

Urban Planning Report

→ **Site**

10-18 Kelso Street, **CHERMSIDE**

→ **Proposal**

Multiple Dwelling

→ **Approvals**

Material Change of Use – Development Permit

May 2026



Document Control

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1. DEVELOPMENT SUMMARY

1.1. Site Details

Address	10-18 Kelso Street, Chermside 4032
Description	Lots 57, 58, 59, 60 & 61 on RP46834
Area	3,035m ² (607m ² + 607m ² + 607m ² + 607m ² + 607m ²)
Easements	Nil
Landowner	10 & 12 Kelso Street – Dino Robert Gastaldon 14, 16 & 18 Kelso Street – Seachest Pty Ltd

1.2. Application Details

Proposal	Multiple Dwelling
Approval Sought	Material Change of Use – Development Permit
Development Permit	Yes
Preliminary Approval	No
Level of Assessment	Impact
Referral	No
Public Notification	Yes
Staging	Nil

1.3. Assessment Framework

Local Government	Brisbane City Council
Planning Scheme	Brisbane City Plan 2014
SEQ Regional Plan	Urban Footprint
State Planning Regulatory Provisions	Not Applicable
State Planning Policies	Not Applicable

1.4. Administration Details

Applicant	CS Development Group Pty Ltd
Contact	Mark Clayton
Phone	07 3367 1582
Email	planning@urbicus.com.au
Project Reference	URB26-006

2. INTRODUCTION

2.1. Proposal Outline

The Site is located at 10-18 Kelso Street, Chermside described as Lots 57, 58, 59, 60 & 61 on RP46834.

The Proposal is for a Multiple Dwelling and is assessable development under the Brisbane City Plan 2014 (BCP2014) requiring a development permit for a Material Change of Use (MCU) - Multiple Dwelling (193 units)

The level of assessment is Impact as building height exceeds 10 storeys.

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

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 BCP 2014; and
- Identify and address other planning instruments of relevance to the application.

2.2. Supporting Information

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

Document / Plan / Report	Consultant	Location
Architectural Plans	NMDS Architecture	Appendix A
Traffic Engineering Assessment	BMC Traffic	Appendix B
Civil Engineering Reports	CDS	Appendix C
Landscape Concept Plan	AS Design	Appendix D
Stormwater Management Plan	CDS	Appendix E

Table 2-1 Consultants Supporting Information

2.3. Site Context

Chermside is a northern suburb of Brisbane, Queensland, located approximately 9.8km north of the Brisbane CBD. The area is characterized by a mix of residential, commercial, and institutional land uses set within an established suburban grid.

Kelso Street lies within a residential precinct of Chermside, west of the Westfield Chermside retail and transport hub – a Principal Centre and north of The Prince Charles Hospital.

The Site is situated near key arterial roads, Gympie Road and Hamilton Road, which define much of the suburb’s activity and connectivity.

The surrounding built form and the proposal is detailed within **Figure 2-2**.

The table below provides more detail on the surrounding area.

Location Context Table

Distance to Brisbane City	13 km (approx.)
Nearby Roads and Arterial Routes	Curwen Terrace – North to the site Kelso Street – East to the site Hamilton Road – South to the site Zenith Avenue – West to the site
Nearby Services	Wavell Heights State School Somerset Hills State School The Prince Charles Hospital St Vincent’s Private Hospital Northside Virginia Train Station
Parks / Open Space	7 th Brigade Park Huxtable Park

Table 2-2 Location Context Table

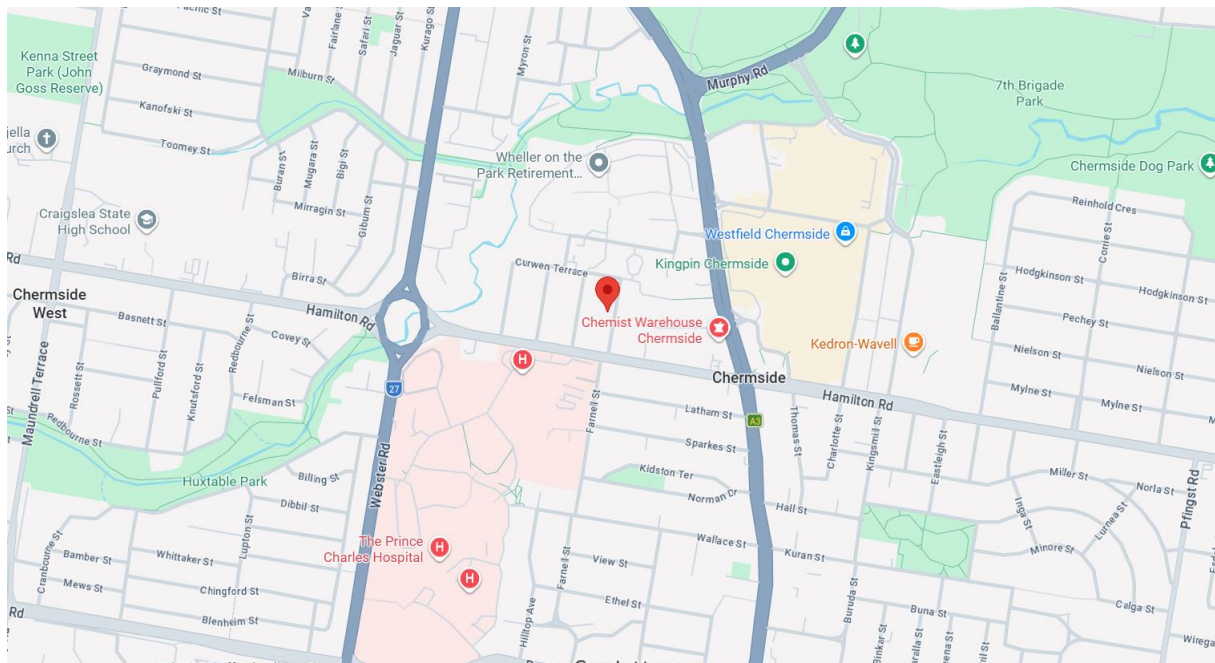


Figure 2-1 Location Map

Source: Google Maps



Figure 2-2 Existing Built Form

Source: NMDS Architecture

2.4. Site Description

Site Description Table

Address	10-18 Kelso Street, Chermside
Lot Description	Lots 57, 58, 59, 60 & 61 on RP46834
Existing Use:	Residential
Area:	3,035m ² (607m ² + 607m ² + 607m ² + 607m ² + 607m ²)
Site Frontage:	75.19m
Dimensions (Approx.):	75.19m x 40.23
Improvements:	Dwelling house (4) including post and pre-1946 buildings and multiple dwelling (3 x 3 bed un
Slope:	Downward slope from the rear boundary to Kelso Street (RL40 to RL38.5)
Lawful Point of Discharge	Kelso Street
Access / Cross Over:	5 crossovers to Kelso Street
Road Hierarchy:	Neighbourhood Road
Footpath:	No
Street Trees	Yes
Vegetation:	Minor vegetation
Flooding:	Nil
Easements:	Nil

Table 2-3 Site Description Table



Figure 2-3 Current Aerial Mapping
 Source: City Plan 2014 Mapping



Figure 2-4 Pre-1946 Aerial Mapping
 Source: City Plan 2014 Mapping



Photo 2-1 **Site viewed from Kelso Street looking south**
 Source Google Maps



Photo 2-2 **Site viewed from Kelso Street looking north**
 Source Google Maps

2.5. Urban Services & Infrastructure

The Site is connected to all urban utilities located in the immediate vicinity. **Figure 2-5** shows that all essential services are currently accessed or can be accessed to provide an adequate level of service for all proposed dwellings.

Refer to Civil Engineering Report prepared by CDS (Appendix C).

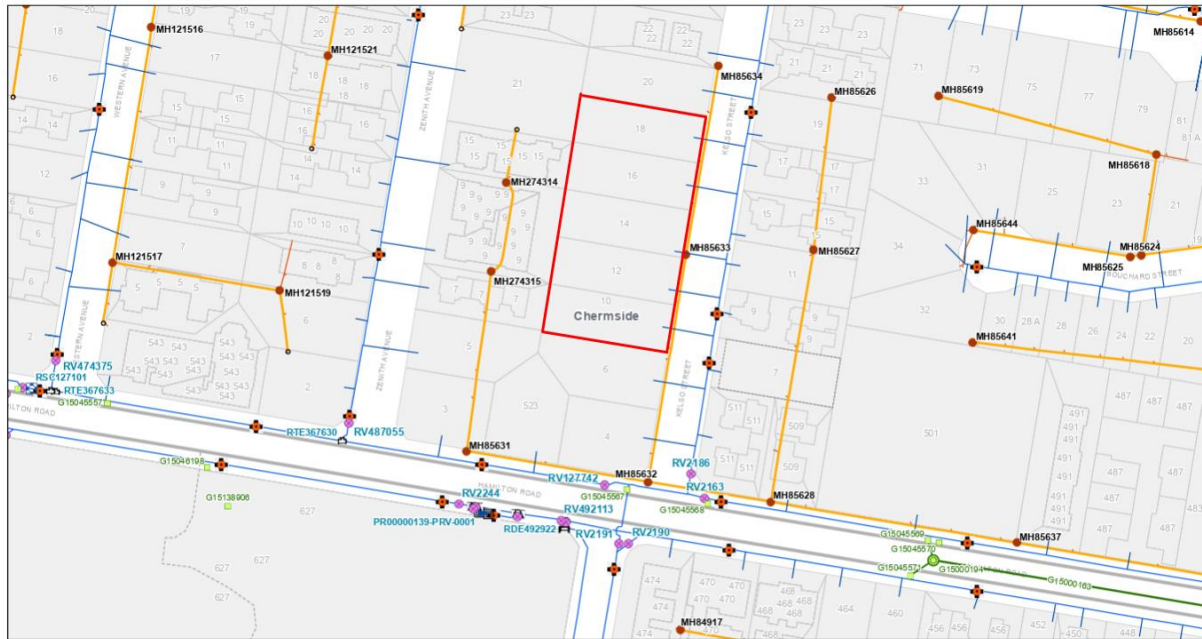


Figure 2-5 Existing Services
Source: BCC Community Maps

2.6. Easements and Encumbrances

The Site is not encumbered by easements. Refer to the Smart Map below **Figure 2-6**.

2.7. Infrastructure Charges

The subject 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 are proposed.

Credits should be applied for the existing 4 residential lots (12, 14, 16 & 18) and the three apartments (3 bedrooms each) within the existing multiple dwelling at 10 Kelso Street, Chermside.

2.8. Contamination

The Site has historically been used for residential purposes and is not known to be contaminated.

It is not listed on the Contaminated Land or Environmental Management Registers.

2.9. Flooding

The BCC Floodwise Property Report indicates that the land is not subject to flooding.

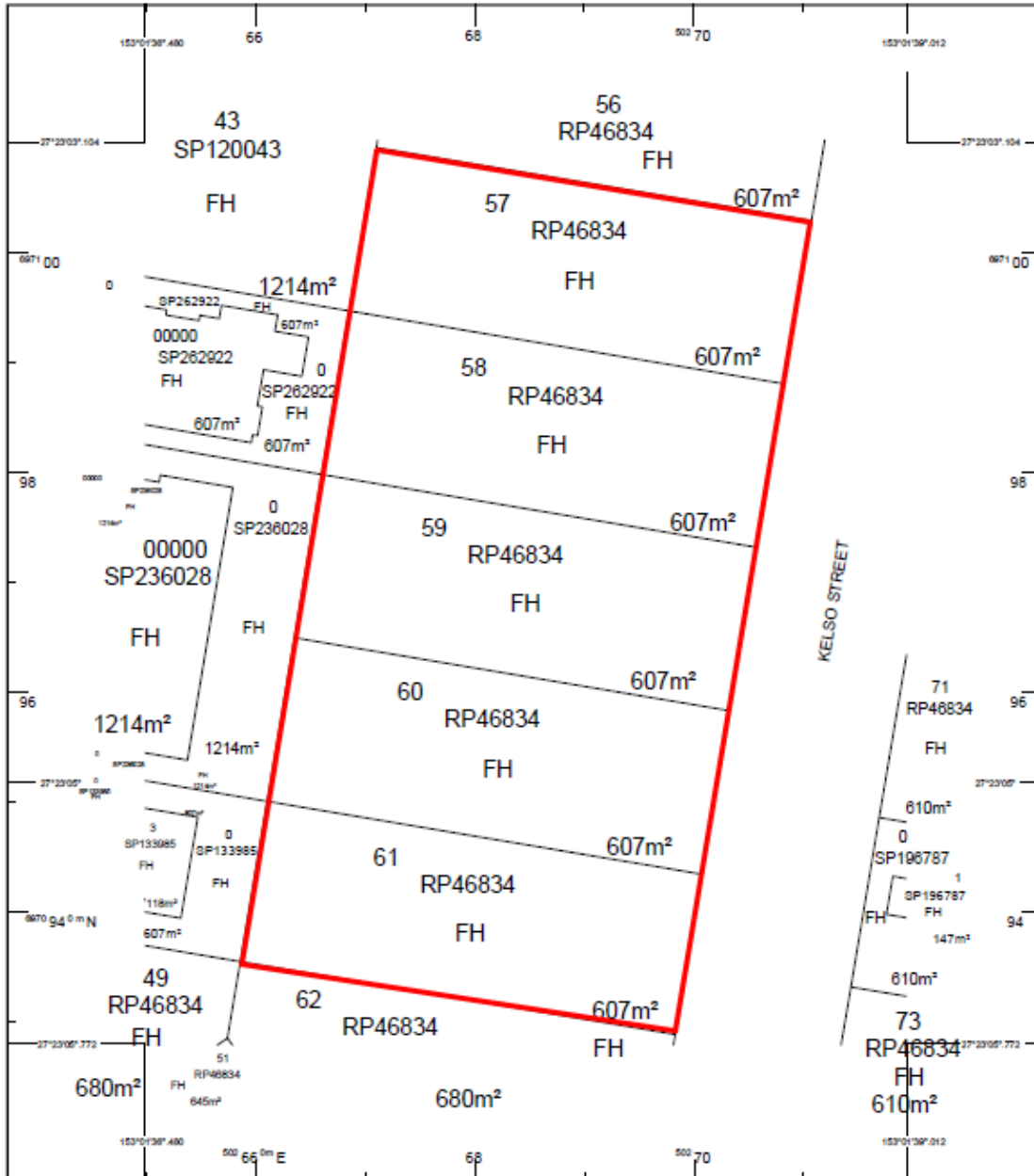


Figure 2-6 Land Parcel Map (SmartMap)

Source: DNRM Smart Map

3. SITE HISTORY & PREVIOUS APPROVAL

Council issued a development permit for a Material Change of Use (MCU) - Multiple dwelling over the Site on the 27th September 2024 (the Approval). Council reference A006394601.

A Change Approval was issued by Court Order dated 21st May 2025. The changes were considered minor as defined in Schedule 2 of the Planning Act 2016.

The Approval facilitated the development of the site for a 10-storey building consisting of 226 apartments and 167 car parking spaces within a 3-level basement. The Approval was for a Build to Rent scheme and car parking was provided at the rate of 0.7 spaces per apartment.

Council conditioned a 1.5m verge widening to Kelso Street and provision of indent parking spaces to the frontage.

The MCU application was Code assessable and referred to SARA as over 200 dwellings were proposed.

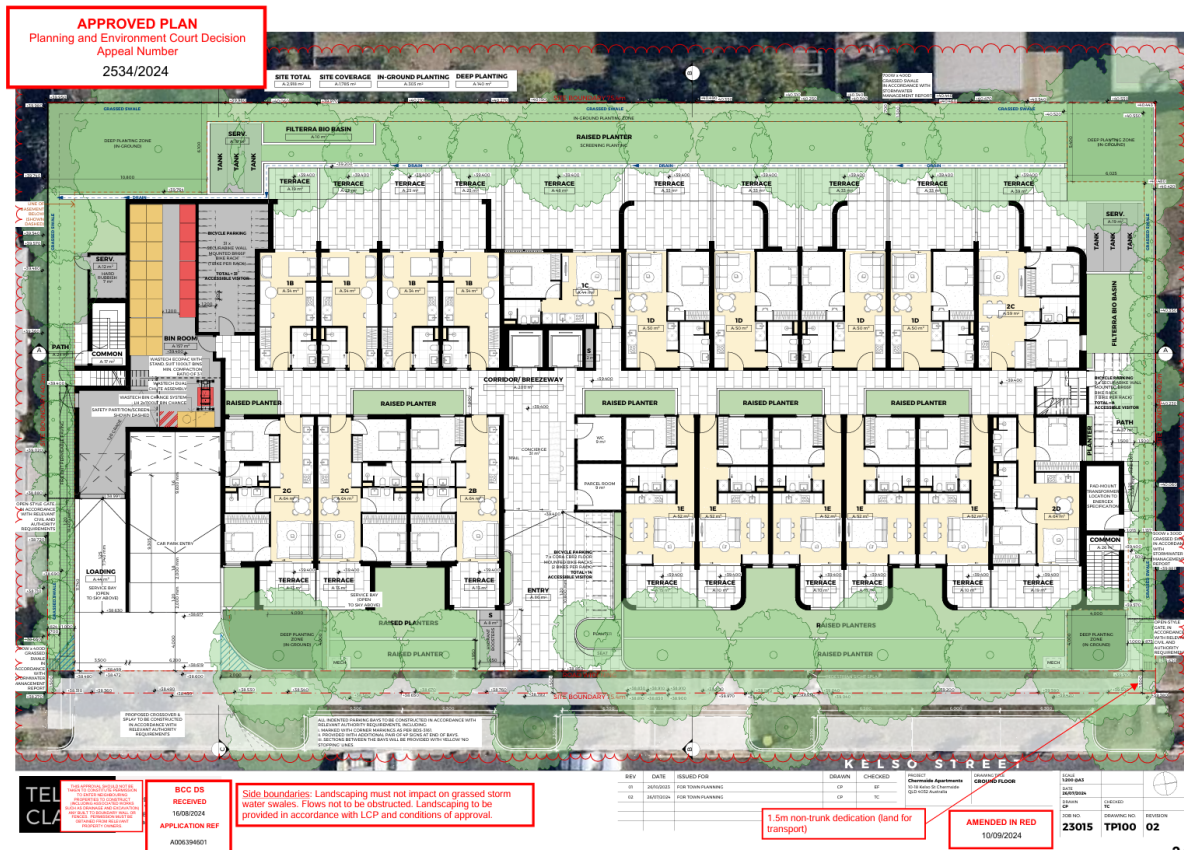


Figure 3-1 Approved Ground Floor Development

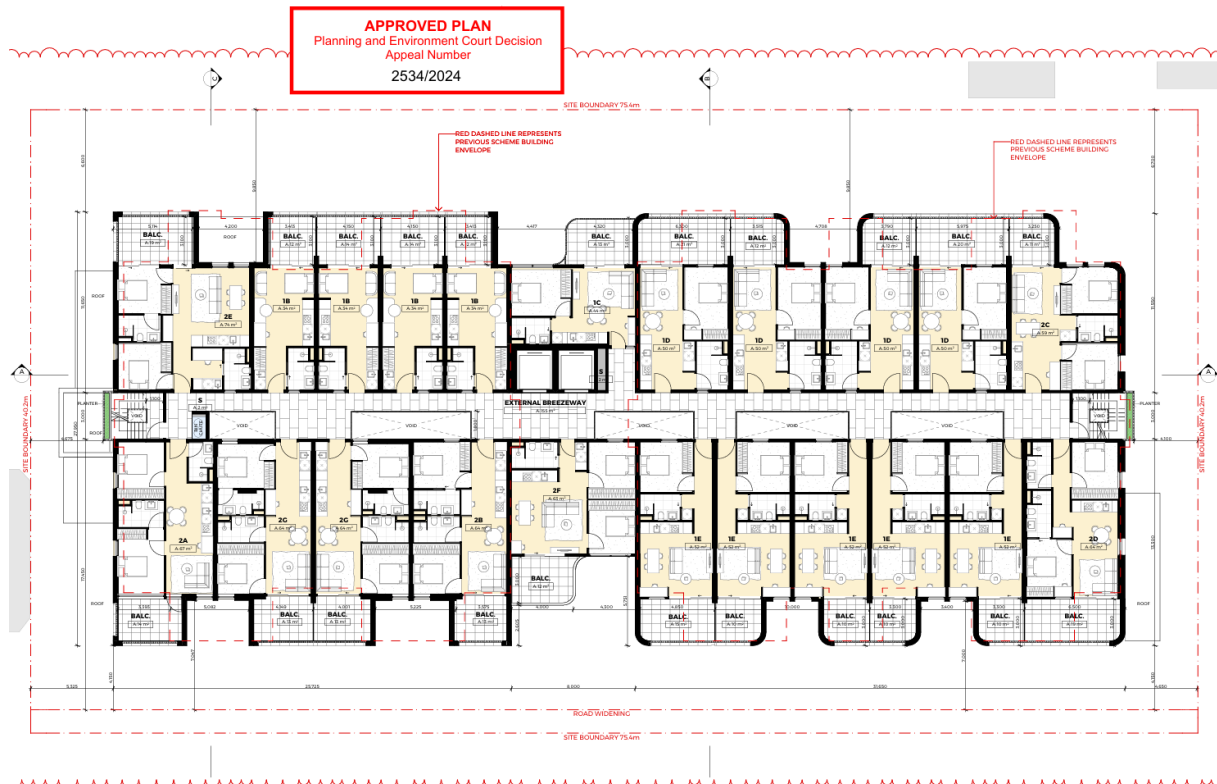


Figure 3-2 Approved Floor Plate
Source: Development.i



Figure 3-3 Approved Kelso Elevation
Source: Development.i

4. PRE-LODGEEMENT MEETINGS

A pre-lodgement meeting was held with Council on 9 February 2026. Council minutes and responses provided below.

The site is approx. 3,035sqm, comprises 5 lots to be amalgamated currently dwelling houses and a unit at number 10. The zone is High density residential (up to 15 storeys precinct) and Chermshire centre neighbourhood plan (Residential north precinct – High density residential 2A sub-precinct) of Brisbane City Plan 2014 (City Plan).

Overall outcomes of the High density residential sub-precinct are to provide high density residential development where lot amalgamation can be achieved and protects the reasonable amenity of adjoining and nearby areas by transitioning down in height and scale at site boundaries.

In accordance with the City Plan, Multiple Dwellings in the High density residential zone, greater than the building height specified in the neighbourhood plan, triggers Impact assessment. The neighbourhood plan precinct allows for 10 storeys and therefore a future development application will be subject to impact assessment and therefore require public notification. Any properly made submissions made by the community will be considered by Council as part of the assessment of the application and when making a decision on the proposal.

Pre-lodgement advice	Urbicus Response
<p>1. Height/scale</p> <p>The acceptable outcome for building height is 10 storeys in this precinct, as the site is greater than 2,500sqm in the neighbourhood plan precinct.</p> <p>The submitted building height analysis indicates that 15 storeys would be well above approved and anticipated heights within this and adjoining precincts within the neighbourhood plan area.</p> <p>The site has achieved lot amalgamation in line with the overall outcome of the neighbourhood plan and is well located for an increase in density proximate to high frequency public transport, a major retail centre and hospital.</p> <p>While there maybe merit in some gentle uplift in height for housing supply, the number of storeys / any uplift in height will be dependent on quantifying what the impacts are of the additional height, protecting the amenity of adjoining and nearby areas, providing for a vibrant streetscape character and exhibiting design excellence, (without podium parking).</p> <p>Providing an analysis comparing impacts, addressing any amenity impacts, providing relevant setbacks and separations distances and addressing the building bulk will also be key.</p> <p>Further justification and information would be required to assess building height including, but not limited to:</p> <ul style="list-style-type: none"> - Shadow analysis to determine solar impacts on the surrounding area. Include shadow diagrams for 9am, 12pm and 3pm on Winter Solstice and Equinox. - Preparation of a design report that demonstrates how the development incorporates key subtropical design outcomes for guidance refer to the Subtropical Building Design Planning Scheme Policy a recent amendment to City Plan. Incorporation of layered facades and shading 	<p>The proposed 15 storey building represents an appropriate response to the need for increased residential density in a highly accessible location proximate to high frequency public transport, a major retail centre and hospital services. While exceeding the acceptable outcome of 10 storeys, the proposal is supported by the site's context and location within an evolving higher density precinct.</p> <p>The Chermshire Centre Neighbourhood Plan accommodates building heights of up to 15 storeys. Accordingly, the proposed height is not considered out of place within the site's context and can contribute to the area's transition toward higher density built form outcomes.</p> <p>Further matters raised by Council are addressed as follows:</p> <ul style="list-style-type: none"> • Shadow analysis is provided in Appendix A Architectural Plans. • Subtropical design elements, including façade articulation, shading, landscaping and access to natural light, are addressed in Appendix A – Architectural Plans and Appendix D – Landscape Concept Plan / Design Report. This includes containerised landscaping within façade recesses from Levels 2–14 on the eastern frontage above the pedestrian entry, operable windows to facilitate cross ventilation, and building design measures that promote 'generous natural light penetration'. • The 15-storey built form is clarified through sections and elevations within Appendix A – Architectural Plans, including the provision of the screened rooftop plant area.

<p>elements to northern and western building elevations, operable window components to facilitate good cross ventilation and access to natural light.</p> <ul style="list-style-type: none"> - Clarification of the number of storeys – provide sections to show the natural ground level and review the roof top garden criteria where any rooftop garden is proposed, - Identify how services (PMT/water booster etc) will be integrated into the built form and streetscape. <p>A future application should address performance outcome PO1 of the Neighbourhood plan. Development is of a height that achieves the intended outcome for the neighbourhood plan, improves the amenity of the neighbourhood plan area, contributes to a cohesive streetscape and built form character and is aligned with community expectations about the number of storeys to be built. Where community consultation is undertaken review City Plan part SC6.9 Consultation planning scheme policy.</p> <p>A future development application may be supported with comprehensive justification against the requirements of the City Plan (including the overall outcomes of the zone code, neighbourhood plan and Strategic Framework) and may also have regard to any other relevant matter / overriding need (s45 (5) of the Planning Act 2016).</p>	<ul style="list-style-type: none"> • Services infrastructure is addressed in Appendix C – Civil Engineering Reports and Appendix E – Stormwater Management Plan prepared by Coordinated Development Solutions. <p>Through the incorporation of articulated built form outcomes, landscaping, separation breaks and subtropical design responses, the proposal improves the amenity of the surrounding locality within the Chermside Centre Neighbourhood Plan area and aligns with community expectations for increased residential density within a highly accessible urban location.</p> <p>Refer to Section 10 of the report.</p>
<p>2. Building Design</p> <p>The overall building length and form, at just over 65m, is in excess of the maximum of 50m as an acceptable outcome of the Multiple dwelling code for buildings in the High density zone.</p> <p>While no site cover calculations have been shown on the provided drawings, a calculation indicates site cover is approximately 66%. Setbacks are also less than the requirements (e.g. 2.5m to the rear / 6m).</p> <p>Combined with the additional height, the bulk and scale with the podium car parking is appearing to be overdevelopment and could have overbearing impacts on the streetscape character and adverse amenity impacts to the surrounding area in terms of access to natural light and breezes.</p> <p>While no elevational or 3D representations were provided for review, Council raised concern that the podium carparking would result in large blank walls to all boundaries and diminished amenity, activation and surveillance to the street, and poor residential amenity to surrounding residents. Given this is a residential area, rather than a centre zoning Council recommended podium parking be removed.</p> <ul style="list-style-type: none"> - Relocate carparking into basement (parking numbers maybe reviewed by Engineering advice). Any above ground parking would need to provide sleeving at a minimum. - Any long lengths of building components above ground level are required to be highly articulated. - Site Cover will require further reduction and demonstration that the development achieves adequate building separation and resident privacy and deep planting landscape provisions. - Council suggested in the meeting providing 2 buildings each with a crossover, or a significant break in the building. A break would allow breezes, break in building bulk, less solar impacts. A design example at 51 Spark St was discussed. - The proposed lobby arrangement opens directly into the ground level carparking indicates very poor residential amenity for future residents and raises perceived CPTED 	<p>The proposal has also been redesigned in response to Council's concerns regarding building bulk and site coverage. As demonstrated in Appendix A – Architectural Plans Design changes include:</p> <ul style="list-style-type: none"> • Removal of podium car park and replacement with 3 level basement car park. • Ground level visitor parking screened from view. • Removal of secondary vehicle crossover. • Substantial break in tower. Proposal now presents as two separate towers. • A clearly identified lobby with direct pedestrian access from Kelso Street. • Increased rear boundary setbacks. • Inclusion of indented parking bays consistent with previous approval.

<p>concerns that will need addressing</p> <ul style="list-style-type: none"> - CPTED and amenity concerns with ground floor units which also directly back onto car parking will need addressing. - Further review of the fire stair egress at ground level is required as the current arrangement does not indicate a safe passageway to a safe open space in accordance with NCC requirements. - A large part of the street frontage is taken up with vehicle access and services. Entry soffits and ceilings of the loading and parking entries need to be finished in high quality of materials and details and contribute positively to street environment. - Provide good quality streetscape community benefit outcomes. - The rear setback is 2.5m to what could be an open car park. This setback and open car park arrangement is not an outcome supporting residential amenity or deep planting and therefore the setback should be increased and car parking removed. 	
<p>3. Deep Planting</p> <p>Deep planting at the street frontage is provides two areas with good sized dimensions. If possible, provide deep planting next to the driveway crossover to reduce continuity of hardstand and provide better street presentation.</p> <p>Where cut outs are proposed in the basement for deep planting, as shown on plan, an early and firm construction commitment to the proposed basement configuration is essential to secure these areas exclusively for deep planting. These spaces are often lost through change applications once basement construction costs become known.</p> <p>A desk top assessment indicates existing street trees at the site frontage. Existing street trees are to be retained and protected.</p>	<p>Refer to Landscape Concept Plan. The proposed indented parking spaces require removal of street trees.</p>
<p>4. Car parking</p> <p>The site is in a good location to seek a performance outcome for car parking. It was noted in the meeting that the previous justification for car parking based on a build to rent model was no longer the case but the site was in an accessible location near Chermshire centre to look for a reduction in the acceptable outcome for car parking. The proposal would need compliant visitor spaces.</p> <p>Regarding visitor parking behind security gates. Council commented in the meeting that under previous revisions of the City Plan a 0.15 car parking rate may have been applicable and therefore by applying the 0.25 visitor rate with the majority in front of the security line there may be some justification to provide a small number behind the security line.</p> <p>Regarding the road dedication and the indented parking, this appears to be a continuation of the original approvals. As part of the previous Development Approval it also appears this formed part of the performance outcome, noting this would be less relevant in a built to sell arrangement. From the initial review, it is suggested Council would seek to maintain the current conditions. The kerb built out could however form part of further negotiation as part of a formal application, as this would require input from Council's Traffic and Operations (TAO) team. As formal traffic and transport advice was not sought as part of this pre-lodgement, TAO have not been consulted and therefore specific advice cannot be provided. Alternatively separate traffic and transport advice can be</p>	<p>Refer to Traffic Report.</p>

<p>sought and relevant information can be confirmed.</p> <p>A traffic report, endorsed by an RPEQ, is required to demonstrate that the proposal complies with the Transport, Access, Parking and Servicing PSP (TAPS PSP). Any performance solutions proposed for consideration need to be detailed as part of an RPEQ signed traffic report.</p> <p>Vehicular access from Kelso St is acceptable, however introduction of a second crossover is not desirable. As per City Plan generally, developments are limited to a single cross-over location. It should also be acknowledged that the previous approval only had a single cross-over.</p> <p>On site car parking numbers see TAPS PSP Tables 13 and 14. While performance outcomes can be sought, it should be acknowledged that this proposal does not necessarily indicate a built-todate rent arrangement, therefore updated justifications will need to be provided.</p> <p>The circulating/parking aisles, ramps, bays and manoeuvring areas are to be designed in accordance with the TAPS PSP.</p> <p>Location of Refuse truck bay on plan – location of column could be problematic for refuse manoeuvring.</p> <p>There is no update on the intersection upgrade status as identified in the Chermshire centre neighbourhood plan.</p>	
<p>Additional comments</p>	
<p>Fuel Burning</p> <p>If fuel burning is proposed that exceeds 0.1MW it will trigger an impact use for industry. Air quality and noise reporting would be required.</p> <p>Fire booster pumps and such plant/equipment (i.e. stand-by power generators, flood pumps, etc) often run on Diesel or another fuel such as gas and may be considered “fuel burning”. An assessment of any proposed fuel burning plant/equipment should be provided with a future application. The details required include the total and cumulative fuel burning capacity of all proposed plant equipment, location, hours used per year, fuel type & quantity, noise emission controls and air vent location & controls. Ensure the industrial land use definitions in Table SC1.1.3.A—Industry thresholds are checked, as the total or individual MW capacities may trigger an industrial land use (i.e. Fuel Burning) being required, which would trigger an additional permit for an Industry use and require further technical reporting.</p>	<p>Fuel burning is not proposed.</p>
<p>Brisbane Green Factor Scorecard</p> <p>A Brisbane Green Factor scorecard may be used to demonstrate the quality and quantity of proposed landscaping plans on the site. Use of the tool is encouraged, particularly where landscaping is argued as a key element to justify high-quality design outcomes. The Brisbane Green Factor can be accessed on Council’s website at: https://brisbanegreenfactor.brisbane.qld.gov.au/.</p>	<p>Refer to Landscape Documentation.</p>

5. PROPOSED DEVELOPMENT

5.1. Proposal Details

The Proposal is detailed within the concept plans prepared by NMDS Architecture and is summarised below:

- Demolition of all on-site improvements.
- Construction of a 15 storey multiple dwelling.
- Gross floor area 15,161m²
- Plot ratio 5
- 193 apartments
- 282 car parking spaces.
- 3 level basement car park with ground floor visitor parking.
- Single vehicle access points to Kelso Street.
- Indented parking bays to Kelso Street frontage.
- Deep planting provided to front and rear boundary.
- Ground level and podium landscaping.
- 1.5m verge widening to Kelso Street.
- Site cover podium 67% and tower 52%

Refer to **Figures 5-1 to 5-5** and **Table 5-1**.

The architect's vision for the Proposal is outlined below:

The vision for the project is for a high quality, multi-residential development that facilitates a lifestyle that will benefit all of its residents, from first home buyers to families and down sizers. The development will provide a mix of 1 / 2 / 3 bedroom apartments with a generous communal recreation area providing amenities which will appeal to all demographic groups.

The site is located in the heart of the Chermside precinct, and currently comprises five individual lots, with the intent of amalgamating the site to provide one single development.

The existing built form will be removed to make way for the new development, which will comprise 193 units in total, 41 x 3 bedroom units, 124 x 2 bedroom units and 28 x 1 bedroom units, with an emphasis on livability and subtropical design.

The following design principles have been applied as part of the overall design philosophy:

- *An articulated tower form sitting on a single storey podium, with a highly contextualized podium façade. A varying palette of materials includes brickwork and extensive landscaping at Ground and podium level.*
- *Generous landscaping has been provided to create a lush sub-tropical environment to key public zones.*
- *Mix of apartment sizes / layouts to create an inclusive and diverse resident population.*
- *An articulated and refined material palette including a variety of finishes. Dark and light tones have been selected to provide separation and contrast between the towers and the horizontal landscaped elements at podium level.*

- Extensive resident amenity with a large communal area providing a mix of passive and active recreation spaces, including:
 - large swimming pool / spa with adjacent seating areas.
 - large sundeck with variety of seating options.
 - steam / sauna.
 - gymnasium with adjacent break-out area (at Ground level)
 - wellness zone with adjacent break-out area (at Ground level)
 - co-working space with adjacent break-out area (at Ground level)

The proposed development will enhance the Chermside precinct with a high quality development adding to the diverse mix of residential developments in the precinct.

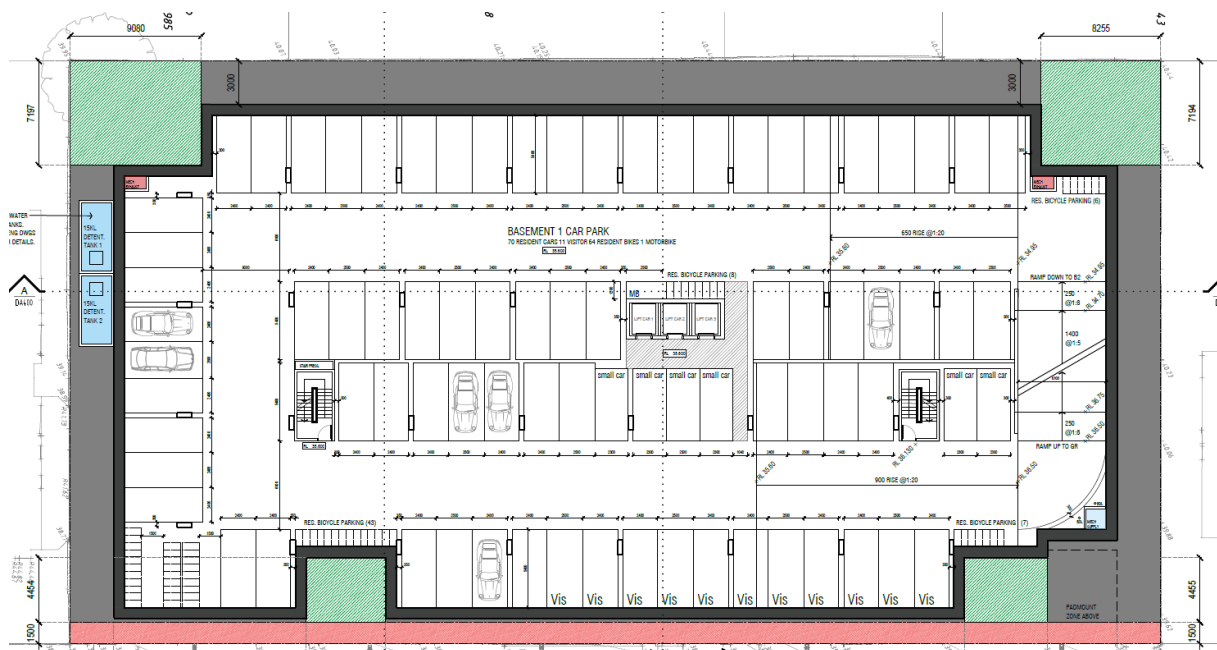


Figure 5-1 Basement Level

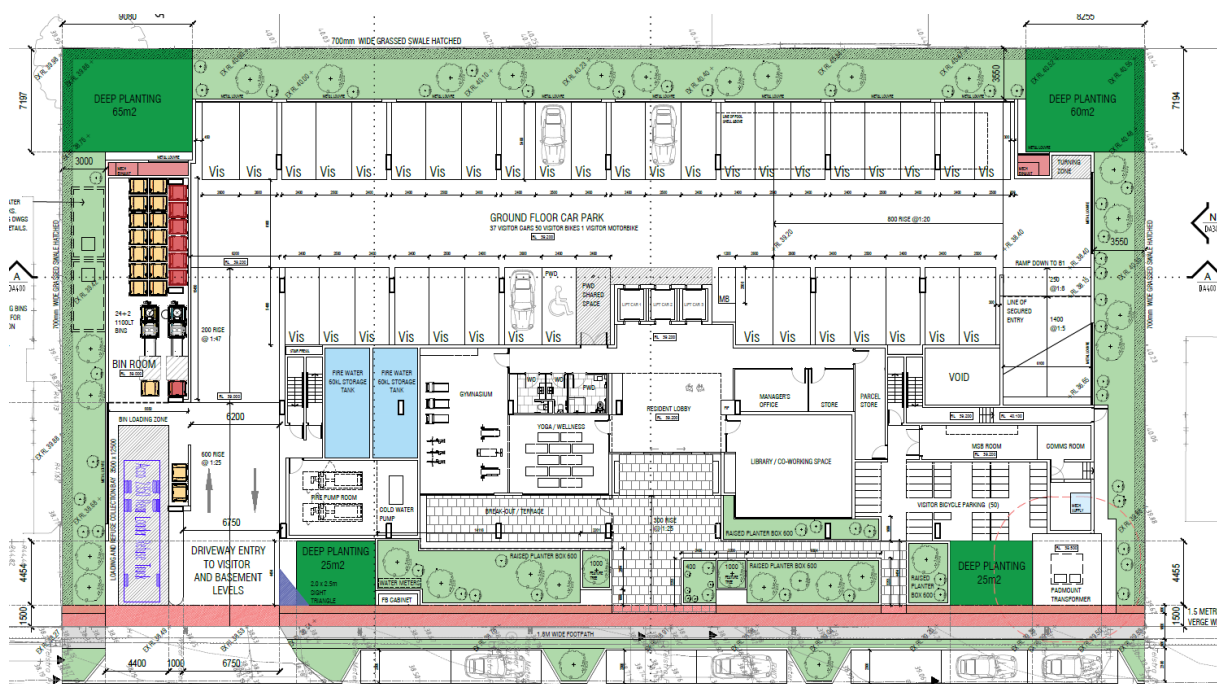


Figure 5-2 Ground Floor



Figure 5-3 Levels 2-14



Figure 5-4 Kelso Street Elevation



Figure 5-5 Kelso Street Frontage

Proposed Development Table	
Material Change of Use – Multiple Dwelling	
Lot Description:	Lots 57, 58, 59, 60 & 61 on RP46834
Lot Size:	3,036m ²
Proposed Use:	Multiple Dwelling
Number of Storeys:	15 storeys and 3 basement levels
No. of Units:	193 Units: <ul style="list-style-type: none"> • 41 x One Bedroom • 124 x Two Bedroom • 28 x Three Bedroom
Site Cover:	Podium 67% Tower 52%
Parking Spaces:	Total of 282 carpark; <ul style="list-style-type: none"> • 234 Residential • 48 Visitor
Front Setbacks:	Min 4.4m balcony 3.75m planters 5.7m wall
Rear Setbacks:	Min 3.5m to 7.8m
Side Setbacks:	Northern Setback – 3.5m to 5.6m Southern Setback – 3m to 5.7m
Total Landscaping:	937m ²
Total Communal Open Space:	394m ²
Crossover Width:	13m
Refuse Storage/Collection:	On-site refuse servicing
Materials:	Precast with Paint Finish, Feature Aluminium Screening, Clear Glazed Balustrading & Feature Facebrick

Table 5-1 Development Breakdown

Source: Urbicus

6. SUPPORTING DOCUMENTATION

6.1. Architectural Plans

The architectural plans prepared by NMDS incorporate:

- Site Plans
- Floor Plans
- Elevations
- Sections
- Perspectives
- Streetscapes
- Setback analysis
- Buildings that Breathe

The architectural plans detail a well-considered and articulated building that responds to its surrounds and will offer future residents and high standard of living. Refer to Appendix A.

6.2. Landscape Plans

AS Design have prepared a Landscape Concept Plan that includes:

- Landscape Concept Plan
- Plant Palette

The landscape package should be viewed in conjunction with the architectural package prepared by NMDS Architecture. Refer to Appendix D.

6.3. Traffic Engineering Assessment Report (BMC Traffic)

The Traffic Engineering Assessment undertaken by BMC Traffic provides an assessment of the car parking and transport impacts of a Proposal. The report concludes:

- *Adopting the current TAPS Policy requirements, the site's parking requirement is 345 resident plus 49 visitor parking spaces.*
- *When consideration is given to the More Homes, Sooner draft document, the resident parking requirement is 235 parking spaces.*
- *The proposed parking provision of 237 resident and 49 visitor vehicle parking spaces, including motorcycle parking (up to 2% provision), is appropriate in the context of the draft More Homes, Sooner document and associated parking rates.*
- *The bicycle parking requirement is 193 resident and 49 visitor spaces and this requirement is met.*
- *A detailed review of the parking layout is provided in the body of this report. On the basis of this review, appropriate operation is anticipated.*
- *The crossover provides appropriate accessibility for the development.*
- *Appropriate refuse storage is shown when reference is made to the existing Approval, which includes 23 additional units and a similar refuse and recycling provision.*

- On-site loading is demonstrated for vehicles up to the including a 12.5m Heavy Rigid Vehicle.
- A pedestrian path is to be constructed along the site frontage to Kelso Street.
- Land dedication of 1.5m is proposed for the development, in addition to the construction of indented parking along the site frontage to Kelso Street. This is consistent with the existing Approval.

Refer to Appendix B.

6.4 Civil Engineering Reports

A Civil Engineering Report and Storm Water Management Plan has been prepared by CDS.

The reports:

- Review the civil engineering constraints on the site;
- Demonstrate the extent of flooding impacts on the site;
- Confirm connection to services.
- Identify the lawful point of discharge for the development; and
- Confirm the stormwater quality management requirements for the development.

Refer to Appendix C & E.

7. STATUTORY FRAMEWORK

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

7.1. 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.

7.1.1. 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

7.1.2. 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.

7.1.3. 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 proposed development does not trigger referral to State Government.

7.2. State Planning Requirements

7.2.1. 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 Planning Act.

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.

Part 2 Section 2.1 of City Plan indicates that the SPP was integrated into the planning scheme and therefore assessment against the SPP is not required.

7.2.2. 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.

However, as the proposed development does not require referral to SARA (refer to Section 4.1.3) the SDAP's do not apply.

7.2.3. SEQ Regional Plan 2009-2031

The site is within the area of the South-East Queensland Regional Plan (Regional Plan) 2009-2031.

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 Brisbane City Plan 2014.

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

8. LOCAL PLANNING REQUIREMENTS & ASSESSMENT

The BCP2014 is the applicable planning scheme. The relevant provisions are identified and addressed below.

8.1. Assessable Development and Level of Assessment

The Proposal is assessable development under the BCP2014 requiring development permit for a Material Change of Use (MCU) - Multiple Dwelling.

A MCU for Multiple Dwelling within the Neighbourhood Plan is Code assessable where not exceeding 10 storeys and Impact assessable where exceeding 10 storeys. The application is for a 15 storeys Multiple Dwelling and therefore the level of assessment is elevated to Impact.

The demolition or removal of the existing building is not assessable development under the BCP2014.

8.2. Strategic Framework

The proposal requires assessment against the Strategic Framework as building height exceeds 10 storeys. The level of assessment would otherwise be Code requiring assessment against relevant assessment benchmarks (Codes) only. Accordingly, assessment of the proposal against the Strategic Framework is focussed on the proposed building height and associated increase in development density proposed over the Site.

The BCP2014 includes a Strategic Framework which sets the policy direction for the planning scheme. Under the Strategic Framework the Site is included in the Suburban Living Area Land Use. Refer to **Figure 8-1**.

Under Brisbane CityShape the Site is located within or adjacent to the:

- Chermerside Growth Node

In responding to the Strategic Framework the following comments are provided:

- **Brisbane's Suburban Living Areas** represent the majority of established residential suburbs in Brisbane, where growth occurs in response to local needs and impacts on local amenity and values are carefully considered. Brisbane's Suburban Living Areas include centres, community facilities, medium and high density residential and industrial uses, as indicated in neighbourhood plans and the zoning pattern.

The Site is included in the HDR2 zone. The proposed development density is in response to the Sites proximity to a Principal Centre, parkland and key transport corridors and stations (bus). The additional development density sought is unlikely to impact upon the amenity of surrounding sites and uses.

- **Brisbane's Growth Nodes on Selected Transport Corridors** provide for:
 - Growth in dwellings and jobs to be concentrated in identified nodes along Selected Transport Corridors to ensure access to employment, services and infrastructure.
 - A range of higher density housing forms and clusters of activity around hospitals, universities and other Special Centres that have easy access to public transport along Brisbane's transport corridors.

The Sites proximity to key infrastructure, including hospitals, a Principal Centre, parkland and public transport networks support densities in excess of those currently supported under the Neighbourhood Plan. A response to the Specific Outcomes and Land use strategies for Brisbane's Growth Nodes on Selected Transport Corridors is provided below.

Specific Outcomes & Land Use Strategies	Response
<p>SO1</p> <p>Growth Nodes on Selected Transport Corridors provide opportunities for a range of more intense urban form, mix of land uses and activities that are tailored to the locality and catchment's community needs in accordance with the applicable land use strategies.</p>	<p>The Site is located proximate to the Chermside Growth Node and Transport Corridor.</p>
<p>L1.1</p> <p>Growth Nodes on Selected Transport Corridors, identified on the Brisbane selected Transport Corridors and Growth Nodes Strategic Framework Map, are focused on land within the centre zone on the following transport corridors that are described in more detail below:</p> <ul style="list-style-type: none"> a. Logan Road transport corridor—Kangaroo Point to Upper Mount Gravatt; b. Gympie Road and Northern Busway transport corridor—Royal Brisbane Hospital to Carseldine; c. Old Cleveland Road and Eastern Busway transport corridor—Chermside to Carindale; d. Brisbane South Rail transport corridor—Princess Alexandra Hospital to Coopers Plains; e. Kingsford Smith Drive transport corridor—Newstead to Hamilton; f. Brisbane South-west Rail transport corridor—Milton to Wacol; g. Enoggera Road and North-west Rail transport corridor—Kelvin Grove to Mitchelton; h. Brisbane North-east Rail transport corridor—Bowen Hills to Northgate; i. Brisbane East Rail transport corridor—Buranda to Cannon Hill. 	<p>The Site is located within the HDR2 Zone but is located proximate to the Chermside Principal Centre.</p>
<p>L1.2</p> <p>Planned Growth Nodes on Selected Transport Corridors provide for future growth in accordance with a neighbourhood plan.</p>	<p>The proposed development complies with the intent of the Chermside Centre Neighbourhood Plan Code.</p>
<p>SO2</p> <p>Growth Nodes on Selected Transport Corridors provide an integrated urban form and exhibit leading practice in urban and public domain design and social and environmental outcomes.</p>	

<p>L2.1</p> <p>Development provides for a mix of uses, densities and urban form which support walkable, self-contained communities that:</p> <ul style="list-style-type: none"> a. reduce vehicle-based trips; b. provide choice of housing types; c. provide access to employment, retail and commercial services, recreational opportunities and community facilities; d. protect residential amenity commensurate with its location. 	<p>The proposal provides for higher density residential development that maximises its proximity to transport infrastructure and an existing Principal centre. Future residents will have access to services, jobs, public transport, community facilities and recreational facilities.</p>
<p>L2.2</p> <p>Development for some limited commercial uses in a Growth Node may be provided for within the applicable neighbourhood plan, to act as a separating buffer for residential development from adverse air and noise impacts created by the transport corridors.</p>	<p>Not applicable. The site is not affected by air or noise impacts from transport corridors.</p>
<p>L2.3</p> <p>Development in a Growth Node is to face lower order streets as identified in any existing neighbourhood plan and not just address the road or railway line within the transport corridor.</p>	<p>The proposed building addresses Kelso Street.</p>
<p>L2.4</p> <p>Development is of a scale and density that is commensurate with the capacity of the transport network and reflects capital, recurrent and planned expenditure on infrastructure networks.</p>	<p>The Site is extremely well serviced by existing infrastructure. The proposal will provide housing for additional persons with access to this infrastructure.</p>
<p>L2.5</p> <p>Development provides an enhanced standard of urban and public domain and environmental and social outcomes.</p>	<p>The proposal involves upgrades to Kelso Street.</p>
<p>L2.6</p> <p>Mixed use development offers a choice of housing types and appropriate community infrastructure.</p>	<p>The proposal offers a mix of housing (1, 2 and 3 bedroom units) and ground floor non-residential uses.</p>
<p>S03</p> <p>Growth Nodes on Selected Transport Corridors are based on railway stations and land within the centre zone which are focus points of activity, accessibility and employment.</p>	

<p>L3 Centres within Growth Nodes:</p> <ul style="list-style-type: none"> a. reflect their distinctive identity, built form, intensity and land use mix; b. are intensive mixed use nodes of commercial, retail and residential activities and local services and facilities; c. are developed in accordance with agreed transit oriented development principles in the applicable neighbourhood plan; d. are developed using design principles aimed at protecting health and amenity for residents and workers and protecting environmental values; e. have high-quality access to high- frequency public transport services within a walkable catchment; f. have a high-quality public domain which provides high levels of pedestrian and cycle accessibility and permeability with safe and direct connections between public transport stops, the centre and surrounding neighbourhoods; g. provide a variety of housing types that accommodate the community's different life stages including aged-care accommodation and dwellings of various configurations and sizes; h. provide a network of high-quality public spaces such as urban commons and local recreation parks to satisfy local community needs. 	<p>The proposal is located adjacent to the Chermside Growth Node. The additional development densities proposed will compliment the future development of this growth node by accommodating additional residents who will frequent the centre and high frequency public transport.</p>
<p>S04 Growth Nodes on Selected Transport Corridors protect the character and amenity of the surrounding Suburban Living Areas within which they are located.</p>	
<p>L4 Development is of a scale and mass that provides an appropriate transition in building height and bulk to the Suburban Living Areas in particular those adjoining neighbourhoods that are sensitive to the physical and visual character and amenity of adjoining neighbourhoods with lower development intensities and building heights.</p>	<p>The site incorporates 5 lots and is surrounded by land designated for high density development.</p>

Logan Road transport corridor—Kangaroo Point to Upper Mount Gravatt

Corridor centres within the transport corridors at Chermside, Greenslopes, Greenslopes Mall, Holland Park, Mount Gravatt East and Mount Gravatt Central will develop with **higher density residential** and employment uses.

Parks and public places within the Norman Creek catchment will be enhanced and upgraded.

The transport corridor contains a range of existing parks, however further recreation opportunities and other complementary community facilities will be required to service a growing population.

Response

The Site is ideally located adjacent to key transport corridors, bus station, a Principal centre and offers an opportunity to deliver high density residential development consistent with the Strategic Intent of the BCP2014.

Old Cleveland Road and Eastern Busway transport corridor—Chermside to Carindale

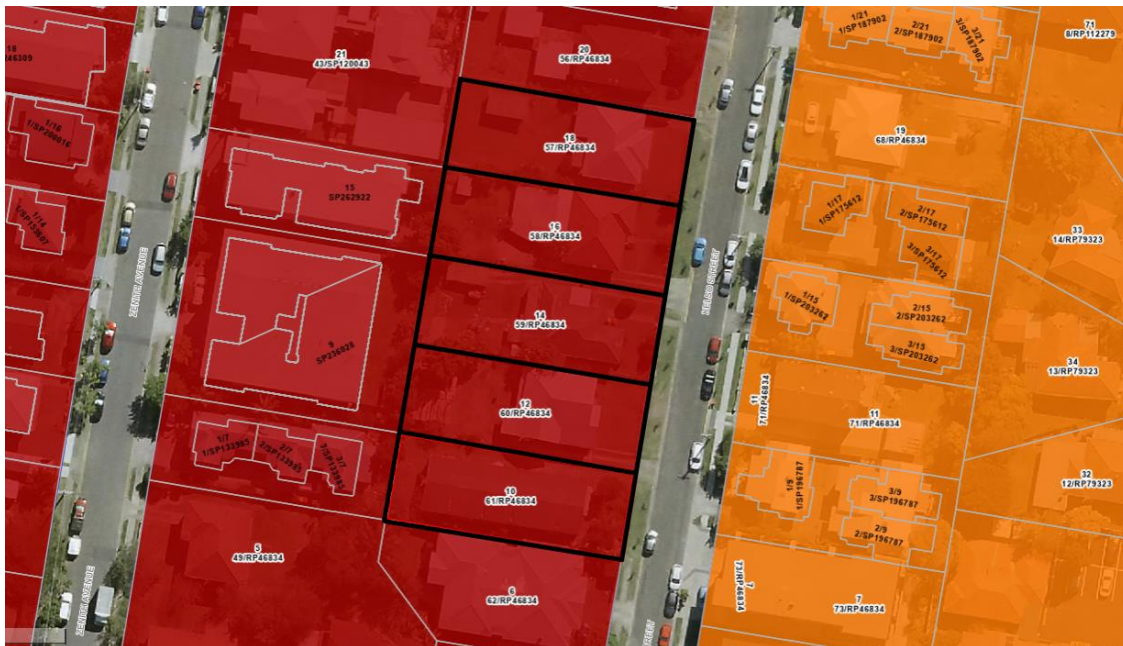
The Old Cleveland Road and Eastern Busway transport corridor—Chermside to Carindale stretches along the high-frequency Eastern Busway route that follows Old Cleveland Road between Chermside and Carindale.

Corridor centres at Chermside, Coorparoo and Carina will each develop a distinctive identity and will build upon existing character values, with higher density residential and employment uses.

Refer to comments above in response to the Logan Road transport corridor.

8.3. Site Zoning

The subject site is located within the HDR2 High density residential (Up to 15 storeys) zone.



8.4. HDR2 High density residential (Up to 15 storeys)

The purpose of the high density residential zone is to provide for:

- (a) high density multiple dwellings; and
- (b) community uses, and small-scale services, facilities and infrastructure, to support local residents.

The proposal is consistent with the purpose of the HDR2 Zone delivering residential units within a high density built form.

8.4.1. Development location and uses overall outcomes

Development location and uses overall outcomes	Nature of proposal
Development provides for a range of well-designed, location-responsive, high density, medium to high rise multiple dwellings to predominate.	Complies. The proposed multiple dwelling is well-designed, location-responsive high rise and high density development.
Development facilitates intensive urban consolidation and the highly efficient use of physical and social infrastructure in well-located parts of the city, capitalising on the High density residential zone's strategic location and amenity and proximity to key destinations.	Complies. The proposed development will allow for urban consolidation and better use of physical and social infrastructure, capitalising on the zone's strategic location and amenity and proximity to key destinations.
Development supports the creation of a walkable neighbourhood that optimises the potential for residents to live within walking distance of and be well connected to high-frequency public transport, nearby centres, employment, recreational and educational opportunities and community facilities and reduces vehicle-based trips to work, shops or centres.	Complies. The proposed development will support the creation of a walkable neighbourhood with the potential for residents to live within walking distance of regular public transport, nearby centres, recreational opportunities and community facilities, and reduces vehicle-based trips to work, shops or centres.
Development for a new dwelling house or dual occupancy is not accommodated.	Not Applicable. The proposed development is for multiple dwelling.
Development is not required to be responsive to or to provide a sensitive transition to a lower density building, including a dwelling house on an adjoining site within the High density residential zone, unless it is specifically intended that such a building remain in the zone, for example, a site within the Heritage overlay or where a specific neighbourhood plan provision applies.	Not Applicable. Subject site is not located within the Heritage overlay.
Development creates a wide choice in housing form and size suited to a diverse community, providing housing adaptability to meet the needs of a diverse population and respond to residents' changing life-cycle needs.	Complies. The proposed multiple dwelling will provide housing diversity and enable people to find suitable accommodation throughout their life cycle.
Development for housing types other than a multiple dwelling including rooming accommodation, a residential care facility or a retirement facility together with ancillary convenience activities and allied services (care co-located uses), provides housing diversity and enables people to find suitable accommodation through their life-cycle needs and supports urban consolidation and meet amenity expectations of residents.	Complies. The proposed multiple dwelling will support and meet the needs of visitors to, nearby destinations, such as hospitals, to provide housing diversity.
Development for complementary residential accommodation options including short-term accommodation support, and meet the needs of visitors to, nearby destinations such as hospitals.	Not Applicable. The proposed development is for multiple dwelling.

Development meets the building height requirements of the Multiple dwelling code or an applicable neighbourhood plan or meets the bulk and building height requirements of the Retirement and residential care facility code if a residential care facility or retirement facility.	Refer to Section 10.
Development for a dwelling unit may occur as part of a non-residential use.	Not Applicable.
Development reflects and supports the level of comfort, quiet, privacy and safety (including impacts of glare, odour, light, noise, traffic, parking, servicing and hours of operation) reasonably expected within a high density predominantly permanent residential environment.	Complies. The proposed development is reasonably expected within the high density zoning.
Development for an active frontage use on land within the Active frontages in residential zones overlay is to comply with the Active frontages in residential zones overlay code.	Not applicable.
Development for commercial character building activities on land within the Commercial character building overlay is to comply with the Commercial character building (activities) overlay code.	Not Applicable.
Development for a compatible and individual small-scale non-residential use which is a community care centre, community use, health care service, office, shop or veterinary service (together with any associated caretaker's accommodation or dwelling unit) where not on land within the Commercial character building overlay or the Active frontages in residential zones overlay, is to: <ul style="list-style-type: none"> i. have a gross floor area of less than 250m²; ii. serve local residents' day-to-day needs; iii. not undermine the viability of a nearby centre. 	Not Applicable.
Development which would result in the co-location of new non-residential uses only occurs along an active frontage identified on the Active frontages in residential zones overlay map or where located in two or more adjoining commercial character buildings.	Not Applicable.
Development for a home-based business may only operate in a dwelling house, dual occupancy or multiple dwelling and is of a scale and nature that protects the amenity of adjoining residents.	Not applicable.
Development for any other non-residential use serves a local community facility need only such as a childcare centre or a substation.	Not Applicable.

8.4.2. Development form overall outcomes

Overall Outcomes	Nature of proposal
Development for a residential building occurs on an appropriately sized and configured lot and is of a height, bulk, scale and form which is tailored to its specific location and to the characteristics of the site within the High density residential zone and the relevant zone precinct and is consistent with the location-specific provisions in a relevant neighbourhood plan.	Refer to Section 10.

Development provides for a building to have a building height and bulk that responds to:

- i. the local context including local neighbourhood identity, topography, views, the mix of surrounding uses, proximity to transport corridors and centres, the location of surrounding heritage buildings, parks and environmental features;
- ii. site characteristics including the shape, frontage, size, orientation and slope.

Refer to Section 10.

Development provides for a building that incorporates a height and setback that:

- i. provides a sensitive transition at the edge of the High density residential zone or zone precinct and adjoining lower density zones or zone precincts;
- ii. responds to the existing and intended uses and built form in each particular adjoining zone.

Refer to Section 10.

Development provides for setbacks which suitably buffer a residential use from an activity in an adjoining non-residential zone.

Refer to Section 10.

Development provides for buildings to be predominantly well-spaced towers, set within a landscaped space with relatively low site coverage.

Complies. Building presents as 2 towers with generous landscaping.

Development supports a subtropical character by ensuring that:

- i. building form, spacing, orientation and design ensure dwellings are well designed and sensitive to the city's climate;
- ii. residents on the site, as well as residents of existing or future dwellings on adjoining sites, have sufficient privacy and reasonable access to daylight, sunlight and breezes to enable the intended use of indoor and outdoor spaces.

Complies. The proposed design supports a subtropical character and is appropriately positioned on-site. Refer to the Builds that Breathe assessment provided by NMDS Architects.

Development provides extensive, quality, private and communal open space and landscaping, including deep planting, that soften the dominance of buildings, provide breathing space and encourage outdoor living.

Complies. The proposed development provides for substantial landscaping, private & communal open space areas.

Landscaping is provided to all boundaries. Two deep planting areas along the eastern and western boundaries complimented by podium planting.

Development provides for a building to:

- i. take advantage of attractive views and aspects;
- ii. address and interface with the street and other adjoining public space, including via habitable uses at ground level (with parking located below buildings) in order to provide surveillance and encourage activation of parks and streets.

Refer to Buildings that Breathe Assessment within the Architectural Plans.

Complies. The proposed development will provide quality private and public open spaces and landscaping.

Development provides for a residential dwelling that fronts a heavily trafficked road or other noise source to be:

- i. suitably located and orientated on the site;
- ii. designed and finished to minimise noise intrusion while maintaining some opportunities for interface with and surveillance of the street.

Not Applicable. Kelso Street is not heavily trafficked roads.

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.

Complies. The proposed building's design responds to the prevailing land constraints over the site

8.4.3. Up to 15 Storeys Zone Precinct Overall Outcomes

Overall Outcomes	Nature of proposal
Development that provides a residential building has the greatest height and density in the city outside of the Principal centre zone.	Performance Solution. Refer to Section 10.
Development that provides a residential building is predominantly 9 to 15 storeys in height, in a very well-located part of the city, including close to the City Centre, clustered around significant centres and high-frequency public transport nodes, often in hilltop locations or with river views.	Performance Solution. Refer to Section 10.

8.5. Neighbourhood Plan

8.5.1. Chermside Centre Neighbourhood Plan

The purpose of the Chermside centre neighbourhood plan code is to provide finer grained planning at a local level for the Chermside centre neighbourhood plan area. The purpose of the Chermside centre 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
The Chermside centre develops as a principal regional activity centre, accessible by high-quality public transport and serves as a focal point for employment, administration, cultural, entertainment, retail and service activities on the north side of Brisbane.	Complies – the Proposal will support the continued development of the Chermside Centre.
Development is consolidated around key activity nodes being the Prince Charles Hospital, Chermside Shopping Centre and the Gympie Road transit corridor, supporting major activity generators in these areas and using high levels of accessibility.	Complies – Proposal consolidated development on land currently underutilised within close proximity to services.
Development enhances activation of Gympie Road bus station entry points and their immediate surrounds.	Not Applicable.
Vehicle entrances, servicing and parking are designed and located to facilitate safe pedestrian movement.	Complies – single access point with separate pedestrian entry.
Higher density development requires larger sites that will be achieved through lot amalgamation.	Complies - Site created through amalgamation of 5 lots.
Multiple dwellings are not accommodated in the Low density residential zone.	Not applicable
Development incorporates arcades to improve pedestrian connections to key destinations.	Not Applicable.
Development integrates with a network of high-quality, accessible open space and ensures the ecological values of Downfall Creek are maintained. A system of green-space areas, streetscapes and community facilities meet the needs of existing and future residents.	Not Applicable.

Development within precincts respects adjoining heritage.	Not Applicable.
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, sub-precinct or site and is only developed at a greater height, scale and form where there is both a community need and an economic need for the development.	Refer to Section 10.

Residential north precinct – NPP-002 and High density residential sub-precinct – NPP-002a overall outcomes are:

Overall Outcomes	Nature of proposal
Residential development caters for diverse groups including the aged and workers and provides short-term accommodation to support the nearby hospital activities and services.	A mix of unit types are proposed.
Development provides connections to and addresses the open space network associated with Downfall Creek.	Not applicable.
Development in the High density residential sub-precinct (Chermside centre neighbourhood plan/NPP-002a): <ul style="list-style-type: none"> i. provides high density residential development where lot amalgamation can be achieved; ii. protects the reasonable amenity of adjoining and nearby areas by transitioning down in height and scale at site boundaries. 	Site formed through amalgamation of 5 lots. Proposal addresses amenity impacts through setbacks, landscaping and tower design.
Development in the Wheller Gardens sub-precinct (Chermside centre neighbourhood plan/NPP-002b): <ul style="list-style-type: none"> i. provides residential accommodation for senior Brisbane residents; ii. provides higher density residential care facility and retirement facility uses; iii. maximises pedestrian amenity and access through arcades that increase the permeability to Esplanade Road, nearby services, facilities, residential areas and the Downfall Creek green-space network; iv. for any new development protects heritage values and where adjacent to heritage places is sympathetic in height, bulk and scale. 	Not Applicable.

8.6. Applicable Overlays

The following overlays apply to the site:

Overlays
Airport environs overlay
Community purposes network overlay
Critical infrastructure and movement network overlay
Dwelling house character overlay
Road hierarchy overlay
Streetscape hierarchy overlay
Transport noise corridor overlay

Where assessment against an overlay code is triggered, it has been addressed within the Code Report.

8.7. Applicable Codes

The application is assessed against the following assessment benchmarks:

Zone Code	Responding Consultant
High Density Residential	Urbicus
Development Codes	
Multiple Dwelling Code	Urbicus
Neighbourhood Code	
Chermside Centre Neighbourhood Plan Code	Urbicus
Overlay Codes	
Airport Environs Overlay Code	Urbicus
Community Purposes Network Overlay Code	Urbicus
Critical Infrastructure and Movement Network Overlay Code	Urbicus
Road Hierarchy Overlay Code	Urbicus
Streetscape Hierarchy Overlay Code	Urbicus
Transport Noise Corridor Overlay Code	Urbicus
Prescribed Secondary Code	
Filling and Excavation Code	Context Engineering
Infrastructure Design Code	Context Engineering
Landscape Code	AS Design
Stormwater Code	Context Engineering
Transport, Access, Parking and Servicing Code	BMC Traffic

9. DEVELOPMENT CODES

9.1. Multiple Dwelling Code

Overall Outcomes	Nature of Proposal
<p>Development has a site area and frontage width that is sufficient for the scale and form of a multiple dwelling development, to deliver a comfortable living environment with minimal impacts on neighbours.</p>	<p>Complies. The site area and frontage width are sufficient for the scale and form of a multiple dwelling development.</p>
<p>Development is orientated and designed to contribute to a safe, attractive and walkable neighbourhood.</p>	<p>Complies. Proposed development is orientated and designed to contribute to a safe, attractive and walkable neighbourhood.</p>
<p>Development that is in proximity of a railway or bus station, is public transit supportive and designed to facilitate high levels of activity and surveillance of the station and the interface to the street.</p>	<p>Not applicable. Subject site is not located within the proximity of a railway or bus station.</p>
<p>Development does not isolate or negatively impact on the development potential or future residential amenity of adjoining sites.</p>	<p>Complies. Proposed development will not isolate or negatively impact the development potential or future residential amenity of adjoining sites.</p>
<p>Development has a bulk, scale, form and intensity that is consistent with the existing and intended neighbourhood structure for the area as expressed by zone, zone precinct and neighbourhood plan outcomes, having regard to:</p> <ul style="list-style-type: none"> i. the location and street context of the site; ii. its proximity to an activity centre, higher capacity public transport services, or other community facilities; iii. the capacity of infrastructure. 	<p>Complies. Proposed development is of bulk, scale, form and intensity that integrates with the existing and intended neighbourhood structure for the area and is consistent with the location and street context of the site, proximity to an activity centre, and the capacity of infrastructure.</p>
<p>Development is designed to facilitate future intensification of uses at ground level, where in proximity to high-frequency public transport.</p>	<p>Not applicable. Subject site is not located in close proximity to high-frequency public transport.</p>
<p>Development in the Infill housing zone precinct of the Character residential zone includes a range of detached and attached building forms and is of an intensity that reflects the lower density form and character of these zones.</p>	<p>Not applicable. Subject site is not located within the specified zone.</p>
<p>Development is of a height that is appropriate to the strategic and local context and meets community expectations consistent with the following:</p> <ul style="list-style-type: none"> i. 15 storeys in the Up to 15 storeys zone precinct of the High density residential zone; ii. 8 storeys in the Up to 8 storeys zone precinct of the High density residential zone; iii. 5 storeys in the Medium density residential zone; iv. 3 storeys in the Up to 3 storeys zone precinct of the Low-medium density residential zone; v. 2 or 3 storeys in the 2 or 3 storey mix zone precinct of the Low-medium density residential zone; vi. 2 storeys in the 2 storey zone precinct of the Low-medium density residential zone; vii. 2 storeys in the Infill housing zone precinct of the Character residential zone. 	<p>Refer to Section 10.</p>
<p>Development provides setbacks and separation of buildings that contribute to the amenity of residents within and adjoining the site and to Brisbane's high-quality subtropical streetscapes and public spaces.</p>	<p>Refer to Section 10.</p>

Development in or adjoining lower density residential areas uses side boundary setbacks and built form height transitions to manage the interface with those areas and reflect the amenity, form and character and subtropical landscape of those areas.

Development positively contributes to the amenity of the immediate streetscape and pedestrian environment with highly articulated building facades, varied roof form elements, high quality landscaping at the front of the site and direct pedestrian access from the development to the street.

Development ensures that the proportion of built and natural features, including buildings, design features, services and infrastructure, on-site open spaces and landscaping, provide:

- i. an attractive streetscape interface and reduction in the dominance of built form at a street level that contributes to Brisbane's character and identity, high-quality subtropical streetscapes and public space network;
- ii. a high level of amenity for occupants and adjoining residents including access to open and landscaped spaces, natural light, sunlight and breeze to support outdoor subtropical living.

Development of adaptable housing meets the needs of the community now and into the future.

Development provides open space consistent with the following:

- i. communal open space and covered outdoor private open spaces provided for each multiple dwelling capitalise on Brisbane's subtropical climate, maximise outdoor living opportunities and enhance amenity for residents;
- ii. large-scale multiple dwelling development provides useable high-quality communal open space for residents that is accessible and attractive;
- iii. small-scale multiple dwellings provide increased areas for private open space for each dwelling as a substitute for communal open space.

Development provides on-site landscaping that supports and contributes to Brisbane's subtropical landscape character and contributes to the microclimate of the neighbourhood and site, supports outdoor living and subtropical planting, and assists in reducing urban heat island effects, with deep-planting areas for the protection and establishment of large, subtropical shade trees.

Development provides vehicle parking and manoeuvring areas which are located and designed to integrate into the site and building and do not negatively impact on:

- i. the amenity and safety of residents or visitors to the site and adjoining premises;
- ii. the quality and amenity of the streetscape;
- iii. the provision of quality onsite landscaping and deep planting areas;
- iv. the safety and efficiency of both the internal layout and the external road network.

Not Applicable. Subject site is not located in or adjoining lower density residential areas.

Complies. Proposed development will contribute to the immediate streetscape and pedestrian environment with highly articulated building facades and varied roof form elements.

Complies. Proposed development will ensure that the proportion of built and natural features will meet the criteria specified.

Not applicable. Proposal is not for adaptable housing.

Complies. Communal open space provided on Level 1.

Complies. Landscaping is provided to all boundaries and above ground. Refer to Landscape Plans.

Complies. Proposed development provides sufficient parking spaces that are integrated within the building's core at ground level and the basement levels. The design of the carparking areas are considerate of amenity, safety of residents & visitors, while also providing a quality & amenity to Kelso Street. Refer to the Traffic Report prepared by BMC Traffic for additional details.

Development manages its interface with adjoining residential uses to mitigate amenity impacts including protecting visual privacy through appropriate separation of buildings and screening.

Development ensures that building location and design minimises residents' exposure to air and noise pollution.

Development is compatible with nearby existing uses that have the potential for off-site air emissions, considers the health and wellbeing of occupants and does not adversely impact on the continued operation of those existing uses.

Development provides design elements that retain and support local character identity and strengthens site features, such as views, heritage, significant vegetation or significant corner sites, particularly where a landmark site.

Development is designed, orientated, located and constructed to incorporate subtropical design and built form principles that make a positive contribution to Brisbane's built form and public realm, whilst facilitating and encouraging sustainable energy and waste reduction practices.

Complies. Proposed development will interface with adjoining residential uses and is managed to mitigate amenity impacts including protecting visual privacy through appropriate separation of buildings and screening.

Complies. Proposed development will ensure that building location and design will minimise residents' exposure to air and noise pollution.

Complies. Proposed development is compatible with nearby existing uses that have the potential for off-site air emissions, considers the health and wellbeing of occupants and does not adversely impact on the continued operation of those existing uses which includes residential uses to south, and office uses to the north (which have been approved for residential development).

Not applicable. The subject site does not hold any significant character values, nor is a corner site, landmark site, view corridor & does not have any existing significant vegetation.

Complies. The proposed development incorporates subtropical design which includes substantial articulation & generous deep planting areas. Refer to the architectural plans which includes an assessment against the Buildings that Breathe Criteria.

10. PERFORMANCE OUTCOMES**10.1. Building Height, Storeys, Setbacks, Site Cover, Plot Ratio & Separation**

The development proposal seeks a maximum building height of 15-storeys. Accordingly, responses to **PO3, PO4, and PO13** of the **Multiple Dwelling Code** and **PO1 and PO2** of the **Chermside Centre Neighbourhood Plan Code** have been provided below.

Multiple Dwelling Code**PO3**

Development height, bulk and scale, siting and layout ensures that:

- a. building height is consistent with the intended form and character of the local area including the predominant height of existing or approved buildings in the street;
- b. where building height is greater than the acceptable outcome for building height on sites adjoining or opposite the subject site, the development sensitively reduces height towards site boundaries to a compatible scale;
- c. impacts on residential amenity and privacy from overlooking, visual dominance and overshadowing are minimised and adequate levels of natural light and breezes are maintained to habitable rooms, private and communal open space for both the development and residences on adjoining and nearby sites;
- d. sufficient visual and acoustic privacy is achieved between dwellings without reliance on screening;
- e. the development is consistent with the setback pattern and contributes to the character of the streetscape;
- f. adequate landscape buffering is achieved, including the retention and provision of large subtropical shade trees in deep planting areas.

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.

PO13

If:

- a. identified in a neighbourhood plan as a building height transition; or
- b. in the High density residential zone or the Medium density residential zone and sharing a common boundary with, or located fronting a minor road that is opposite premises in the Low–medium density residential zone, Low density residential zone or Character residential zone.

Development provides a transitional built form which protects the amenity of lower density residential areas by:

- a. stepping down in height and scale;
- b. heavily landscaping interface area;
- c. minimising impacts including overlooking and visual dominance through building articulation;
- d. maintaining adequate levels of natural ventilation and light penetration to habitable rooms and private open space;
- e. avoiding large blank walls on steeply sloping sites.

Chermside Centre 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 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.

PO2

Development provides building setbacks that:

- a. create a consistent and cohesive streetscape;
- b. enable existing and future buildings to be well separated from each other to allow light penetration, air circulation and privacy, and ensure windows are not built out by adjoining buildings;
- c. do not prejudice the development of adjoining sites.

Response:

The Proposal does not align with the Acceptable Outcome (AO) for building height (10 storeys) within the Neighbourhood Plan, with a proposed 15 storey building height. However, compliance with corresponding Performance Outcomes (PO) is demonstrated as follows:

- The Site is ideally located with close connections to key transport corridors, public transport infrastructure and social and commercial locations given the proximity to Cherside Shopping Centre, The Prince Charles Hospital and associated transport infrastructure.
- The Site is located within the High-Density Residential Zone (up to 15 storeys precinct) and is proximate to sites within the Mixed-Use Zone (eastern side of Kelso Street) that, under the neighbourhood plan, support 12 storeys. Refer to **Figure 10-1** below for context. As such, the proposed development is uniquely located to maximise building height without significantly impacting on the envisioned built form and mix of structures throughout the immediate area.
- It is noted that the site is significant in size (3,035m²) and has a significant frontage width to Kelso Street of 75.4m. As such the proposed building height is proportionate to the site frontage and area.



Figure 10-1 Code Assessable Building Heights under Cherside Centre Neighbourhood Centre

- The proposed building height is consistent with allowable heights within other Principal Centres. Refer to **Figure 10-2** showing code assessable building heights of 15-20 storeys within the Indooroopilly Centre. There is considerable opportunity to achieve additional

building height within the Chermside Principal Centre to achieve the overall outcomes of the Chermside Neighbourhood Plan.



Figure 10-2 Code Assessable Building Heights under Indooroopilly Centre Neighbourhood Centre

- There has been limited development of the High density residential sub-precinct, and adjoining precincts, as allowed under the Chermside Centre Neighbourhood Plan. Existing detached and multiple dwellings are generally 2-3 storeys in height and have not been redeveloped for 10-12 storeys as promoted by the Neighbourhood Plan. Refer to **Figure 10-3**.

Accordingly, the character of the High density residential sub-precinct, as envisaged under the Neighbourhood Plan, has not been established. To address the existing housing shortage there is an opportunity to redefine:

- Supportable building heights within the Precinct to assist in addressing the existing housing shortage.
- Future streetscape of Kelso Street given there has been no redevelopment of sites within the street for high rise built form.



Figure 10-3 Multiple dwelling approvals

- The Shadow Diagrams prepared by NMDS Architecture provide a comparison of approved overshadowing, for 10 storeys and the Proposal. The comparison demonstrates that overshadowing impacts are not excessive and a large proportion of shadowing is located within road reserves.
- To reduce building bulk, and in response to advice provided at the pre-lodgement stage, the design incorporates two distinct tower elements.
- The proposed scheme incorporates suitable landscaping to minimise the potential impact on adjoining sites and maintain amenity for future occupants where development occurs nearby. Additionally, treatments and screening are utilized in order to minimise visual amenity concerns.

It is acknowledged that the proposed plot ratio of 5 does not comply with the AO of 2.50 under the Chermside Centre Neighbourhood Plan. Notwithstanding, the proposed scheme is supportable on the following basis:

- The site is near key services including public transport, social infrastructure, key transport routes, the site is well suited to accommodate increased density. The cost of servicing the proposed dwellings is considerably less than if located outside the reach of an existing centre.

Given the above, we are of the opinion that the Proposal,

- Is consistent with the intended 'character' of the High density residential development within proximity to a Principal Centre and therefore aligns with community expectation (community consultation will be available to the public through the public notification process);
- Is proportionate to and commensurate with the Site area and frontage width;
- Considers the existing street conditions and site topography;

- Provides adequate stepping of the building, transitional building heights and plentiful landscaping that avoids overbearing development, and protect the amenity of adjoining properties;
- Will provide adequate sunlight and limited overshadowing to adjoining properties; and
- Does not impact upon important viewpoints and corridors.

There is a current lack of new housing. The State Government has adopted initiatives, including legislative restrictions on rental increases within a 12-month period, to improve rental affordability. 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 15 storeys 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 proposals intended use and design address the communities current need for new housing within localities well serviced by existing infrastructure including public transport.

Given the above-made planning arguments, we believe the development proposal satisfies **PO3**, **PO4**, and **PO13** of the **Multiple Dwelling Code** and **PO1** and **PO2** of the **Chermside Centre Neighbourhood Plan Code**

10.2. Site Cover

The proposed site cover is approximately 67% at podium level and 52% at tower level. Accordingly, compliance with PO8 of the Multiple Dwelling Code has been provided below.

PO8

Development ensures that the proportion of buildings to open space and landscaping on a site:

- is consistent with the intended form, character and intensity of the local area and immediate streetscape;*
- facilitates modulation and articulation of the building form;*
- supports residential amenity for occupants and adjoining properties;*
- supports private outdoor subtropical living;*
- provides for well-located and functional communal open space areas;*
- provides for deep planting areas to retain significant vegetation and protect or establish large subtropical shade trees.*

Response:

The proposed site cover is suitable on the following basis:

- Site cover is reduced at tower levels to provide a clear distinction between podium and tower levels. It is noted the historical approval had a similar site cover. Refer to **Figure 10-5**.
- The Proposal includes generous private open space areas and supports outdoor subtropical living which is well articulated and ensures the proposal will not present as a unreasonably dominant or bulky structure.
- Deep planting exceeding 10% of site area has been provided in addition to landscaping to all boundaries. Deep planting areas are supported by above ground landscaping, in particular at podium level.

Overall, we believe the proposed development reflects an appropriate development outcome that aligns with the intended form and character intensity of the local area, immediate streetscape & intent of the High Density Residential Zone.

The proposed building has been significantly articulated through the incorporation of varying materials, building recesses & general building design form that enables a visual interest & naturally mitigates building bulk. Refer to the Architectural Plans prepared by NMDS.

The proposed site cover has not inhibited the ability of the design to accommodate appropriately sized and dimensioned private open space areas capable of facilitating subtropical living. Generous Private & Communal Open Space is proposed as a part of the development, which offers an appropriate balance between built and opens space/landscape areas. As such, this supports residential amenity for intended occupants and adjoining properties. Specifically, Communal area is provided on the roof gardens across all three towers incorporating BBQ facilities, gymnasium, alfresco dining and breakout areas.

Given the above made planning arguments, we believe the development proposal satisfies PO8 of the Multiple Dwelling Code.

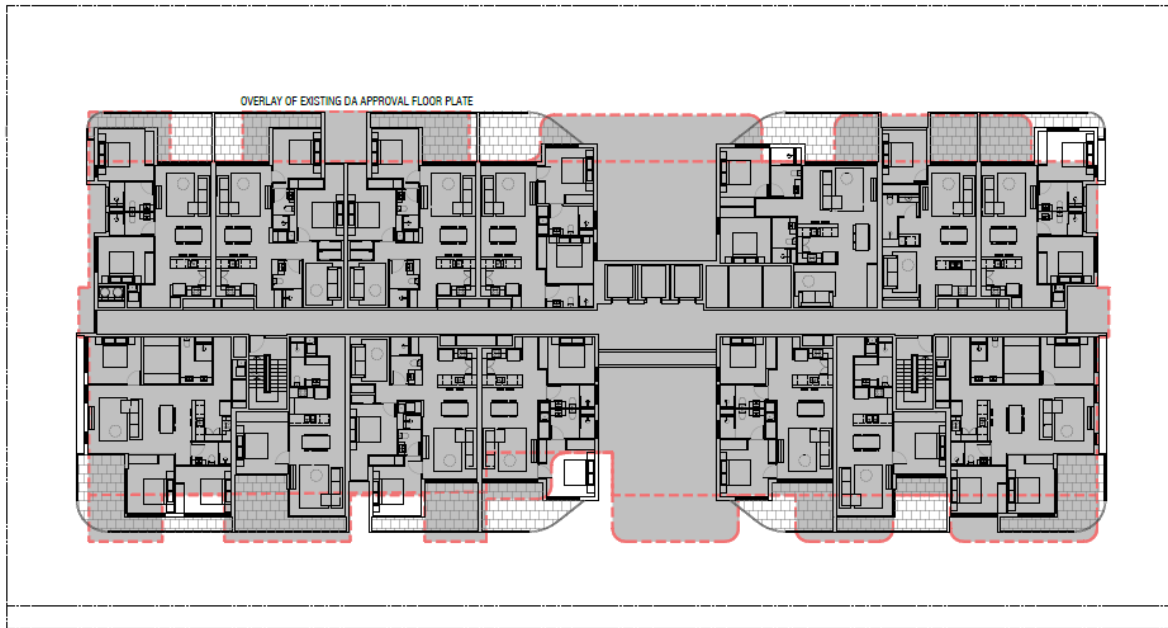


Figure 10-4 Approved Building Setbacks shown in red.
Source: NMDS Architecture



Figure 10-5 Landscape Site Plan
Source: AS Design

10.3. Building Separation

Multiple Dwelling Code

PO14

Development separates buildings from existing or future buildings within a site or on an adjoining site to:

- (a) be consistent with the form and character intent for the local area;
- (b) protect residential amenity including access to natural light, sunlight and breeze;
- (c) provide visual privacy to reduce the need for fixed screening.

Response:

Proposed rear boundary setbacks to habitable spaces (L2-14) vary from 6.85m (balcony) to 8.9m (wall). Under A006394601 Council supported a 6.7m rear boundary setback to habitable spaces. Adjoining buildings to the rear have existing boundary setbacks of approximately 1-8m, providing for up to 17m of building separation to the rear interface. The existing rear boundary setbacks of adjoining buildings demonstrate that there is no clear consistent building setback line.

The side and rear boundaries are both well buffered by significant deep planting and podium landscaping to assist in softening the building form, reducing building bulk, improving privacy and reducing the need for fixed screening.

The extent of overshadowing is generally orientated south, southwest and southeast. The proposed building separation will not result in an additional overshadowing noting that the greatest determinant of overshadowing is building height, which has been addressed above.

Given the above made planning arguments, we believe the development proposal satisfies **PO14** of the **Multiple Dwelling Code**.

10.4. Car Parking Setbacks

Multiple Dwelling Code

PO34

Development where not in a zone in the centre zones category or the Mixed use zone, provides car parking that is sited and of a bulk and form that:

- (a) does not dominate the street frontage of the development;
- (b) does not impact on the safety and efficiency of the road networks;
- (c) does not detract from the quality of adjoining streetscape or public spaces;
- (d) is safe and convenient for residents, visitors and service providers;
- (e) does not negatively impact on the amenity of adjoining residents by way of noise, odour or light having regard to:
 - i. the proximity of dwelling houses or existing multiple dwellings on adjoining sites;
 - ii. the scale and detail of any parking structure walls when viewed from the street and adjoining properties;
 - iii. setback distances to mitigate impacts;
 - iv. the location of active frontages and public spaces.

Response:

Although podium car parking is proposed, it is located at the rear of the Site and is well buffered by deep planting and podium landscaping. The lobby and additional landscaping/ dee planting areas present to Kelso Street.

Safe access to the Site is facilitated by a new access crossover along the southern end of the frontage. The car parking areas are safe and conveniently positioned behind the central lobby and pedestrian entry areas. Additional car parking is provided below ground.

The side and rear boundaries are both well buffered by significant deep planting and podium landscaping to assist in softening the building form, reducing building bulk, improving privacy and reducing the need for fixed screening. Further, as noted in our response to PO14, significant building setbacks and building separation is provided to the rear and side boundaries to ensure amenity of adjoining residents is maintained.

Given the above made planning arguments, we believe the development proposal satisfies **PO34** of the **Multiple Dwelling Code**.

11. RECOMMENDATIONS

This urban planning report demonstrates that the proposed development and associated development application complies with relevant provisions of the City Plan 2014 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.

12. APPENDICES

- 12.1. APPENDIX A – Architectural Plan prepared by NMDS Architecture
- 12.2. APPENDIX B – Traffic Engineering Assessment prepared by BMC Traffic
- 12.3. APPENDIX C – Civil Engineering Reports prepared by CDS
- 12.4. APPENDIX D – Landscape Concept Plan prepared by AS Design
- 12.5. APPENDIX E – Stormwater Management Plan prepared by CDS