



Department of
State Development and Infrastructure

Our ref: DEV2022/1323

19 March 2024

Limitless Residential No. 9 Pty Ltd
C/- Mewing Planning Consultants
Attn: Mr Leo Mewing
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BRISBANE QLD 4001

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Dear Mr Mewing

Further Issues Letter

PDA Development Application DEV2022/1323 for a 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 at 5 Hercules Street, Hamilton described as Lot 1 on SP231749 and Part Lot 0 on SP172640 (Access Easement)

After undertaking an assessment of the PDA development application, the Minister for Economic Development Queensland (MEDQ) has identified the following further issues:

1. PROPOSED GROSS FLOOR AREA

While the proposed total Gross Floor Area (GFA) and plot ratio are generally within acceptable bounds, it is imperative to address several deficiencies in the development plan. Specifically, there are notable shortcomings in communal open space and landscaping provisions. Additionally, concerns have been raised regarding manoeuvrability within the podium levels' carpark. Rectifying these issues is essential to ensure the overall functionality and appeal of the proposed development.

The assumed ultimate developed area for this site within the Development Charges and Offset Plan (DCOP) planning is 5,528m² GFA. The development proposed a GFA of 12,384m² which substantially exceeds the DCOP planned GFA.

The Trunk Infrastructure Capacity Report and a Service Advice Notice submitted with the application are for a previous development scheme and a lower gross floor area compared to the currently proposed, revised documentation from Urban Utilities is required to be provided to EDQ.

2. EASEMENT USE & OWNERS CONSENT

The subject site is burdened by Easement A on RP201549. Although the easement documentation has been submitted with the application material, it hasn't been identified how the development and uses within the easement are consistent with the terms of the easement. Owners' consent may be required.

Submit to EDQ further information to demonstrate that the proposed uses within the easement area are consistent with the terms of the easement and, if necessary, provide a signed owners' consent from the owner of Lot 645 SL2184 and an amended application form to include Easement A on RP201549.

3. COMMUNAL OPEN SPACE

Section 2.6.2.3 of the Northshore Hamilton PDA Development Scheme requires development with a residential component to provide universally accessible communal open space designed in accordance with the Scheme and the greater of a minimum 80% of the site area, or 15% of the residential gross floor area of the development. The Scheme also requires non-residential development to provide a minimum of 10% of the gross floor area of the development as communal open space.

The proposed communal open space is significantly under the required Scheme minimum for both the residential and non-residential components of the development. Additionally, the spaces provided do not meet the Scheme requirements in terms of design and dimensions.

Review the design of the development and existing podium levels and provide amended plans that demonstrate compliance with the minimum communal open space requirements. Recommend relocating some of the internalised communal facilities to lower levels of the podium to increase the level of active uses provided within podium, where this can be achieved in conjunction with the changes to carpark manoeuvring discussed further in this letter.

4. ROOFTOP

The Scheme requires the rooftop to have plant and equipment screened and the roof form to be varied, providing architectural distinction. Currently, the rooftop is flat with solar panels. Given the communal open space deficit, it is recommended that the rooftop be redesigned to allow for communal open space areas as well as solar panels. Where height provisions allow, consideration may be given to raising the solar panels to provide communal open space below. Alternatively, consolidate the solar panels onto one portion of the roof and provide a roof top communal open space exclusive for residents (not hotel guests).

Consideration should also be given to reflectivity of these panels within the flight path and appropriate clearance between solar panels and other uses (such as garden) to ensure there is sufficient room for maintenance of the panels and garden. Submit amended plans that address the above concerns to EDQ.

5. PRIVACY

The adjoining property (19 Hercules Street) has an approval for multiple dwelling units with podium and loading areas adjacent to the proposed recreation area on level 4.

Demonstrate how the proposed design responds to the adjoining development and respects privacy of both users.

6. LANDSCAPING

a) Deep Planting

PDA Guideline 8 - Medium to High Rise Building requires developments to provide landscape and recreation space of 20% of site area including 5% of site area as deep planting with 5 metres minimum dimension. The Scheme further requires the development to provide deep planting along a minimum length of 50% of the street frontages.

Calculations of landscape area quantity have not been provided however, the proposed landscape design does not appear to provide the required deep planting.

Submit amended landscape plans to EDQ that shows the calculations of all landscape areas, ensuring the required deep planting is provided. Where planters are proposed, provide details of the proposed depth and width of containerised planting areas to ensure they maximise the planting of trees within those areas.

b) Planters

Further there is concern that the planters proposed will not allow for viability and longevity of the plants proposed due to location and/or size of the planters. In particular:

- The majority of the area of Level 4 will be under roof and it is unclear how the trees are meant to grow with limited access to light; and
- Maintenance of green roofs provided on floors 5-11 and 12-21 is unclear given their size and location facing the adjacent building;

Submit to EDQ amended landscape plans that clearly demonstrate the following:

- Sufficient deep planting will be provided on site along with suitable widths and depths of planters and depth of soil;
- Appropriate clearance between solar panels and garden in accordance with solar panel manufacturers instructions to ensure there is enough room for maintenance; and
- Provide a concept cross section of the proposed rooftop garden area that details the soil depth, waterproofing, drainage and irrigation.

c) Beehives

Limited information regarding the beehives have been provided with the application including, protection during weather events.

Provide confirmation whether the proposal includes ‘Beehives as a Service” and if so, what are the requirements of this service. Demonstrate how the beehives will be protected during storms and high winds. Also, provide updated detailed design plans that illustrate all relevant information.

d) Irrigation Strategy Report

The submitted Landscape Concept Plans have a section for an Irrigation Strategy Report however, the Irrigation Strategy Report has not been provided. Given the extensive area of rooftop gardens and planters on levels, an irrigation concept plan is also required for demonstration.

Submit to EDQ an Irrigation Strategy Report along with an irrigation concept plan.

e) Property Boundary

The property boundary illustrated on the submitted landscape design ground level plan is incorrect and does not include the easement.

Submit an updated amended ground floor landscape plan to EDQ for assessment.

7. SUSTAINABILITY

Given that sustainable building outcomes is listed as a sufficient ground for the development, a revised Energy Efficiency Assessment Report is required to be submitted to EDQ to ensure the development will meet, as a minimum, current standards set by the Green Building Council of Australia and the National Construction Code.

a) Energy Efficiency Assessment Report

The assessment has been undertaken against the minimum requirements of a previous version of National Construction Code (NCC) 2019 and references a superseded Green Building Council of Australia (GBCA) tool. The assessment report needs to be updated to reference the current standards.

Submit a revised Energy Efficiency Assessment Report to EDQ including the following:

- Demonstrate the ability to achieve the minimum requirements of a NatHERS 7 star building to ensure future compliance with NatHERS after 1 May 2024; and
- Demonstrate the target points to be achieved by the development under the current Greenstar Buildings rating tool including the below:
 - i. How minimum expectations will be met;
 - ii. Credits to achieve a minimum 4-star Greenstar; with a suitable quantity of contingency credits; and
 - iii. Updated scorecard.

b) Building Energy Efficiency

The residential levels of the building do not perform as well as the ground floor/podium/hotel levels. The solar absorptance value of 0.6 for the roof is quite high.

It is recommended that alternate materials be considered or provide additional insulating methods to improve energy efficiency on these levels. Provide estimated level of thermal insulation once all parts of the building envelope for the top level apartment are considered. Update energy efficient values for the residential levels for any alternative building envelope materials.

c) Green Star Certification

Section 2.5.4.1 of the Northshore Hamilton PDA Development Scheme requires certification of the development against a sustainability rating tool.

Confirm whether the project will achieve certification via the Greenstar Buildings tool. If this is not achievable, provide details of how a third-party guidance and performance verification will be achieved to obtain an equivalent outcome.

d) Rainwater Harvesting Tank

No information regarding the proposed rainwater harvesting tank provided.

Confirm the proposed location and size of the rainwater harvesting tank on site. Clarify if harvested rainwater will be used for irrigation of the roof top gardens.

8. TRAFFIC, ACCESS AND PARKING

a) Traffic Impact Assessment

The submitted traffic statement/letter is not considered to appropriately identify all relevant traffic impacts and provide adequate solutions. Further, it appears to be based on incorrect details of proposal, ie. Commercial GFA, number of residential units, etc.

Submit a Traffic Impact Assessment (TIA) Report certified by a suitably qualified RPEQ to demonstrate the following:

- i. Compliance against the Northshore Hamilton PDA Development Scheme;
- ii. Concept road layout plan if on-street parking will be lost. Quantify the loss of on-street car parks. The plan shall include sign and line markings, include kerb build-out for indented parking, etc.;
- iii. A fully dimensioned scale plan, including gradients, spot levels (for height clearance) for the access and carparking areas, in accordance with the standard prescribed in the development scheme;
- iv. Denote proposed driveway location(s), type(s) and width(s);
- v. Accessible car park provisions and locations;
- vi. Label each parking bay on plan, including the number of PWD, visitor, staff car parking, slow and fast charging, etc.;
- vii. Adequate sight distance & queuing provisions ;

- viii. Adequate clear height clearance for service vehicles and PWD spaces;
- ix. Compliance of End of Trip (EOT) facilities for pedestrians and cyclists, and illustrate the proposed location and number on plans;
- x. Compliance of service vehicle requirements and provide vehicle turn templates;
- xi. Turn around space at end of blind aisle (if required); and
- xii. Any consideration/ provision for electric vehicle EV charging for all car park and location of a rapid charger in short term parking.

In addition to this, further information is required to address the parking provision and inconsistency with the parking rates in the Development Scheme and the Transport, Access, Parking and Servicing (TAPS) Planning Scheme Policy of City Plan 2014 as well as the movements within the carpark. It is not clear on the submitted plans how visitors will turn around if visitor spaces are full given the location of the security gate on Level 1. Further detail is also required on how a number of carparks, such as V005-V007, C001-C005 will trigger the signal controls if they are unable to access the holding points on the level they are located on.

Submit the following with the TIA to address the issues raised above to EDQ:

- swept path diagrams certified by an RPEQ to demonstrate how vehicles manoeuvre at the security gate (especially visitors turning around); and
- identify speed humps and speed limit within the carpark and if any speed humps are to be provided they are to be concrete/bitumen, not metal, in accordance with the recommendation of the Acoustic Assessment Report.

b) Bicycles Parking and Storage Facilities

The submitted Architectural Plans show that 14 of the visitor bike parking spaces rely on access via an easement along the northern boundary of the site. From review of the information provided, the easement does not allow access other than the purpose of inspecting, changing, altering, replacing, re-constructing and/or repairing pipes. In addition to this, there are concerns with CPTED with the bicycle access in this location. Submit amended plans relocating the 14 bicycle parking spaces elsewhere within the development or demonstrating an alternative accessway for the bicycle parking.

Other bicycle parking spaces within the development do not meet the requirements of Acceptable Solution A13(1)(a) of the Queensland Development Code (QDC) MP 4.1 which requires that bicycle parking and storage facilities are easily accessible. The majority of the bicycle parking spaces are within the podium which could create an unsafe situation with cyclists accessing the dual direction single width ramps within the podium. The resident bike parking spaces located at the north-west corner in podium level 2-3 are between the gap of two (2) car park bays appears to be narrow, not easily accessible and may not comply with AS2890.3.

Advice Note: Alternative strategies may be considered if space presents an issue (e.g. bike mounts above car parking spaces, subject to depth of parking bays).

c) Waste Management

Limited information regarding the waste management arrangements have been provided with the application. The development is planned to utilise Brisbane City Council's Waste Contractor for servicing. However, it has been identified that the Council's waste truck would not be able to accommodate the proposed MRV loading bay.

Submit a Waste Management Plan, certified by a suitably qualified person to demonstrate the following:

- i. Compliance against the Northshore Hamilton PDA Development Scheme;
- ii. The location of an RCV standing area/service bay since the development is proposed to be serviced by Brisbane City Council's Waste Contractor;
- iii. Compliance with the TAPS PSP Table 1-4 which identifies that the proposed land uses require one (1) SRB, two (2) VAN and two (2) MRV service bays. If fewer service bays are proposed, RPEQ sign off of the operation of the service area is required;
- iv. Provide a swept path analysis for a RCV (BSD-3008-2) demonstrate adequate turning movement;
- v. Provide a plan that demonstrate the gradient of the RCV service area that does not exceed 1:20;
- vi. Confirm sufficient width if this is located with the corridor to gain access to the MRV loading bay;
- vii. Potential waste demand and type;
- viii. Proposed refuse storage area, collection arrangement and equipment;
- ix. To achieve the required storage capacity, confirm the need of provision and if so, demonstrate the compaction technology achieve the minimum reduction ratio of 3:1; and
- x. Satisfactory Operational and design requirements.

In addition, the current access for the general waste and commercial bins via the easement are not supported unless documentation is provided confirming that the easement can be used for these purposes.

Submit amended traffic assessment and architectural plans showing the below:

- o the size of service aisle and bays comply with BCC TAPS Table 12. Ensure the service area does not impede car parks and the swept path entry; and
- o A cross section demonstrate the proposed development achieve the height clearance, excluding any pipeworks.

Advice Note: To ensure a Council's rear-loading RCV can service the site safely and efficiently, an additional buffer space is necessary to comfortably load the bins. Therefore, Council requires a minimum RCV standing/loading bay length of 12m.

9. STORMWATER MANAGEMENT (QUANTITY & QUALITY)

The submitted Stormwater Management Report states the following:

- *"Driveway inlet to be fitted with Filter Baskets"*. However, the Concept Services Plan, dwg C20-272_SK003, rev D, dated 17/1/2024, does not include this recommendation.
- *"The development is required to have rubbish bins for general waste to remove gross pollutants generated by the development."* However, it does not illustrate on the architectural plan.

Submit amended plans to EDQ indicate the following:

- Where the filter baskets should be fitted; and
- the number and location of the rubbish bins for general waste to remove gross pollutants generated by the development.

10. ENGINEERING SERVICES REPORT (ESR)

The submitted ESR provided a Service Advice Notice (SAN) based on the previous proposed yield.

Submit a revised ESR certified by a RPEQ to demonstrate the following:

- Adequate water & sewer capacities based on the current proposed yield; by obtaining a Service Advice Notice (SAN) from Urban Utility; and
- A plan showing the locations of water and sewer connection from the reticulation network.

Should you have any queries in relation to this matter, please do not hesitate to contact Vivian Lun, Planner, Development Assessment, in Economic Development Queensland, by telephone on (07) 3452 6781 or at Vivian.Lun@dcdilqp.qld.gov.au.

Yours sincerely



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