

Amendment Application (ED Act) Town Planning Assessment

1. Introduction

This town planning assessment is prepared in respect of a request to change a current PDA Development Application (**Changing Application**) made to the Minister for Economic Development Queensland / Department of State Development, Manufacturing, Infrastructure and Planning (**MEDQ**) pursuant to section 92 of the *Economic Development Act 2012* (**ED Act**).

The current PDA Development Application (DEV2022/1323) was lodged on the 24 August 2022 and relates to land at 5 Hercules Street, Hamilton (Lot 1 on SP231749 and Part 0 on SP172646) and sought approval for a PDA Development Permit for Material Change of Use for Multiple Residential, Visitor Accommodation, Other Residential, Shop, Food Premises, Office, Medical Centre, Educational Establishment, Indoor Entertainment and Indoor Sport and Recreational. It involved developing the site for a 23-storey residential-led, mixed-use development, with 100 residential units in a tower component and 445m² retail space on ground level and in podium levels. A change is sought to the current PDA Development Application to provide an updated design that addresses the assessment criteria under the Northshore Hamilton PDA Development Scheme (amended 28 October 2022).

This Changing Application is made in accordance with the requirements for making a changing applications pursuant to section 82(1) and section 92(1) of the ED Act, as it is made in the approved form and is accompanied by the written consent of the owner (**Appendix B**), includes details of the proposed changes sought and includes an assessment confirming it does not result in relevant development being substantially different and the required fee will be paid upon receipt of MEDQ's fee quote issued following lodgement of the Changing Application, the details of the proposed changes.

2. Background

2.1 Site and Relevant Planning Designations

The subject site is located at 5 Hercules Street, Hamilton, being more properly described as Lot 1 on SP231749 and including Lot 0 on SP172640 (easement) for the purposes of providing lawful access rights to the development. The site is rectangular in form with a total area of 1,382m² and has a frontage of 27 metres to Hercules Street.

Having regard to the Certificate of Title for the site, the current owner of the site is Limitless Residential No. 9 Pty Ltd (A.C.N. 658 934 260) and is burdened by Easement A on RP201549 for access and services purposes (sewerage and stormwater pipes associated with Lot 645 on SL2184) and benefitted by Easement Z on SP274611 for access purposes.

The site is designated within the Northshore Hamilton Priority Development Area (**Northshore Hamilton PDA**), pursuant to the ED Act. Development and planning within the Northshore Hamilton PDA is subject of the Northshore Hamilton Development Area Development Scheme Amendment No. 1 (October 2022) (Development Scheme).

Below is a summary of the planning framework and key planning designations under the Development Scheme that apply to the site.

Table 1 – Planning Framework and Town Planning Designations	
Relevant Legislation	Economic Development Act 2012
Priority Development Area	Northshore Hamilton PDA
Assessment Manager	Department of State Development, Infrastructure, Local Government and Planning (Economic Development Queensland)
Development Scheme	Northshore Hamilton PDA Development Scheme Amendment No.1 (October 2022)

Structure Plan	Mixed Use
Zone	Mixed Use High Density Zone (no precinct)

2.2 Application History

Original Application (DEV2022/1323)

The current PDA Development Application (DEV2022/1323) was lodged on the 11 August 2022 and sought approval for a PDA Development Permit for Material Change of Use for Multiple Residential, Visitor Accommodation, Other Residential, Shop, Food Premises, Office, Medical Centre, Educational Establishment, Indoor Entertainment and Indoor Sport and Recreational.

The Applicant proposes to develop a 24 storey with rooftop residential-led mixed-use development, comprising non-residential uses at the ground floor and podium, and residential uses in the tower above.

The development comprises 100 residential units, together with 445m² of retail space (office, shop and food premises uses) activating Hercules Street and Main Street, communal open space on the podium top and roof, 154 car spaces accommodated in two (2) basement levels and three (3) podium levels, and vehicle access from Main Street. The development includes a public open space element on the corner of Hercules Street and Main Street.

The PDA Development Application was properly made by MEDQ on the 24 August 2022 and assessment was paused following the commencement of Amendment No. 1 to the Northshore Hamilton PDA Development Scheme.

3. Proposed Development

3.1 Overview of Proposed Changes

This Changing Application relates to changes to the current PDA Development Application arising as a consequence of changes to the PDA-wide criteria and zoning provisions under the amended Northshore Hamilton PDA Development Scheme (October 2022).

A change is sought to the current PDA Development Application to provide an updated design that aligns with the assessment criteria under the Northshore Hamilton PDA Development Scheme (amended 28 October 2022). Furthermore, the land use definitions under the amended PDA Development Scheme have been updated to align with the activity groupings, use and administration definitions from the Brisbane City Plan 2014 (City Plan) except where specifically defined under the PDA Development Scheme or *Economic Development Act 2012*.

The land uses sought under the proposed change remain unchanged but have been updated to align with the applicable definitions under City Plan, with the Changing Application seeking a PDA Development Permit for a Material Change of Use for Multiple Dwelling, Short-term Accommodation, Shop, Food and Drink Outlet, Health Care Service, Educational Establishment, Bar, Hotel and Indoor Sport and Recreation.

A number of changes to the development are proposed in this instance, as summarised below and as presented in the Amended Architectural Package included in **Appendix C**.

- The tower component has been amended, noting the following setbacks and separations:
 - 9m setback to wall on the eastern side boundary, with recess to 10.5m on particular levels;
 - 9m setback to walls on the northern side boundary, with 8.1 setback to core;
 - Separation to the building to the west, of in excess of 30m between walls of towers across the road reserve;

- Separation to the building to the south, of generally 17.2m, between wall and balconies of tower across the road reserve. The central recess on the southern façade generally aligns to the tower articulation opposite.
- The changes to the tower have resulted in a change to the mix of hotel rooms, and to the mix of residential apartments (including further 1 bedroom apartment). The proposal seeks greater variety in sizes and layouts of apartments, with a minimum 10% of apartments being three bedroom (15.8%), minimum 5% of apartment area being of affordable product (22%) and the inclusion of some units at universal design standards.
- The podium component continues to provide for broad activation to Hercules Street and the corner with Main Street, with a combined hotel / residential lobby and retail spaces. Increased glazing to the street has been incorporated (including double height glazing to active elements, which will also include creative lighting for interest) to identify the time of activation by each of the elements (including noting that a high quality hotel provides for 24 hour activation in this context). The outcome is that there are continuous 'eyes on the street' from a surveillance perspective, and there is a substantive appearance of active elements when viewing the façade.
- In terms of the parking and access arrangements, the main vehicle access and ramp to podium parking have been maintained in the same location and arrangements. Car parking remains within the podium, which is necessitated by ground conditions, access limitations (i.e. not supported from Hercules Street) and viability matters. The car parking has been well integrated into the design with a high quality façade outcomes, with the overall number of car parking remaining well below the maximum rates for apartments, and allowing the development to be marketed, sold and delivered.
- The architectural design outcome has been adapted in response to the contemporary market, and retains a high quality outcome with distinct ground, podium, tower and building cap expressions.

The following sufficient grounds are proposed in support of the development outcome for the site and noting the substantive compliance with the setbacks, separation and height outcomes sought under the Northshore Hamilton PDA Development Scheme (refer to Section 5 of this letter for a detail compliance assessment against the PDA-wide Criteria and Zone Provisions):

- Public realm contribution and embellishment at the important leading corner, providing a public focus and interaction space.
- Green roof outcome to address urban heat island effect, at both podium and tower rooftops.
- Provision of affordable housing, beyond 5% of the apartment product (identified as 13% of apartment area or 22% of apartment numbers being at the affordable threshold pursuant to the PDA Guideline 16: Housing, noting applied indexation).
- Creative lighting strategy for the podium and tower.
- Re-use of wharf timbers in the design outcome, providing sustainable re-use of materials and a contextual character benefit for Hamilton.
- Provision of a high quality hotel, supporting a need in the public interest of 2032 Olympic delivery.
- High quality, exemplar sub-tropical design.
- Sustainable building outcomes, as per ESD reporting submitted.

3.2 Development Application Particulars

Table 2 - Development Application Particulars	
Development Description	PDA Development Permit for a Material Change of Use for Multiple Dwelling, Short-term Accommodation, Shop, Food and Drink Outlet, Health Care Service, Educational Establishment, Bar, Hotel and Indoor Sport and Recreation
Defined Land Use	<ul style="list-style-type: none"> • Multiple Dwelling • Short-term accommodation • Shop • Food and Drink Outlet • Health Care Service • Educational Establishment • Bar • Hotel • Indoor Sport and Recreation
Level of Assessment	Permissible Development
Assessment Manager	DSDMIP (Economic Development Queensland)
Public Notification	To be confirmed by EDQ upon submission

3.3 Proposed Development

The Applicant proposes to develop a high quality residential led mixed-use development, comprising a combination of Shop, Food and Drink Outlet, Health Care Services, Educational Establishment, Bar, Hotel and Indoor Sport and Recreation contained within the podium and Multiple Dwelling and Short-term Accommodation within the tower component.

A summary of the development is provided as follows:

Podium / Street Component

- The podium form is four (4) storeys in height, and includes various non-residential elements directly fronting Hercules Street and Main Street. Each non-residential element has the potential for flexible use, pursuant to the range of uses included with the development application.
- The podium proposes a total of 615m² of a combination of uses, including food and drink outlet / bar and hotel within two (2) tenancies on the ground level (restaurant and café kiosk), and three (3) flexible use tenancies (office / health / education / food and drink / ancillary hotel) within Levels 1-3. Additional possible non-residential land use types are included in the application to provide flexibility for the building to meet the market across its life. All non-residential uses are orientated to Hercules Street and Main Street to engage with and activate the street frontages and encourage casual surveillance. The podium top also activates the street with dining and communal elements. In addition, a 214m² restaurant is provided upon the top of the podium (level 4).
- The ground level includes a lobby (150m² GFA) associated with the residential and short-term accommodation activities, which includes a reception area and breakout spaces, with floor to ceiling glazing along the Main Street frontage to maintain an active frontage interface and casual surveillance opportunities.
- The development incorporates a public plaza at the corner of the site orientated to Hercules Street and Main Street. The space provides an open and publicly accessible space that provides a notable node and the opportunity for pedestrians to circulate, stand and gather. The meeting corner will include a large subtropical feature tree which will provide shade and amenity to pedestrians and visitors.



Figure 2 – Public Plaza at the corner of Hercules Street and Main Street (Plus Architecture, 2024)

Tower Component

- 70 short-term accommodation rooms, delivering 124 keys, are accommodated at levels 5-12.
- 50 multiple dwelling units are accommodated at levels 13-23, including:
 - 11 x one bedroom units;
 - 30 x two bedroom units; and
 - 9 x three bedroom units.
- Each multiple dwelling unit is provided with generous private open space in the form of balconies that connect with the main living areas to create indoor / outdoor spaces that embrace Brisbane’s subtropical climate. Furthermore, balconies overlook Hercules Street and Main Street, with those on the northern side of the building fitted with privacy screening to direct outlooks towards the north-east and away from future development to the north (and are suitably setback).

Development Summary

Table 3 provides a more detailed summary of the proposed development.

Table 3- Proposed Development Parameters		
	Original Development	Revised Development
Yield	<p><u>Non-residential Components:</u></p> <ul style="list-style-type: none"> • Office / Podium uses: 249m² • Shop / Food Premises: 208m² <p><u>Residential Components</u></p> <ul style="list-style-type: none"> • 100 Residential Units <ul style="list-style-type: none"> ○ 50 x 2 bedroom units ○ 50 x 3 bedroom units 	<p><u>Non-residential Component:</u></p> <ul style="list-style-type: none"> • Office / Podium uses: 490m² • Shop / Food Premises: 339m² <p><u>Residential Component:</u></p> <ul style="list-style-type: none"> • 124 Short-term accommodation keys (70 rooms, of which 54 are dual key rooms) • 50 multiple dwelling units <ul style="list-style-type: none"> ○ 11 x 1 bedroom units ○ 30 x 2 bedroom units

Table 3- Proposed Development Parameters		
		○ 9 x 3 bedroom units
Height	23 storeys with rooftop Maximum 85m AHD	23 storeys with rooftop Maximum 85m AHD
Site Cover	1,238m ² (89.5%) – Podium 898m ² (65%) – Tower	1,290m ² (97.04%) – Podium 780m ² (57.7%) – Tower
GFA	14,324m ²	12,384m ²
Setbacks	<p><u>Front (Hercules Street) boundary:</u></p> <ul style="list-style-type: none"> • 0m – ground level – Level 4 • 0.5m to balconies, and 0.5m – 5.3m to walls – Levels 5 -22 • 1.3m to wall – Level 23 <p><u>Front (Main Street) boundary:</u></p> <ul style="list-style-type: none"> • 0m – ground level – Level 4 • 0.75m to balconies, and 0.75m – 4.6m to walls – Levels 5 -22 • 0.3m to slab, 3m to wall – Level 23 <p><u>Side (northern) boundary:</u></p> <ul style="list-style-type: none"> • 0m – ground level – Level 4 • 5m – 9.2m to wall, 5.2m – 5.4m to balcony – Levels 5 – 14 • 5m – 10.6m to wall, 5.2m – 5.4m to balcony – Levels 15 – 22 • 7.2m – Level 23 <p><u>Side (eastern) boundary:</u></p> <ul style="list-style-type: none"> • 0m – ground level – Level 2 • 0m – 6m – Level 3 • 0m – 5.1m – Level 4 • 5.7m – 6.6m to balcony, 5.6m – 9.6m to wall – Levels 5 – 14 • 5.7m – 6.6m to balcony, 5.6m – 16m to wall – Levels 15 – 21 • 5.7m – 6.6m to balcony, 6.6m – 15.8m to wall – Level 22 • 6.7m to balcony – Level 23 	<p><u>Front (Hercules Street) boundary:</u></p> <ul style="list-style-type: none"> • 0m – Ground Level • 0m – 0.65m – Level 1 – 3 • 2.4m to wall – Level 4 • 0.5m to wall – Levels 5 - 23 <p><u>Front (Main Street) boundary:</u></p> <ul style="list-style-type: none"> • 0.5m – Ground Level • 0m – Level 1 – 3 • 1.3m – Level 4 • 0.5m to wall – Levels 5 - 23 <p><u>Side (northern) boundary:</u></p> <ul style="list-style-type: none"> • 1.2m – ground level – Level 1 • 0m – Level 2 – 4 • 8.1m to internal stairs and 9.0m to wall – Levels 5 - 23 <p><u>Side (eastern) boundary:</u></p> <ul style="list-style-type: none"> • 13.7m – ground level (0m for substation) • 0.65m – Level 1-4 • 9.0m – Levels 5-23
Landscaping	612m ² (44.3%)	914m ² (66.0%)
Communal Open Space	Total: 902m ² Podium top recreation area – 787m ² Rooftop level – 115m ²	Total: 811m ²
Access	Pedestrian – Direct access available from both Hercules Street and Main Street Vehicular – Main Street via a new 6.5m wide driveway crossover	Pedestrian – Direct access available from both Hercules Street and Main Street Vehicular – Main Street via a new 6.5m wide driveway crossover
Car Parking	The development provides a total of 154 spaces.	The development provides a total of 91 spaces.
Bicycle Parking	Total of 114 bicycle spaces, comprising: <ul style="list-style-type: none"> • 102 bicycle spaces for residents; and • 12 bicycle spaces for visitors. 	Total of 73 bicycle spaces, comprising: <ul style="list-style-type: none"> • 58 bicycle spaces for residents; and • 15 bicycle spaces for visitors.

4. Statutory Town Planning Framework

4.1 Introduction

This Chapter of the Town Planning Assessment identifies the applicable components of the statutory town planning framework and provides an assessment against those components. A summary of the proposed development's compliance with the statutory town planning framework is provided at the conclusion of this Chapter.

4.2 Economic Development Act 2012

The *Economic Development Act 2012 (ED Act)* is the statutory instrument responsible for development assessment in the Northshore Hamilton PDA. The ED Act operates independently of the *Planning Act 2016*.

Section 87 of the ED Act sets out the provisions for the assessment manager in deciding the application.

- (1) *In deciding the application, MEDQ must consider—*
- a) the main purpose of this Act; and*
 - b) any relevant State interest; and*
 - c) any submissions made to it about the application, during the submission period; and*
 - d) the following, as in force or as prepared when the application is decided—*
 - (i) for a provisional priority development area—the provisional land use plan for the area;*
 - (ii) for another priority development area—*
 - (A) if there is a development scheme for the area—the development scheme; or*
 - (B) if there is no development scheme for the area but there is a proposed development scheme for the area—the interim land use plan for the area and the proposed development scheme; or*
 - (C) if there is no development scheme for the area and no proposed development scheme for the area—the interim land use plan for the area; and*
 - e) any PDA preliminary approval in force for the relevant land; and*
 - f) any SPA preliminary approval in force for the relevant land.*
- (2) *Also, in deciding an application for a priority development area other than a provisional priority development area, if—*
- a) there is—*
 - (i) a development scheme or interim land use plan for the area; and*
 - (ii) a proposed development scheme for the area; and*
 - b) the proposed development scheme was prepared after the development scheme or interim land use plan took effect;*

The *Northshore Hamilton PDA Development Scheme (Amendment No. 1)* is the most relevant planning instrument for determining the applicable planning and development controls for the site.

4.2.1 Assessment Manager

The Department of State Development, Manufacturing, Infrastructure and Planning (DSDMIP), represented by the Minister for Economic Development Queensland (EDQ), will be the assessment manager for the proposed development application.

4.2.2 Notification

According to section 84 of the ED Act, notification may be required if the assessment manager, within 20 business days after making the application, gives the applicant notice that the applicant must comply with this section.

Furthermore, section 2.2.5 of the Bowen Hills Development PDA Development Scheme, specifies that:

“A PDA development application will require public notification if, in the opinion of the MEDQ, the development:

- i. may have adverse impacts on the amenity or development potential of adjoining land under separate ownership, or*
- ii. is for a use or of a size or nature which warrants public notification.”*

Confirmation of public notification requirements will be advised by EDQ following lodgement.

4.3 Northshore Hamilton PDA Development Scheme

The Northshore Hamilton PDA was declared by declared by regulation under the former Urban land Development Authority Act 2007 (ULDA Act) on 27 March 2008. The PDA is a large urban renewal area (304 hectares) that is being transformed into a vibrant, mixed-use precinct adjoining the Brisbane river and the suburb of Hamilton and is bound by the Brisbane River to the south, Kingsford Smith Drive to the north and the Gateway Motorway and Southern Cross Motorway to the east.

Development within the Northshore Hamilton PDA is directed by the Northshore UDA Development Scheme (**Development Scheme**). The development scheme became effective on 3 July 2009 and was amended on 28 October 2022. Section 387 of *the ED Act* identifies that the Development Scheme is the most relevant planning instrument for determining the applicable planning and development controls for the site.

4.3.1 Structure Plan

The Northshore Hamilton PDA Structure Plan identifies the site in the Mixed Use area. The Mixed Use area *“...supports a range of employment and housing opportunities in an integrated urban context, featuring both medium-rise and high-rise development”*.

4.3.2 Zone

The Land Use Zones Map (Map 8) identifies the site in the Mixed Use High Density Zone (no precinct). The purpose of the Mixed Use High Density Zone is to cater for a *“wide range and intensity of commercial, retail, health and medical, community, entertainment, cultural activities, residential and accommodation uses in a predominately high-rise built form and is characterised by outstanding architecture which defines a unique skyline for the PDA”*.

4.4 Level of Assessment

The level of assessment table for Precinct 3 identifies that the proposed land uses are Permissible Development (as they are not the development specified in Column 1 – Exempt Development, or Column 2B – Prohibited).

Permissible Development is required to be assessed against the requirements of the Development Scheme and requires a development application to be lodged with DSDMIP (Economic Development Queensland) for assessment and decision.

An assessment of the proposal's compliance against the Development Scheme is provided in **Chapter 5** of this letter.

4.5 State Interests

Section 87 of the ED Act states that any relevant State interest must be considered in deciding a development application. For the purposes of addressing State interests in development assessment, the State Planning Policy (SPP) and State Development Assessment Provisions (SDAP), provide guidance in identifying if a State interest is relevant to the assessment of a PDA development application.

The ED Act defines State interest as follows:

State interest includes—

- (a) *an interest relating to the main purpose of this Act; and*
- (b) *an interest that, in MEDQ's opinion, affects an economic, community or environmental interest of the State or a region.*

The ED Act operates independently of the Planning Act 2016 ("the Planning Act"), however the assessment manager when deciding the application may consider State interests arising under the Planning Act as appropriately reflecting a State interest under the ED Act. State interests under the Planning Act may include State Planning Policies, Planning Regulation 2017 and the South East Queensland Regional Plan 2017 (SEQ Regional Plan).

A summary of the State interests applicable to the site are provided below.

- SEQ Regional Plan – Urban Footprint
- Coastal Protection – Medium Storm Tide Inundation Area

The proposed development complies with the provisions of the SEQ Regional Plan. In terms of the Medium Storm Tide Inundation Area affecting the site this has been addressed in the Engineering Assessment included in **Appendix E**.

The proposed development complies with the provisions of the SEQ Regional Plan and where any State Planning Policies and/or Planning Regulation provisions would apply the development can comply with any relevant provisions or requirements.

4.6 Assessment against Substantially Different Criteria

The following table provides an assessment against the guidelines for substantially different development as identified in Schedule 1 of the Development Assessment Rules.

Table 4 – Assessment against Substantially Different Development Criteria	
Minor Change Criteria	Assessment
Does not involve a new use	The proposed change maintains the same land uses as those already sought as part of the original application but the land use definitions have been revised to align with the amended PDA Development Scheme which has regard to those specified under the Brisbane City Plan 2014. This changing application seeks approval for Multiple Dwelling, Short-term accommodation, Shop, Food and Drink Outlet, Health Care Service, Educational Establishment, Bar, Hotel and Indoor Sport and Recreation.
Does not result in the application applying to a new parcel of land	The proposal continues to apply over the land to which the original development application applies.
Does not dramatically change the built form in terms of bulk, scale, appearance	The proposal does not result in any change to the overall building height of 24 storeys (including rooftop) and the incorporates a slender tower form with reduced overall site cover and setbacks to all common properties.

Table 4 – Assessment against Substantially Different Development Criteria

Minor Change Criteria	Assessment
	<p>The proposed changes to the external façade of the building including proposed landscaping changes are not considered to dramatically alter the appearance of the development.</p> <p>Refer to the Architectural Package and Landscape Concept Plan at Appendix C and Appendix D for further details on the changes.</p>
<p>Does not change the ability of the approved development to operate as intended</p>	<p>The proposed changes do not alter the ability of the proposed development to operate as intended. The proposal remains for a high quality residential led mixed-use development, comprising a combination of Shop, Food and Drink Outlet, Health Care Services, Educational Establishment, Bar, Hotel and Indoor Sport and Recreation contained within the podium and Multiple Dwelling and Short-accommodation within the tower component.</p>
<p>Does not remove a component that is integral to the operation of the development</p>	<p>The proposed change does not remove any component of the original design that was integral to the operation of the development.</p>
<p>Does not significantly impact on traffic flow and the transport network, such as increasing traffic to the site</p>	<p>The proposed changes result in the reduction in the number of car parking spaces but continues to comply with the minimum parking rates under the PDA Development Scheme. Subsequently, the changes do not introduce additional car parking demand or supply and do not alter the vehicular access arrangements associated with the site. There are no increased traffic impacts on the surrounding road network when compared to the original development application. For further detail, please refer to the Traffic Assessment prepared by TTM, included in Appendix F.</p>
<p>Does not introduce new impacts or increase the severity of known impacts</p>	<p>The proposed change does not introduce new impacts or increase the severity of known impacts and is supported by updated application documentation including Traffic Assessment (Appendix F) and Acoustic Assessment (Appendix G).</p>
<p>Does not remove and incentive or offset component that would have balanced a negative impact of the development</p>	<p>The superior design outcomes and other sufficient grounds forming part of the original development application are maintained, with additional sufficient grounds also being presented.</p>
<p>Does not impact on infrastructure provisions</p>	<p>The proposed changes will not impact on infrastructure provisions, as confirmed in the Engineering Assessment prepared by Naxos Engineers at Appendix E.</p>

5. Compliance Assessment

This chapter outlines assessment of the proposed development against the relevant aspects of the Northshore Hamilton PDA Development Scheme.

5.1 Vision and Structure Plan

The proposed development complies with the Vision for the Northshore Hamilton PDA Development Scheme, as follows.

- The site is well located with cycling and walking networks to employment, high frequency public transport, and public open space. The proposed development contributes to the permeability and walkability of the area, and will support safe pedestrian, cyclist and vehicle movements.
- The proposed development is for a high density residential-led mixed-use development within the High Density Mixed Use Zone. The proposed development provides a range of housing choices to cater for the changing needs of the local community through a mix of densities, types, designs and price points as well as home ownership and rental options.
- The proposed development delivers a high quality design that is interesting, and capturing. The building and the mix of uses will contribute to the vibrancy of the PDA and promote a successful live, work, play outcome that is memorable to the community.
- The development has been designed to have a strong subtropical design response that is reflective of Brisbane's character and has successfully delivered outcomes reflected in Brisbane City Council's New World City Design Guide: Buildings that Breathe.

5.2 PDA-Wide Criteria

Section 2.5 of the Development Scheme sets out the PDA wide development criteria. A response to the criteria is provided in **Table 5** below.

Table 5: PDA-wide Criteria	
Criteria	Response
2.5.1 Urban design and public realm	
2.5.1.1 Urban design	
<p>The form, type and arrangement of buildings, streets and the public realm are designed to collectively contribute to a liveable, accessible, safe and healthy community by:</p> <ol style="list-style-type: none"> i. catering for the diverse needs of all community members, including children, elderly and people with disabilities, by applying principles of universal, adaptable and inclusive design, ii. creating an attractive and functional relationship between buildings, private spaces, and the public realm in particular at street and podium levels, and across frontages to the Brisbane River, iii. providing a ground plane that is connected, legible, permeable, inclusive and safe iv. applying Crime Prevention through Environmental Design (CPTED) principles v. creating a positive relationship between public and private realms, vi. allowing for innovative and temporary use of public realm, vii. Promoting identity and distinctive character, by working with the landscape, heritage and cultural features to create places with a strong relationship to their context, viii. emphasising gateway locations through urban design treatments that improve wayfinding and legibility within the PDA 	<p>Complies with Criteria</p> <p>The development complies with the Urban Design criteria for the reasons set out below.</p> <ul style="list-style-type: none"> • The proposed development has been designed to be inclusive and accessible and to comply with relevant standards for needs of all community members. • The proposed development contributes to a vibrant, attractive, and activated private and public realm along Hercules Street and Main Street. • The ground level provides a comfortable, safe and landscaped pedestrian environment, that connects residents and visitors from the site. • The development incorporates key elements of CPTED through the orientation of windows, pedestrian entrances, and openings to the streetscape and pedestrian paths creating an activated ground level. A variety of tenancies are proposed across each podium level and are oriented to Main Street and Hercules Street, creating additional activation and casual surveillance. • The increased commercial tenancies wrapping the corner of Hercules Street and Main Street facilitate a positive relationship between public and private realm. The activation exceeds 56 % of the facade (and greater with the double height retail elements). • The materiality chosen for the podium / development includes brick patterning to connect with the industrial history and development within the broader Northshore Hamilton PDA, together with glazing for activation and landscape for softness. • The site is opportunely located at the corner of Hercules Street and Main Street, providing for the development to become a key marker and wayfinding structure identifiable within the Northshore Hamilton PDA.
2.5.1.2 Sub-tropical design	
<p>The form, type and arrangement of buildings, streets and the public realm are designed to positively respond to the local climate by:</p>	<p>Complies with Criteria</p>

Table 5: PDA-wide Criteria	
Criteria	Response
<p>I. applying design strategies that maximise natural light and air flow in the public realm and private spaces,</p> <p>II. reducing energy demand, artificial lighting and mechanical temperature control,</p> <p>III. applying design strategies to reduce the extremes of temperature and direct solar heating in buildings, streets and public spaces,</p> <p>IV. orientating buildings to optimise seasonal solar gains and loss, and</p> <p>V. using sub-tropical landscaping, vegetation and large trees to provide shade and shelter for pedestrians and cyclists and improve the urban amenity of the Northshore Hamilton PDA.</p>	<p>All required design outcomes have been integrated into the development to ensure that it is climatically responsive. Please refer to the Architectural Package in Appendix C for a full response, which includes a detailed Buildings that Breathe design response.</p>
2.5.1.3 Building form	
<p>Development delivers high-quality built form outcomes by:</p> <p>i. ensuring new development responds to the surrounding context, including existing, proposed and envisaged future built form, as well as site features, impacts on development and development constraints,</p> <p>ii. using setbacks and landscape to integrate with, complement and articulate streetscapes,</p> <p>iii. considering building height patterns and using building heights to:</p> <p>a. define activity centres,</p> <p>b. differentiate between different land uses and zones,</p> <p>c. transition between areas of low, medium and high development intensity,</p> <p>d. mitigate the individual and cumulative effects of taller buildings, such as overshadowing, wind movement, access to sunlight and air circulation, and</p> <p>e. ensure amenity, privacy and functionality for building occupants, adjoining built form and the public realm, noting</p> <p>f. maximum building heights are identified on Map 7 – Building heights</p> <p>iv. considering overshadowing and promoting winter sunlight to adjoining development, the public realm on the river edge and to the streets,</p> <p>v. considering prevailing winds and incorporating design elements that mitigate the potential for wind tunnels and downdrafts that may negatively impact public realm users or building occupants,</p> <p>vi. sharing views between existing and proposed buildings and views to open space areas and the Brisbane River,</p>	<p>Complies with Criteria</p> <p>The development delivers high density residential living, as intended for the precinct, and maximises recognised river and city views that are available in this unique part of the city. The surrounding context, inclusive of existing and approved buildings, are of a scale similar or greater than that proposed for the subject site. The development proposes a building height consistent with the intended zoning for the site and its surrounding context. The adjoining property at 19 Hercules Street has approval for three towers up to 30 storeys in height. Further detail in respect of setbacks, separation, heights and other design elements is addressed in the responses to particular criteria for those matter; with a suitable overall composition presented.</p> <p>The proposal has been designed, oriented, and sited in a way that considers overshadowing, wind movement, access to sunlight and air circulation, as demonstrated in the Architectural Package prepared by Plus Architecture at Appendix C.</p>

Table 5: PDA-wide Criteria	
Criteria	Response
<ul style="list-style-type: none"> vii. providing tower separations to deliver access to light, promote air circulation, minimise overshadowing and maximise amenity and privacy for both occupants and neighbours, viii. ensuring the internal design of buildings feature layouts, dimensions and floor to floor heights that prioritise access to natural light and ventilation ix. delivering a variety of communal open spaces for the benefit of building occupants by catering for different demographics and a wide range of activities and uses, such as active and passive recreation, internal and external spaces, formal and informal gathering, as well as quiet respite for work and recreation, x. using the ground floor of buildings to define the adjacent street or space, deliver a sense of safety, community ownership and promote activation, xi. delivering high quality, sustainable, architectural outcomes that use materials, design details and articulation to achieve distinctive, attractive and highly functional buildings, xii. providing integrated landscaping and opportunities for deep planting in the built form, such as podium and roof levels, and xiii. ensuring provision of car parking beyond minimum requirements does not dictate or compromise built form outcomes. 	
2.5.1.4 Streets and public realm	
<p>Development delivers high-quality streets and public realm spaces that are</p> <ul style="list-style-type: none"> i. attractive spaces embellished with landscape and street furniture to encourage social interaction, healthy active lifestyle and community-based activity ii. human-scale spaces that are designed to contribute positively to the environmental and visual experience of Northshore Hamilton, iii. universally designed and provide legible, permeable and safe movement for all members of the community iv. accessible to the public at all times, v. activated along the river front, with opportunities for commercial uses, public events, recreation, improved pedestrian and cycle connections and other uses that are compatible with the area, vi. designed to activate and integrate existing and future public transport stops and active transport routes, vii. designed to increase opportunities for use of the river by visitors as well as tourist, recreational and non-motorised vessels, 	<p>Complies with Criteria</p> <p>The development delivers a high-quality streetscape and contributes to public realm spaces through the following outcomes.</p> <ul style="list-style-type: none"> • The development provides landscaping along the street frontages, together with hardscape features, to create an attractive space for social interactions and community-based activities. • Formal gathering areas are provided with lobbies, café kiosk, restaurant and associated dining areas connecting with the adjoining pedestrian footpaths. • The development provides a comfortable, safe, and landscaped pedestrian environment that connects residents and visitors from the site to the surrounding areas of Northshore Hamilton. • The pedestrian entrances and formal meeting areas will be sheltered by the podium above and therefore pedestrian connections will be comfortable and protected from the weather. Proposed landscaping along the street will act as a natural buffer between pedestrians and the road.

Table 5: PDA-wide Criteria	
Criteria	Response
<ul style="list-style-type: none"> viii. diverse and provide large and small gathering spaces that are flexible for a range of uses, including large scale events, ix. functional and include structures and landscaping which provide shade and shelter, x. durable with high quality hard and soft streetscape, utilising subtropical design, local sub-tropical species and water sensitive urban design principles, xi. durable and flood resilient, where subject to flood risk, xii. embellished with public art and lighting at key locations to create an appealing and safe environment, and xiii. Designed to provide pathways that are of an appropriate width to accommodate anticipated pedestrian volumes. 	
Active Frontages	
<p>Streetscape treatments support active street frontages with high quality treatments and design features including awnings over wide footpaths, landscaped verges, street furniture, public art installations and pavement treatments.</p> <p>Retail and commercial tenancies having a visible presence and interaction with the street to encourage pedestrian activity.</p>	<p>Complies with Criteria</p> <p>The proposed development contributes to a high quality treatment of the streetscape through landscaping along the street frontages, wide footpaths, and pavement treatments to facilitate a comfortable buffer for pedestrians to the adjacent road.</p> <p>A variety of retail and commercial tenancies are proposed to be located addressing the street at the ground level and in parts of the podium. The tenancies will have floor to ceiling glazing and are oriented to Hercules Street and Main Street, enhancing their visible presence, and creating additional activation to encourage pedestrian activity. Additional activation is presented through the podium design.</p>
Significant corner locations	
<p>The design of significant corner locations:</p> <ul style="list-style-type: none"> i. deliver a mix of retail, commercial and community uses is provided on ground level that incorporate public spaces for social interaction, ii. ensure uses at podium level are active uses that support casual surveillance, iii. provide building and landscape design features that integrate pedestrian activity and include high-quality visual appeal, such as feature building entries, iv. ensure buildings address both street frontages, and v. truncates built form, where necessary, to enable the delivery of deep planting, sub-tropical, shade trees and reinforce the priority of pedestrian and street based social activity. 	<p>Complies with Criteria</p> <p>The site is not designated as a 'significant corner' but it is positioned at a key corner, and actively responds in its design and orientation towards both street frontages. The development takes advantage this location to provide a mix of land uses including: Multiple Dwelling, Short-term Accommodation, Shop, Food and Drink Outlet, Health Care Service, Educational Establishment, Bar, Hotel and Indoor Sport and Recreation.</p> <p>Commercial tenancies are proposed to be located in parts of the podium (screening the podium car parking areas). The tenancies will have floor to ceiling glazing and are oriented to both Hercules Street and Main Street, creating additional activation and casual surveillance. On top of the podium level (Level 4) is communal open space and</p>

Table 5: PDA-wide Criteria	
Criteria	Response
	<p>commercial uses, which includes a variety of tenancies and activated elements overlooking Hercules Street and Main Street.</p> <p>The development provides landscaping along the street frontages (mostly along Main Street), with the inclusion of a large subtropical feature tree at the notable corner of Hercules Street and Main Street, contributing to public realm.</p> <p>The ground level hard and soft landscaping addresses streets and open spaces and contributes to the amenity of the public realm.</p>
Plazas	
<p>The design of plazas and similar outdoor space areas:</p> <ul style="list-style-type: none"> i. support flexible multi-use outcomes, including a range of temporary events and uses, ii. feature designs elements that: <ul style="list-style-type: none"> a. contribute to a sense of arrival at activity centres, b. connect stand-alone built forms and adjoining development, c. provide a unified and cohesive framework that integrates landscaping, pavement treatments, lighting, street furniture, signage and other substantial landscaping elements, d. include visual anchors within the urban landscape that identify key areas of activity, e. ensure permeability for pedestrian, active transport and vehicle movement with priority provided to pedestrian and cycle movements over private vehicles, and f. preserve sight lines between the activity centres and ferry terminals, and iii. plan for vehicle and active transport movements, including service vehicle access. 	<p>Complies with Criteria</p> <p>An open and landscaped public plaza space at the notable corner of Hercules Street and Main Street, signifying a pedestrian entry point into the broader Northshore Urban Village and as an informal gathering and interaction area. Formal gathering areas are provided with lobbies, ground level retail and associated dining area connecting with the adjoining pedestrian footpaths.</p>
Civic open spaces	
Not Applicable – The proposed development is not located within the civic open spaces between Macarthur Avenue and the Brisbane River as identified on Map 2 .	
2.5.2 Centres	
Main activity centre	
Not Applicable – The proposed development is not located within the main activity centre as identified in the Northshore Hamilton PDA.	
Portside Wharf – western activity centre	

Table 5: PDA-wide Criteria	
Criteria	Response
Not Applicable – The proposed development is not located within the western activity centre as identified in the Northshore Hamilton PDA.	
Eastern activity centre	
Not Applicable – The proposed development is not located within the eastern activity centre as identified in the Northshore Hamilton PDA.	
Centres – parking and servicing	
Not Applicable – The proposed development is not located within a centre and will therefore not directly contribute to the parking and servicing of the centre.	
2.5.3 Connectivity	
<p>Development</p> <ul style="list-style-type: none"> i. delivers a high quality street and movement network and related infrastructure which enhances connectivity for pedestrians, cyclists and vehicles as shown on Map 3 – Connectivity, Map 4 – Active transport and where consistent with the works identified in Table 3: Infrastructure catalogue, ii. provides car parking, access and servicing facilities to meet the necessary functional requirements of development, as detailed in Schedule 2: Transport, access, parking and servicing, iii. ensures universal design principles are applied to meet the diverse needs of pedestrians, cyclists and motorists are met, iv. features landscaping that supports the collection and distribution of stormwater and offsets urban heat island impacts, v. ensures the layout of streets and the public realm prioritise pedestrian and cycle movements and the use of public transport over private vehicles by: <ul style="list-style-type: none"> a. creating attractive, direct, permeable, convenient, inclusive, legible and connected network of streets, pedestrian and cycle paths and safe crossings points b. providing pedestrian connectivity, directness of route and facilities that are universally designed, c. providing convenient through-site connections and crossblock links for pedestrians and cyclists, offering a choice of routes throughout the PDA, d. connecting directly to existing footpaths, cycleways, streets, open spaces and public transport in surrounding areas, e. managing potential conflicts between pedestrians, cyclists and other users through safe design, 	<p>Complies with Criteria</p> <p>The development complies with the Connectivity criteria for the reasons set out below.</p> <ul style="list-style-type: none"> • The development is adjacent to a highly accessible and newly constructed bicycle network on Hercules Street, connecting to a major gateway being Kingsford Smith Drive and Loes Bonney Riverwalk. The development provides 73 bicycle spaces, with 15 spaces dedicated to visitors on the ground level, and 58 spaces for residents to further support active transport. • The development provides sufficient car parking across 3 levels of podium carparking for residents, employees, and visitors to the site. The podium carparking is located internal to the development and designed so that it does not negatively impact adjoining sites or affect the quality and amenity of the streetscape. The proposed development gains vehicular access via Main Street. • Universal design principles are integrated across the development to meet the diverse needs of pedestrians, cyclists, and motorists through changes in pavement, signage, and other wayfinding outcomes. • The ground level provides landscaping centred over including planters over exhausts, and provides for green roofs to the tower and podium that address urban heat island impacts. • The site is in proximity to regular bus and ferry services. The site is well located to utilise public and active transport infrastructure to connect residents, workers and visitors.

Table 5: PDA-wide Criteria	
Criteria	Response
<ul style="list-style-type: none"> f. delivering generous landscaping that gives shade and comfort for pedestrians and cyclists in public open spaces and key pedestrian and cyclist connections, and g. providing footpaths of appropriate unobstructed width to cater for anticipated volumes of different active transport modes, and vi. contributes to an efficient and accessible public transport network that features: <ul style="list-style-type: none"> a. bus stops at regular intervals along primary roads, b. a potential new ferry terminal adjacent to the civic heart in MacArthur Avenue proposed to service commuter and tourism connections, and c. an easily understood signage system that integrates all elements of the public transport network within the PDA 	
2.5.4 Sustainable developments	
2.5.4.1 Sustainable buildings	
<p>Development provides the design, construction and operation of sustainable buildings by achieving either:</p> <ul style="list-style-type: none"> i. a minimum 6 leaf EnviroDevelopment certification ii. a minimum 4 star Green Star: Design and as Built certification, or iii. an equivalent rating under an alternative rating system. 	<p>Complies with Criteria</p> <p>The design, construction, and operation of the development has been considered to achieve sustainable outcomes. The development will utilise durable materials to manage the life cycle costs of the building and encourage waste minimisation.</p> <p>The building achieves a high building performance rating, as outlined in the Sustainability Assessment Report included in Appendix H.</p>
2.5.4.2 Liveability	
<p>Development provides appropriately designed and positioned habitable rooms which allow for access to direct natural light and ventilation from an external source.</p> <p>Communal spaces intended for the exclusive use of building residents, occupants and their visitors are designed to:</p> <ul style="list-style-type: none"> i. enhance the liveability of dwellings and workplaces, and ii. provide functional and accessible shared facilities. <p>Shared facilities for accommodation uses may include, but are not limited to: study areas, music rooms, libraries, lounge rooms, gymnasiums, swimming pools and indoor sport facilities, as examples.</p>	<p>Complies with Criteria</p> <p>The proposed development positions habitable rooms which maximise access to direct natural light and ventilation. Balconies on Levels 13 – 22 for residents are oriented outward to capture natural breezes and light and provide outlook and casual surveillance to the streetscape below.</p> <p>The terrace improves the liveability of dwellings and workplaces, providing accessible meeting rooms and function room with a visually interesting outlook to the landscaped edges and oriented to face the streetscape below.</p> <p>The development provides a recreation terrace inviting building residents, occupants, and visitors to experience a multitude of functional and accessible shared facilities. The arrangement of these facilities is laid out to enhance both flexibility and privacy, depending on their intended use. There is distinct separation between facilities available to the public and those intended primarily for productive or private use.</p>

Table 5: PDA-wide Criteria	
Criteria	Response
	A diverse range of shared facilities for residents are provided, including a swimming pool, residents' lounge, gymnasium, and meeting rooms.
2.5.4.3 Self sufficiency	
Development enables communities to be more resilient and self-sufficient by providing opportunities for: <ul style="list-style-type: none"> i. food to be grown in private, communal or public spaces ii. water to be locally sourced, retained and reused, and iii. energy, with a focus on green energy, to be locally sourced, generated, stored and distributed. 	<p>Complies with Criteria</p> <p>The development includes opportunities for residents and visitors to be resilient and self-sufficient. Water for landscaping is proposed will be primarily of captured roofwater.</p> <p>The development delivers a sustainable focus on green energy, through the provision of solar panels proposed on the rooftop.</p>
2.5.4.4 Sustainability of infrastructure	
Development ensures: <ul style="list-style-type: none"> i. all infrastructure is appropriately designed and delivered to support the needs of development, ii. existing infrastructure is well used iii. land that is required for future infrastructure is preserved, iv. opportunities for future alternate modes of transport is considered in the design of streets, civic open spaces and built form outcomes, and v. Digital and telecommunications assets are considered and planned for during the development of the PDA. 	<p>Complies with Criteria</p> <p>The proposed development will be connected to all essential urban infrastructure networks including reticulated water supply, sewerage, stormwater, electricity and telecommunication. The proposal represents infill development within a well-established and serviced inner city locality and provides or the efficient use of existing infrastructure in proximity to the site.</p> <p>Please refer to the Engineering Assessment prepared by NAXOS Engineers included in Appendix E.</p>
2.5.4.5 Water management	
Development provides a stormwater management system designed to deliver the principles of Water Sensitive Urban Design (WSUD) and Integrated Water Cycle Management (IWCM) for buildings, streets and public spaces. Onsite water collection and reuse opportunities to support landscaping areas within a development should be investigated and pursued where practicable.	<p>Complies with Criteria</p> <p>Please refer to the Engineering Assessment prepared by NAXOS Engineers included in Appendix E.</p>
2.5.4.6 Energy efficiency	
Development promotes energy efficiency in built form and the public realm through the following approaches: <ul style="list-style-type: none"> i. site layout, building orientation and thermal design that reduces the need for mechanical cooling and heating ii. use of natural light 	<p>Complies with Criteria</p> <p>The development promotes energy efficiency in built form and the public realm through the following approaches:</p> <ul style="list-style-type: none"> • The proposed building has been orientated and positioned to maximise the building's access to natural light through the orientation to the Brisbane River and

Table 5: PDA-wide Criteria	
Criteria	Response
iii. use of energy efficient lighting, plant and equipment, and iv. integration of at least one of the following energy efficiency measures: a. solar energy generation technology, b. wind energy generation technology c. integration of green roofs, green walls and other sustainable landscape elements, d. integration of smart technology which passively controls the use of electricity.	having two wide street frontages (ensure appropriate separation with buildings on the opposite side of the road). <ul style="list-style-type: none"> • Provision of windows and openings to all habitable spaces to capture breezes and encourage natural cooling. • Provision of glazing within the façade to encourage access to natural light. • Provision of energy efficient lighting. • Provision of green roofs and other sustainable landscape elements. • Provision of solar panels on the roof. Please refer to the Architectural Package in Appendix C for a full response.
2.5.4.7 Waste management	
Development: i. provides facilities for the safe and efficient removal of waste, ii. provides facilities for recycling, composting and waste reduction, iii. ensures that no liquid or solid wastes, other than stormwater, are discharged to neighbouring land or waters, iv. ensures waste access and collection points and servicing areas for waste collection vehicles are appropriately designed to mitigate and manage acoustic and odour impacts, and v. ensures waste management areas are designed to be integrated into part of the development, preferably within the building or specifically designed enclosed areas, and designed to avoid disruption to movement and circulation areas ensuring the safe, convenient, and prioritised movement of pedestrians, active transport users and private vehicles	Complies with Criteria Please refer to the Waste Management Plan prepared by TTM included in Appendix F for further detail.
2.5.4.8 Transport efficiency	
Development: i. provides for and integrates with public transport and active transport infrastructure, ii. accommodates opportunities to provide mobility as a service, including but not limited to: scooter and bicycle rental schemes, car rental services, taxi services and car share schemes,	Complies with Criteria The development is adjacent to a highly accessible bicycle network on Hercules Street, connecting to a major gateway, being Kingsford Smith Drive and Lores Bonney Riverwalk. The development provides 73 bicycle spaces, with 15 spaces dedicated to retail customers on the ground level, and 58 spaces for residents further support active transport. The development provides car parking below the maximum rates specified under the PDA Development Scheme to further promote the use of nearby

Table 5: PDA-wide Criteria	
Criteria	Response
<ul style="list-style-type: none"> iii. supports a reduction in car ownership and vehicle trips by providing a variety of flexible, accessible, efficient and attractive active transport and mobility as a service options, and iv. provides facilities to support the charging of electric vehicles including at least one Destination AC charger and the electrical capacity for Basic AC charging on all non-visitor parking 	<p>public transport mode and support a reduction in car ownership and vehicles trips generated.</p> <p>The ground level provides legible and weather protected pedestrian connections along the Hercule Street and Main Street frontages, connecting the site to the broader locality.</p> <p>The site is proximate to regular bus and ferry services. The site is well located to utilise public and active transport infrastructure, to connect residents, workers and visitors to, from and within the PDA.</p> <p>The development can be conditioned to address the appropriate level of charging for electric vehicles (within the capacity of the electricity network).</p>
2.5.5 Housing diversity	
<p>Development for residential uses and accommodation activities, including residential components of a mixed-use development, provide:</p> <ul style="list-style-type: none"> i. diverse housing choice to suit a variety of households by offering: <ul style="list-style-type: none"> a. universal design b. adaptable design, and c. a variety in dwelling sizes, tenure, layout and configuration, ii. a minimum of 10 per cent of total residential GFA as dwellings with three (3) or more bedrooms, iii. a minimum of five (5) per cent of total residential GFA as either, or a mix of: <ul style="list-style-type: none"> a. public housing, b. social housing, and c. affordable housing, and iv. dwellings for public housing, social housing or affordable housing are distributed throughout residential and mixed-use developments and designed to integrate seamlessly within a neighbourhood. 	<p>Complies with Complies</p> <p>The proposed development provides a mixture of short and long stay residential uses in the form of 128 short-term accommodation units and 50 apartments (multiple dwelling). This results in a highly adapted design that provides a diverse range of housing product to suit a variety of households, with 18% of the long stay residential units having three or more bedrooms. In excess of 5% of the apartment product is provided as affordable housing.</p>
2.5.6 Infrastructure planning and delivery	
<p>Development ensures:</p> <ul style="list-style-type: none"> i. planned infrastructure networks are provided or their future provision is not compromised, and ii. infrastructure networks are delivered to relevant standards, in a timely and coordinated way to facilitate ongoing development in the PDA. 	<p>Complies with Criteria</p> <p>The development is not located within or will compromise any planned infrastructure networks as stipulated in Table 3: Infrastructure catalogue for the Northshore Hamilton PDA.</p>

Table 5: PDA-wide Criteria	
Criteria	Response
2.5.7 Environment	
2.5.7.1 Significant vegetation	
Development: i. avoids impacts on significant vegetation, or ii. minimises and mitigates impacts on significant vegetation after demonstrating avoidance is not reasonably possible, and iii. maintains the habitat, water quality and flood mitigation values of significant riparian vegetation.	Not Applicable The site is clear of any existing trees or vegetation and therefore is not identified as containing significant vegetation.
2.5.7.2 Waterways and riparian areas	
Development: i. ensures that land along the Brisbane River is accessible as civic open space ii. is located, designed, constructed and operated to avoid, or where avoidance is not reasonably possible, minimise and mitigate adverse impacts on: a. the hydraulic capacity of the waterway, b. the environmental values of receiving waters, c. the habitat values of significant vegetation in waterways and riparian areas, and d. the ability for fish and other marine animals to move unimpeded along waterways, iii. protects environmental values of receiving waters by delivering appropriate solutions that achieve an equivalent or improved water quality outcome, iv. ensures that waterways that require maintenance are afforded appropriate access for vehicles and personnel tasked with undertaking these activities, and v. protects water quality throughout the PDA, as well as achieving the water quality objectives for the Brisbane River and Moreton Bay receiving waters	Complies with Criteria The development is not located along the Brisbane River and does not directly involve the provision of this area as civic open space.
2.5.7.3 Acid sulfate soils	
Development: i. involving filling, excavation, or any other form of development that may disturb potential or actual acid sulfate soils (ASS) be supported by ASS investigation reports,	Will Comply with Criteria As part of the detailed design phase of the development and before construction works commence the Applicant will undertake an acid sulfate soils investigation and management plan. The Applicant will accept any reasonable and relevant condition that requires the investigation to be completed.

Table 5: PDA-wide Criteria	
Criteria	Response
ii. ensures ASS is treated in accordance with current best practice in Queensland, and iii. ensures the disturbance of ASS is: <ul style="list-style-type: none"> a. avoided to the greatest extent practical, then b. managed to reduce risks posed to the natural and built environments from the release of acid and metal contaminants. 	
2.5.7.4 Contaminated land	
Development: <ul style="list-style-type: none"> i. manages contaminated land to ensure all land and groundwater is suitable for its proposed future use, and ii. ensures that best practice management measures are implemented to prevent contamination spreading beyond its existing extent due to development activities. 	Complies with Criteria The proposed development will not be affected by the site's listing on the environmental management register (Appendix A). The Applicant will remediate the site prior to any site works occurring on the site, which can be conditioned.
2.5.8 Flood	
Development in the flood hazard area identified on Map 5 – Flood and storm tide inundation must demonstrate how its location, design and construction will address, mitigate, and where relevant manage, the hazards and risks posed by flood and storm tide inundation. Development: <ul style="list-style-type: none"> i. is designed to avoid, minimise and mitigate the susceptibility to, and the potential impacts of, inundation by flood and/or storm tide waters, ii. does not result in a material increase in flood levels on upstream, downstream or on adjacent properties, iii. does not result in an increased risk to people and property, with specific consideration for sensitive uses and vulnerable uses iv. provides for efficient and safe evacuation during defined flood events without unduly burdening the city's counter-disaster response unit, particularly for vulnerable uses and difficult to evacuate uses, v. ensures underground car parks are designed to prevent the intrusion of storm tide waters or flood waters by the incorporation of a bund or similar barrier with a minimum height of 300mm above the defined flood level, vi. provides measures to ensure critical services remain operational in an inundation event. Essential electrical services must be located above the defined flood level, and 	Complies with Criteria As identified on Map 5, parts of the site are affected by flood and overland flow (1% Annual Exceedance Probability (AEP)) and storm tide (1% Annual Exceedance Probability (AEP)) but has been designed to achieve compliance with the applicable flood criteria under the Brisbane City Plan 2014 (flood overlay). Refer to the Stormwater Management Plan prepared by Naxos Consulting (Appendix E) which confirms the proposed development has been designed to mitigate the susceptibility to flood inundation (both river and storm-tide), does not result in any adverse impact on upstream, downstream or adjacent properties, and will not result in an increase risk to people or property.

Table 5: PDA-wide Criteria	
Criteria	Response
vii. ensures any hazardous material manufactured or stored on site is not susceptible to risk of inundation.	
2.5.9 Managing the impacts of development	
2.5.9.1 Noise	
<p>Development manages the noise amenity expectations of different land uses, especially sensitive land uses, with consideration for the variety of noise sources that may contribute to background noise levels in the PDA, such as aircraft operations, transport noise, marine activities, industrial activities and mixed-used urban environments.</p> <p>Development is designed, sited and constructed to:</p> <ul style="list-style-type: none"> i. mitigate exposure of occupants to noise impacts from: <ul style="list-style-type: none"> a. industrial noise sources, b. airport and aviation facilities, c. marine facilities, d. designated transport noise corridors, and ii. meet building standards for recommended sound levels for building interiors, and iii. achieve minimum acoustic environmental values for indoor and outdoor areas <p>Development manages the noise amenity expectations of different land uses, especially sensitive land uses, where noise levels are demonstrated to be consistent with noise standards for those uses.</p>	<p>Complies with Criteria</p> <p>The development has been designed with appropriate acoustic attenuation to manage the noise amenity of the proposed uses, with consideration to minimising aircraft operations, transport noise, marine activities, industrial activities, and mixed-use urban environments.</p> <p>An Acoustic Assessment has been prepared by TTM and is included in Appendix G. The assessment confirms the proposed development appropriately addresses noise impacts and where necessary incorporates appropriate noise mitigation measures.</p> <p>The development achieves acceptable noise levels for noise sensitive uses in affected areas.</p> <p>For further detail, please refer to the Acoustic Assessment included in Appendix G.</p>
2.5.9.2 Brisbane Airport	
<p>Development is designed, constructed, and operated to protect the safety and functioning of operational airspace, aviation facilities, airport operations and airport operators of the Brisbane Airport. This includes consideration for Australian Noise Exposure Forecast (ANEF) contours, prescribed operational airspace, emissions, lighting and wildlife hazard.</p> <p>Development does not result in new buildings or structures compromising operational airspace.</p> <p>Development for a sensitive use is appropriately designed to manage and attenuate impacts from aircraft noise to protect the health and wellbeing of occupants.</p>	<p>Complies with Criteria</p> <p>The development proposes a building height compliant with the intended height as outlined in the Northshore Hamilton PDA. The development will not create a hazard to emissions, lighting, and disruption to wildlife. The design does not produce an outcome that will compromise operational airspace.</p>
2.5.9.3 Industrial hazard and risk	

Table 5: PDA-wide Criteria	
Criteria	Response
<p>Development does not emit heat, radioactivity, biohazards, electromagnetic radiation, chemicals, noise, vibration, emissions or similar outputs at levels which may cause adverse impacts to health, safety and the environment.</p> <p>There are current industrial land uses and associated infrastructure located in the PDA, including hazardous chemical facilities, that due to the nature of their operations could present hazards and risks to existing or new development located in their vicinity, especially sensitive uses.</p> <p>While a material change of use for Special Industry or High Impact industry is prohibited development, building work for the continued operation of these uses where they are existing lawful uses is generally supported where it does not result in new impacts, or an intensification of existing impacts from the use.</p> <p>Development involving non-industrial land uses, such as sensitive uses, located on land within the Industrial amenity investigation area or the industrial hazard investigation area as shown on Brisbane City Plan Industrial amenity overlay mapping, must demonstrate how its location, design, construction and operation will address, manage and mitigate the hazards and risks posed by any industrial land uses and their associated infrastructure.</p>	<p>Complies with Criteria</p> <p>The proposed development is for Office, Shop, Food and Drink Outlet, and residential activities (multiple dwelling and short-term accommodation). The proposed development does not propose use for Special Industry or High Impact industry and subsequently will not carry out associated operations which may cause adverse impacts to health, safety, and the environment.</p>
2.5.9.4 Air quality	
<p>Existing activities and their potential impact areas, which by their nature have the potential for off-site impacts on non-industrial land uses such as sensitive uses, are shown as investigation areas on Map 6 – Air quality.</p> <p>Development within the investigation areas shown on Map 6 – Air quality must be designed and constructed to be compatible with the existing uses that have the potential for off-site air emissions in a way that:</p> <ul style="list-style-type: none"> i. limits the exposure of occupants in the development to pollutants that could have an adverse effect on human health, and ii. does not adversely affect the continued operation of the existing activities <p>Development in a transport air quality corridor area, as shown on Brisbane City Plan Transport air quality corridor overlay, is designed to:</p> <ul style="list-style-type: none"> i. minimise the impacts of air pollution from vehicle traffic on the health and wellbeing of occupants of sensitive uses, and ii. maximise wind movement around buildings and the dispersion of traffic generated air pollutants. 	<p>Complies with Criteria</p> <p>The proposed development is for a range of non-residential uses, residential uses (multiple dwelling) and short-term accommodation. The proposed development will not have any associated pollutants that could have an adverse effect on human health.</p> <p>The site is not located in or in proximity to sensitive uses as shown in Map 6. Further, the site is not located in a transport air quality corridor area as shown on Brisbane City Plan Transport air quality corridor overlay.</p> <p>The proposed development will not have any associated pollutants that could have an adverse effect on human health and hinder the continued operations of existing activities. The development will manage the air quality amenity expectations of the proposed land uses.</p>

Table 5: PDA-wide Criteria	
Criteria	Response
Development manages the air quality amenity expectations of different land uses, especially sensitive land uses, such as odour or visible air emissions, where those emissions are demonstrated not to be hazardous to human health.	
2.5.9.5 Brisbane Cruise Terminal	
<p>The ongoing use of the Brisbane Cruise Terminal as a significant tourist facility is supported. Occupants of buildings in areas surrounding the facility can expect a standard of amenity commensurate with lawful cruise ship operations. Development does not involve permanent or temporary physical obstructions that compromise the safe and efficient navigation of vessels on the Brisbane River, including vessels utilising the Brisbane Cruise Terminal.</p> <p>Development does not compromise the safe and efficient operation of the Brisbane Cruise Terminal facilities, located west of Wharf Street, including the passenger lounge, stevedoring area as well as pick up and drop off facilities for private vehicles, taxis and coaches. Development in the vicinity of the Brisbane Cruise Terminal is designed and constructed to:</p> <ol style="list-style-type: none"> i. avoid, manage or mitigate potential impacts (e.g., noise, air quality, traffic, visual) on occupants resulting from the lawful operation of the Brisbane Cruise Terminal, and ii. ensure that there are no adverse effects on the continued operation of the Brisbane Cruise Terminal 	<p>Complies with Criteria</p> <p>The proposed development does not involve permanent or temporary physical obstructions that will compromise the operations of vessels on the Brisbane River. The site is within proximity to the Brisbane Cruise Terminal.</p> <p>Wherever possible, the proposed development will be designed and constructed to avoid, manage, and mitigate potential impacts resulting from noise, air quality, traffic, and visual amenity on occupants utilising and operating the Brisbane Cruise Terminal.</p>
2.5.9.6 Harbour, foreshore and marinas	
<p>Development:</p> <ol style="list-style-type: none"> i. enhances the appearance and function of waterfront land, ii. contributes to an efficient marine transport network within the Brisbane River, iii. provides safe, unrestricted public access along the foreshore and to maritime facilities, and iv. is designed, constructed and operated to avoid, minimise and mitigate adverse impacts on coastal processes and coastal environmental values. 	<p>Complies with Criteria</p> <p>The proposed development is not located along the harbour, foreshore, and marina. However, the proposed building height, together with its orientation, takes advantage of the significant amenity and outlook to the harbour, foreshore, and marina. The site is still within proximity to the Brisbane River and its amenity, with the proposal providing access arrangements via a new crossover on Main Street. The proposed development will be designed, constructed, and carry out operation in a way that avoids and mitigates adverse impacts on coastal processes and coastal environmental values.</p>

5.3 Zone Provisions

A response to the zone provisions for the Mixed Use High Density Zone is provided in **Table 6** below.

Table 6: Zoning Provisions for Mixed Use High Density Zone	
Criteria	Response
2.6.2.1 Development intent	
<p>Development provides a wide range and intensity of commercial, retail, health and medical, community, entertainment, cultural activities, residential and accommodation uses in a predominantly high-rise built form and is characterised by outstanding architecture which defines a unique skyline for the PDA.</p> <p>Development densities create a high critical mass of residents, workforce and visitors, which are supported by services, facilities and attractions which activate streets and places at different times of the day, night and throughout the week. Retail activity is limited to 500m² per development site, with a maximum tenancy size of 250m², except where located in centres as described in section 2.5.2.</p> <p>Development comprises a tower and podium structure with podiums fronting the street and taller building elements above four storeys setback further from street frontages and property boundaries. Taller buildings may be located within Sub-area 4. Developments deliver unique architectural forms that define the PDA as an exemplar of sub-tropical high-rise design. Detached dwelling house and detached dual occupancy development is not envisaged in this zone.</p> <p>Development on larger sites reduces visual bulk, shade impacts, wind acceleration and amenity impacts by providing multiple towers, incorporating cross-block linkages and considering building orientation, materials, massing and façade articulation, whilst maximising views and orientation to the CBD, Brisbane River and civic open spaces.</p> <p>A civic heart for the PDA is located in the area bounded by Macarthur Avenue North, Road 1 (Brett Street), Theodore Street and the Brisbane River. Macarthur Avenue provides a main street boulevard with a mix of retail, food and drink outlets, entertainment, commercial and community uses.</p> <p>Development containing large floor plate commercial tenancies are located with frontages to Brett Street, Macarthur Avenue North or Theodore Street and provide a transition between the main street activities fronting Macarthur Avenue and the adjoining Community facilities zone to the north. Larger floor plate retail and residential buildings are sleeved by smaller scale specialty shops, food and drink outlets, community uses and other like uses.</p> <p>Development containing retail uses outside of activity centres is of a scale and type that does not compete with the intended function and uses of activity centres</p>	<p>The proposed development provides opportunities for a variety of commercial, retail, community, entertainment, residential, and accommodation uses in a 23-storey built form. The development takes advantage this location to provide a mix of land uses including: Multiple Dwelling, Short-Term Accommodation, Shop, Food and Drink Outlet, Health Care Service, Educational Establishment, Bar, Hotel, Indoor Sport and Recreation.</p> <p>The non-residential uses that are located within the podium levels and on the ground level will create and contribute to a vibrant area. The podium is built to the two street frontages (on ground level and up to level 4). The high-density residential and short-term accommodation use within the tower levels (levels 5 -23) comprises a mix of short and long stay activities.</p> <p>The development has retail and commercial space (approximately 769m² GFA, with no individual tenancy greater than 250m² GFA in size) which will not complete with areas within the PDA that are intended to provide core retail functions but assist to provide for a highly activated ground floor plane along both Hercules Street and Main Street. The retail / commercial spaces are contained within suitably sized tenancy areas.</p> <p>The proposed development represents a high quality and well-articulated development outcome that has been designed having regard to the Buildings that Breath criteria that is centred around:</p> <ul style="list-style-type: none"> • Orientating the building to directly interface with the street frontages and allows built form to be setback significantly from adjacent developments to support appropriate climatic response; • Ensure internal unit layouts are designed to position main living areas adjacent to balconies to promote access to natural lighting and ventilation (as well as reviews to the Brisbane River); • Maximise street activation by provide public open space at the corner of Hercules Street and Main Street (capable of accommodate a large feature tree) and including non-residential uses on ground level and podium level to provide additional connection to the street and encourage pedestrian activity and street activation.

Table 6: Zoning Provisions for Mixed Use High Density Zone

Criteria	Response
	<ul style="list-style-type: none"> • Design provides a highly trafficable throughfare to portside which assist to activate the ground plane and provides a landmark for the area. • Includes a large, open recreation terrace sitting onto the podium and offering outdoor spaces and activities surrounded by lush planting, along with a green roof on top of the building to help with reducing heat island effect. • Balconies for the long stay units (i.e. multiple dwelling) are proportioned to the size of each individual unit and designed to harness cross ventilation and including external screening to address privacy concerns (where necessary). • The form provided at the corner of the podium invites visitors into the public plaza on ground level and is a powerful spatial marker for the local urban experience. • The building is setback from the common boundaries to ensure access to natural lighting and ventilation can circulate between the proposed development and existing buildings on the adjacent properties. • Vertical screening is maintained along the external façade to maximise natural lighting with recesses at the end of corridors to allow natural lighting into each level. • The development incorporates operable windows and a layered façade of screening and landscape buffers to provide for natural ventilation around and through the building but also protect the building from rain and heat. • A canopy roof and other shading devices (such as batten screens, shading fins, extrusions and planters) have been incorporated over the outdoor recreation areas to provide relief from the sun and seasonal storms and allow for the outdoor spaces to be enjoyed in comfort. • Provides hanging planters across the podium façade to add substantial green surfaces to the streetscape, as well as soften the podium language of the rugged brick cladding, with generous landscaping provided across the ground plane to create visual interest along the street frontage and create an inviting space for residents and pedestrians to congregate. • All private balconies and the rooftop terrace utilise elevated gardens to provide access to vegetation across all levels, with staggered gardens to create a lush, vegetated façade that can be appreciated from opposite towers. • Brick elements is a link to the demolished building as well as the area's industrial past and has a timeless quality and requires minimal maintenance.

Table 6: Zoning Provisions for Mixed Use High Density Zone	
Criteria	Response
2.6.2.2 Reconfiguration provisions	
Minimum lot size	
1000m ²	Not Applicable The proposed development is not for reconfiguration of a lot.
Minimum frontage	
20m	Not Applicable The proposed development is not for reconfiguration of a lot.
2.6.2.3 Built form provisions	
Maximum plot ratio	
4 : 1 8 : 1 for buildings located in Sub-area 4	Complies with Development Intent and PDA Wide Criteria The subject site has an area of 1,382m ² and equates to a maximum allowable plot ratio of 5,528m ² GFA. The proposed development results in the creation of 12,384m ² GFA but importantly is notably less than sought under the original development application. The proposed development achieves compliance with the corresponding Development Intent for the zone and the PDA-wide Criteria and as detailed in Section 5.5 of this town planning report, there are sufficient grounds to overcome the inconsistency with the relevant PDA development requirement based on the superior design outcomes achieved.
Maximum building height	
Podium 4 storeys. Total 23 storeys. Taller building heights are envisaged for buildings located in Sub-area 4. Building heights not to exceed height in metres as shown on Map 7 – Building heights	Complies with Criteria The development proposes a 23-storey multiple residential dwelling with 4-storeys of podium. It does not exceed the maximum building height (in metres) specified on Map 7 – Building Height, being 85m AHD.
Building liveability	
Habitable rooms are required to have an openable window in an external wall that is located and sized to provide access to natural light and ensure natural ventilation.	Complies with Criteria All habitable rooms have been provided with operable windows to ensure access to natural light and ensure natural ventilation.
Building envelope	

Table 6: Zoning Provisions for Mixed Use High Density Zone	
Criteria	Response
<p>Minimum street frontage setback –</p> <p>Ground level:</p> <ul style="list-style-type: none"> • 4m excluding awnings <p>Up to 4 storeys:</p> <ul style="list-style-type: none"> • 1m to balcony • 4m to external wall <p>Above 4 storeys:</p> <ul style="list-style-type: none"> • 6m. 	<p>Complies with Development Intent and PDA Wide-Criteria</p> <p>The proposed development incorporates the following front setbacks:</p> <p><u>Front (Hercules Street) boundary:</u></p> <ul style="list-style-type: none"> • 0m – Ground Level • 0m – 0.65m – Level 1 – 3 • 0.65m to landscape, 2.4m to wall – Level 4 • 0m to slab, 0.5m to wall – Levels 5 - 23 <p><u>Front (Main Street) boundary:</u></p> <ul style="list-style-type: none"> • 0.5m – Ground Level • 0m – Level 1 – 3 • 1.3m – Level 4 • 0m to slab, 0.5m to wall – Levels 5 - 23 <p>The proposed development achieves compliance with the corresponding Development Intent for the zone and the PDA-wide Criteria and as detailed in Section 5.5 of this town planning report, there are sufficient grounds to overcome the variation of some setbacks with the relevant PDA development requirement based on the superior design outcomes achieved.</p>
<p>Minimum side setback –</p> <p>Up to 4 storeys:</p> <ul style="list-style-type: none"> • 0m to a boundary wall. • 6m to a habitable room. • 4m to a balcony or non-habitable room. <p>Above 4 storeys:</p> <ul style="list-style-type: none"> • 9m. 	<p>Complies with Development Intent and PDA Wide-Criteria (alternate outcome only to the extent of the 8.1m setback to the northern core; with all other aspects complying)</p> <p>The proposed development incorporates the following side setbacks:</p> <p><u>Side (northern) boundary:</u></p> <ul style="list-style-type: none"> • 1.2m – ground level – Level 1 • 0m – Level 2 – 4 • 8.1m to internal stairs and 9.0m to wall – Levels 5 - 23 <p><u>Side (eastern) boundary:</u></p> <ul style="list-style-type: none"> • 13.7m – ground level (0m for substation) • 0.65m – Level 1-4 • 9.0m – Levels 5-23 <p>The proposed development achieves compliance with the corresponding Development Intent for the zone and the PDA-wide Criteria and as detailed in</p>

Table 6: Zoning Provisions for Mixed Use High Density Zone	
Criteria	Response
	Section 5.5 of this town planning report, there are sufficient grounds to overcome the inconsistent with the relevant PDA development requirement based on the superior design outcomes achieved.
<p>Minimum rear setback –</p> <p>Up to 4 storeys:</p> <ul style="list-style-type: none"> • 0m to a boundary wall. • 6m to a habitable room. • 4m to a balcony or non-habitable room. <p>Above 4 storeys:</p> <ul style="list-style-type: none"> • 9m. 	<p>Not Applicable</p> <p>The site is located on a corner lot with primary and secondary frontages, and side setbacks.</p>
<p>Minimum floor to ceiling height on ground floor-</p> <ul style="list-style-type: none"> • 4.5m 	<p>Complies with Criteria</p> <p>The ground floor has a minimum floor to ceiling height of 5m.</p>
Building form	
<p>Building design –</p> <p>Innovative building design is delivered on the northern side of Macarthur Avenue at the corners of Brett Street and Theodore Street. At these locations building design is to reinforce the main activity centre character and provide a sense of arrival to the activity centre.</p> <p>Large floor plate commercial tenancies and accommodation uses up to 2,000m² are located within the area bounded by frontages to Brett Street, Macarthur Avenue North and Theodore Street.</p> <p>Tower forms are designed to maintain solar access to adjoining open spaces and minimise overshadowing between the hours of 9.00am and 3.00pm, as determined by the winter solstice sun angle.</p> <p>Building shape, massing and façade articulation are designed with consideration for prevailing winds and to manage negative impacts of wind acceleration and downdrafts.</p>	<p>Complies with Criteria</p> <ul style="list-style-type: none"> • The proposal is comprised of a distinct podium and tower form. The podium and tower are distinct through setbacks and materiality. Additionally, the tower levels are elevated about the podium. • The podium is comprised of four (4) storeys containing active retail space on the ground level and three (3) levels of podium car parking screened behind an articulated and distinctive façade, and a recreation terrace on Level 4. • Commercial tenancy space is incorporated into the podium levels to establish a partial sleeving of the podium carparking, but without taking away from the distinctive brick pattern façade, interspersed with podium landscaping. • The materiality chosen for the podium includes brick patterning to connect with the industrial history and development within the broader area of the PDA and reclaimed timber that pays homage to the area’s connection to the wharf is incorporated in the landscaped and public facing areas of the development. Glazing is incorporated into the podium where the commercial tenancies are located to maximise activation to Main Street. • The tower (Levels 5 – 24) includes curved edges to soften the building, recesses to break up the form and massing and screening for shading.

Table 6: Zoning Provisions for Mixed Use High Density Zone	
Criteria	Response
	<ul style="list-style-type: none"> • Tower blades and slab projections in the building façade have been employed to add articulation and visual interest at all levels. Variation in floor plates establish a distinction between the lower and upper tower levels. • The development has been thoughtful in its layout that orientates habitable spaces away from the side boundaries to appropriately manage these interfaces and takes advantage of the opportunity for the development to have a strong north and south orientation with views towards the City, Hercules Street Park and the Brisbane River.
Maximum building footprint above podium – <ul style="list-style-type: none"> • 2000m² on the north side of Macarthur Avenue between Brett Street and Theodore Street. • Otherwise, 1,200m². 	Complies with Criteria Building footprint does not exceed a maximum of 1,200m ² above the podium level.
Maximum horizontal dimension of building above podium – <ul style="list-style-type: none"> • 50m 	Complies with Criteria The horizontal dimension of the building does not exceed 50 meters above podium level.
Maximum length of any one outer building wall above podium – <ul style="list-style-type: none"> • 30m 	Complies with Criteria The maximum length of one outer building wall above podium does not exceed 30m
Maximum wall length between building articulations – <ul style="list-style-type: none"> • 10m 	Complies with Criteria The maximum length between building articulations does not exceed 10m
Orientation – Development is oriented to the street frontage and activates the public realm. Development on a corner lot is oriented to address both street frontages. Development optimises seasonal solar gain and loss, taking into consideration major site views and vistas. Development is located and designed to minimise impacts from surrounding uses an infrastructure and maintain reasonable levels of amenity. Towers are oriented to minimise wind acceleration and maximise views to the Brisbane River and civic open spaces.	Complies with Criteria The proposed development has been designed to incorporate built-to-boundary walls to active the street frontages with a public plaza provided at the corner of Hercules Street and Main Street (embellished with landscaping and public infrastructure), with non-residential uses provided on ground level and the podium levels to encourage pedestrian activity along the street. By orientating and positioning the building closer to the street frontage, it has enabled greater separation to be achieved before the tower and adjoining buildings along the common properties to maintain reasonable levels of amenity. The development has also been designed to maximise views from habitable units towards the Brisbane River and nearby civic open spaces.
Minimum building separation within a site –	Not Applicable

Table 6: Zoning Provisions for Mixed Use High Density Zone	
Criteria	Response
<p>Ground level:</p> <ul style="list-style-type: none"> • 6m to window to a habitable room, unless screened by a 1.8m high fence. <p>Up to 4 storeys:</p> <ul style="list-style-type: none"> • 12m to a balcony, or a window to a habitable room. <p>Above 4 storeys:</p> <ul style="list-style-type: none"> • 18m. 	<p>The provision relates to building separation <u>within</u> a site.</p> <p>This is because side setbacks are separately addressed (and substantively compliant as discussed above), and front setbacks are separately addressed (with a street orientation a positive outcome and resulting in limited potential for separation impacts).</p>
<p>Fences –</p> <p>Maximum height of front fences and walls:</p> <ul style="list-style-type: none"> • 1.5m. <p>Minimum visual permeability of front fences:</p> <ul style="list-style-type: none"> • 50% <p>Maximum height of side and rear fences:</p> <ul style="list-style-type: none"> • 1.8m. 	<p>Complies with Criteria</p> <p>All proposed fencing will be designed and constructed in accordance with the specified criteria.</p> <p>We recommend conditions of approval be imposed that ensure compliance with these requirements.</p>
<p>Rooftops –</p> <p>Plant and equipment are screened or otherwise integrated with the roof design.</p> <p>Varied roof forms are incorporated to contribute to the architectural distinction of the building.</p> <p>Roof top areas may be utilised for communal open space and other passive recreation uses</p>	<p>Complies with Criteria</p> <p>Plant and equipment provided on the rooftop will be screened / integrated into the roof form.</p>
Communal open space and facilities	
<p>Development provides universally accessible communal open space as follows:</p> <p>i. for development with a residential component, the greater of:</p> <ol style="list-style-type: none"> a. communal open space equivalent to a minimum of 80% of the site area, or b. communal open space equivalent to 15% of the residential gross floor area of the development. <p>ii. For non-residential development, a minimum of 10% of the gross floor area of the development.</p> <p>For all development communal open space:</p> <p>i. includes a minimum standalone area of 60m² with a minimum dimension of 6m,</p>	<p>Complies with Criteria</p> <p>The development provides 811m² (58% of the site area) of communal open space, the majority of which is located on the top of the podium (Level 4). The recreation terrace includes a combination of hard and soft landscaped areas, which includes a function room, bar, restaurant, residents lounge, gymnasium,</p> <p>The development provides a recreation terrace on Level 4 encouraging a variety of public and private uses. The terrace includes a publicly accessible alfresco area and outdoor area, meeting a minimum area of 60m² and dimension of 6m.</p> <p>The proposed development provides convenient connections for residents to the two proposed communal spaces, noting that an elevator provides direct access</p>

Table 6: Zoning Provisions for Mixed Use High Density Zone	
Criteria	Response
ii. is integrated in a combination of locations: ground level, podium, above podium and roof top, iii. respects the privacy of both users and those overlooking from neighbouring properties, iv. includes landscaping and deep planting shade trees, or structures suited to the subtropical environment, v. is positioned for good solar orientation and to minimise water use, and vi. does not include driveways, building entries, storage or turning areas	to the communal space on Level 4 from the ground level, on the Main Street frontage.
Private open space	
Development provides all dwellings with private open space or balconies at the following minimum rates: i. 1 bedroom dwellings: 9m ² with a minimum dimension of 3m, or ii. 2 or more bedroom dwellings: 12m ² with a minimum dimension of 3m. Balconies are screened to maximise privacy between buildings and the public realm, without compromising CPTED principles. Ground floor private open space must provide privacy but still allow overlooking of the street to promote passive surveillance.	Complies with Criteria Each proposed unit is provided with generous private open space in the form of balconies that connect with the main living areas to create indoor / outdoor spaces that embrace Brisbane's subtropical climate. The development proposes the following balcony areas. <ul style="list-style-type: none"> • 1 bedroom dwellings are provided with balconies ranging from 10 m² – 12m² • 2 or more bedroom dwellings are provided with balconies ranging from 12 m² – 36 m² Furthermore, balconies overlook Hercules Street and Main Street, with those on the northern side of the building fitted with privacy screening to direct outlooks towards the north-east and away from future development to the north.
2.6.2.4 Urban design provisions	
Building elements and appearance	
High-rise buildings must have distinct lower, middle and upper sections, including the ground floor, podium and tower levels, providing for variation in the built form. Buildings are well articulated and fenestrated with varied materials and design details, such as external balconies, verandahs, terraces, recesses, protrusions, windows, shade and screening devices and outdoor planting. Buildings adjacent to riverside civic open spaces are recessed and highly permeable on the ground floor, oriented and designed to provide an activated interface and enhanced amenity, safety and passive surveillance during day and night. Development is of human scale where fronting civic open space, with taller, tower built forms set back.	The development represents a high quality and well-articulated development outcome, including the following key components. <ul style="list-style-type: none"> • Variation in the use of materials and colours within the building facades that create a distinct and interesting signature building on a compelling corner site. • Notably, the podium façade is constructed with brick, glazing and landscape, which is distinctive to the industrial character and heritage within the Northshore Hamilton PDA. • Discernible pedestrian entrance points within the built form. • Two (2) retail tenancies on the ground level.

Table 6: Zoning Provisions for Mixed Use High Density Zone	
Criteria	Response
<p>Residential building design ensures visual and noise privacy, adequate storage space, adequate room sizes, functional room relationship and the provision of useable and well connected common outdoor spaces.</p> <p>Development provides well-defined entry points for pedestrians.</p> <p>Building form supports cross ventilation and a naturally ventilated environment.</p> <p>Buildings incorporate weather protection, eaves and overhangs, screening, and shading structures to channel breezes, filter sunlight, block out night lighting and provide rain protection.</p>	<ul style="list-style-type: none"> • Variation in built form across the site to creating varied and interesting forms. • Provision of building fins, strategically placed throughout the tower which create interest and variation in the built form outcome. • Each unit is provided with adequately sized rooms which have a functional relationship. • Private open space in the form of balconies, which are directly accessible from the main living areas. The balconies are sufficient in size and are functional outdoor spaces. • The development provides 811m² of communal open space, and includes valuable landscape outcomes that adds to the amenity of the space.
Basements	
<p>Basements are within property boundaries.</p> <p>Basement level 1 allows areas for deep planting at the street level.</p>	<p>Not Applicable</p> <p>The proposed development does not include any basement levels.</p>
Ground level treatment	
<p>Street activation is achieved through a variety of measures, including varied design concepts and providing a high frequency of foyers, front entries, windows or doors to commercial, retail, community, communal and residential uses.</p> <p>Shop frontages, articulated building access points and continuous awnings over the footpath activate the ground plane along Macarthur Avenue between Brett Street and Theodore Street and the interface with the urban civic space. Large floor plate retail and residential buildings are sleeved by smaller scale specialty shops, food and drink outlets, community uses and other like uses.</p> <p>Mixed-use developments provide a predominantly commercial and retail character at the ground floor level, which activate the street.</p> <p>Front entries to all buildings are emphasised through architectural and landscape treatment, pedestrian paths, lighting and the provision of awnings.</p> <p>Foyers open toward the public realm and contain spaces that engage people, such as reception desks, seating areas, cafes and display spaces.</p> <p>Non-residential uses at ground level provide:</p> <ol style="list-style-type: none"> i. minimum 3m wide awnings with integrated lighting to deliver continuous shelter and protection from the elements along the at least one street frontage, ii. a variety of building elements, details, finishes and setbacks on the ground floor to create plazas, outdoor dining areas, landscape spaces or open vistas, and 	<p>Complies with Criteria</p> <p>Building entrances are designed to be clearly discernible within the façade and will be directly accessible from the street frontages. The pedestrian entrances will be generally sheltered by the podium above and therefore pedestrians connections will be comfortable and protected from the weather.</p> <p>The development provides landscaping on the ground level, within the podium levels and planters within the tower. The proposed landscaping within the development contributes to the character, visual amenity and interest of Northshore Hamilton.</p> <p>The development provides landscaping along the street frontages, with the inclusion of a large sub-tropical tree within the landscaped public plaza space at the notable corner of Hercules Street and Main Street, contributing to the public realm.</p> <p>The ground level hard and soft landscaping addresses streets and open spaces and contributes to the amenity of the public realm.</p> <p>The landscape concept plan has selected appropriate vegetation to maintain sightlines and encourage casual surveillance and does not encroach into pedestrian and cycle pathways.</p>

Table 6: Zoning Provisions for Mixed Use High Density Zone	
Criteria	Response
<p>iii. places for a wide range and variety of activities and uses, formal and informal gathering and interaction.</p> <p>Residential uses at ground level provide direct street access to each ground level dwelling.</p>	<p>For further detail, please refer to the Architectural Package attached in Appendix C and the Landscape Concept Plan attached in Appendix D.</p>
Podium treatment	
<p>Podiums are designed to address, activate and provide visual appeal to street frontages. Any parking included in a podium must be sleeved with active uses fronting the street.</p> <p>Podiums include articulations in building facades and landscape treatments to reduce visual bulk and provide a transition between the ground floor and upper storeys.</p> <p>Podiums provide visual connection and surveillance of streets and urban commons including plazas, smallscale spaces and arcades they overlook. Podiums include variation in plan shape and vertical profile, balconies, display windows, showcases and the like orientated to the street.</p> <p>Podiums may provide area for communal open spaces.</p>	<p>Complies with Criteria</p> <p>The podium form is four (4) storeys in height and includes non-residential tenancies directly fronting Hercules Street and Main street. These non-residential uses also sleeve the car parking areas provided within the podium and also provides a visual connection and surveillance of the street and public plaza. The podium façade is constructed in a brick and glazing and landscape outcome to provide homage to site’s industrial character / heritage together with contemporary and active elements, to provide visual appeal to the street and differentiates the podium / ground level from the rest of the development (i.e. tower component).</p>
Tower treatment	
<p>Towers include articulations and varied design details to create visual appeal.</p> <p>Residential towers include balconies and other external protrusions which separate the internal areas from direct solar heating.</p> <p>Balconies on towers are offset so that they maintain privacy of habitable rooms or outdoor spaces and provide visual variety and articulation in the built form.</p>	<p>Complies with Criteria</p> <p>The proposed development creates variation in the built-form of the tower component through the incorporation of external detail features including lightweight balconies, recesses, tower blades / slab projections and exterior landscaping to create a high level of visual appeal and building articulation.</p> <p>Long-stay residential uses (i.e. multiple dwelling) include balconies and other shading devices to protect individual units from direct solar heating and will incorporate screening devices to maintain privacy to habitable room (where in proximity to nearby development).</p>
Landscaping	
<p>Development provides consistent and cohesive landscape and streetscape treatments, including deep planted feature trees, seating and public art, that contributes to the area’s streetscape and urban character.</p> <p>Development provides landscaped areas, including deep planting, along a minimum length of 50% of street frontages.</p>	<p>Complies with Criteria</p> <p>The proposed development provides for a consistent and cohesive landscape and streetscape treatment, which includes an open and landscaped public plaza space at the notable corner of Hercules Street and Main Street, signifying a pedestrian entry point into the broader Northshore Urban Village. This includes deep planting and landscaping areas on the ground level (both within natural</p>

Table 6: Zoning Provisions for Mixed Use High Density Zone	
Criteria	Response
Public realm	<p>ground and planters), with additional landscaping provided on the exterior and on top the podium level to soften the built form and add to visual interest.</p> <p>Please refer to the Architectural Package in Appendix C and Landscape Concept plan in Appendix D for further details on the proposed design and allocation of landscaping on the ground plane, podium and elsewhere on the proposed building.</p>
<p>Mixed-use developments provide plazas and public spaces for social connectivity, meeting points, temporary uses and displays.</p> <p>Development addresses and provides passive surveillance of the street and other adjoining public spaces.</p> <p>Streetscape treatments facilitate pedestrian and cycle amenity and safety.</p>	<p>Complies with Criteria</p> <p>The development proposes a mixed-use residential outcome with the inclusion of a landscaped streetscape and hospitality operations to support social connectivity, meeting points, and interaction. The ground level is set back slightly from the built to boundary, below the podium, providing a covered, weather-protected ground plane.</p> <p>The ground level tenants provide high activation moments for pedestrians, wrapping the corner of Hercules Street and Main Street, offering casual surveillance of the street, and adjoining public spaces.</p> <p>The ground level provides legible and weather protected pedestrian connections along the Hercules Street and Main Street frontages, connecting the site to the broader locality.</p> <p>The development provides streetscape treatments encouraging pedestrian and cycle amenity and safety. Visitor bicycle parking is provided internal to the development in a location convenient to, and easily accessed from, the dedicated cycleway spanning Hercules Street.</p>

5.4 Sub-tropical Design

The development delivers a high quality design that is informed by the Development Scheme, existing and emerging character of the locality and Brisbane's sub-tropical climate. The building has been designed in accordance with the Buildings that Breathe Guidelines. This includes:

- **Orientate Yourself** – The position and configuration of the site provides the opportunity for development to have a strong north and south orientation with views towards the City, Hercules Street Park and the Brisbane River.
- **Occupy Outdoor Spaces** – The proposal includes a permeable ground plane with active retail uses where people can meet, work, eat or / and relax. Balconies and glazing are orientated to the street frontages for casual surveillance. Communal open space is located on Level 4, with an additional space provided at the rooftop level, creating a place to relax and enjoy the sub-tropical climate and take advantage of the stunning outlooks available.
- **Illuminate with Daylight** – The proposed development is appropriately setback in response to the planning scheme provisions and the adjoining land uses, providing access to natural light.
- **Natural Air and Ventilation** – Operable windows, doors and openings are located, oriented and designed to allow for natural ventilation, capture cooling breezes, facilitate cross ventilation and allow the passage of daylight while reducing unwanted heat transfer, and connecting indoor and outdoor spaces.
- **Shade and Protect** – The building is provided with various shading features and landscaping, to provide protection for building occupants and the local environment generally.
- **Living Greenery** – The proposed development includes containerised landscaping integrated within the podium and a well-landscaping top of podium space associated with the communal open space. Landscaping provided on the rooftop level provide enjoyable outdoor spaces for residents, as well as providing a 'green top' to the building. Street trees, landscaping and deep planting are provided on the ground plane.
- **Identity Matters** – The proposed development includes a selection of high-quality building materials, strong articulation through rhythm and a layering of transparent and solid materials and spaces provide texture and contribute to a sense of breathable, occupied buildings. The use of distinctive brick pattern and glass for the podium façade re-interprets the area's history, along with reclaimed timber used within the ground level landscape.
- **Reduce Energy and Waste** – The building is capable of delivering efficient air conditioning systems, water harvesting and recycling, and energy efficient fittings and fixtures. 73 bicycle parking spaces are provided, encouraging occupiers and visitors to take advantage of the bicycle network adjacent to the site.

Further detail on how the proposed development responds to Buildings that Breathe outcomes, please refer to the Architectural Plans included in **Attachment C**.

5.5 Summary of Sufficient Grounds

The following provides a summary of the sufficient grounds that are proposed by the development.

- Public realm contribution and embellishment at the important leading corner, providing a public focus and interaction space.
- Green roof outcome to address urban heat island effect, at both podium and tower rooftops.
- Provision of affordable housing, beyond 5% of the apartment product (identified as 13% of apartment area or 22% of apartment numbers being at the affordable threshold pursuant to the PDA Guideline 16: Housing, noting applied indexation).

- Creative lighting strategy for the podium and tower.
- Re-use of wharf timbers in the design outcome, providing sustainable re-use of materials and a contextual character benefit for Hamilton.
- Provision of a high quality hotel, supporting a need in the public interest of 2032 Olympic delivery.
- High quality, exemplar sub-tropical design.
- Sustainable building outcomes, as per ESD reporting submitted, and including:
 - Residential energy efficiency – greater than 6 Star NatHERS average;
 - Hotel and retail – 5% reduction against NCC 2022 minimum requirements;
 - Urban heat island reduction using green roof and landscaped areas;
 - Peak energy demand reduction using solar PV panels;
 - Rainwater reuse for landscape irrigation.

6. Summary

This Town Planning Assessment in respect of the proposed Changing Application to the current PDA Development Application at 5 Hercules Street, Hamilton, has assessed the proposed changes having regard to the relevant statutory town planning framework of the ED Act.

An assessment has been undertaken with regard to the proposed development in order to assess the application against the applicable statutory town planning framework, in particular the Northshore Hamilton PDA Development Scheme.

The information provided in this proposal report (and accompanying material) demonstrates that the proposed development complies with all relevant and applicable provisions of the statutory town planning framework.

We therefore recommend that EDQ favourably consider the proposed development and approve the proposed development application, subject to reasonable and relevant conditions.