



**City Planning & Sustainability
Development Services**

Brisbane Square, 266 George Street, Brisbane Qld 4000
GPO Box 1434 Brisbane QLD 4001
T 07 3403 8888
www.brisbane.qld.gov.au

Dedicated to a better Brisbane

1 October 2019

108 Lambert St S1 Unit Trust
C/- Mewing Planning Consultants Pty Ltd
GPO Box 1506
BRISBANE QLD 4001

ATTENTION: Ms Frances Cassaniti

Application Reference: A005260505
Address of Site: 108 LAMBERT ST KANGAROO POINT QLD 4169

Dear Ms Cassaniti,

RE: Information request under the *Planning Act 2016*

An initial review of the application, supporting information and the response to the 'Action Notice' dated 10 September 2019 (Action Notice), has identified that further information is required to fully assess the proposed development, the extent of demolition, design, and integration of the pre-1911 dwelling houses within the proposed development. Retention of the pre-1911 dwelling houses in situ and inclusion of these dwellings within the overall proposal is supported subject to addressing the matters outlined within this request.

1. Pre-1911 dwelling houses

In response to the Action Notice it is noted that the proposal retains the three pre-1911 dwelling houses (likely pre 1900 houses) within the subject site. To clarify how these dwelling houses are to be incorporated into the proposed development submit:

- a) Plans and elevations of the existing pre-1911 dwelling houses at a recognisable scale including any building work proposed;
- b) Floor plans for each of the pre-1911 dwelling houses showing the proposed internal layout nominating the proposed use of these dwellings, bedrooms, amenities and utility areas, private open space and car parking associated with the use.

2. Tower 3 design

In response to the Action Notice a site plan showing Tower 3 cantilevered over the pre-1911 dwellings was submitted. To fully assess the impact of the revised Tower 3 building design changes provide the following:

- a) Amended site plans, sections and elevations clearly showing the changes to Tower 3 and the extent of cantilever over the retained houses. Note that a full assessment of building separation of the impact of any cantilever element will be undertaken upon receipt of revised plans specifically with regards to the Multiple dwelling code requirements for building separation, impacts on residential amenity, privacy, and access to natural sunlight and the High density residential zone code overall outcomes 5(e) and 5(f).
- b) Provide a revised Buildings that Breathe response noting the retention of the pre-1911 dwellings and incorporation of these dwellings within the development, noting the cantilever design of Tower 3. A revised response is needed to demonstrate how the development responds specifically to the requirements of "Illuminate with natural daylight" and "Natural air and ventilation".

3. Building bulk and scale

Revision of overall building bulk, design, placement, and landscaping outcomes for the three towers with regards to the Kangaroo Point Peninsula neighbourhood plan, High density residential zone code, and Multiple dwelling code are also required in order to progress this application as follows:

a) Site cover

The proposed site cover of 49.5% does not comply with PO14 of the Multiple dwelling code or with Overall outcome 5(e) of the High density residential zone code, which requires the built form to be "set within a landscaped space with relatively low site coverage". The site cover is in excess of the 40% acceptable minimum and has direct impact upon achieving minimum compliance with landscaping outcomes for the proposal combined with other issues of building bulk, separation, and design outcomes within this Information Request. Accordingly, provide the following:

- i) Amended plans showing reduced site cover to achieve a more appropriate balance between built form and open space, including additional deep planting and improved boundary setbacks;
- ii) A plan that clearly shows all parts of the site included in calculations of site cover and specifies where any parts of the basement are above ground level.

b) Building separation

Internal and external building separation as proposed is considered insufficient in the local context. The application has not provided adequate justification against the relevant performance outcome to allow non-compliance with PO8/AO8.1 of the Multiple dwelling code. Tower 1 is shown to be 10.855m from the adjoining Multiple dwelling at 39 Castlebar Street. Furthermore, balconies and habitable rooms are provided on each side of the tower and therefore have potential to impact on residential amenity. The reliance on privacy screening on the majority of habitable rooms for some units is not a desired outcome when considering access to sunlight and daylight and sought outcomes in Council's Buildings that Breathe.

The internal separation distance between Towers 1 and 2 at 7m is also considered to be insufficient when considering the collection of issues regarding bulk and scale of the development as a whole, such as site cover and the ability to provide adequate landscaping outcomes.

Notwithstanding the provision of screening of habitable rooms within Tower 1 units that face Tower 2, the 7m separation between these towers raises particular concern in relation to amenity of habitable rooms.

- i) Provide amended plans increasing the proposed separation distance from adjoining development.

- ii) Increase the separation distance between Towers 1 and 2 paying particular attention to the orientation of habitable rooms and balconies facing habitable rooms of the opposite tower.
- iii) Provide a table showing required and proposed distances in accordance with the Multiple dwelling code PO8 at each level of the buildings.
- iv) Provide additional context information and internal elevations, showing the location of the habitable rooms or balconies of all adjoining properties and their separation distance with the proposed development. If building separation does not achieve acceptable outcome, the proposal layout should be amended or demonstrate how residential amenity and privacy of adjoining residential can be protected.

c) Side boundary setbacks

The applicable acceptable outcome in the Kangaroo Point Peninsula Neighbourhood Plan (KPPNP) requires 10m for side and rear setbacks. The development shows side setbacks of a minimum of 5m for the majority of the proposal to 8.3m for smaller recessed areas. The proposed boundaries are not considered sufficient to separate the buildings sufficiently from existing boundaries and adjoining development.

Provide amended plans that demonstrate increased setbacks to achieve a performance outcome against the applicable assessment criteria noting the requirement for increased building separation in item 4.

d) Gross floor area

The proposed gross floor area (gfa) of the development results in a building size and bulk which are in excess of the intended built form scale in the locality as per PO3/AO3 of the Kangaroo Point peninsula neighbourhood plan (KPPNP). The 20,907m² gfa proposed is more than triple the acceptable plot ratio outlined in the code.

In order to further comply with the KPPNP, provide amended plans showing a reduction in the overall plot ratio so as to be more aligned with the character intent for the location. This could be achieved by addressing items regarding site cover, setbacks, and building separation as mentioned above in this Information request.

e) Private open space

Private open space for various units are proposed with areas less than 12m² as required by PO28/AO28.1 of the Multiple dwelling code. Tower 1 in particular proposes a 10m² balcony for 3 bedroom units and 11m² balcony for 2 bedroom units.

Provide amended plans showing increased balcony sizes for 2 and 3 bedroom units to a minimum of 12m².

f) Communal open space

There is concern over the outlook for the rooftop communal open space for Tower 1 as it appears to overlook private open space and bedrooms of Tower 2.

To meet the requirements of Multiple Dwelling Code PO27 is suggested that the roof top communal open space for Tower 2 is re-oriented to the north-east to provide residents with an outlook and minimize overlooking within the site.

g) Pedestrian access

It is noted that pedestrian and visitor entry to Tower 1 is via a pathway adjacent to the vehicular driveway from Lambert Street. However, it is unclear on plans how this pathway connects to the lobby entrance area of the tower that is compliant with PO32 of the Multiple dwelling code. It appears on plans that the pedestrian walkway may conflict with vehicular movements and is not considered to be a safe, secure and convenient access.

To ensure compliance with PO32, provide amended plans clarifying a pedestrian pathway that is safe, secure and convenient for Tower 1, nothing the requirement for an increased width for vehicular entry in item 6(a) of this Information Request.

4. Buildings that breathe

a) Subtropical design

It is acknowledged that there are topographical constraints on the development site that require stepping of the buildings. However, PO20 of the Multiple dwelling code requires the development to provide subtropical design elements that support Brisbane's subtropical design character and sustainable tropical living. The Brisbane City Council Buildings that Breathe guideline for development also requires well ventilated buildings with natural daylighting to private and communal spaces/lobby spaces.

It appears that there may be numerous apartments on the lower levels of Tower 1 which are located below the existing ground level and may not receive sufficient daylight, sunlight or breezes. Furthermore, it appears that these apartments may also face into a wall of the basement areas of Tower 3. In order to address this issue, provide the following:

- i) Amended plans showing revised heights of lower level units of all towers such that they are located wholly above existing ground level;
- iii) Amended plans that showing lobby spaces with natural daylighting and ventilation for each floor. Currently all the common lobbies have no views to the outside or natural light and breeze.

b) Material variation and articulation of towers

Whilst some architectural qualities are present in the design, including green wall features, additional design detail is required to improve the façade treatment of the towers to reflect the residential nature of the building. A revised design response is to be provided in addressing PO16 to PO20 of the Multiple Dwelling Code in consideration of the Buildings that Breathe document.

- i) Provide amended plans addressing the architectural design of the towers in the form further variation to the building form, recessions and projections of the roof and wall plane, and material variation as per PO17-PO20 of the Multiple dwelling code.

Note: For information on the level of detail required, refer to Council's "Façade detail on tall buildings" fact sheet on the Brisbane City Council website available at the following link: https://www.brisbane.qld.gov.au/sites/default/files/20171010_-_facade_on_tall_buildings.docx

5. Landscaping

a) Deep planting

It is acknowledged that some areas of deep planting have been provided, however the plans submitted state a 13.4% calculation of deep planting on the site. This area includes planting areas restricted by underground services, and bio basin. The development is not considered to meet deep planting requirements and design changes will be required.

Deep planting areas are required to allow the establishment of large sub-tropical shade trees to balance the bulk and scale of the built form provide shade to the open spaces and contribute to the overall subtropical character of the development. To meet the requirements of the Multiple Dwelling Code PO14, AO25.2, AO25.3 and AO30.1 through to AO30.4 provide the following:

- i) Amended plans showing a minimum 10% of the site is provided for deep planting of 'large subtropical shade trees'. The minimum horizontal dimension at ground level for any deep planting area is to be 4m internal width. Planting areas are required to be located throughout the site including within the frontages to help balance the bulk and scale of the development. This will require changes to basement setbacks, underground services locations and building levels above.

Notes:

- Deep planting areas shown on amended plans need to be viable. The areas demonstrated need to be of sufficient size/width and have adequate building setbacks to accommodate the growth of a large subtropical shade trees that can balance the overall bulk and scale of the development. At a minimum these areas must be open to the sky (no building above) and have no underground development or services (including basement). Deep planting areas must have the ability to facilitate the growth of a 5m canopy diameter and 5m tall shade tree at 5 years maturity. The mature canopy spread should be demonstrated on plans. A minimum 4m internal dimension is considered to meet these requirements.
- Balancing the scale and height of the building will be more effective if the deep planting areas are not consolidated to one section of the development.
- Amended plans are to demonstrate basement wall thickness to demonstrate that this will not impact deep planting areas.

b) Landscaping outcomes

The development relies heavily on podium planting and green walls to achieve the tower within a landscape setting intent of the Kangaroo Point peninsula neighbourhood plan. Provided that compliant deep planting is provided as per item 7, the use of planters is supported in principle. However, further information is required to demonstrate that planting will be viable, including in terms of construction integration, sustainable water consumption, ongoing maintenance and growing area. Unless this information is provided, containerised planting cannot be considered an achievable long term outcome.

To meet the requirements of Multiple dwelling code PO14, Landscape works code AO4.1 through to AO4.3, PO13. Provide amended Landscape Concept Plans and supporting documentation that demonstrate the following:

- i) Conceptual construction details including growing media, container size (internal widths and depths) and integration with building/structural design.
- ii) Increased internal planter widths and Increased internal depths to all planters that do not rely on mounding to create required depth. Where trees are proposed the minimum internal depth should be 1.5m. planters are to comply with BSD- 9004.

- iii) Detailed estimates of required weekly water consumption for irrigation for each calendar month by an Irrigation Association of Australia certified irrigation designer, holding a Diploma of irrigation.
- iv) Proposed size and location of any rainwater storage tanks or other non-mains water source for irrigation, sufficient to provide at least 95% of irrigation needs.
- v) Preliminary ongoing annual maintenance schedule for planting, growing media, irrigation and structural elements, including details of maintenance access.
- vi) Conceptual planting design completed by a specialist green wall designer that demonstrates planting appropriate to container type, size and location, taking into account orientation, shading and wind assessment of wind impacts on planting.
- vii) To ensure that planters are being integrated into the design of the building architecture drawings provided should also demonstrate the water storage areas, maintenance access points and planter dimensions.
- viii) It is acknowledged that small sections have been provided. however given the extent of the site, the level changes, and extent of podium planting, provide sections through the site to enable full assessment of the relationship with adjoining sites and what is proposed on the ground plane.

c) Side boundary planting

The side boundary planting adjacent to both driveways and the pedestrian walkway along the north western side boundary are insufficient to provide the required buffering and screening planting required.

To meet the requirements of Multiple dwelling code AO26.2 and Landscape works code PO2, PO3, AO4.3 and PO7 provide amended plans and sections through the side boundary planting areas that demonstrate the following:

- i) Where container planting is being used internal planter depths and widths that meet the requirements of BSD-9004.
- ii) A minimum 1m wide planting area is being provided where adjacent to the driveway.
- iii) A minimum 1.5m wide planting area where not adjacent to a driveway.
- iv) Location, depth and width of trellis/footings to demonstrate their location will not impact required planting areas.

d) Frontage landscaping and utilities

The plans provided demonstrate frontage landscaping and deep planting which is supported however no utilities are shown on plans provided. To ensure the requirements of Multiple dwelling code AO25.2 and AO26.1 will be met provide amended plans and landscape concept plans that demonstrate the following:

- i) Clarification that a Pad mount transformer and hydrant booster will not be required; or
- ii) Alternatively, to meet the requirements of Multiple dwelling code provide an additional viable area of deep planting within the frontage that can establish a large subtropical shade tree.

e) Streetscape and street tree requirements

The verge profile demonstrated on the Landscape sections provided is not supported. Streetscape upgrades will be required to both frontages with existing Street trees to be retained and protected. To meet the requirements of the Streetscape hierarchy overlay code AO2.1 and AO2.1 and associated Infrastructure design planning scheme policy provided amended plans that demonstrate:

- i) A verge crossfall of 1:50 away from the property boundary;
- ii) Retention of existing street trees.

f) Significant landscape tree overlay

There is a significant landscape tree (SLT) mapped over this site. As such an assessment against the Significant landscape tree overlay code is required to demonstrate that the development, including construction, earthworks, retaining wall and access points will not impact the adjoining SLT tree.

To meet the requirements of SLT Overlay Code AO1/ PO1 amended plans and Arborist report is required that demonstrate the following:

- i) Plans demonstrating that the development has been set back outside of the Tree protection zone (TPZ); or
- ii) Certification from a Level 5 Arborist that the proposed works will not impact the trees health and stability- SLT Overlay Code AO1/ PO1. Including a Vegetation Management Plan (VMP) demonstrating that the proposed works can occur without any negative long-term impact on the health of the trees. The VMP should include a tree survey and construction methodology.

6. Traffic

a) Vehicular access

The proposed 5m wide access way from Lambert Street does not comply with Table 12 of the Transport, Access, Parking and Servicing Planning Scheme Policy (TAPS PSP) for two-way traffic flow. Tower 1 is situated in excess of 60m from the road entry, and there is an increased chance of a Refuse collection vehicle (RCV) needing to pass another vehicle within this accessway. Therefore, the access easement needs to be widened to 6.5 meters for two-way traffic flow. Any pedestrian pathway is to be located outside of this 6.5m traffic access way.

- i) Provide amended plans increasing the width of the 2-way vehicle access way that servicing Towers 1 and 3 from Lambert Street. Ensure that a pedestrian pathway is not located within the 6.5m area. Note that side boundary landscaping requirements adjacent to the driveway area are still to be provided.

b) Visitor parking

Basement plans state that visitor car parking is provided, however the visitor spaces are not clearly labelled on plans. Provide updated plans showing all visitor car parking spaces clearly shown in accordance with requires of the TAPS PSP.

7. Earthworks

To ensure the proposed earthworks comply with the Filling and excavation code, further detail is required as follows.

- a) Provide plans identifying the extent of cut and filling proposed (expressed in m/AHD) and demonstrate compliance the Filling and excavation code.
- b) Provide concept earthworks plans for the development showing retaining walls and existing and proposed levels.

Note: As basement excavation is proposed then ground borne vibration is not to exceed the criteria listed within Tables 9.4.3.3.D/E/F and G of the code.

8. Virtual Brisbane

Submit a detailed and textured digital 3D model in Autodesk compatible format to include in the Brisbane City Council Virtual Brisbane 3D Model. This information is required to fully assess the proposed built form and layout of the development in context with the surrounding development and character.

For more information regarding the lodgement of the *Virtual Brisbane 3D Model* please see <https://forms.brisbane.qld.gov.au/virtualbrisbane3drequirements>

If you require assistance submitting the information or to organising a large file transfer link for the model, please contact virtual.brisbane@brisbane.qld.gov.au

9. Park infrastructure

Brisbane's Long Term Infrastructure Plan (LTIP) identifies riverfront land in this location to be acquired as a corridor park as per Table 10.3.1A of the *Brisbane City Plan 2014*. Ensure this area is labelled on revised plans and the area is not prejudiced by built form.

Queensland Urban Utilities (QUU)

Brisbane City Council does not undertake water and sewer assessment of any planning applications. Contact QUU on (07) 3432 2200 to discuss any water and sewer issues and whether you are required to submit an application to QUU 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 edaeast@brisbane.qld.gov.au quoting the application reference number A005260505. Please phone me on telephone number below during normal business hours if you have any queries regarding this matter.

Yours sincerely



Lucy Stenzel
Senior Urban Planner
Planning Services East
Phone: 07 3403 6729
Email: Lucy.Stenzel@brisbane.qld.gov.au
Development Services
Brisbane City Council