including but not limited to: – Balance between built form and softscape with appropriate site cover; – Shelter for pedestrian movement by way of awning; – Variation in building form, materials, colours, textures and finishes; – Modulation and variation in facade horizontal and vertical profiles; – Provision of adequate private open space, landscaping and deep planting; – Define the threshold between public and private space; – Location of utilities and services; – Communal open space; – Consideration of potential impact of adjoining heritage place, including during construction; – Suitable refuse management, access, servicing and parking; and – Stormwater management.	direct and simplified layout, limited to access to the residential lobby. The revised plans have been prepared having regard to the intended outcomes of the relevant assessment codes. The proposed activation, design, materials, access, stormwater management and other site functions generally achieve the prescribed Acceptable Outcomes of the applicable codes (refer to the Codes Assessment Report, Planning Report and Architectural Plans).
Landscaping & streetscape It is acknowledged the majority of the car parking is provided in basement which provides opportunities for quality public realm interface and management of potential amenity impacts. However this presents limited opportunities for genuine deep planting and in-ground landscaping to balance the built form, noting podium parapet planters on the front elevations may exacerbate wall height and visual dominance of the development.	The proposal plans, landscape plan and supporting documentation demonstrate an appropriate response to both the Sandgate Road and Anstey Street frontages, while providing for a coordinated landscape and streetscape outcome that contributes positively to the site's presentation and surrounding urban environment. Refer to **Appendix B** and **Appendix C**.

Provision of a large tree on the Anstey St frontage is a positive outcome however further information is required to demonstrate the landscaping : – buffers adjoining residential uses or areas, with advanced trees and a minimum of 2 tiers to achieve screening and visual softening; – supports building height transitions, where required; – is accessible for watering and maintenance; – screens or buffers driveways, service and loading areas, plant rooms or other utilities; – allows for the overlooking of the street and pedestrian entry areas from the building; – emphasises clear pedestrian entry points. With a future application, the following will be required: <u>Landscape Concept Plan</u> To enable Council to undertake an informed assessment and reduce information request items, submit a well resolved landscape concept plan. Please refer to Council's website guide to preparing a landscape concept plan. https://www.brisbane.qld.gov.au/content/dam/brisbanecitycouncil/corpwebsite/building-and-planning/documents/guide-to-preparing-a-landscape-concept-plan.pdf Additional useful information can also be found in the Brisbane City Plan 2014 Landscape design planning scheme policy (Schedule SC6.17) and Planting species planning scheme policy (Schedule SC6.24) <u>Vertical greenery</u> Any proposed vertical greenery and containerised planters may be able to be supported; however, additional information would be required to demonstrate that the proposed planter depths and volumes reflect the minimum requirements. Information would also be required to demonstrate how safe and efficient access will be provided to vertical greenery and containerised planters and how the development could provide onsite stormwater harvesting and water tank storage to provide a sustainable irrigation source for onsite landscaping. Relevant information can also be found in Brisbane City Plan 2014:- Landscape work code, Landscape design planning scheme policy (Schedule SC6.17); Planting species planning scheme policy (Schedule SC6.24) and Subtropical building design planning scheme policy (Schedule SC6.29A). Council also has a living greenery fact sheet which may provide further useful information. https://www.brisbane.qld.gov.au/content/dam/brisbanecitycouncil/corpwebsite/building-and-planning/documents/new-world-city-design-guide-buildings-that-breathe-living-greenery.pdf.coredownload.pdf <u>Assessable landscaping components on site plans</u> General landscaping information is typically shown on site plans. This facilitates a comprehensive assessment and comparison of softscape and hardscape whilst also reducing information request items. Useful landscaping information on site plans includes: – Dimensioned softscape areas (grass, plants, trees) shown as a fill or hatch including a measurement of percentage of total site area. – Dimensioned deep planting areas shown as a fill or hatch including a measurement of percentage of total site area.	

– Dimensioned private open space and communal open space areas shown as a fill or hatch including a measurement of percentage of total site area. – Existing on-site vegetation – Existing and proposed street trees – Any required land dedication including differentiation between dedication for road planning purposes and dedication as a requirement of the Streetscape hierarchy overlay. Include existing and proposed front property boundary and existing and proposed kerb alignment – Proposed vertical greenery shown in elevation and section – Internal dimensions of containerised planting <u>Streetscape</u> Verge widening to achieve 3.75m wide verge on Anstey St will be required. This is constant with development next door and across the road with the mapping being City street Minor CS(02). Sandgate Road is within SCIP defined area. Verge width as existing with 2.4m unobstructed pavement. The existing street tree needs to be retained and protected.	
Access, parking & servicing – A traffic report, endorsed by an RPEQ, is required to demonstrate that the proposal complies with the TAPS PSP. Any performance solutions proposed for consideration need to be detailed as part of an RPEQ signed traffic report. – The proposed access to the minor road can be supported. – The RPEQ report and plans will need to consider the proposed access to the ramp. It appears that the manoeuvres will be difficult. Demonstrate ability for two-way passing of vehicles on and off the ramp. The report should demonstrate this or provide a solution like holding bay / signal arrangement if required. – On-site refuse collection is to be demonstrated in accordance with Councils Refuse Planning Scheme Policy and Transport, Access, Parking and Servicing Planning Scheme Policy. RCV swept paths are to demonstrate safe and efficient access to loading bays providing sufficient space for passing vehicles. Swept paths for Ingress and egress via Anstey Street must consider the presence of legally parked vehicles. – On site car parking numbers to be in accordance with City Plan 2014 - Transport, Access, Parking and Servicing PSP (TAPS), Table 13. Maximum parking rate for Centre Activities. – On-site bicycle parking numbers and facilities to be in accordance with City Plan 2014 - Transport, Access, Parking and Servicing PSP (TAPS), Table 21. One space per dwelling unit plus one per 4 dwelling units for visitors. – Design Service Vehicles for the development are to be in accordance with the Transport, Access, Parking and Servicing PSP, Section 3. – The circulating/parking aisles, ramps, bays and manoeuvring areas are to be designed in accordance with the Transport, Access, Parking	Refer to **Appendix D** for the RPEQ traffic report addressing parking, servicing, manoeuvring and traffic assessment.

and Servicing PSP. 4m height clearance is required for all areas the RCV will manoeuvre. Refuse Storage and Collection Any future application will need to address the requirements for refuse as stated in the Refuse Planning Scheme Policy (Refuse PSP) and Transport, Access, Parking and Servicing Planning Scheme Policy (TAPS PSP). For further guidance please also refer to the following link: Supporting information for industry professional (Refuse requirements for development in Brisbane)	
Stormwater A Lawful Point of Discharge is to be demonstrated. Guidelines as to what Council constitutes to be a satisfactory Lawful point of discharge may be found in City Plan 2014, Infrastructure Design PSP (ID PSP), section 7.6 A Site Based Stormwater Management Plan report prepared by an RPEQ will be required to demonstrate compliance with the outcomes within this Code. The report is to be prepared in accordance with the ID PSP Section 1. There are existing foulwater lines across the lots. There are 2 traversing number 9. One of those appears to service 9 and 333 Sangate Road, which can be removed. The other across the lot appear to service 337 Sandgate Road and must be protected (unless RPEQ proof is provided that it is no longer in use). There is another one for 331 Sandgate Road. This can be removed within the property and a stub provided at the boundary of 14 Anstey Street. An Erosion and Hazard Assessment Form is required to be lodged with any development application that will result in soil disturbing activity.	Refer to Engineering report, **Appendix E & F** for engineering and stormwater assessment and plans.
Additional information Filling and Excavation Code Identify the extent of cut and filling proposed and demonstrate compliance with City Plan 2014– Filling and Excavation Code. Concept earthworks plans for the development are required showing retaining walls and existing and proposed levels. As basement excavation is proposed then ground borne vibration is not to exceed the criteria listed within Tables 9.4.3.3.D/E/F and G Infrastructure Design Code Infrastructure to the development will need to be provided in accordance with the outcomes within this Code. An engineering report prepared by an RPEQ will be required to demonstrate compliance with the outcomes within this Code. The report is to be prepared in accordance with the ID PSP. Non-Trunk Road frontage works are required closure and removal of all redundant crossovers and roofwater outlets, including reinstatement of concrete kerb and channel, verge, and associated works.	Refer to Engineering report, **Appendix E** for Filling and Excavation Code and Infrastructure Design Code assessment.

3.3 Infrastructure Charges

The Site is within the Priority Infrastructure Area under Council's Adopted Infrastructure Charges Resolution.

The Site is within the Priority Infrastructure Area under Council's Adopted Infrastructure Charges Resolution. Under the resolution the Proposal will be subject to Infrastructure charges as additional dwellings (34 units) are proposed and additional gross floor area (735m^2) for the commercial tenancy (Office).

Infrastructure Charges Credits should be applied for the existing commercial buildings (over 331-333 Sandgate Road) and residential dwelling house (over 9 Anstey Street). 331 Sandgate Road is undertaking a 'Food and Drink Outlet' land use and 333 Sandate Road, 'Office'.

3.4 Supporting Documentation

This report is accompanied by the supporting information identified in the Table below.

Document / Plan / Report	Consultant	Location
Detail Survey	Spencer Surveys	Appendix A
Architectural Package	CRE8TIVE	Appendix B
Landscape Concept Plan	Laud Ink	Appendix C
Traffic Engineering & Waste Services	BMC Traffic	Appendix D
Engineering and Stormwater Management Plan Report	Concept Engineers	Appendix E
Civil Engineering Drawings	Concept Engineers	Appendix F
Council Pre-lodgement Advice	Brisbane City Council	Appendix G

Table 3-1 Consultants Supporting Information

3.4.1 Survey

Spencer Surveys have prepared a contour and detail survey (refer to **Appendix A**).

3.4.2 Architectural Plans

Cre8ive Building Concepts have prepared the Architectural Plans for the Proposal. The supplied architectural plans include the following:

- Development summary and calculations
- Residential accommodation schedule
- 3D perspectives
- Detail survey plan
- Locality and aerial context
- Floor plans
- Rooftop communal plans
- Elevation Plans
- Shadow diagrams
- Aerial and street perspectives
- Massing diagrams
- Materials and street frontage treatments

Refer to **Appendix B**.

3.4.3 Landscaping

Laud Ink has prepared a Landscape Package to support the Proposal. The supplied Landscape Package includes the following:

- Context Plan
- Landscape Concept Plans for each level including rooftop
- Planter depth summaries
- Podium planter details
- Proposed plant species schedule

Refer to **Appendix C**.

3.4.4 Traffic & Refuse

BMC Traffic has prepared a Traffic Impact Assessment to support the Proposal. The supplied Traffic Impact Assessment includes the following:

- Introduction & Site Context
- Development Proposal
- Parking Assessment
- Assessment of Site Layout
- Waste Management
- Traffic Impact Assessment

The Traffic Impact Assessment concludes:

- *Adopting the TAPS Policy requirements, the site's parking requirement is:*
  - *51 resident parking spaces.*
  - *9 visitor parking spaces.*
  - *A maximum of 37 commercial parking space.*
- *The parking provision meets the requirement, noting the following are proposed:*
  - *54 resident parking spaces.*
  - *9 visitor parking spaces.*
  - *20 commercial parking spaces.*
- *The bicycle parking requirement is 34 resident and 9 visitor spaces. The bicycle parking requirement is met.*
- *Pedestrian connectivity is proposed to both Sandgate Road and Anstey Street for the development.*
- *A detailed review of the parking layout is provided in the body of this report.*
- *The site crossover provides appropriate accessibility for the development.*
- *Appropriate refuse storage is shown, noting a total storage of 12 x 1,100L bins for resident use and 6 x 1,100L bins for commercial use.*
- *On-site loading is demonstrated for vehicles up to and including a 12.5m Heavy Rigid Vehicle, with a 4.6m nominated clear height.*
- *Commentary regarding the site's net traffic generation is provided in the body of this report, including consideration of the site's current use.*

Refer to **Appendix D**.

3.4.5 Civil Engineering

Concept Engineers have prepared the following supporting documentation:

- Civil Engineering Report
- Site Based Stormwater Management Plan (SMP)
- Civil Engineering Drawings
- Code Compliance Report

The supplied **Civil Engineering Report & Stormwater Management Plan** includes:

- Summary of existing services & infrastructure.
- Summary of proposed connection to site services.
- Code Compliance Requirements and responses to,
    - Infrastructure Design Code
    - Filling and Excavation Code
    - Stormwater Code

The Civil Engineering & Stormwater Management Plan concludes:

> *"The Site-Based Stormwater Management Plan & Engineering Services prepared by Concept Engineers for the proposed Mixed-Use Development at 331–333 Sandgate Road & Anstey Street, Albion provides a preliminary civil engineering assessment to support the Development Application and progression into detailed design.*
>
> *By addressing key aspects including the lawful point of discharge, stormwater quantity and quality requirements, sewer and water servicing, access and other engineering considerations, the report establishes a preliminary design framework aligned with Brisbane City Council and relevant authority requirements.*
>
> *Furthermore, the preliminary civil drawings and servicing assessment provide guidance for the future detailed design of the development. The proposed stormwater and servicing arrangements will be subject to further design development, coordination with relevant consultants and confirmation by the applicable authorities prior to construction."*

Refer to **Appendix E & F**.

4. STATUTORY FRAMEWORK

This section addresses components of the statutory planning framework relevant to the assessment of the proposed development.

4.1 Planning Act (PA) 2016

The *PA2016* is the statutory instrument for the State of Queensland under which development applications are assessed by local and state governments.

4.1.1 Level of Assessment

The level of assessment for this application is **Impact**. Under Section 45(5) of the Planning Act:

> *(5) 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.*

Assessment benchmarks are described in Section 30 of the Planning Regulation 2017:

> *(1) For section 45(5)(a)(i) of the Act, the impact assessment must be carried out against the assessment benchmarks for the development stated in schedules 9 and 10.*
>
> *(2) Also, if the prescribed assessment manager is the local government, the impact assessment must be carried out against the following assessment benchmarks:*
>
> *(a) the assessment benchmarks stated in:*
>
> *(i) the regional plan for a region, to the extent the regional plan is not identified in the planning scheme as being appropriately integrated in the planning scheme; and*
> *(ii) the State Planning Policy, part E, to the extent part E is not identified in the planning scheme as being appropriately integrated in the planning scheme; and*
> *(iii) a temporary State planning policy applying to the premises;*
>
> *(b) if the development is not in a local government area—any local planning instrument for a local government area that may be materially affected by the development;*
>
> *(c) if the local government is an infrastructure provider—the local government's LGIP*
>
> (3) *However, an assessment manager may, in assessing development requiring impact assessment, consider an assessment benchmark only to the extent the assessment benchmark is relevant to the development.*

An assessment of the application has been undertaken against relevant assessment benchmarks described in Section 30 of the Planning Regulations outlined above.

4.1.2 Public Notification

Section 53(1) of the PA2016 states:

> *An applicant must give notice of a development application if:*
>
> *(a) any part of the application requires impact assessment; or*
> *(b) the application includes a variation request*

The application requires Impact assessment and therefore notice of the application will be undertaken in accordance with the PA2016.

4.1.3 Referral

Under Section 54(2) of the *PA2016*:

> *(2) A referral agency, for a development application, is:*
> *(a) the person prescribed by regulation as a referral agency for applications of that type; or*
> *(b) if that person's functions have been devolved or delegated to another person—the other person; or*
> *(c) if the Minister has decided that a person is a referral agency under section 48(6)—that person.*

Part 4, Section 22(1) of the Planning Regulation states that:

> *Schedules 9 and 10 prescribe:*
> *(a) for section 54(2)(a) of the Act, the referral agency for the development applications stated in the schedules.*

The application does not trigger referral to SARA.

4.2 State Planning Requirements

4.2.1 State Planning Policy (SPP) 2017

The SPP was released on 3 July 2017. It is a state planning instrument made under Chapter 2 Part 2, Section 10 of the PA2016.

The SPP outlines 17 state interests that must be considered in every planning scheme across Queensland. These state interests are arranged under five broad themes:

- liveable communities and housing
- economic growth
- environment and heritage
- safety and resilience to hazards
- infrastructure.

As prescribed in Section 26(2)(a)(ii) of the Planning Regulation, the SPP represents an assessment benchmark and the assessment manager must have regard to SPP's, if it is not identified and addressed in the planning scheme.

When a local planning scheme has not yet been updated to incorporate the SPP state interests, the council will assess a development application using the assessment benchmarks in the SPP.

Under Part 2 Section 2.1 of City Plan 2014 all SPP's are appropriately integrated into the planning scheme excluding the following state interests:

- State interest – Natural hazards, risk and resilience – The bushfire prone area in the planning scheme does not reflect the State mapping layer.

- State interest – Strategic airports and aviation facilities – The building restricted area is not identified in the planning scheme. State interest policy (4) and Assessment benchmark (5), if the development and associated activities within the building restricted area are not addressed via the Australian Noise Exposure Forecast (ANEF) contours, obstacle limitation surfaces or height restriction zones, public safety area, lighting buffer areas, light restriction zones or wildlife hazard buffer zones.

The SPP Interactive Mapping System confirms that the Site:

- Is not affected by Natural hazards, risk and resilience
- Is included within the wildlife hazard buffer zones and is not included within the building restricted area.

State interest policy (4) and Assessment benchmark (5) therefore do not apply.

4.2.2 State Development Assessment Provisions

The State Development Assessment Provisions (SDAP) define the state's interest in development assessment. It contains the matters the state assessment and referral agency (SARA) considers when assessing a development application on behalf of the chief executive.

When submitting a development application to the SARA, the applicant is required to demonstrate how the application complies with the applicable state code(s) in SDAP.

The application does not trigger assessment against a SDAP.

4.2.3 SEQ Regional Plan 2023

The Site is within the area of the South-East Queensland Regional Plan (Regional Plan) 2023.

Under Section 26(2)(a)(i) of the Planning Regulation, the Regional Plan represents an assessment benchmark. The assessment manager must have regard to regional plan, if it is not identified as being appropriately reflected in the planning scheme.

The Regional Plan is reflected within the Strategic Framework of the BCP2014.

The Site is included in the Urban Footprint Land Use Area of the Regional Plan that is intended to accommodate urban development.

5. LOCAL PLANNING REQUIREMENTS & ASSESSMENT

5.1 Strategic Framework

Given the level of assessment for the application is **Impact**, an assessment of the Proposal against the Strategic Intent of BCP2014 and relevant Strategic Outcomes (Specific Outcomes & Land Use Strategies) has been provided in the Tables below.

Table 5 - Element 1.1 – Brisbane as a centre for global business – Specific outcomes and land uses strategies

Specific Outcomes	Land Use Strategies	Response
SO1 Brisbane is a city in which global businesses and institutions and professional service businesses are encouraged to locate and grow.	**L1.1** Development contributes to Brisbane's City Centre as a vibrant and stimulating place of diverse uses and 24-hour activities.	☐ **Complies** ☐ **Performance Solution** ☒ **Not Applicable** The Site is not included in the City Centre.
	L1.2 Development in Major Centres and within Special Centres includes high-profile economic precincts supporting the growth of ancillary commercial, economic and supporting residential activities.	☐ **Complies** ☐ **Performance Solution** ☒ **Not Applicable** The Site is zoned District Centre.
SO2 Brisbane is a city where world-leading applied research, tertiary, education and health services are supported to grow.	**L2.1** Development around universities, research institutions, hospitals and similar intensive research establishments supports these locations as clusters of related innovative enterprises with easily accessible associated professional and personal services.	☒ **Complies** ☐ **Performance Solution** ☐ **Not Applicable** The Site is located within close proximity to schools and local centres and walking distance to Albion Station. The Proposal will increase resident numbers within proximity to these institutions and services.

	L2.2 Development for knowledge-intensive business clusters in engineering, information and digital technologies and other innovative sectors is provided for in Brisbane's City Centre and the Growth Nodes on Selected Transport Corridors in accordance with the CityShape theme.	☐ **Complies** ☐ **Performance Solution** ☒ **Not Applicable** The Proposal does not involve the abovementioned activities.
SO3 Brisbane is a key place in the Asia–Pacific region for signature events and global conventions and a recognised business tourist destination.	**L3** Development in Brisbane's City Centre and appropriate Special Centres and Major Centres contributes to the provision of highly accessible, worldclass venues and accommodation for major business, scientific, cultural, sporting and tourism events.	☐ **Complies** ☐ **Performance Solution** ☐ **Not Applicable** The Site is zoned District centre.
SO4 The Brisbane Airport, Port of Brisbane and Archerfield Airport are key locations of economic activity and provide key access points supporting the city's economy.	**L4** Planning for the air and sea ports is undertaken by respective entities to enable these locations to: be key centres for economic activity related to the functions of these locations; a. complement major economic activity in the city; b. integrate with the city's transport network; and c. develop and operate safely and efficiently.	☐ **Complies** ☐ **Performance Solution** ☒ **Not Applicable** The Proposal does not involve the abovementioned activities.

Table 6 - Element 1.3 – Brisbane's population-serving economy – Specific outcomes and land uses strategies

Performance Outcome	Land use strategies	Response
SO1 Brisbane provides for a diverse mix of highly accessible retail and commercial locations to service a growing population.	**L1** Development for retail and commercial uses accords with the CityShape theme and the zoning pattern.	☒ **Complies** ☐ **Performance Solution** ☐ **Not Applicable** The Proposal involves office uses on the ground floor, where The Site is zoned District Centre.
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** Brisbane's City Centre accommodates future demand for high-order goods, services and facilities that are of a global standard.	☐ **Complies** ☐ **Performance Solution** ☒ **Not Applicable** The Site is not located within the City Centre.
	L2.2 Brisbane's retail heart expands beyond the Queen Street Mall into new shopping streets and precincts with high-quality pedestrian environments.	☐ **Complies** ☐ **Performance Solution** ☒ **Not Applicable** The Site is not located within the 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** The largest existing Major Centres at Chermside, Upper Mt Gravatt and Indooroopilly absorb the greatest expansion of population-serving activities.	☐ **Complies** ☐ **Performance Solution** ☒ **Not Applicable** The Site is not located within a major centre.
	L3.2 Other Major Centres provide opportunities for key points providing access to goods and services in their catchments.	☐ **Complies** ☐ **Performance Solution** ☒ **Not Applicable** As above.

	L3.3 Centres within the Growth Nodes on Selected Transport Corridors are Brisbane's key mixed-use areas including business and population-serving economic activities.	☒ **Complies** ☐ **Performance Solution** ☒ **Not Applicable** The Site is within the Albion growth node along the Brisbane north-east rail transport corridor. The proposed development supports mixed use activities.
	L3.4 Within Growth Nodes on Selected Transport Corridors, business activities, retail, personal and community services and facilities cluster around public transport nodes and are in proximity to high- density residential precincts.	☐ **Complies** ☐ **Performance Solution** ☒ **Not Applicable** The Site is within the Albion growth node along the Brisbane north-east rail transport corridor. The proposed development supports mixed use activities and higher density development.
SO4 Brisbane's district centres and neighbourhood centres continue to service local population needs.	**L4** District centres and neighbourhood centres continue to evolve, offering an increasing range of local services and facilities.	☒ **Complies** ☐ **Performance Solution** ☐ **Not Applicable** The Proposal involves 34 new residential apartments and a ground floor office tenancy which will increase the number of local services within the area.
SO5 Brisbane's population-serving economy is supported by home-based businesses.	**L5** Home-based business is supported in residential areas where environmental and amenity impacts are managed to best-practice standards.	☐ **Complies** ☐ **Performance Solution** ☒ **Not Applicable** The Proposal does not involve a home-based business.
SO6 Brisbane provides opportunities in its centres for start-up businesses seeking cost-effective business locations.	**L6** Opportunities for low-impact manufacturing and industries are provided for in Brisbane's centres where environmental and amenity impacts are managed to best-practice standards.	☐ **Complies** ☐ **Performance Solution** ☒ **Not Applicable** The Proposal does not involve the abovementioned activities.

SO7 Brisbane preserves opportunities for low impact industry throughout the city in support of a strong population and economic growth.	**L7** Industrial premises in the Low impact industry zone or General industry A zone precinct of the Industry zone are protected from encroachment and incompatible uses.	☐ **Complies** ☐ **Performance Solution** ☒ **Not Applicable** As above.
SO8 Brisbane provides appropriately zoned and accessible areas for large-format retailing.	**L8** Large-format retail outlets are developed in highly visible, accessible locations along key transport routes, as identified in a neighbourhood plan or in the Specialised centre zone. Development must integrate with surrounding built form and anticipated development intensity.	☒ **Complies** ☐ **Performance Solution** ☐ **Not Applicable** The Proposal involves an active frontage to Sandgate Road (ground floor office tenancy).
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.	**L9** Professional, business and other associated and supporting services and facilities cluster around larger scale public and private health, education, recreational, cultural and other community facilities.	☒ **Complies** ☐ **Performance Solution** ☐ **Not Applicable** Refer to **Section 3**. The Proposal involves centre activity uses within close proximity to several local services.

Table 7 - Element 2.2 – Brisbane's housing and accommodation choices – Specific outcomes and land uses strategies

Specific outcomes	Land use strategies	Response
SO1 Brisbane's dwelling needs for future populations are met by matching growth to the existing and planned infrastructure in the city.	**L1** Increased densities within Growth Nodes on Selected Transport Corridors are identified through a neighbourhood planning process and are in accordance with the Brisbane CityShape theme to accommodate anticipated future population.	☐ **Complies** ☐ **Performance Solution** ☒ **Not Applicable** The Site is within the Albion growth node along the Brisbane north-east rail transport corridor. The proposed development proposes mixed use activities and higher density development supporting accommodation for population growth.
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.	**L2** Residential development contributes to housing diversity, particularly supporting ageing in place and assisted living and housing suited to households on different incomes, within each neighbourhood and across the city, as outlined in the applicable zone or neighbourhood plan. Small-scale complementary uses (care co-located uses defined activity group) that are suited to integration and colocation with retirement facilities and residential care facilities are facilitated to support the provision of specialised services and retail for residents and visitors.	☒ **Complies** ☐ **Performance Solution** ☐ **Not Applicable** The Proposal provides an additional 34 apartments providing 1, 2 & 3 bedrooms that will support various household types.
SO3 Brisbane provides its temporary population ready access to suitable accommodation for business visitors, tourists and students.	**L3.1** A range of accessible accommodation opportunities catering to a growing number of visiting professionals, temporary business visitors, tourists and students are conveniently located at or in proximity to major business and tourism destinations.	☐ **Complies** ☐ **Performance Solution** ☒ **Not Applicable** The Proposal is not for temporary accommodation.
	L3.2	☒ **Complies** ☐ **Performance Solution** ☐ **Not Applicable**

	There are opportunities for accommodation of employees in residential precincts in proximity to centres.	The Proposal provides an additional 34 apartments providing 1, 2 & 3 bedrooms within close proximity to local services – see **Section 3** for more detail.
	L3.3 New hotels and extensions to existing hotels are facilitated in the City Centre and other appropriate locations.	☐ **Complies** ☐ **Performance Solution** ☒ **Not Applicable** The Proposal does not involve a hotel.
SO4 Brisbane's existing Rural Neighbourhoods are maintained without expansion.	**L4** Given the challenges in providing infrastructure in Rural Neighbourhoods they are not envisaged to expand.	☐ **Complies** ☐ **Performance Solution** ☒ **Not Applicable** The Proposal does not involve a rural neighbourhood.
SO5 Brisbane's last remaining greenfield development areas are well planned and well delivered.	**L5** Future Suburban Living Areas exhibit a strong sense of place and demonstrate best-practice urban design outcomes, including building on the landscape features of the locality and a high degree of legibility and permeability.	☐ **Complies** ☐ **Performance Solution** ☒ **Not Applicable** The Proposal does not involve a future suburban living area.
SO6 Brisbane provides a variety of accommodation and housing near the city's major institutions and other Special Centres.	**L6.1** Land is identified for a range of housing types including rooming accommodation, suitable to tertiary and international students, staff and visitors to major special-purpose centres or community institutions, such as hospitals, at appropriate locations proximate to education campuses or health institutions or along high-frequency public transport routes and with good access to urban services.	☒ **Complies** ☐ **Performance Solution** ☐ **Not Applicable** The Proposal provides additional residential dwellings proximate to local services. See **Section 3** for more detail.

	L6.2 Outside activity centres, Growth Nodes on Selected Transport Corridors and geographically nominated locations, rooming accommodation for students is supported where the surrounding amenity is maintained and there is good access to higher education campuses by way of public or active transport.	☐ **Complies** ☐ **Performance Solution** ☒ **Not Applicable** The Proposal does not involve Rooming Accommodation.
	L6.3 Other special purpose institutions, for example defence bases, establish accommodation consistent with the applicable zone or neighbourhood plan, either on site or nearby where well served by transport and other urban facilities, as required to meet the particular housing choice needs for staff and visitors.	☐ **Complies** ☐ **Performance Solution** ☒ **Not Applicable** The Proposal does not involve any of the nominated activities.

5.2 Defined Uses

The proposed land uses are defined within Schedule 1 of BCP2014 as follows:

'Multiple Dwelling' is defined as:

> *Multiple dwelling means a residential use of premises involving 3 or more dwellings, whether attached or detached.*

'Office' is defined as:

a. means the use of premises for—
- *i. providing an administrative, financial, management or secretarial service or function; or*
- *ii. the practice of a profession; or*
- *iii. providing business or professional advice or services; but*

b. does not include the use of premises for making, selling or hiring goods.

5.3 Level of Assessment

The Proposal is for Centre Activities (Office) and Multiple Dwellings (34 Units) and is assessable development under the BCP2014 requiring development permits for:

- Material Change of Use – Development Permit (Multiple Dwellings)
- Material Change of Use – Development Permit (Office)
- Material Change of Use – Development Permit (Adjoining Local Heritage Place)

Under BCP2014, a MCU for Centre Activities (Office) and Multiple Dwellings within the DC1 District centre (District Centre) is Code assessable:

> If no greater than:
>
> c. the building height specified in a relevant neighbourhood plan;
> d. where a neighbourhood plan does not specify building height, 4 storeys.

The Proposal involves a maximum building height of 9 storeys plus a rooftop communal area (8 residential levels), where the maximum code assessable building height prescribed under the Albion Neighbourhood Plan is 5-storeys and 3-storeys where within 20m of the property boundary to Sandgate Road.

Therefore, the level of assessment for the development application is **Impact.**

5.4 Assessment Benchmarks

The BCP2014 assessment benchmarks for the Proposal are the entirety of BCP2014 including those identified in **Table 5-1.**

Development Codes	Addressed By:
Centre or Mixed-Use code	Urbicus
Multiple Dwelling code	Urbicus
Neighbourhood Code	
Albion neighbourhood plan code	Urbicus
Overlay Codes	**Addressed By:**
Airport Environs overlay code	Urbicus
Bicycle Network overlay code	Urbicus
Community Purposes Network overlay code	Urbicus
Critical Infrastructure and Movement Network overlay code	Urbicus
Industrial amenity overlay code	Urbicus
Road Hierarchy overlay code	Urbicus
Streetscape Hierarchy overlay code	Urbicus
Transport Noise Corridor overlay code	Urbicus
Prescribed Secondary Codes	**Addressed By:**
Outdoor Lighting code	Urbicus
Park Planning and Design code	Urbicus
Transport, Access, Parking and Servicing code	BMC Traffic
Landscape Works code	Urbicus
Filling and Excavation code	Concept Engineers
Stormwater code	Concept Engineers
Infrastructure Design code	Concept Engineers

Table 5-1 Applicable Assessment Benchmarks

5.5 DC1 District Centre (District) Zone Code

The Site is located within the DC1 District Centre (District) Zone – see **Figure 5-1**.

> *"The purpose of the district centre zone is to provide for a large variety of uses and activities to service a district of the local government area, including, for example, administrative, business, community, cultural, entertainment, professional, residential or retail uses or activities."*

Response: The Proposal involves a centre activity uses (office) and multiple dwellings (34 units) which will service the local area (Albion and Albion Village) and accommodate new residents.

5.5.1 Development location and uses overall outcomes

Development location and uses overall outcomes	Nature of Proposal
Development provides a diverse range of centre activities, comprising commercial, retail, government, service, community and cultural activities and level of economic and social activity to serve a district catchment, along with visitors, workers and residents in the centre.	The Proposal involves centre activities (office) and multiple dwellings that serve the local area and accommodate residential growth and demand.
Development creates community destinations at public transport points within residential neighbourhoods and within a walkable catchment of residents.	The Proposal involves centre activity uses and includes an active frontage to Sandgate Road. The Albion Train and Bus Station is within 260m walking distance of the Site.

Development is: i. tailored to its specific location and to the role of the individual centre in the District centre zone and the relevant zone precinct; ii. consistent with the location-specific provisions in the relevant neighbourhood plan.	The Proposed uses are consistent with the intent of the Albion District Neighbourhood Plan.
Development provides activation and surveillance at ground level where adjoining streets and other public spaces.	The Proposal involves an active frontage to Sandgate Road. Balconies on the residential levels provide for casual surveillance towards both street frontages.
Development for a parking station where a car park is not accommodated.	The Proposal does not involve a parking station.
Development for entertainment functions being a bar, restaurant, hotel or nightclub entertainment facility is appropriately scaled, positioned and operated to enable an 18 hour-a-day 7 day-a-week activity centre.	The Proposal does not involve any of the nominated uses.
Development for a residential use: i. does not compromise the provision of a fully active street frontage and the mix of uses required to sustain an economically and socially sustainable centre serving district needs; ii. supports the creation of a walkable centre with the potential for residents to live within walking distance of and be well connected to high-frequency public transport and employment, entertainment and community facilities existing within the centre and reduces vehicle-based trips to work, shops or centres; iii. provides a wide choice in housing sizes and housing adaptability that meets the needs of a diverse population and responds to residents' changing life-cycle needs; iv. may include a home-based business where it is of a scale and nature that protects the amenity of adjoining residents.	The Proposal involves an active frontage to Sandgate Road and residential levels on the upper levels. The Site is located within an existing local centre and close to other local services – See **Section 2**. The Proposal involves a mixture of 1, 2, 3 & 4-bedroom units. The Proposal does not involve a home-based business.
Development for residential accommodation such as rooming accommodation, a residential care facility or a retirement facility may be suitable where it is consistent with the urban form and primary functions of the centre.	The Proposal does not involve any of the nominated uses.
Development is designed, sited and constructed to minimise noise, odour and air-quality impacts on residents consistent with its location in the District centre zone, although residents cannot expect to enjoy the same level of noise, odour and air-quality amenity as compared with low density suburban areas (due to the high levels of activity envisaged during the day and evening).	To be conditioned.
Development for a car wash or service station is carefully sited and designed to minimise any adverse impacts on the vibrancy of the centre and to protect surrounding residential amenity, health and wellbeing.	The Proposal does not involve any of the nominated uses.
Development for uses that are often provided in a large-scale format such as hardware and trade supplies, garden centre or showroom: i. is limited in area and frontage; ii. provides the level of activation and interface with the street expected of other non-residential uses in the District centre zone;	The Proposal does not involve any of the nominated uses.

iii. does not dominate the centre or compromise its capacity to accommodate a diversity of uses.	

5.5.2 Development form overall outcomes

Overall Outcomes	Nature of Proposal
Development is of a scale and intensity that reflects the centre's proximity to, and frequency of, suburban public transport networks and services, and reflects the nature of the surrounding neighbourhood.	Refer to **Section 6** for response to this overall outcome. The development provides higher density residential with a massing and setback arrangement to meet the intended form of the Albion village precinct.
Development incorporates a height and setback that sensitively transitions to adjoining lower density zones or zone precincts.	As above. The adjoining sites to the north and south are both zoned DC1 District Centre.
Development provides a built form that creates a consistent and cohesive streetscape and continuous pedestrian connections and shelter.	The Proposal provides for awnings that demonstrate and provide for cohesion with the existing shop fronts along Sandgate Road.
Development addresses and interfaces with the street and other adjoining public spaces by incorporating active uses at ground level (with parking located below buildings) to ensure highly active streets and to provide surveillance of the public domain.	The Proposal involves an active frontage to Sandgate Road at ground level.
Development provides consistent and cohesive landscaping and streetscaping treatments, including deep planting, that reinforce the District centre zone identity, enhance the functionality of public spaces and footpaths, provide breathing space for users and encourage outdoor activity.	The Proposal incorporates deep planting areas in excess of what is existing surrounding the Site.
Development on an independent or large site: i. occurs in an integrated and coordinated manner both within the site and in relation to surrounding land uses; ii. tailors a proposal to increase gross floor area of an existing premises to respond to its specific location and to the characteristics of the site and the centre including: A. the location of existing buildings, specialist uses and public transport interchanges; B. access arrangements; C. the location of and connections to active transport networks; D. the shape, frontage, size, orientation and slope of the site; E. local neighbourhood identity, topography and views; F. the mix of surrounding uses; G. the location of surrounding heritage places, parks and environmental features; iii. creates an activated public domain both internally and at the centre edges, with intensive and interactive outward looking uses at ground level that maintain visual connection and physical integration with surrounding land uses; iv. provides clear, direct, safe and comfortable internal fine-grained connectivity for pedestrians to key destinations throughout the centre, including to public transport service and active transport links that provide viable modal choice to centre users and to public spaces and connection points with surrounding land uses.	The Proposal does not involve a large site.

Development provides vehicular access arrangements that minimise impacts on surrounding land, including amenity and pedestrian connectivity, and protect the functionality of both local and higher order road networks.	Access to Anstey Street is proposed (the lowest order road).
Development is sensitively designed and operated to avoid or mitigate any potential adverse impact on an adjoining use.	Refer to **Section 6**. Development has been appropriately separated from adjoining residential land.
Development responds to land constraints, mitigates any adverse impacts on environmental values and addresses other specific characteristics, as identified by overlays affecting the site or in codes applicable to the development.	The Proposal has been designed and sited to mitigate any site constraints.

5.5.3 District zone precinct overall outcomes

Overall Outcomes	Nature of Proposal
Development ensures an intensity and form that maintains a human scale, respects existing heritage, character and grain and is of a height that complements surrounding residential areas.	Refer to **Section 6** for response to this overall outcome. The development provides for a podium level that is consistent with height and form at the Sandgate frontage and stepped massing and form for new residential development to respect the scale and form at the Sandgate Street frontage.
Development creates a centre which provides localised access to goods and services.	The proposal involves centre activity uses which will enhance access to goods and services within the existing centre.
Development provides for a medium rise built form of a height similar to surrounding residential areas.	Refer to **Section 6** for response to this overall outcome.



Figure 5-1 Zoning Map
Source: BCC Interactive Mapping

5.6 Albion Neighbourhood Plan

The Site is located within the Albion Neighbourhood Plan (Albion village precinct – NPP-002) – see **Figure 5-2**.

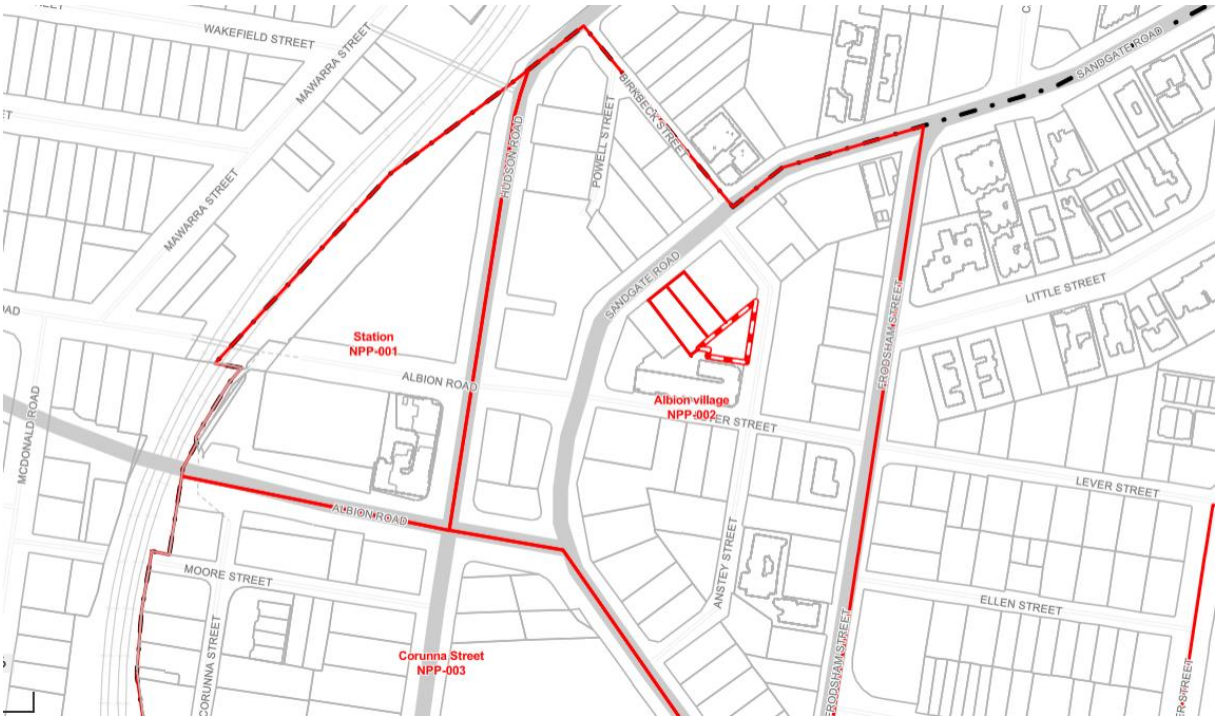


Figure 5-2 Neighbourhood Plan
Source: BCC City Plan 2014

The purpose of the Albion neighbourhood plan code is to provide finer grained planning at a local level for the Albion neighbourhood plan area. The purpose of the Albion neighbourhood plan code will be achieved through overall outcomes including overall outcomes for each precinct of the neighbourhood plan area. The overall outcomes for the neighbourhood plan area are:

Overall Outcomes	Nature of Proposal
Development demonstrates high-quality urban design that contributes to a strong sense of place and enables the creation of a higher density urban community with easy access to opportunities for living, working and playing.	**Complies:** The development delivers a mixed-use outcome of exemplar design quality, with a built form and massing that establishes a lower-density, human-scaled presentation at street level along Sandgate Road, transitioning to a higher-density built form that is appropriately recessed from the street frontage. The development incorporates considered architectural detailing, materials and finishes that respond to and respect the local heritage character and context.
Development of medium and high density residential and mixed uses is concentrated in the Station, Albion village, Corunna Street, North and Raceway precincts and not in the surrounding residential or industrial areas.	**Complies:** The development accommodates higher-density residential and centre activities within a built form and massing arrangement that maintains a lower-density, human-scaled presentation at street level along Sandgate Road.
The form and scale of development in Albion is subservient to Bowen Hills and Fortitude Valley and maintains building heights sensitive to surrounding residential areas.	**Complies:** The development provides for medium to higher-density development, with a scale, form and intensity of built form that is comparatively lower in density and more modest

	than that established within the adjoining Bowen Hills and Fortitude Valley precincts.
Development provides high-quality streetscape outcomes and improves pedestrian access to the railway station.	Complies: The development proposes an improvement to the Sandgate Road frontage and improves the pedestrian area and environment at the Anstey Street frontage.
Development of a catalyst site, as identified on Figure a, provides a plaza (accessible 24 hours a day) of a minimum 2,000m2 with high-quality paving, landscaping, shade and outdoor furniture.	**Not applicable**: The Site is not identified as a catalyst site.
Development improves facilities and community access to Breakfast Creek and the Brisbane River on Council-owned land in Argyle Street.	**Not applicable:** The Site is not in the vicinity of Breakfast Creek of Argyle Street.
Development maintains public view corridors as identified on Figure a: i. from Bartleys Hill Reserve lookout to the City Centre skyline, the Brisbane River and Mt Coot-tha (refer to Figure b for guidance); and ii. from Lapraik Street to the City Centre skyline and Taylor Ranges (including Mt Coot-tha and Enoggera Hill, refer to Figure c for guidance).	**Complies:** Refer to **Section 6** for more detail.
Development is of a height, scale and form which is consistent with the amenity and character, community expectations and infrastructure assumptions intended for the relevant precinct or site and is only developed at a greater height, scale or form where there is both an economic need and the proposal addresses an identified lack of community facilities in the area.	**Complies:** The development delivers a mixed-use outcome of exemplar design quality, with a built form and massing that establishes a lower-density, human-scaled presentation at street level along Sandgate Road, transitioning to a higher-density built form that is appropriately recessed from the street frontage. The development incorporates considered architectural detailing, materials and finishes that respond to and respect the local heritage character and context.

Albion village precinct (Albion neighbourhood plan/NPP-002) overall outcomes are:

Overall Outcomes	**Nature of Proposal**
Albion village continues as the core retail, food and drink outlet and entertainment precinct in the neighbourhood plan area.	**Complies:** The development proposes centre activities and multiple dwellings that generate demand for entertainment uses in the village precinct.
Infill development occurs between character and heritage buildings and complements their heritage values and setting.	**Complies:** The development delivers a mixed-use outcome of exemplar design quality, with a built form and massing that establishes a lower-density, human-scaled presentation at street level along Sandgate Road, transitioning to a higher-density built form that is appropriately recessed from the street frontage. The development incorporates considered architectural detailing, materials and finishes that respond to and respect the local heritage character and context.
Development fronting Sandgate Road creates a continuous pedestrian environment and maintains the human scale of development along the street with higher building forms set back from the street front and positioned behind lower building forms.	**Complies:** The development delivers a mixed-use outcome of exemplar design quality, with a built form and massing that establishes a lower-density, human-scaled presentation at street level along Sandgate Road, transitioning to a higher-density built form that is appropriately recessed from the street frontage.
Development provides an arcade between Sandgate Road and Hudson Road to facilitate access to the Albion railway station.	**Not applicable:** The Site is not identified as requiring a future accessway.

5.7 Overlays

The following overlays apply to the Site:

Overlays
Airport environs overlay
Bicycle overlay
Community purposes network overlay
Critical infrastructure and movement network overlay
Heritage overlay (adjoining local heritage place sub-category)
Industrial amenity overlay
Potential and actual acid sulfate soils overlay
Road hierarchy overlay
Streetscape hierarchy overlay
Transport noise corridor overlay

Assessment of the corresponding overlay codes has been included in the **Codes Report**.

6. PERFORMANCE OUTCOMES

6.1 Building Height & Storeys

The Proposal involves maximum building height of **9-storeys plus a rooftop communal area** (8 residential levels).

The proposed building height represents a performance solution against the prescriptive height provisions of the Centre or Mixed-Use Code and Albion Neighbourhood Plan (under NPP-002), which prescribes a maximum building height of **3-storeys** for development within 20m of Sandgate Road and **5-storeys** for sites greater than 800m² located beyond the relevant setback.

Accordingly, responses to the following performance outcomes have been provided below:

- **PO21 & PO22** of the **Centre or Mixed-Use Code**
- **PO4** of the **Multiple Dwelling Code**
- **PO1 & PO2** of the **Albion Neighbourhood Plan Code**

Centre or Mixed-Use Code

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:

a. existing buildings to be retained;
b. existing significant vegetation;
c. significant infrastructure constraints;
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 minimised

PO22

Development ensures that the building height is consistent with the centre or mixed use area intent and local and street context considering:

a. the size of the lot;
b. the scale of development reinforcing the preferred city-wide form;
c. proximity to high-frequency public transport services;
d. the height of existing adjoining buildings and proposed heights;
e. street conditions such as street width;
f. the topography of an area and site slope;
g. view points and corridors;
h. solar access to key public spaces.

Multiple Dwelling code

PO4

Development has a building height, scale and form that improves the amenity and achieves the intended outcomes of the zone or 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, having regard to the intent for the zone precinct and the predominant height of approved buildings in the street;*
c. *proportionate to and commensurate with the site area and frontage width so as not to be overbearing on the street or adjoining development;*
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 adjoining sites;*
f. *considerate of street conditions, the topography of the area and site slope;*
g. *designed to maintain significant view points and corridors;*
h. *designed and orientated to retain solar access to key public spaces and adjoining buildings.*

Albion neighbourhood plan code

PO1
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 so as not to cause 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 not prejudice the development of an adjoining site.*

PO2
Development maintains the public view corridors indicated on Figure a. To achieve this development must:
a. *provide slender building forms that retain views to the relevant feature beside and in between towers;*
b. *ensure building placement on catalyst sites (indicated on Figure a) significantly maintains sight of the feature from the locations on Figure a.*

Response: The height proposed is a performance solution; however, is considered to satisfy the relevant codes on the following basis:

- The Proposal capitalises on the amalgamation and redevelopment of three sites, enabling a consolidated development outcome that would not be achievable through the individual redevelopment of the sites, while facilitating a higher-density residential within 260m from the entrance to Albion Railway Station. Albion Station provides high-frequency services between the Central Business District and the Airport, Doomben and Shorncliffe lines. The Site is also included within the Albion Village and zoned for centre activities. Further, higher density residential is consistent with the purpose of the Albion neighbourhood plan that outlines:

  > *"**Development of medium and high density residential and mixed uses** is concentrated in the Station, **Albion village**, Corunna Street, North and Raceway precincts and not in the surrounding residential or industrial areas."*

As such the Site is well positioned to accommodate the height and density proposed.

- It is noted that the Site is significant in size (1,348m^2) and has a significant frontage width to Sandgate Road of approximately 25m, and 32m to Anstey Street. As such, the proposed building height is proportionate to the Site frontage and area.

- The immediate NPP-002 (Albion Village) precinct and adjoining precincts have undergone significant transition to higher-density residential development in recent years, with 8 to 20 storey mixed use and multiple dwellings in the Station and Village precincts and now representing an established and commonly approved built form in Albion. Refer to **Figure 2-1** for a visual context of existing and Council-approved building heights within the immediate area. Examples include the 8-storey Nouveau development opposite the Site on 12 Anstey Anstey Street (Council ref: A006350835) – refer to **Figures 6-1 & 6-2**. Moreover, the Site directly interfaces with an 8-storey (now constructed) building. Given the above, the proposed maximum building height is consistent with building heights supported by Council in the area.



Figure 6-1 **Extract of Mass modelling and Building Height**
Source: *Cre8ive Building Concepts*



Figure 6-2 **The Proposal's interface with 12 Anstey Street (8-storey building)**
Source: *Cre8ive Building Concepts*

- The Proposal incorporates substantial upper-level setbacks from Sandgate Road, which progressively increase with building height, facilitating a 'slender' builing form. This includes:

    - 2.454m (up to 3-storeys)
    - 5.5m (up to 5-storeys)
    - 10.5m (6-storeys)
    - 12.5m (7-storeys)
    - 25.0m (above 7-storeys)

This design approach ensures that the tower and residential components remain visually recessive and do not dominate or detract from the traditional, human-scale character of the Sandgate Road streetscape. The Architectural Plans include massing diagrams and streetscape perspectives demonstrating the relationship of the proposed built form to the street frontage. An extract of the massing diagram is provided in **Figure 6-3** below, illustrating the limited visual and streetscape impacts of the upper building levels when viewed from Sandgate Road. **Figure 6-4** shows a section demonstrating the stepping of the building and associated increase in front boundary setbacks to Sandgate Road as the building height increases. **Figure 6-5** demonstrates a 'streetscape' perspective of the building form from Sandgate Road at ground level.

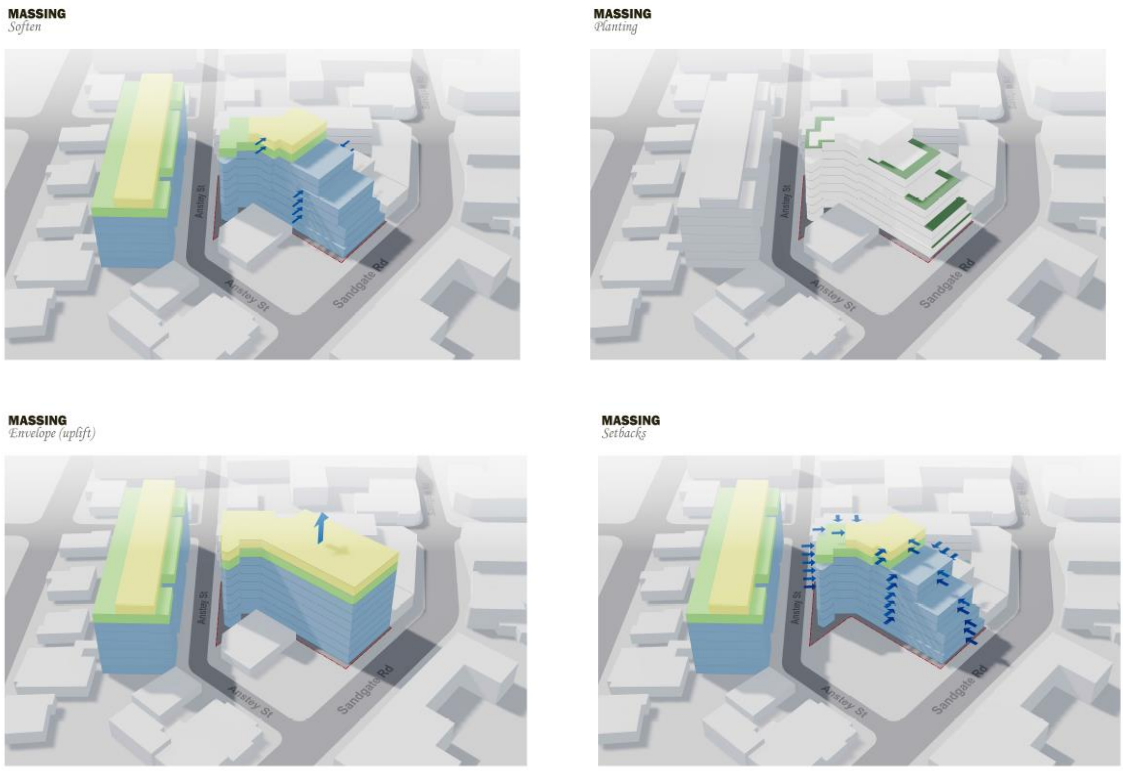


Figure 6-3 Building Massing and Stepping
Source: Cre8ive Building Concepts



Figure 6-4 Section showing 'stepping' of the building from Sandgate Road
Source: Cre8ive Building Concepts



Figure 6-5 Sandgate Road – Streetscape Perspective
Source: Cre8ive Building Concepts

- Furthermore, the stepping of the building from Sandgate Road and overall building design:
    - Ensures that the maximum building height is within the core of the Site and not visible from either street frontage.

- Ensures a reduction in building bulk, while also remaining consistent with building heights approved by Council within the area.

- The number of storeys to Anstey Street is consistent with the now-constructed 8-storey building over 12 Anstey Street.

- The building does not present as overbearing at ground level along Sandgate Road.

- Noting the above, the proposed rooftop level is primarily a recreational level, with enclosed recreation rooms substantially recessed from all side boundaries and surrounded by extensive rooftop landscaping and is therefore, not considered to be functioning as a 'storey' associated with the intended land uses. The landscaping creates a functional green rooftop that softens the visual presence of the upper level and assists in reducing its perceived bulk and scale. In addition, the fall of the land results in part of the 'basement' and 'void', which are not areas being used specifically for the intended land uses.

- Important views and vistas are not identified as a constraint to building height on the Site. In particular, the Catalyst and View Corridor Map within the Albion Neighbourhood Plan does not identify the Site as being subject to any designated view corridor or height restriction. Further, the Albion Village Precinct and surrounding locality accommodate several developments of up to 20 storeys, which have contributed to establishing the prevailing built form and scale of the area. In this context, the proposed development, being of a lesser height and scale than other established developments in the locality, is not anticipated to result in any material adverse impact on important views or vistas.

- The Shadow Diagrams prepared by Cre8tive, (refer to **Figure 6-6**) provide a comparison of overshadowing at 5-storeys and the Proposal. The comparison demonstrates that overshadowing impacts are not excessive and a large proportion of shadowing is located within road reserves. We further note that the Site is envisioned for redevelopment and overshadowing towards adjoining properties would occur notwithstanding the additional building height.



Figure 6-6 **Extract of Shadow Diagrams**
Source: *Cre8ive Building Concepts*

- Significant deep planting, podium and rooftop landscaping areas have been provided throughout the development to improve privacy, visual amenity and soften the building form.

- Above the podium levels, stepping of the building has been provided to side boundary setbacks, achieving substantial side boundary setbacks. Refer to Section 6.3 for more detail, with specific reference to building separation, and adjoining land uses.

- There is a current lack of new housing. All levels of government have adopted initiatives to incentivise the delivery of new housing. However, these initiatives do not address the underlying problem, being the disconnect between population growth, the rate of household formation and the undersupply of new affordable housing. The Proposal, involving additional units over 8-residential levels aims to address the financial constraints prohibiting the commencement of the projects in a well-located area that is supported by public infrastructure and local amenities. However, the provision of communal spaces and the architectural merit of the building have not been compromised. For the above reasons, the Proposal's intended use and design addresses the communities current need for new housing within localities well serviced by existing infrastructure including public transport.

Given the above-made representations, it is determined that the proposal building height is consistent with the performance outcomes sought for the **Centre or Mixed-Use Code, Multiple Dwelling Code and Albion neighbourhood plan Code**.

6.2 Front Boundary Setbacks

The Site has frontages to:

- **Sandgate Road** – primary street frontage – northwest; and
- **Anstey Street** – secondary street frontage – east.

The Proposal is generally consistent with the setback provisions of Table 9.3.3.3.C – Centre or Mixed-Use code, with a minor variation to the prescribed 3.0m podium setback (up to 5 storeys), proposing a minimum front boundary setback to **Sandgate Road** of **2.254m** (above ground level).

At the **Anstey Street** frontage, a setback of **3.75m (OMP)** is provided and **1.6m (OMP)** (after verge widening along Anstey Street), in lieu of the 8.0m setback identified in the table where required to accommodate pedestrian movement.

Accordingly, a response to **PO24** of the **Centre or Mixed-Use code** has been provided below.

> ***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.

The front setbacks are considered to satisfy the relevant codes on the following basis:

- The Proposal incorporates substantial upper-level setbacks along the Sandgate Road frontage, which progressively increase with the associated increase in building height. This design approach ensures that the tower and residential components remain visually recessive, minimising their dominance and maintaining the traditional, lower-scale character of the Sandgate Road streetscape. The minor setback variation at Levels 2 and 3 does not materially influence the established street edge, which is appropriately defined by the ground-level presentation as shown in the architectural plans. In particular, the ground floor provides an active frontage, pedestrian awning and finer-grain architectural materials that reflect the prevailing streetscape character (including the prevailing heritage buildings as shown in **Section 2**) and contribute to a well-defined and engaging pedestrian environment.

- As noted above, the Architectural Plans include massing diagrams and streetscape perspectives demonstrating the relationship of the proposed built form to the street frontage. An extract of the massing diagram is provided in **Figure 6-3** and an aerial perspective, (southwest perspectives - see **Figure 6-7**) extracted from the plans, illustrating the limited visual and streetscape impacts of the upper building levels when viewed from Sandgate Road.



Figure 6-7 Aerial perspective showing setback to Sandgate Road
Source: Cre8ive Building Concepts

- The Proposal provides a varied setback to the Anstey Street frontage, with upper-level setbacks of 3.75m and 1.6m (following verge widening) measured to the outermost projection.

While the prescribed 8.0m setback under Table 9.3.3.3.C is not achieved, the residential components are setback further from the street than the adjoining residential dwellings (refer to **Figure 6-3** below). Further, Anstey Street does not constitute the primary street frontage. It is also noted that the adjoining development at 12 Anstey Street (Council Ref: A006350835) has an approved setback of 2.76m and is currently under construction. Accordingly, the Proposal responds to an established built form setback pattern, with the street edge already defined by adjoining development and an existing setback relationship established along this frontage.

Given the above-made representations, it is determined that the proposal satisfies **PO24** of the Centre or Mixed-Use code.

6.3 Side Boundary Setbacks

The proposed side boundary setbacks are generally consistent with the requirements of Table 9.3.3.3.C of the Centre or Mixed-Use code, with minor variations comprising a reduction of between 1.0–1.5m along the southern side at Levels 1–9, and between 2.0–3.0 m along the northern side. It is noted that the side elevations are articulated. Table 9.3.3.3.C of the Centre or Mixed-Use code prescribes a 5.0m setback for habitable rooms up to 5 storeys and a 6.0m setback for habitable rooms above 6 storeys.

Accordingly, a response to **PO26** of the **Centre or Mixed-Use code** has been provided below.

PO26
Development ensures that the side boundary setbacks:

a. *minimise the impact of development on the amenity and privacy of adjoining existing residents;*
b. *contribute to the rhythm and pattern of the streetscape in keeping with the intended neighbourhood character;*
c. *provide for breezes and sunlight where a residential use is included on upper levels above podium levels;*
d. *consider future development.*

The performance outcome for the side boundary setbacks is acknowledged; however, the setbacks are considered to satisfy **PO26** on the following basis:

- The Site does not adjoin an existing residential use to the north, but rather a commercial premises with ground-level car parking. Accordingly, the Proposal will not adversely affect the amenity or privacy of existing residents, as there are no adjoining residential buildings along this boundary. Furthermore, should the adjoining site be redeveloped in accordance with its applicable code-assessable building height provisions, a built form of approximately three storeys could reasonably be anticipated, having regard to the constraints of the Site's location and dimensions. This provides further context for considering the Proposal's built form and potential overshadowing impacts. Further, the adjoining building to the southwest is identified as a local heritage place, undertaking non-residential uses, and is therefore, unlikely to be developed for residential activities.

- A portion of the southern boundary adjoins a recently constructed three-storey multiple dwelling, with an access driveway and carparking at the rear providing separation between the respective buildings. Therefore, building separation of 8-20m is achieved between the residential buildings. Refer to **Figure 6-8.** Further, the Proposal does not result in direct

overlooking of the adjoining dwellings, by way of orientating the balconies to either street frontage or to existing non-residential interfaces. In addition, podium-level landscaping provides a degree of visual screening at the lower levels, while the upper levels are stepped-in and designed to avoid direct views into the adjoining residential accommodation. Refer to **Figure 6-9.**

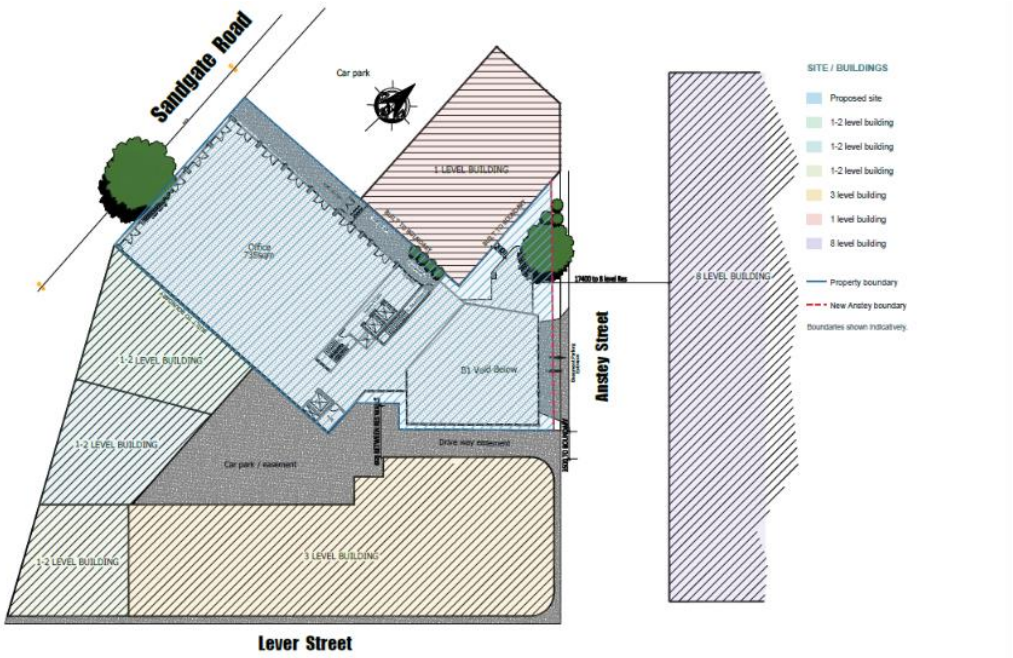


Figure 6-8 Building Separation and Setback Plan

Source: Cre8ive Building Concepts



Figure 6-9 Extract from Landscape Concept Plans (Rooftop Level showing side and perimeter landscaping)

Source: Laudink Landscape Architecture and Urban Design

- The continued 'rhythm' and 'pattern' of the streetscape above ground level on the southern side of Sandgate Road is not yet defined, however, we note that a continuous built-to-boundary commercial office tenancy is proposed to Sandgate Road, providing a connection to adjoining development. Further, the Proposal achieves a site cover of 78.88%, which is less than the compliant outcome of 90%. Refer to **Figure 6-10**.



Figure 6-10 Southwest Perspective
Source: Cre8ive Building Concepts

- Notwithstanding the above, the shadow diagrams prepared by Cre8tive assess the potential overshadowing impacts at both the Summer and Winter Solstices, at 9:00 am, 12:00 pm and 3:00 pm. The assessment demonstrates that the resulting overshadowing is not excessive, limited impacts between the acceptable and proposed performance outcomes and with a substantial proportion of the additional shadow falling within the adjoining road reserves rather than impacting surrounding properties.

Given the above-made representations, it is determined that the Proposal satisfies **PO26** of the **Centre or Mixed-Use code**.

6.4 Deep Planting

The Proposal includes a deep planting area of 110m² to the eastern side adjacent to Anstey Street and equates to 8.58% of the Site being less than a minimum 10% of the Site area as prescribed under **AO56** of the **Centre or Mixed-Use code** and **AO29** of the **Multiple Dwelling Code**.

Accordingly, responses to **PO26** of the **Centre or Mixed-Use code** and **PO29** of the **Multiple Dwelling code** have been provided below.

Centre of Mixed-Use code

PO56
Development incorporates deep planting which:

a. supports the retention and protection of existing significant vegetation and large subtropical shade trees;
b. provides for the establishment of vegetation to contribute to the landscape character of the centre or mixed use area;
c. is grouped with deep-planting areas on adjacent sites to maximise contiguous areas of deep planting;

d. is open to the sky with access to light and rainfall and into the natural ground with no underground development;
e. is planted with large subtropical tree species that at maturity are complementary in scale and height to the building form;
f. is capable and supported to grow and at maturity provide effective shade or screening to buildings, outdoor spaces or adjoining uses;
g. balances hard-stand areas and provides shade and informal recreation spaces that are directly accessible from residences, building tenancies or the street frontage.

Multiple Dwelling code

PO29
Development provides deep planting areas that:
a. are of sufficient size and dimension to contain large subtropical shade tree species;
b. are maintained exclusively for landscaping, with no underground development or infrastructure;
c. are open to the sky with access to light and rainfall into the natural ground;
d. are planted with subtropical tree species that at maturity are complementary in scale and height to the building form and respond to the site location and design needs;
e. soften the impact of building and hardstand areas and reduces impervious areas to improve stormwater;
f. provides natural shade to mitigate heat island effects;
g. provides informal recreation spaces that are easily accessible for building occupants;
h. is located to retain and protect existing site features such as significant vegetation or grouped with deep-planted areas on adjacent sites to maximise contiguous areas of deep planting.

The performance outcome for deep planting is acknowledged; however, the deep planting area is considered to satisfy the relevant performance outcomes on the following basis:

- The non-compliance in total deep planting area is negligible and would not result in a materially better landscape outcome for the Site and Proposal.

- The size and location of the deep planting area is a by-product of the shape of the Site and two-frontages, further noting that in Centres zoned land, BCP2014 allows for built-to-boundary walls and a site cover of up to 90%, where the Proposal achieves 78.88%. Further, along Sandgate Road, a built-to-boundary active frontage is required, thereby limiting opportunities for 'deep planting' along Sandgate Road. The Anstey Street frontage is also required to provision for car parking, car/ refuse access and pedestrian access, further limiting available areas for suitable deep planting. Therefore, in sum, the location and size of the proposed deep planting area is suitable.

- While the minimum area of 10% for deep planting area is not achieved, the Proposal incorporates extensive supplementary landscaping throughout the Site, including rooftop, concourse and podium terrace areas, as well as verge planting along Anstey Street. Collectively, these additional landscape areas comprise approximately 452m² (excluding the deep planting area), representing landscape coverage of more than 35% of the Site area.

- These areas provide for substantial additional planting opportunities, including areas open to the sky that facilitate vegetation growth and provide shade. Accordingly, the Proposal delivers extensive landscaping across the side, terrace and rooftop areas, which softens the overall

built form, provides for informal recreational opportunities and assists in mitigating urban heat island effects.

- An extract from the submitted Landscape concept Plan is provided below as **Figure 6-9**, illustrating the extent and distribution of landscaping throughout the site. The complete set of landscape plans is provided in **Appendix C**.

Accordingly, it is determined that the proposal satisfies **PO56** of the **Centre or Mixed-Use code** and **PO29** of the **Multiple Dwelling Code**.

7. RECOMMENDATIONS

This urban planning and codes report and supporting documentation demonstrate that the Proposal complies with relevant provisions of BCP2014 and relevant state government legislation and planning instruments.

Any potential conflict with the planning scheme is limited and minor in nature and there are sufficient grounds to justify the development, despite such conflict. On that basis the application has planning merit and should be approved subject to reasonable and relevant conditions.

8. APPENDICES

8.1 **Appendix A** – Detail Survey
8.2 **Appendix B** – Architectural Plans
8.3 **Appendix C** – Landscape Concept Plan
8.4 **Appendix D** – Traffic Impact Assessment
8.5 **Appendix E** – Civil Engineering Report
8.6 **Appendix F** – Civil Engineering Drawings
8.7 **Appendix G** – Council Pre-lodgement Advice

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