



Dedicated to a better Brisbane

9 July 2025

Ben Nevis Lodge Cts
C/- Developthis
824 Gympie Road
CHERMESIDE QLD 4032

ATTENTION: Matt Doolan
Application Reference: A006738473
Address of Site: U 1 BEN NEVIS LODGE 35 MARSDEN ST CLAYFIELD QLD 4011

Dear Matt

RE: Information request in accordance with the Development Assessment Rules

Council has carried out an initial review of the above application and has identified that further information is required to fully assess the proposal. It is noted the development site is constrained by an irregular shape, narrow frontage, and slope. As indicated by the number of performance outcomes sought for the assessment benchmarks, the proposal represents an overdevelopment of the site. Further to the detailed information requested below, a reduction in the overall yield (number of units) would seemingly assist in resolving issues with amenity, access, and servicing.

Parking and Servicing

- 1) The proposed parking and servicing arrangements detailed within the submitted Traffic Report are not considered safe or practical and do not satisfactorily demonstrate compliance with the relevant requirements under the Transport, access, parking and servicing (TAPS) code and TAPS Planning scheme policy (PSP).
 - a. Provide an amended Traffic Report addressing the following (but not limited to):
 - i. Height clearance and platform slope for the proposed mechanical parking downward grade. The example proposed is greater than Table 17 requirement which does not provide a reasonable outcome for easy access and egress from vehicles particularly given the corrugated surface type.
 - ii. Access and manoeuvring for parking spaces does not consider the constraints of the parking system – despite this, supplied swept paths show structural building elements within the required clear zone and vehicle exit paths are inconsistent with the entering vehicle position.
 - iii. 1 of the 4 visitor spaces is to be demonstrated as a PWD space, effectively removing 1 visitor space.
 - iv. The steep crossfall on visitor parking spaces exceeds 5% and is not compliant with TAPS PSP 7.6.5.
 - v. No on-site servicing is provided. The refuse collection position is not supported as this relies on the transfer of bins on a narrow platform with steep down grades on either side.
 - vi. The bicycle parking space requires a minimum of 1 resident bicycle space per unit and 1 visitor bicycle space per 4 units.

Refuse

- 2) The proposed refuse servicing arrangements are not wholly within the site and it is noted that the proposed refuse collection vehicle (RCV) manoeuvring utilises private property (neighbouring crossover), street parking spaces and sections of the verge. The proposed refuse solution is inconsistent with AO32 of the Multiple dwelling code, AO19.2/AO19.3 of the Transport, access, parking and servicing code and AO8.1/AO8.2 of the Infrastructure design code. In accordance with the prelodgement advice provided 03/10/2023, the RCV is to enter and exit the site in a forward gear with turnaround on site. Considering this, the proposed refuse solution is to be revised. Provide the following information to enable further assessment:
 - a. Submit amended plans and RPEQ certified rear loading RCV swept path analysis to satisfy the above. Refer to Table 12 of the Transport, access, parking and servicing planning scheme policy and the Refuse planning scheme policy for minimum requirements.
 - b. Ensure amended plans include all built form (existing to be retained plus proposed) and ensure the door swing path is shown for all doors/gates on the bulk bin room to provide convenient and unobstructed access to all bins.
 - c. Provide a revised assessment against the relevant codes.

Stormwater Discharge

- 3) The plans show stormwater runoff being directed to the existing kerb and channel in Marsden Street as the lawful point of discharge. Calculations are required to demonstrate the discharge flow.
 - a. Provide a revised stormwater design to demonstrate all connections to kerb and channel as a lawful point of discharge are limited to a maximum 30L/sec in accordance with PO3 of the Stormwater code and Infrastructure design code Chapter 7.6.3.1.

Concept earthworks

- 4) The provided Concept Bulk Earthworks plan lacks the required detail to fully assess the proposed works.
 - a. Provide amended concept earthworks plans, including levels, sections, and the extent of any retaining.

Building bulk, screening, and subtropical layout

- 5) The building appears quite bulky without adequate breaks in form or variation in materials, and solid balustrades to all balconies. There is concern the building's visual appeal is heavily reliant on the maintenance and success of the proposed planters. Also noted is the proposed size of the units, which appears quite small, with Bed 2 of Units 4, 8, and 12 provided only one aspect (south). As mentioned, a reduction in the overall development yield could assist in improving the layout and amenity. Provide amended plans which demonstrate:
 - a. Improved variation in materials and breaks in form without the reliance on planters.
 - b. Maintenance of the proposed planters (consider extending the lift/stairs to the roof level for access).
 - c. Southern-facing habitable rooms with a minimum of 2 dual aspect windows or openings to improve natural lighting and ventilation.

- d. A partial lightweight balustrade above the planter to reduce some of the building bulk and ensure that the buildings are subtropical and climatically responsive by facilitating good cross ventilation and access to natural light.
- e. A detailed section through a typical planter/balcony showing the design intent of the balustrade.

Building height and separation

- 6) The overall building height appears to be almost 12m in part, however, as the natural ground line (NGL) has not been shown on all elevations, the height is unclear. Further, it appears the basement level projects more than 1m above ground which constitutes another storey (refer to the proposal plan 'Section 2', drawing number A10). It also appears appropriate building separation has not been provided to the eastern-adjointing Dwelling house. In accordance with PO3/AO3 of the Multiple dwelling code, provide amended architectural plans which demonstrate:
 - a. The NGL, 1m above NGL, and 9.5m/11.5m height lines on all elevations.
 - b. The building separation distance between the proposed development and the existing adjoining Dwelling house.
 - i. Ensure overlooking and privacy are addressed where above-ground units are within 9m of the adjoining private open space and/or habitable rooms of the Dwelling house; and ensure balconies and habitable rooms are offset from the cone of vision of adjoining habitable rooms and outdoor spaces (PO14/AO14.1 and PO17/AO17.1 of the Multiple dwelling code).

Existing vegetation

- 7) The existing trees located within the road reserve and immediately adjacent to the southern boundary appear to be impacted by the proposed building works. Civil plans show existing trees, however the larger trees adjoining the southern boundary in the east are not shown. Civil plans do not show earthworks or retaining wall at the southern boundary and it is not clear how the interface to the adjacent site is proposed.
 - a. Provide details as to how these trees are to be protected during works in accordance with AO1 of the Streetscape hierarchy overlay code.
 - b. Provide details and sections demonstrating how the proposed pedestrian access pathway relates to the neighbouring site.

Deep planting and communal open space

- 8) The proposed provision for deep planting is insufficient to balance the scale of the built form, as it does not meet the requirements for accommodating 'large subtropical shade trees' in accordance with PO3, PO7, PO8, PO28, and PO29 of the Multiple dwelling code. The proposed areas lack adequate soil volume or building setbacks to sustain large canopy trees and cannot be considered true deep planting areas under City Plan 2014. Deep planting areas must have a minimum horizontal dimension of 4 metres at ground level, with trees positioned centrally to promote balanced root development and long-term structural stability. This may necessitate increased setbacks and the relocation of underground services outside these areas. Furthermore, deep planting areas must be dedicated solely to planting and remain free of any structures above, within, or below. As such, communal open space and stormwater infrastructure must not encroach upon these areas. It is also unclear whether the proposed communal open space provides adequate areas for recreation or views.

- a. Provide amended architectural and landscape plans demonstrating a minimum of 10% of the site allocated to genuine deep planting areas, each with a minimum 4-metre dimension, exclusively for the planting of large shade trees, and excluding communal open space and services.
- b. In accordance with PO30/AO30.2 of the Multiple dwelling code (for 10 or more dwellings) provide amended plans showing an improved communal open space including opportunities for active recreation and a range of uses, such as seating, barbeques, swimming pools, and vegetable gardens.

Side boundary planting

- 9) The proposal does not currently provide sufficient side boundary planting to meet the requirements of PO28 of the Multiple dwelling code. The acceptable outcome specifies a minimum 1.5m-wide planting bed, which has not been achieved along the southern and eastern boundaries.
 - a. Provide amended drawings that demonstrate adequate boundary setbacks that allow for the provision of minimum 1.5m wide planting areas to enhance privacy, improve amenity, and contribute positively to the site's microclimate.

Impacts to Local heritage place

- 10) The proposed works are considered to have a detrimental impact on the heritage significance of the adjoining Local heritage place (Ben Nevis Lodge Gates). The following amendments to the application are recommended to reduce the identified heritage impacts:
 - a. Maintain the brick gatepost on the west boundary of the subject site (shared boundary with 22 Rees Avenue) in its entirety. The proposed demolition extent of this brick gatepost on the subject site will result in the demolition of that part of the brick gatepost that forms part of the Local heritage place.
 - b. All sections of heritage fabric (the two wrought iron vehicle gates and one pedestrian gate, two masonry face brick and concrete piers) are to be carefully relocated so they align with the footpath and grass side verges along the eastern side of the Marsden Street frontage.
 - c. A methodology is to be provided detailing the relocation of the brick and concrete piers and gates, the masonry piers preferably intact as single items rather than dismantled and reconstructed.

Urban Utilities (UU)

Council does not undertake water and sewer assessment of any planning applications. Contact UU on (07) 3432 2200 to discuss any water and sewer issues and whether you are required to submit an application to UU for assessment.

Responding to this request


Your response should include a summary table which outlines any changes to performance outcomes and plans that have resulted from addressing the issues outlined above. The table should also include details of any supporting documentation.

If a response is not provided within the prescribed response period of three (3) months assessment of the application will continue from the day after the day on which the response period would have otherwise ended.

Email your response to DSPlanningSupport@brisbane.qld.gov.au quoting the application reference number A006738473.

Please phone me on telephone number below during normal business hours if you have any queries regarding this matter.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Jenny Bernard', written in a cursive style.

Jenny Bernard
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Development Services
Brisbane City Council