



Dedicated to a better Brisbane

29 July 2026

TRK Property Group Pty Ltd
C/- Murray Bell Planning Co
Level 10, 167 Eagle Street
BRISBANE CITY QLD 4000

ATTENTION: Sam Underwood
Application Reference: A007052559
Address of Site: 57 BERWICK ST FORTITUDE VALLEY QLD 4006

Dear Sam

RE: Information request in accordance with the Development Assessment Rules

Council has carried out an initial review and notes the high quality of the common material lodged with the application.

While Council supports the proposed land uses and the ongoing renewal efforts for Fortitude Valley, the proposed building height is significantly greater than planned for this site and precinct as per *Brisbane City Plan 2014* (City Plan). While additional detailed information is required, significant design changes are recommended to achieve compliance with several performance outcomes of City Plan relating to built form/building design and car parking.

The development is inconsistent with the intended built form and density for the location and will result in amenity impacts to existing and future development. The proposal also seeks an oversupply of car parking for a site located within the City Core, which is contrary to the intent of the relevant City Plan assessment benchmarks. If the proposal is amended to substantially reduce the building height and remove excess car parking, the following technical matters must also be resolved.

It is important to note that the application is impact assessable and will require public notification. Council's assessment of the application will take into consideration any submissions received during the public notification process.

Building height

- 1) The proposed development at 34 storeys exceeds the anticipated 6 storey building height nominated as an acceptable outcome for sites greater than 1500sqm but less than 2,000sqm in the James Street Precinct of the Fortitude Valley neighbourhood plan area (AO1.2).

It is also noted that the proposed 5-storey podium height exceeds the 3-storey podium height nominated as an acceptable outcome for sites in the James Street Precinct of the Fortitude Valley neighbourhood plan area (AO1.3).

Whilst there are some existing and approved developments in the broader neighbourhood plan area exceeding these acceptable outcomes, it is not apparent that the proposed height of the development will result in a cohesive streetscape and built form character (PO1) or that it is:

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

Additionally, it is not apparent that the building height is consistent with other developments in the James Street Precinct.

- a. Reduce the height of the tower to be more consistent with the intended height for the location
- b. Reduce the height of the podium to be more aligned with the anticipated height for podium forms in this location.

Setbacks

- 2) The proposed development provides a 6.2m setback to the glazing line and 5.57m setback to balustrades where facing the rear of the site, falling short of the 10m rear setback described as an acceptable outcome for development in AO3.e of the Fortitude Valley neighbourhood plan. Noting that primary living areas and bedroom windows are orientated towards potential future development sites on Robertson Street, it is considered that the reduced rear setback is likely to impact on the future privacy and amenity of these adjacent sites.
 - a. Provide a greater rear setback to ensure adequate building separation and ongoing access to amenity and privacy for existing and future development.
- 3) The development includes side boundary setbacks of 4.225m and 4.2m respectively which is less than the 6m acceptable outcome described as an acceptable outcome for development over 15 storeys in height in AO7.1 of the Multiple dwelling code. It is further noted that primary living areas and bedrooms are orientated towards side boundaries and are likely to result in privacy impacts to future development on adjacent sites and will reduce the separation between future development, thus limiting access to views, breezes and sunlight/daylight.
 - a. Provide greater side boundary setbacks.

Tower site cover

- 4) The proposed development includes a tower site cover (above the podium) of 64.1% which exceeds the 60% site cover described as an acceptable outcome in AO3 of the Fortitude Valley neighbourhood plan. It is noted that the site is well proportioned and that there are no site-related constraints and opportunities to warrant consideration for additional tower site.
 - a. Reduce the tower site to avoid prejudicing development on adjacent sites (PO3 of the Fortitude Valley neighbourhood plan).

Podium and podium parking

- 5) The proposed development includes a podium without active uses fronting Berwick Street and the ground plane is overly dominated by service zones and equipment cupboards. The lack of active uses and space occupiable by humans results in poor surveillance of the street and does not meet AO8.1 of the Fortitude Valley neighbourhood plan. It is

further noted that the podium does not offer a permeable edge or semi-indoor/outdoor spaces that support outdoor lifestyles that engage with the public realm and therefore does not meet PO8 of the Fortitude Valley neighbourhood plan.

- a. Amend the design of the ground level and podium levels to include occupiable and usable floor space and active uses that provide for a permeable edge to the street, include balcony or outdoor spaces, offer opportunities for operable facades and ensure surveillance of the street.
- 6) The podium includes large built to boundary wall interfaces to the side boundaries which are likely to remain visible due to the existing adjacent lower height buildings. The wall interfaces show textured concrete finishes which is not considered to result in sufficient visual variation to reduce the overall bulk of the podium form (AO33.2/PO33 of the Centre or mixed use code).
 - a. Provide greater variation to the side boundary podium interfaces to reduce the apparent building bulk.
- 7) The proposed built to boundary rear podium wall with planter beds inset into the wall alignment is considered to offer some breakup of building bulk at the interface with the sites fronting Robertson Street. However, there is concern that the planter beds are not accessible for maintenance.
 - a. Demonstrate that the planter beds facing the rear boundary are accessible for maintenance.
- 8) The proposed podium parking above ground level does not meet AO15.1 of the Fortitude Valley neighbourhood plan code which specifically states that above ground parking is not an acceptable outcome. The proposal provides additional car parking above the maximum car parking rates in the Transport, access, parking and servicing code. On review of the performance outcome (PO15), it is not apparent that the development provides for useable floor space (not car parking) that genuinely activates and surveys the streetscape.
 - a. Amend the design to reduce the number of car parking spaces in accordance with the applicable maximum car parking spaces and provide more parking below ground.

Façade design

- 9) The development appears to include several design devices for the tower to help reduce building bulk and offer shade to the façade. However, the drawings lack sufficient detail to adequately describe the intended design outcome.
 - a. Provide façade details at 1:20/1:50 for all typical façade elements at the podium levels, the typical tower levels and at the roof top components.

Arcade

- 10) The development is located on a site which is identified as being within an 'arcade' provision in Figure B of the Fortitude Valley neighbourhood plan (AO13.1). Whilst this site does not extend to two street frontages, it is noted that a significant performance outcome is being sought for height and density and the sheer volume of residents likely to live in this development warrants consideration for future potential pedestrian linkages.

This arcade connection would also need to be demonstrated to promote walkability for the broader public (not just building residents) and should include active uses at the ground plane.

- a. Provide a partial arcade to allow for future onward connection to Robertson Street. the arcade is to have a minimum width of 3.2m as stated in the Infrastructure

design planning scheme policy (IDPSP). The preferred location is along the north-eastern side of the site.

Access

- 11) The proposed 6.5m wide modified B1 access can be supported in principle, however, the below items need to be addressed.
 - a. The relocation of the existing Council stormwater gully pit on the site frontage to facilitate the crossover can be supported, however the detail shown on the proposed engineering plan (Drawing 0200 Rev A prepared by Colliers) indicates the proposed new stormwater connection is pointing upstream, this will affect the capacity of the existing Council drainage and is not supported. The new connection must be perpendicular or pointing downstream of the existing drainage. The stormwater inlet can be moved to the northern boundary of the site and connected to the existing stormwater manhole located at this location or a new stormwater manhole may be required to enable a compliant outcome. Please review and provide a revised plan/s in accordance with AO1 of the Stormwater code accordingly.
 - b. It is noted an existing electrical pole and telecommunications pit on the site's frontage is proposed to be relocated to facilitate the cross-over location. Provide written consent from the service providers (Energex, etc) for the relocation of assets.

Servicing

- 12) The proposed servicing provision of a RCV for regular servicing and MRV for occasional servicing via the shared bay is supportable for the proposed residential use. However, for the proposed commercial use (office), it is recommended to provide a separate van bay to accompany the proposed SRV servicing. It is recommended one of the parking spaces for the commercial use on ground level be allocated as a VAN bay. The van bay would be suitable for many servicing needs of the Office and for parcel delivery to residents and reduce the oversupply of Office parking provisions to 6 spaces.
 - a. Provide revised plans showing the above suggested outcome.

Refuse areas denoted on plans

- 13) It is acknowledged that the development provides a sufficiently sized 'residential' waste room and 'non-residential' waste store. However, the area (m²) and internal dimensions of each refuse solution have not been denoted on the 'Ground Level Plan'.
 - a. Clearly denote the area (m²) and internal dimensions of the "Resi Waste Room" and "Office Waste".
 - b. Ensure the residential '3:1 compaction' has been labelled for 'general refuse only'.
- 14) A review of the 'Colliers Swept Path Analysis – Ground Floor – BCC RCV Access/ Egress' identifies that the RCV clearance envelope conflicts with the northern wall of the "Loading/ Refuse Collection Bay" and rear structural supporting column. It is noted that the RCV reversing manoeuvre is further constrained by the location of the structural supporting column positioned between the front of the loading bay and the ramp leading down to Basement Level 01, as well as the placement of the commercial parking bays.

To improve manoeuvrability for the RCV when entering and exiting the "Loading/Refuse Collection Bay," it is recommended that the structural supporting columns be repositioned and the commercial parking bays be relocated. This will provide a less constrained and safer operating environment for the vehicle.

To address PO1/ AO1, PO19/ AO19.1, AO19.2 & AO19.3 of the Transport, access, parking and servicing code and PO8/ AO8.1 & AO8.2 of the Infrastructure design code, demonstrate the following:

- a. Utilising amended architectural plans, provide a revised RPEQ certified swept path analysis for a 10.24m Rear Loading RCV (As per BSD-3008-2) as specified in Table 3 of the Refuse PSP which demonstrates safe and efficient on-site servicing can be undertaken whilst utilising a lock-to-lock time of 6.00s and curb-to-curb turning radius of 9.757m.
- b. Demonstrate the 0.5m RCV clearance envelope does not conflict with built form (northern loading bay wall & rear structural supporting column).

Air Quality

15) The site is located with the Airport Environs Overlay and in the OLS sub-categories / PANS OPS sub-categories and may involve rooftop plant and equipment or may involve exhaust vents or therefore be potentially be undertaking activities (air emissions) that may impact on the safe operation of the Brisbane Airport.

- a. Address the provisions contained in AO1 – AO3 of the Airport environs overlay code. Where compliance with the Acceptable Outcomes cannot be achieved, compliance with the Performance Outcomes PO1-PO3 is required and may include the provision of an Air Quality/Safety Report and/or assurance from Brisbane Airport Corporation (BAC) and/or the Civil Aviation Safety Authority CASA.

Note: Where applicable, Council will also refer the application to BAC for further advice/comments.

Noise emissions – Office

16) The proposed development currently includes a material change of use for a Multiple dwelling and Office use. The Noise Report Version 1 by Colliers dated 27/5/2026 recommends a number of measures in Section 5 of the report to achieve compliance with the Multiple dwelling code AO21 and Centre or mixed use code.

- a. Where alternative operating hours are sought for proposed Office use, provide further information to demonstrate relevant performance outcomes. Where limited to internal areas with appropriate separate and intended uses, a full noise report may not be required, but reasonable consideration such as limiting the uses to certain areas and consideration of the minimum glazing requirements and other outcomes prescribed for the applicable uses.

Air quality – Basement car park & cooking emissions

17) Air emissions from the proposed basement car parks and the presence of various nearby restaurant/cooking venues have the potential to impact on the air quality amenity of the Multiple dwelling. The development is required to demonstrate that an adequate level of air quality as per the Centre or mixed use code and Multiple dwelling code can be provided at the on-site sensitive uses and adjoining sensitive uses.

- a. Submit further information demonstrating that the proposed use can comply with the acceptable outcomes as prescribed in AO3.1 – AO3.3 of the Centre or mixed code and AO20.1 of the Multiple dwelling code. Where compliance cannot be achieved, submit an Air Quality Report demonstrating a suitable performance outcome. Further guidance can be found in the *Air Quality Planning Scheme Policy*.

Note: It is acknowledged compliance with the applicable separation distances may be achievable. However, confirmation is required that the final design will achieve the required separation distances, including the 15m separation distance for basement car park exhaust discharge points to sensitive uses, where applicable.

Acid Sulfate Soils

18) Current section plans show the proposed basement levels would likely be above 5m AHD, but further clarification is required to ensure soil disturbance at or below 5m AHD is not triggering further additional assessment.

- a. Submit information on whether the development includes soil disturbance at or below 5m AHD and involving i) excavating or removing equal to or greater than 100m³ of soil; or ii) soil disturbance (including filling) greater than 500m³; or iii) filling equal to or greater than 0.5m average depth.

Where the above soil disturbance is involved, provide an Acid Sulfate Soils (ASS) Investigation Report and Management Plan prepared by an appropriately qualified and experienced person, and prepared in accordance with relevant policies/guidance materials and technical guidelines/manuals such as:

- State Planning Policy and SPP Guidance Materials;
- Queensland Acid Sulfate Soil Guidelines: sampling guidelines; laboratory methods guidelines/manuals; and
- Queensland Acid Sulfate Soil Technical Manual: Soil Management Guidelines.

Fuel Burning or Power Generator

19) The proposal includes a fire pump room and may include the use of fuel burning (e.g. gas boiler that involves fuel burning) or a back-up/emergency power generator. Such uses are defined as “Fuel Burning” in City Plan Schedule 1 Definitions – Industry Thresholds. Further clarification is required regarding any proposed fuel burning activities or emergency power generation associated with the development and to further identify whether an Industry use has been proposed (separate additional use required).

- a. Submit further information outlining whether a power generator / fuel burning (e.g. gas boiler that involves fuel burning) is proposed. Such information is to include maximum fuel burning capacity in MW; potential hours of use, type and quantity of fuel stored, air quality controls and type of engine. (In some circumstances an Air Quality Report may be required demonstrating compliance with PO1 of the Industry code).
- b. If proposed, provide details of the cumulative installed fuel burning capacity (MW), anticipated hours of operation, fuel type, fuel storage quantities, engine type and any proposed air quality controls.

Hazard & Risk - Hazardous Goods

20) Given the presence of building services infrastructure and potential for fuel or chemical storage associated with emergency generators, clarification on hazardous goods is required. Where there may be emergency generators, the proposed use has the potential to store and/or use various quantities of hazardous goods. Such goods have the potential to impact on human health and the environment.

- a. Submit further information detailing the Type, Quantity, Location, Class and Package Group of all existing/proposed dangerous goods.
- b. Where quantities exceed the AO3 of the Industry code, an additional Industry use will need to be applied for as a Hazard Analysis Report would be required in accordance with PO3 of the Code and *Industrial Hazard and Risk Assessment Planning Scheme Policy*.

Note: Council core services

Council core services include general refuse, commingled recycling and green waste. To support sustainable development and landfill diversion, Council encourages the use of its green waste service. If the development is proposing to utilise the green waste service from Council, amend the proposal plans to demonstrate sufficient storage and kerbside presentation area for the required number of 240L green waste mobile garbage. Refer to

<https://www.brisbane.qld.gov.au/content/dam/brisbanecitycouncil/corpwebsite/about-council/documents/waste-management-technical-notes.pdf.coredownload.pdf>

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 A007052559.

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

Yours sincerely



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