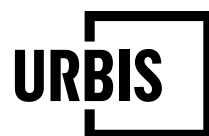




PDA DEVELOPMENT APPLICATION

15-21 WREN STREET, BOWEN HILLS

Prepared for:
WREN STREET HEALTH INVESTMENTS PTY LTD.



thomson
adsett

URBIS STAFF RESPONSIBLE FOR THIS REPORT WERE:

Director	Michael Cattoni
Associate Director	Matthew Brown
Senior Consultant	Esther Leung
Project Code	P0043029
Report Number	V1

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1. EXECUTIVE SUMMARY

Address of Site	15-21 Wren Street, Bowen Hills
Real Property Description	Lot 23 on RP9941 and Lot 24 on SP276528
Total Site Area	3,572m ²
Proposed Land Uses	<ul style="list-style-type: none"> • Multiple Dwelling (build-to-rent); • Health Care Services; • Shop; • Food and Drink Outlet; • Bar; and • Parking Station.
Number of dwellings	240 dwellings
Gross floor area	28,858m ² (excluding communal amenities spaces)
Plot ratio	8:1 (excluding GFA related to communal amenities spaces)
Maximum building height	31 storeys + internal mezzanine level
Car parks	383 parking spaces
Priority Development Area	Bowen Hills PDA
Zone and Precinct	Mixed Use
Precinct	N/A

DEVELOPMENT APPROVALS SOUGHT

Aspect of development	Category of Development	Approval sought
Material change of use involving multiple dwelling, health care services, shop, food and drink outlet, bar and parking station	Permissible Development	Development Permit

APPLICANT DETAILS

Applicant	Urbis Contact Details	Urbis Reference Number
<p><i>Wren Street Health Investments Pty Ltd.</i></p> <p>C/- Urbis Pty Ltd Level 32, 300 George Street Brisbane City, QLD 4000</p>	<p>Michael Cattoni Matthew Brown</p> <p>mcattoni@urbis.com.au mbrown@urbis.com.au</p> <p>(07) 3007 3800</p>	P0043029

2. INTRODUCTION

Urbis Pty Ltd has prepared this Town Planning Report on behalf of Wren Street Health Investments Pty Ltd. ('the Applicant') in relation to a development application over land at 15-21 Wren Street, Bowen Hills.

The following key points are highlighted in support of the proposed development:

- The proposed development is highly compliant with the relevant assessment benchmarks. This is demonstrated by the assessment provided in this report.
- The development involves 240 build-to-rent dwellings. These dwellings will assist with providing additional accommodation options for key workers at nearby locations including the Royal Brisbane Women's Hospital (RBWH).
- A minimum of 5% of the proposed dwellings will be provided as affordable dwelling units.
- A high-quality and highly articulated building design is proposed. This design has been based on the principles of Brisbane City Council's New World City Design Guide: Buildings That Breathe. An assessment against this guideline will be provided shortly after lodgement.
- The proposed development will provide improved activation and casual surveillance to the inner-city bikeway as it runs through the site through the provision of a café and other active spaces overlooking the bikeway.

This report is accompanied by and should be read in conjunction with the following material:

- **Appendix A** – Property Searches
- **Appendix B** – Land Owner's Consent
- **Appendix C** – PDA Development Application Form
- **Appendix D** – Previous Approval
- **Appendix E** – Development Plans
- **Appendix F** – Pre-lodgement Meeting Minutes
- **Appendix G** – Code Assessment
- **Appendix H** – Traffic Impact Assessment
- **Appendix I** – Landscape Concept Plan
- **Appendix J** – Waste Management Report
- **Appendix K** – Acoustic Report
- **Appendix L** – Stormwater Management Plan & Flood Assessment

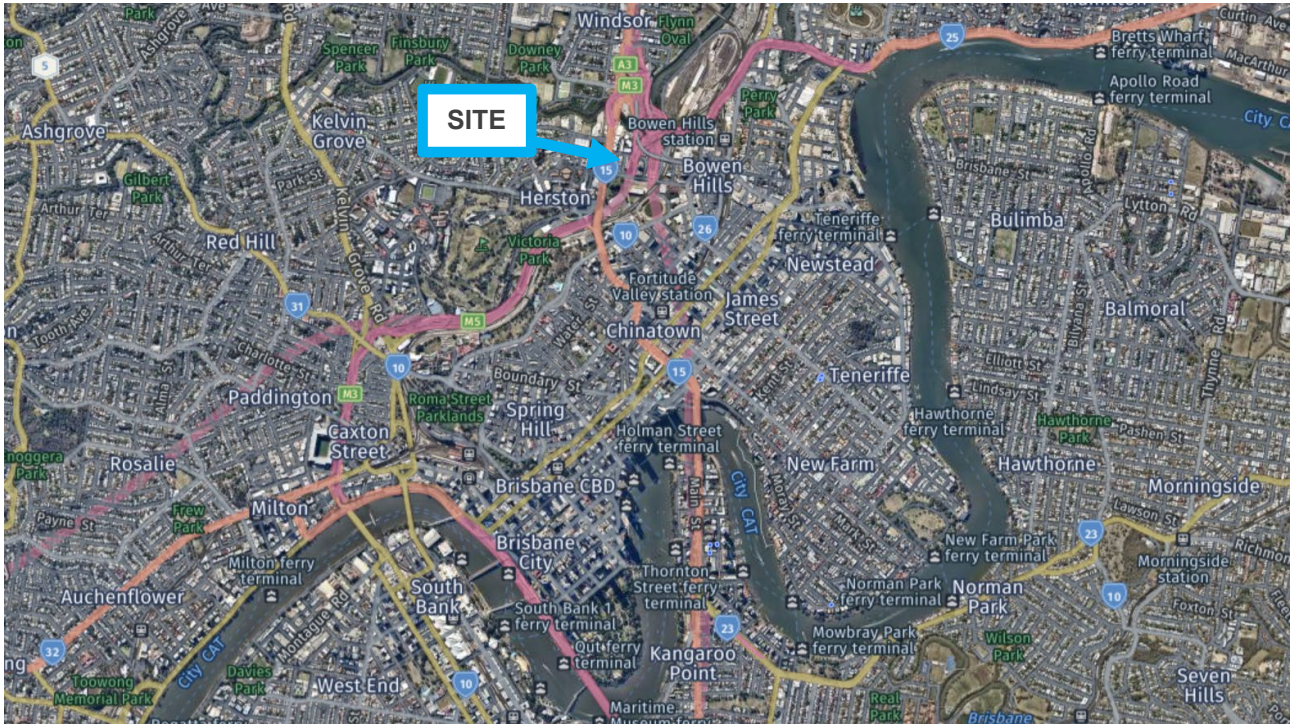
The assessment of the application is to be undertaken in accordance with Section 87 of the *Economic Development Act 2012* (ED Act). This report provides the applicant's assessment against these provisions and concludes that the development generally complies with the outcomes sought by the Bowen Hills Development Scheme. To the extent any performance outcomes are proposed, these are very minor and there are sufficient grounds to support the proposed development. The proposed development is therefore recommended for approval.

3. THE SITE AND SURROUNDS

3.1. SITE LOCATION

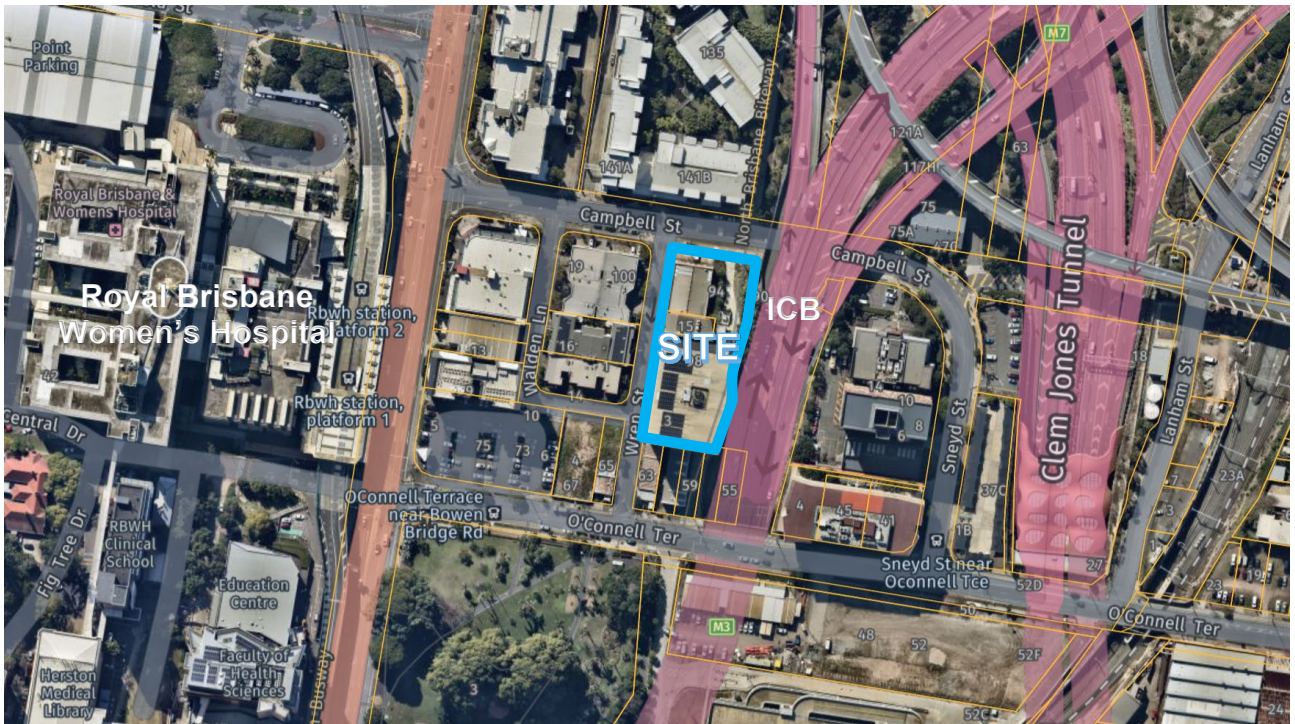
The site is described as 15-21 Wren Street, Bowen Hills and is located approximately 2.5 kilometres north of the Brisbane CBD. Refer to Figures 1 and Figure 2 below.

Figure 1 – Site location



Source: Nearmap

Figure 2 – Aerial photo of the site

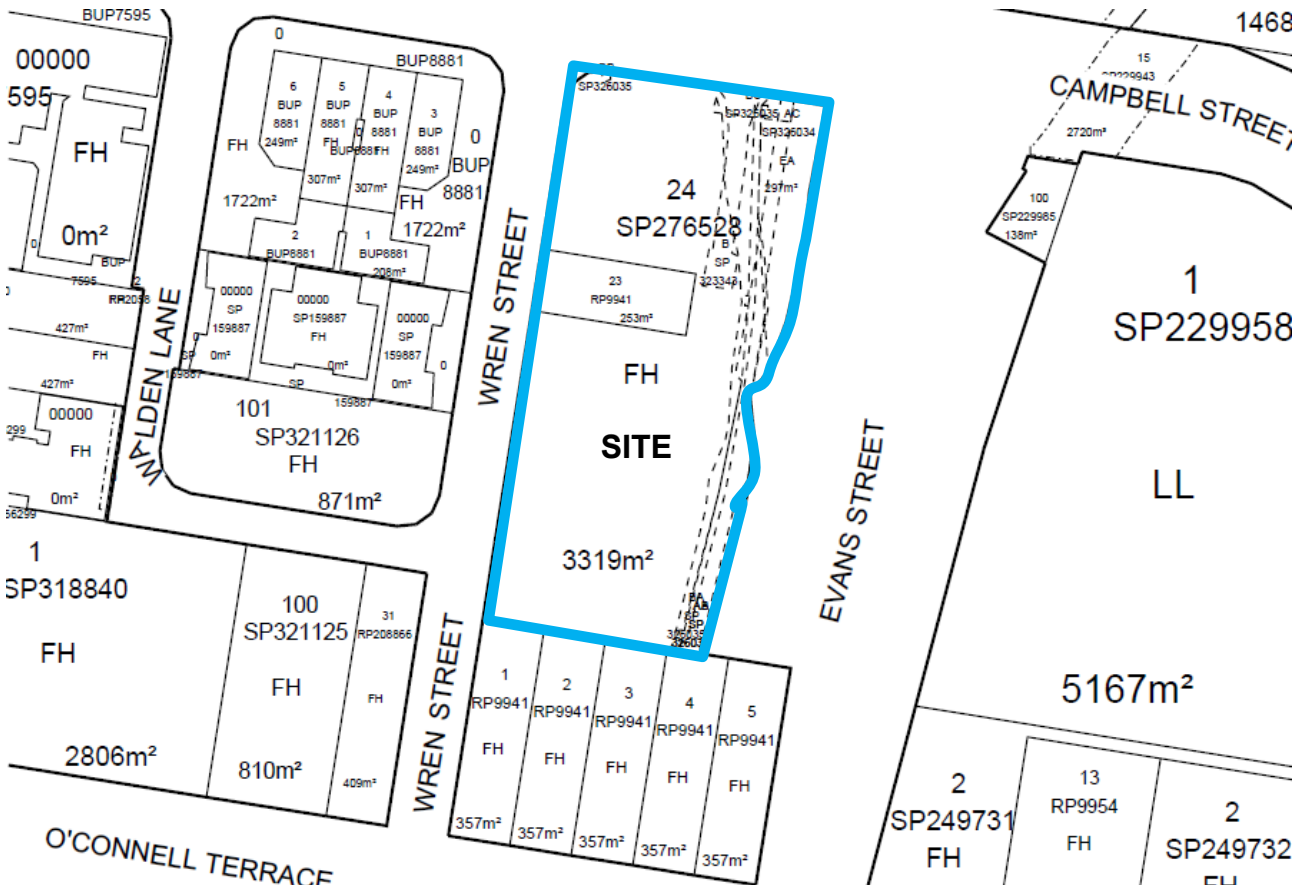


Source: Nearmap

3.2. CADASTRAL DETAILS

The land that this development application relates to is formally described as Lot 23 on RP9941 and Lot 24 on SP276528. This land has a total area of 3,572m² and is identified in Figure 3 below.

Figure 3 – Cadastral map of the site



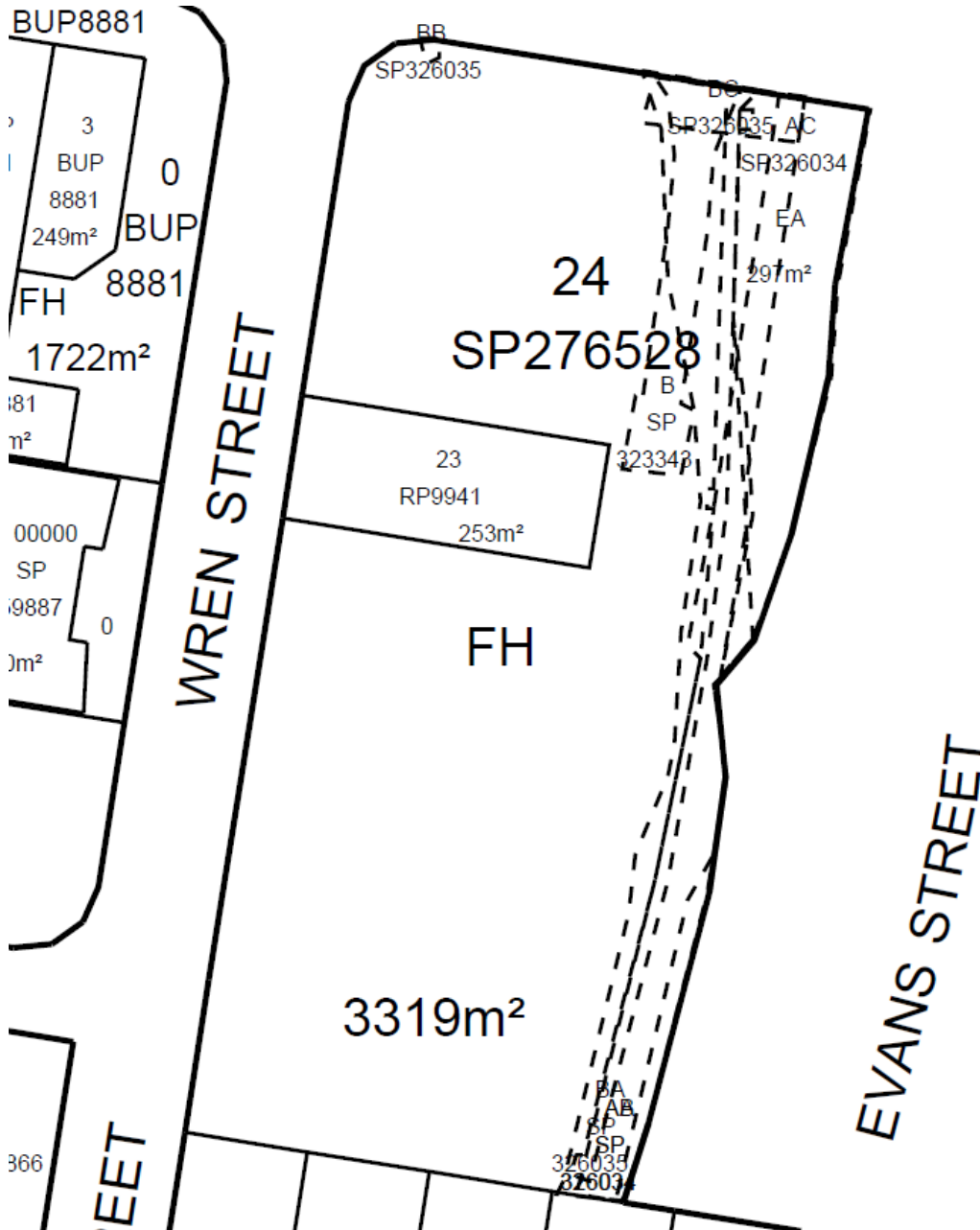
Source: SmartMap

3.3. EASEMENTS

Four easements exist over parts of the property. These relate to the Inner-City Cycleway that runs through part of the site. A summary of the relevant Easement details are provided below:

- Easement B on SP323343 (Energen) – this easement provides access to the pad mounted substation which is included within Stage 1. Access will continue to be provided as part of the development.
- Easement BA on SP326035 (UU Services) – this easement comprises services which run between Campbell Street and O'Connell Terrace. The easement will be maintained as part of the development. Build-over approval will be sought where required.
- Easement BB on SP326035 (UU Services) – this easement comprises services which run between Campbell Street and O'Connell Terrace. The easement will be maintained as part of the development. Build-over approval will be sought where required.
- Easement BC on SP326035 (UU Services) – this easement comprises services which run between Campbell Street and O'Connell Terrace. The easement will be maintained as part of the development. Build-over approval will be sought where required.
- Easement AA on SP326034 (BCC) – this easement comprises an easement for the Inner Northern Bikeway. The easement will be maintained as part of the development.
- Easement AC on SP326034 (BCC) – this easement comprises an easement over the embankment to the Inner-City Bypass. No development is proposed over this easement.

Figure 4 – Easement locations



Source: SmartMap

3.4. LAND OWNER

Wren St Health Investment is the owner of Lot 24 on SP276528 and Glenfelp Pty Ltd. is the owner of Lot 23 on RP9941. Refer to the Certificate of Title in **Appendix A** for confirmation.

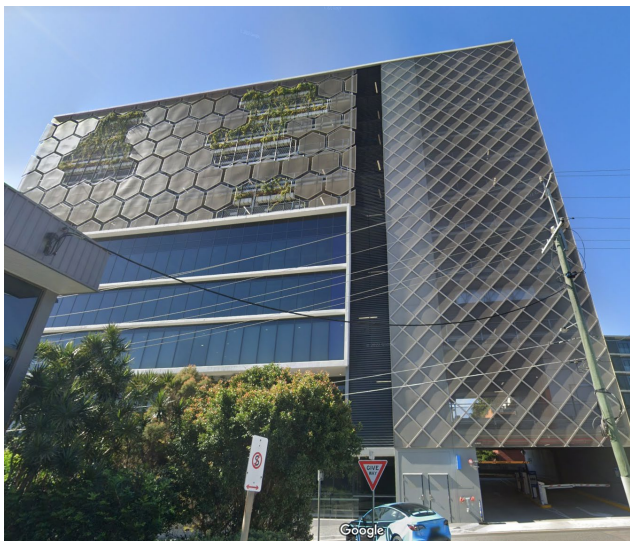
Landowner’s consent to lodge this development application is provided in **Appendix B**.

3.5. EXISTING LAND USES

The site is currently improved by a 10 storey building comprised of healthcare services and parking station. Additional information about the previous approval associated with this development is provided in Section 4 of this report.

Site photos are provided in Figure 5 below.

Figure 5 – Site photos



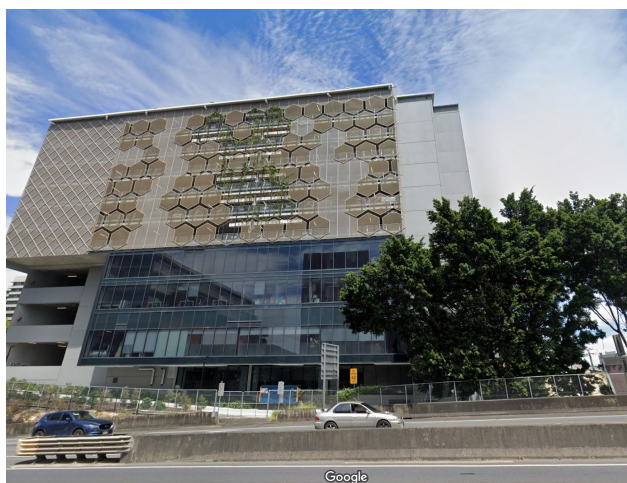
Picture 1 – View of existing building from Wren Street frontage



Picture 2 – View from corner of Campbell and Wren Street



Picture 3 – Inner-city cycleway viewed from Campbell Street



Picture 4 – View of site from Inner-city Bypass

3.6. INFRASTRUCTURE

The site is currently connected to reticulated urban infrastructure services including, sewerage, stormwater, telecommunications and electricity.

3.7. SURROUNDING LAND USES

The land uses immediately surrounding the site are summarised as follows:

- **North** – Campbell Street adjoins the site to the north. On the opposite side of Campbell Street is a mixed use development comprised of residential dwellings and commercial tenancies at ground level.
- **West** – Wren Street adjoins the site to the west. Residential dwellings and commercial uses exist on the opposite side of the road.
- **South** – A single storey commercial building exists to the south of the site fronting Wren Street. A utility installation associated with the electricity network also adjoins the property along the southern boundary.
- **East** – the site adjoins the inner-city bypass.

4. PREVIOUS APPROVAL

The existing healthcare services and parking station building on site was approved as part of previous development approval no. DEV2014/635/17 (the previous approval). A copy of this previous approval is provided in **Appendix D**.

The previous approval involved two stages of development:

- Stage 1 – health care services (3,470m²) and parking station; and
- Stage 2 – short term accommodation (239 rooms), food and drink outlet, shop and office.

Only Stage 1 of the previous approval has been acted on and commenced operating at the premises. The development in Stage 1 of the previous approval is proposed to be retained as part of the proposed development.

Based on the above, and to ensure there is no conflict between the proposed development and this previous approval, this development application seeks a new development permit for all development at the site and the proposed development. This new approval is intended to supersede and replace this previous approval.

5. PROPOSED DEVELOPMENT

5.1. OVERVIEW

An existing 10 storey building comprising health care services and parking station activities exists at the site. The proposed development involves an extension to this existing development to add a new 31 storey multiple dwelling comprised of 240 build-to-rent apartments (plus an internal mezzanine level). A bar, healthcare services, shop and food and drink outlet are also proposed within the expanded building podium. This new building will be physically linked to the existing healthcare services and parking station building on site and will involve some minor changes to the previously approved layout to facilitate the proposed new development. A render of the proposed development is provided in Figure 6 overleaf.

To avoid any potential conflict between the existing approval and the proposed development, this application seeks approval for the combined development outcome (including both the existing development on site and the proposed additional development the subject of this development application). Given the previously approved development is currently built and operating on site, this town planning report predominantly focusses on the additional development proposed as part of this application.

Development plans are provided in **Appendix E**. Key metrics of the development proposal are summarised in the below table.

Table 1 - Proposed Development Parameters

Parameter	Proposal
Proposed Land Uses	<ul style="list-style-type: none"> • Multiple Dwelling (build-to-rent); • Health Care Services; • Shop; • Food and Drink Outlet; • Bar; and • Parking Station.
Number of dwellings	240 dwellings
Gross floor area	28,858m ² (excluding communal amenities spaces)
Plot ratio	8:1 (excluding GFA related to communal amenities spaces)
Maximum building height	31 storeys + internal mezzanine level
Communal Open Space	1,826m ² (51% of the site area)
Car parks	383 parking spaces

Figure 6 – Proposed Development



Source: Thomson Adsett

5.2. NEW WORLD CITY DESIGN GUIDE – BUILDINGS THAT BREATHE

The proposed development design has been based on the principles of Brisbane City Council's New World City Design Guide: Buildings that Breathe. These are:

- Orientate yourself;
- Occupy outdoor spaces;
- Illuminate with daylight;
- Natural air and ventilation;
- Shade and protect;
- Living greenery;
- Identify matters; and
- Reduce energy and waste.

The development will meet each of the 31 criteria referred to in the Design Guide. A detailed assessment against this design guide will be provided shortly after lodgement.

Examples of outdoor and semi-outdoor landscaped spaces within the development that have been designed to provide residents access to natural light and air are provided in **Figure 8** below.

Figure 7 – Outdoor and semi-outdoor landscaped spaces



Source: Thomson Adsett

5.3. LAND USES

The proposed development will involve the following land uses:

- Multiple Dwellings (build-to-rent);
- Bar; and
- Food and Drink Outlet;
- Health Care Services;
- Shop;
- Parking Station.

Additional details about each of the proposed land uses is summarised in Sections 5.4.1-5.4.5 below.

5.3.1. Multiple Dwelling (Build-to-Rent)

A total of 240 build-to-rent apartments are proposed to be provided within the new development. A breakdown of the proposed units types is provided below:

- Studio units – 42 units;
- 1 bedroom units – 76 units;
- 2 bedroom units – 103 units; and
- 3 bedroom units – 19 units.
- **TOTAL – 240 units**

These dwellings will contribute to providing additional accommodation options for key workers at nearby locations including the Royal Brisbane Women's Hospital (RBWH). In particular, a minimum of 5% of the proposed dwellings will be provided as affordable dwelling units.

Unit sizes will range from 33.6m² – 108.13m² and will each be provided with a private balcony. A total of 1,826m² of high-quality communal open space is also proposed to be provided throughout the development. In particular, the building podium rooftop is proposed to be used for a range of communal open space options (refer to **Figure 9**).

Figure 8 – Communal Open Space

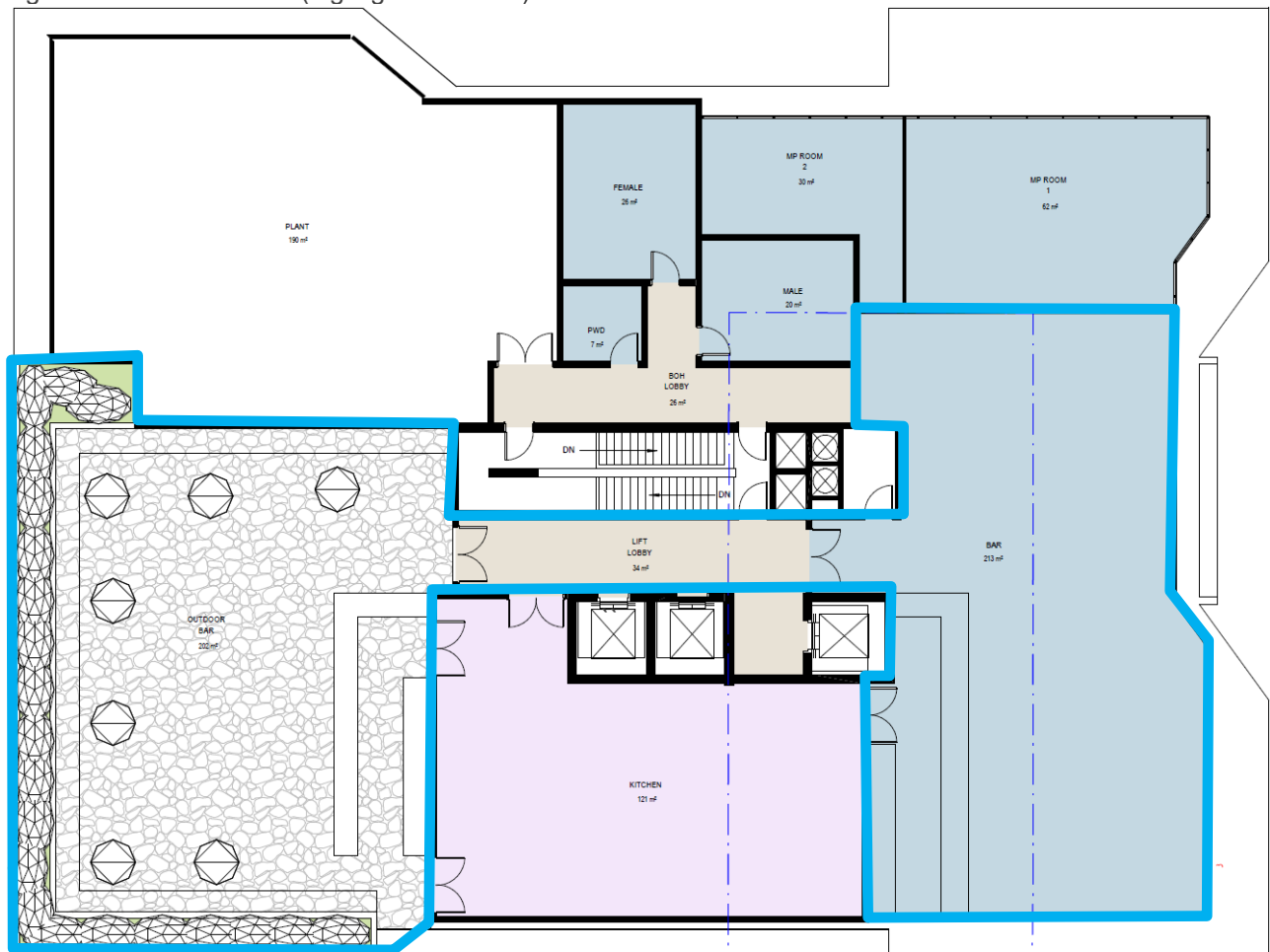


Source: Thomson Adsett

5.3.2. Bar

A bar is also proposed on the building rooftop. This illustrated in Figure 10 below. This bar is intended to be available to the general public as well as to residents within the building.

Figure 9 – Bar use areas (highlighted in blue)



Source: Thomson Adsett

5.3.3. Food and Drink Outlet

A food and drink outlet is proposed on the ground level fronting Campbell Street. This will contribute to the activation of this frontage and the adjoining inner-city bikeway. This is illustrated in Figure 11 below.

Given part of this tenancy is potentially affected by flooding, this tenancy has been designed to be flood resilient. This is detailed in **Appendix L**.

Figure 10 – Food and drink outlet tenancy



Source: Thomson Adsett

5.3.4. Health Care Services & Parking Station

A total of 3,350m² of health care services and car park parking station already existing and are operating at the premises. These activities are proposed to continue and be expanded within the podium of the proposed new building. The proposed additional areas within the building for healthcare services and a parking station are identified in Figure 12 below.

Figure 11 – Food and drink outlet tenancy



Source: Thomson Adsett

5.3.5. Shop

An additional tenancy is proposed on Level 1 of the building 339m². Future tenants are not known at this stage of the development. However, this tenancy may be used as a shop.

This use will also involve an internal mezzanine area of 241m². This mezzanine level will not be visible external to the building and both levels will read as a single storey when viewed from the street. This is illustrated in Figure 13 below.

Figure 12 – Shop tenancy



Source: Thomson Adsett

5.4. BUILDING HEIGHT

The proposed development has a maximum building height of 31 storeys plus an internal mezzanine level associated with the shop tenancy which will not be visible external to the building.

The building will predominantly read as a 30 storey building when viewed from Wren Street and the Inner City Bypass. The small café fronting Campbell Street technically constitutes a technical 31st storey but only relates to a very small part of the building footprint and will therefore not contribute significantly to the appearance of building height.

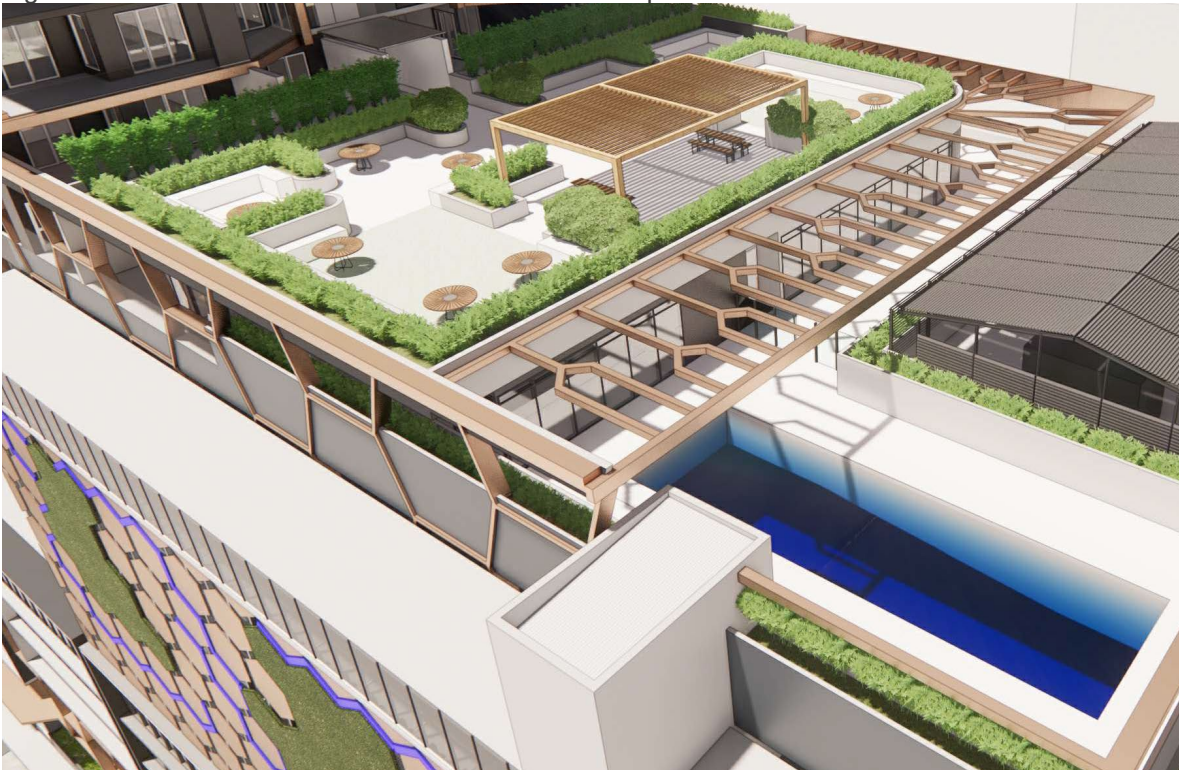
5.5. COMMUNAL RECREATION FACILITIES

A total of 1,826m² of indoor and outdoor communal recreation facilities is proposed (equivalent to 51% of the site area) on both the podium rooftop and the tower rooftop. This includes:

- Communal gym available to residents within the building;
- Swimming pool;
- Multi-purpose communal recreation space;
- Theatre;
- Library;
- Outdoor seating areas;
- Outdoor lawn areas; and

- Rooftop bar.

Figure 13 – Indoor and outdoor communal recreation spaces



Source: Thomson Adsett

5.6. LANDSCAPING

Landscaping will be provided throughout the development. This includes at ground level, on the podium rooftop and on the tower rooftop. This is illustrated in the Landscape Concept Plan provided in **Appendix I**.

Figure 14 – Development landscaping



Source: LaudInk

5.7. VEHICLE ACCESS & SERVICING

The proposed vehicle access and servicing arrangements have been based on traffic engineering advice to ensure that the development can be accessed safely and with minimum impact on the operation of the surrounding traffic network. These are summarised below:

- All resident and visitor car parking access to occur via the existing car park ramp on Wren Street;

- All service vehicles and refuse collection to occur via a shared service vehicle bay fronting Wren Street;
- A dedicated ambulance set-down bay is also provided via a separate entrance from Wren Street.

Additional information about the merits of the proposed vehicle access and servicing arrangements are provided in **Appendix H**.

5.8. CAR PARKING

The proposed development involves a total of 383 parking spaces. A breakdown of car parking for each of the proposed land uses is provided in the traffic engineering report in **Appendix H**.

5.9. FLOODING

The Campbell Street road frontage is identified as potentially affected by creek flooding (refer to Figure 16). This flooding is identified up to a potential height of 4.9m AHD at the property.

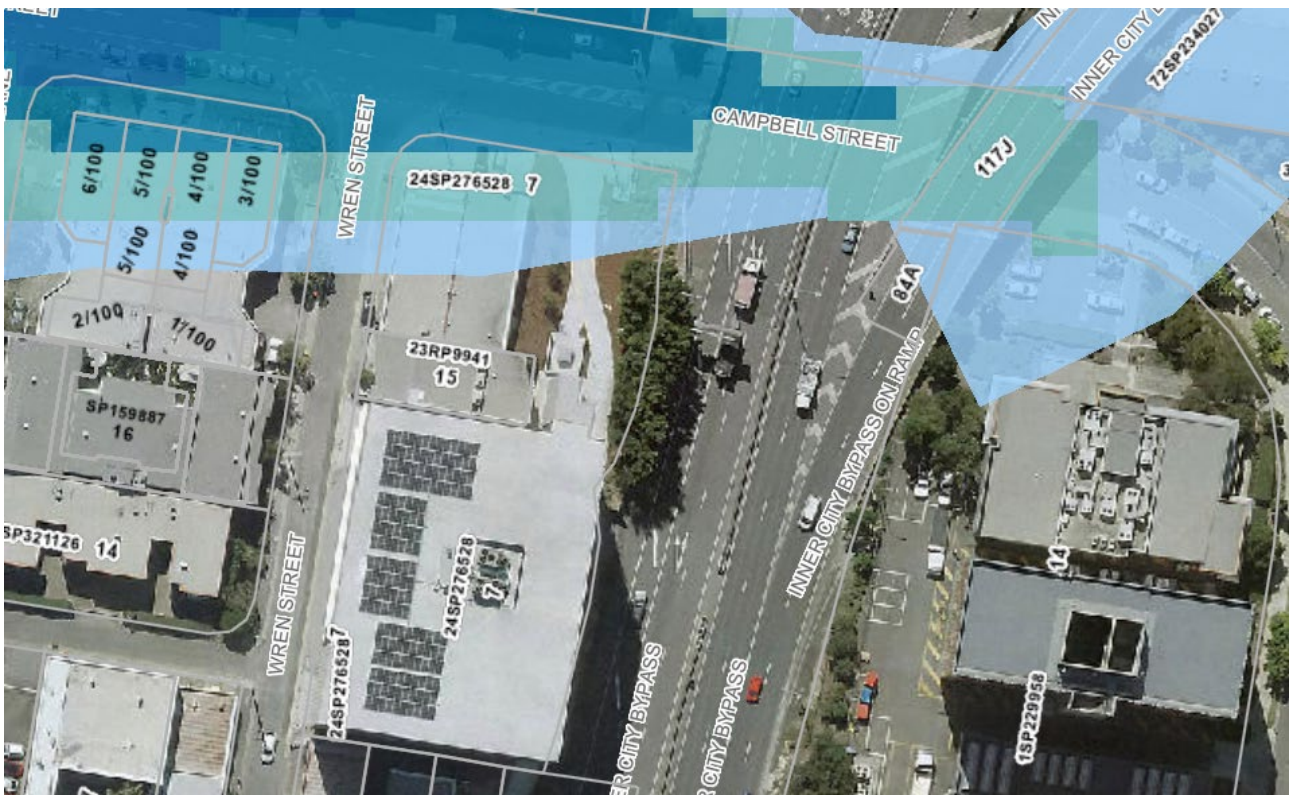
The majority of the proposed development has been designed to have a minimum habitable floor level of 13.8m AHD and will therefore not be at risk from flooding. The only exception is the food and drink outlet tenancy proposed at ground level fronting Campbell Street.

The Campbell Street tenancy has been specifically designed to be flood resilient and will be subject to a flood emergency management plan. This is detailed in Section 2.4 of the flood report provided in **Appendix L**. This will ensure that people and property in the tenancy will not be subject to an unacceptable level of risk during a flood event.

The significant activation and overlooking benefits to both Campbell Street and the inner-city bikeway mean that the provision of a small flood-resilient tenancy in this location is appropriate in this context.

The proposed development will comply with the relevant outcomes related to development in areas subject to flooding. This is illustrated in **Appendix L**.

Figure 15 – Campbell Street Flooding



Source: Brisbane City Council

5.10. AIR QUALITY

The site is partly identified within the 100m buffer area of the Clem Jones Tunnel North Ventilation Outlet. The applicant understands that compliance with the relevant air quality standards can likely be achieved at the site with minimal management measures. However, detailed modelling is currently being undertaken and will be provided to EDQ as soon as possible following lodgement of the application.

6. PRE-LODGEMENT ENGAGEMENT

The applicant has had three meetings with representatives from Economic Development Queensland (EDQ) prior to the lodgement of this development application. The applicant has refined the development design in response to the feedback provided. In particular, the following changes have been made in response to the latest meeting minutes provided by EDQ. A copy of these minutes is provided in **Appendix F**.

Table 2 – Prelodgement Meeting Comments & Responses

Pre-lodgement Meeting Comments	Response
<p>Plot Ratio</p> <ul style="list-style-type: none"> Based on a combined site area of 3,500sqm, the Scheme anticipates a plot ratio of 8:1. The combined GFA of Stages 1 and 2 create a total GFA across the site of 29,530sqm, which equates to a plot ratio of 8.4:1. The proposed GFA combined with other design aspects such as the reduced setbacks, connection and overhang over the existing building results in a large, unarticulated building fronting Wren Street. It is recommended that the applicant provides a breakdown for the GFA calculations to confirm which areas in the Multiple Dwelling development are for actual units and which areas are for the communal amenities being provided for the Build to Rent. In addition, changes to building design are suggested below which may affect the GFA. However, if the GFA proposed still exceeds a plot ratio of 8:1, a review of the network capacity and impacts from the development will be required along with a sufficient grounds package will need to be presented. One option for sufficient grounds could be that the development is conditioned to provide a percentage of key worker accommodation, given the sites proximity to the RBWH along with sustainability outcomes. 	<p>A detailed review of the gross floor area has been undertaken and is included within the drawing package. As noted, the proposal now included a total GFA of 30,105m², which constitutes a total plot ratio of 8.4:1.</p> <p>It is also noted that the proposal includes a GFA of 1,247m² for communal amenities for the BTR apartments. By removing this GFA, the plot ratio reduces to 8:1 which is a compliant outcome.</p> <p>Based on the discussions in the third pre-lodgement meeting, the applicant understands that this gross floor area is supported by EDQ in principle.</p>
<p>Setbacks</p> <ul style="list-style-type: none"> The proposed setback to Campbell Street is supported and will provide a beneficial separation to the development across the road. EDQ would support a reduced setback to the boundary with the ICB, where it is demonstrated there is no impact to the bikeway that is within a Brisbane City Council (BCC) easement, and where BCC does not object to the setback. EDQ is concerned with the reduced setback to Wren Street and subsequent reduction in tower separation to any future development across the street. Tower separation is a critical element in ensuring light penetration, ventilation and privacy can be achieved, and therefore an important design requirement for the development. 	<p>As illustrated on the drawings, the property boundary to the Inner City Bypass is not a straight boundary, and as a result, the setback varies along this boundary. However given this boundary is clearly the least sensitive, it is considered that there are grounds to support a reduced setback in this location (as EDQ have noted). It is acknowledged that the achievement of the proposed built form along this edge will be dependent upon demonstrating to the satisfaction of Brisbane City Council that the operation of the bikeway will not be impacted. Once, the development application is lodged, it is understood that it will be provided to Brisbane City Council for review. The applicant will ensure that there is sufficient</p>

Pre-lodgement Meeting Comments	Response
<ul style="list-style-type: none"> As you are aware, the Development Scheme specifies a minimum setback of 6m for tower levels above the podium and 18m minimum building separation. The current setback to Wren Street is well below the desired setback. It is recommended that the applicant review the building design and increase the building's setback to Wren Street. 	<p>information included within the application for Brisbane City Council to assess this issue.</p> <p>The proposal has been amended to achieve a 4m setback between the tower levels and the Wren Street frontage. The 4m setback has been proposed in order to achieve an 18m separation to a potential future building on the opposite side of Wren Street. With the 4m setback, coupled with the 10m wide of Wren Street, the adjacent development would need to achieve a 4m tower setback to Wren Street in order to achieve the 18m building separation.</p> <p>This setback was confirmed as being supported at the third pre-lodgement meeting with EDQ.</p>
<p>Building Design</p> <ul style="list-style-type: none"> While it is commended that the podium levels are to be activated with the proposed medical centre uses, the perspectives provided in the prelodgement package show sun-shading elements that detract from the visual clarity and reduce opportunities for casual surveillance from these levels in the building. The applicant is strongly encouraged to consider other sun-shading elements which do not reduce the opportunities for activation and visual appeal. Building bulk, especially when combined with the existing building on the lower levels, is a matter of concern. It is noted that the Scheme nominates a maximum horizontal distance of 50m, with substantial breaks of 10m every 30m. Opportunities to provide greater articulation to the building, especially on the Wren Street frontage, should be explored. Although it is appreciated the building needs to be connected to the adjoining existing building to facilitate access and carparking, this creates a very large, bulky podium that is in excess of the Development Scheme requirements, with no breaks for light or air. Deep recesses could assist in breaking the mass of the overall form. Further work needs to be done to resolve this issue with the building bulk. The plans show attempts to provide variation in the floorplate for the Build to Rent component of the building, however these are presently lost with the extent and design of the external screening element that's been applied to the building. Greater consideration to be given as to how to provide an architectural feature that allows for these recesses / breaks in the building to be more easily read. The design should consider where recesses are best located and an architectural design exercise is to be carried out for the carparking levels given the 	<ul style="list-style-type: none"> The architecture of the podium levels has been revised to remove the sun shading devices which were viewed to detract from the visual clarity and reduce casual surveillance. Alternate sun shading and treatments to break up the façade have now been proposed. We understand the proposed design is now supported based on the feedback provided in the third meeting. The design has been amended to increase the amount of articulation of the building at the lower levels. It now includes various techniques to reduce building bulk which are illustrated in Appendix E. The design has been amended to introduce various techniques which seek to reduce the bulk of the development. Refer to Appendix E. The design of the tower has been amended to reduce the extent of external screening, and through the introduction of further recesses and breaks within the tower. The impact of these changes on the appearance of the tower is clear in Appendix E, with the visual relief across the tower now apparent. The Stage 1 parking station car parking is now proposed to be provided with communal recreation spaces associated with the build-to-rent multiple dwelling amenities. Only a small area of plant remains on the roof which will be screened from view.

Pre-lodgement Meeting Comments	Response
<p>horizontal length of the combined stage 1 and 2 buildings across these levels.</p> <ul style="list-style-type: none"> There is concern with the impact of the existing carpark roof form could have on the proposed unit development. The rooftop is stark, reflective concrete which has potential to impact the units in terms of heat loading and visual amenity. There are opportunities to explore an extension to the carpark through this development – additional carparking could be provided in this building to service the new development and consequently reduce the number of spaces being provided in the new building and allow for an improved roof form. A better connection between the street and the residential lobby needs to be achieved. 	<ul style="list-style-type: none"> A defined entry point to both the medical and residential lobbies is now included off Wren Street.
<p>Activation</p> <ul style="list-style-type: none"> Provide amended plans that clearly articulate the proposals level of activation (active uses) and how they integrate with the public realm. In specific, Wren Street, Campbell Street and the bikeway. 	<p>The plans provided in Appendix E demonstrate that the proposed development will activate the road frontages and bikeway. This includes:</p> <ul style="list-style-type: none"> The provision of a food and drink outlet fronting Campbell Street adjacent to the bikeway. This will contribute to a significantly improved level of activation to both the bikeway and Campbell Street compared to the existing situation. Active spaces fronting Wren Street including a communal lobby area and shop tenancy. The proposed shop tenancy will also provide for additional overlooking and activation of the bikeway.
<p>Car parking and access</p> <ul style="list-style-type: none"> Under the Development Scheme, an average of 0.75 spaces per dwelling plus 0.15 visitor spaces per dwelling is envisaged, however there is in-principle support for a reduction in this rate given the sites location and proximity to the Cross River Rail station and if there are carshare arrangements proposed. 200 parking spaces were approved in the Stage 1 approval. The need to retain this number in the proposal, whilst also integrating the Stage 1 building with the Stage 2 building, and potential for adding an additional level to the Stage 1 building to maintain the approved number of spaces was discussed. EDQ are generally supportive of this however, it will depend on the design of the car parking structure. An additional level would need to ensure that the roof level is adequately designed and vegetated to provide amenity for the proposed BRT units that will directly overlook this parking structure. The applicant should look to vegetate the roof/ parking structure to reduce heat loading and glare on the BRT units. 	<p>A breakdown of the proposed car parking arrangements are provided in Appendix H. This demonstrates that adequate on site car parking is proposed.</p>

Pre-lodgement Meeting Comments	Response
<p>Access, Traffic, Parking, Refuse & Impact on Bikeway</p> <p>Please note that advice was sought from Brisbane City Council in relation to this proposal and they have provided the following comments:</p> <p>The proposed development will need to be supported by a Traffic Report endorsed by a Registered Professional Engineer Queensland (RPEQ), demonstrating that the development achieves a suitable carparking, access and manoeuvring outcome for the site. Given the provision of parking spaces across both stages, the report should detail the provision and operation of the site as a whole rather than just stage 2.</p> <p>The proposed vehicle egress to Campbell St is within close proximity to the bikeway which may create potential conflicts and results in a large stretch of hardstand to this frontage. It is recommended manoeuvring be reviewed to remove the need for this additional driveway where possible. Where this egress cannot be avoided, it may be conditioned to be left-out movements only.</p> <p>It is noted the proposed development will be cantilevered over the existing bikeway to the east. To ensure the safe operation of the bikeway is maintained, the development must achieve a minimum 2.5m height clearance to the bikeway. However, it is recommended that the height be greater than 2.5m where possible to ensure the bikeway is not enclosed and does not appear as private infrastructure. Where any of the existing bikeway lighting is impacted, it is to be replaced with a suitable lighting device. Further advice can be sought from Council's City Lighting team if necessary.</p> <p>In addition to the above, to ensure there is no confusion for bikeway users, it is recommended that signage or line-marking be investigated to make it clear that the bikeway is publicly accessible as it currently has limited indicators. Any signage or line marking is to be provided in accordance with the requirements of the Brisbane City Council's Infrastructure design Planning scheme policy (PSP).</p> <p>Where seeking a reduced carparking rate for Build-to-rent development, the Traffic Report should provide a strong justification, factoring in the proximity to public transport, proximity of services, street parking controls,</p>	<p>The comments provided by Brisbane City Council are noted. These matters have been addressed as part of the Traffic Impact Assessment (Appendix H) and Waste Management Plan (Appendix J).</p>

Pre-lodgement Meeting Comments	Response
<p>parking demand, the preparation of a Green Travel Plan (car share, bike share, travel planning information for residents etc.) and site management.</p> <p>Notwithstanding any shortfall in carparking proposed, Council recommends that all visitor and bicycle parking achieve the minimum requirements of the Transport, access parking and servicing (TAPS) PSP.</p> <p>The servicing provisions for loading bays, refuse storage location and capacity, and vehicle types is to be provided in accordance with the requirements of the TAPS PSP and the Refuse PSP.</p> <p>The proposed plans show the building cantilevered over the bikeway to the east, however it is unclear whether there will be any support structures (pylons or similar) within the landscaped area adjoining the ICB overpass. It is also unclear the extent to which the trees in this location will be impacted. It is recommended these established trees be retained as part of any development to maintain shading and amenity to the site and bikeway users.</p> <p>The residential tenancy refuse bin room should be separate from the commercial retail tenancies. If the bin room is accessed by residents, the refuse chutes should be separate from the residential refuse bin room and only accessible by authorised personnel. The residential bin room should provide sufficient capacity for 54,720L of general refuse and 54,720L of commingle recycling each week, with three collections per week. This will require 17 1,100L bulk bins for general refuse, 17 bulk bins for recycling with an additional bulk bin for both refuse and recycling under chute.</p> <p>The stage 2 development plans should demonstrate a separate refuse bin room for general and commingle recycling for commercial uses. The separate bin room should provide sufficient capacity and manoeuvrability for the required number of bulk bins for general refuse and recycling.</p> <p>The commercial refuse bin should achieve capacity for 9,455L of general refuse and 10,734L of commingle recycling each week, with two refuse collections per week. The commercial bin room would therefore require 5 x 1,100L bulk bins for refuse and 5 x 1,100L bulk bins for recycling.</p>	

Pre-lodgement Meeting Comments	Response
<p>The development should demonstrate that a Refuse Collection Vehicle (RCV) servicing and loading bay be shown on the plans, with a minimum 10.5m long x 3.5m wide RCV bay.</p> <p>The development should also achieve a 3.6m vertical height clearance.</p> <p>The location of the service / loading bay should demonstrate there is sufficient space provided for the transfer of bulk bins from the refuse bin room to the rear of the RCV. The current plans do not appear to show sufficient space provided between the eastern side of the building and the potential RCV loading area for the loading of bulk bins.</p> <p>To enable a rear load RCV to efficiently and safely access the site, the servicing aisle should achieve a minimum width of 4.5m.</p> <p>A swept path analysis (RPEQ certified) should demonstrate that a 10.24m long rear load RCV can safely and efficiently service the property.</p>	

7. PLANNING ASSESSMENT

Section 87 of the *Economic Development Act 2012* identifies the relevant matters that must be considered when deciding a PDA development application. These matters include:

- The purpose of the *Economic Development Act 2012*;
- Any relevant State interest; and
- The Bowen Hills Priority Development Area Development Scheme ('the Development Scheme').

The following sections of this report provide an assessment against these assessment matters.

7.1. PURPOSE OF THE ECONOMIC DEVELOPMENT ACT 2012

The *Economic Development Act 2012* (EDA) provides for particular parts of the State to be declared as areas called Priority Development Areas. The main purpose of the EDA is to:

"facilitate economic development, and development for community purposes, in the State."

The proposed development represents a significant addition of housing, healthcare services and other supporting retail activities to an underutilised property in the inner-city of Brisbane. This outcome is consistent with the purpose of the Act.

7.2. RELEVANT STATE INTERESTS

Section 2.2.6 of the Development Scheme identifies that State interests have already been considered in the preparation of the development scheme. Accordingly, there is no requirement to further consider State interests as part of this application.

7.3. DEVELOPMENT SCHEME

Within the Bowen Hills PDA, the relevant development scheme is the Bowen Hills PDA Development Scheme, last amended 9 December, 2022 ('Development Scheme').

7.3.1. Land Use Definitions

Schedule 1 of the Development Scheme outlines that most use and administrative definitions are as per the *Brisbane City Plan 2014*.

Schedule 1 of the *Brisbane City Plan 2014* provides the following land use definitions that are relevant to the proposed development:

- **Multiple dwelling** – means a residential use of premises involving 3 or more dwellings, whether attached or detached, for separate households.
- **Health care service** – means the use of premises for medical purposes, paramedical purposes, alternative health therapies or general health care, if overnight accommodation is not provided on the premises.
- **Bar** – means the use of premises, with seating for 60 or less people, for—
 - a. *selling liquor for consumption on the premises; or*
 - b. *an entertainment activity, or preparing and selling food and drink for consumption on the premises, if the use is ancillary to the use in paragraph (a).*
- **Shop** – means the use of premises for –
 - a. *Displaying, selling or hiring goods; or*
 - b. *Providing personal servicing or betting to the public.*
- **Food and drink outlet** - means the use of premises for—
 - a. *preparing and selling food and drink for consumption on or off the premises; or*
 - b. *providing liquor for consumption on the premises, if the use is ancillary to the use in paragraph (a).*

- **Parking station** – means the use of premises for parking vehicles, other than parking that is ancillary to another use.

7.3.2. Category of Development

Section 2.6.10 of the Development Scheme identifies that a Material Change of Use involving the proposed land uses is Permissible Development. No prohibited development is proposed.

7.3.3. Infrastructure Plan

The purpose of the Infrastructure Plan is to ensure that the vision is achieved through the following aspects:

- Integrating infrastructure planning with land use planning identified in this development scheme;
- Identifying the infrastructure requirements which may be delivered by the relevant infrastructure provider i.e.: state government, BCC, Queensland Urban Utilities ('QUU') or applicants;
- Providing a basis for imposing conditions on development approvals; and
- Responding to the increased demand on relevant infrastructure networks.

The above is not applicable, as there is no planned future infrastructure at the site based on the information provided in the Development Scheme.

7.3.4. Implementation Strategy

The ED Act requires a development scheme to include an implementation strategy to achieve the main purposes of the ED Act for the PDA, to the extent that they are not achieved by the land use plan or infrastructure plan.

The main themes related to the following objectives, including:

- Place management;
- Urban design and public realm;
- Connectivity;
- Housing diversity; provision of housing in well located area and high level of transport
- Sustainability
- Infrastructure planning and delivery
- Conservation and adaptive re-use of heritage building and places

Further details of relevant themes are provided throughout this report and accompanied by relevant assessment benchmarks.

7.3.5. Development Scheme Vision

The relevant parts of the Development Scheme Vision and associated structural elements are stated below. An assessment has been provided in relation to these matters to demonstrate how the proposed development is consistent with these elements of the Development Scheme.

7.3.5.1. Land Uses

"The Bowen Hills PDA is a vibrant urban area which has preserved its heritage places and accommodates a diverse, integrated and balanced range of uses that are connected by a high quality public realm. This range of uses and the intensity of development are intended to contribute to the activation of places and streets at different times of the day and throughout the week."

The proposed development will facilitate an outcome consistent with this element of the Development Scheme vision for the following reasons:

- The proposed development will facilitate the creation of a vibrant urban area by converting what is currently an underutilised single level commercial building with limited activation into a landmark mixed-use building on the corner of Campbell and Wren Street (refer to Figure 17). This will provide for

significantly increased movement of people in and around the site and surrounding area and improve the vibrancy and activation of the area at different times of the day and night. It will also provide for small-scale retail tenancies including a bar, food and drink outlet and shop. These activities will further contribute to the activation of the site and the creation of a vibrant urban area.

- There are no heritage places at or near the site. Accordingly, this element of the vision is not relevant to this proposal;
- The proposed development represents a significant improvement to the design of the public realm compared to the existing situation. In particular, the proposal will involve the provision of a highly articulated building and an activated and attractive building podium and ground level. This is illustrated in **Appendix E**.

Figure 16 – Comparison of existing and proposed development outcome



Current Site

Proposed Development

Source: Google street view, Thomson Adsett

“A range of housing options are housing diversity available within the Bowen Hills PDA delivering choice, adaptability and diversity through a mix of densities, types, designs, tenures and levels of affordability that cater to a range of lifestyles, incomes and lifecycle needs.”

The proposed development will facilitate an outcome consistent with this element of the Development Scheme vision for the following reasons:

- The proposed development will provide a range of studio, 1-bedroom, 2-bedroom and 3-bedroom dwellings and will therefore provide housing choice.
- A minimum of 10% of the dwellings are provided will be adaptable;
- The proposed multiple dwelling is proposed as a build-to-rent development. This will contribute to the provision of much needed rental housing within the Bowen Hills PDA. This will assist with ensuring housing is available to cater for a range of lifestyles, incomes and lifecycle needs.

7.3.5.2. Transport and Connectivity

“The Bowen Hills PDA is integrated with citywide transport networks and is well connected, accessible and permeable to a full range of pedestrian, cyclist, public transport and private vehicle movements.

A network of active transport links including walkways and designated on-street cycle lanes supports the movement of people throughout the PDA. Pedestrian connectivity radiates from public transport stations ensuring movement to surrounding areas is direct and efficient.”

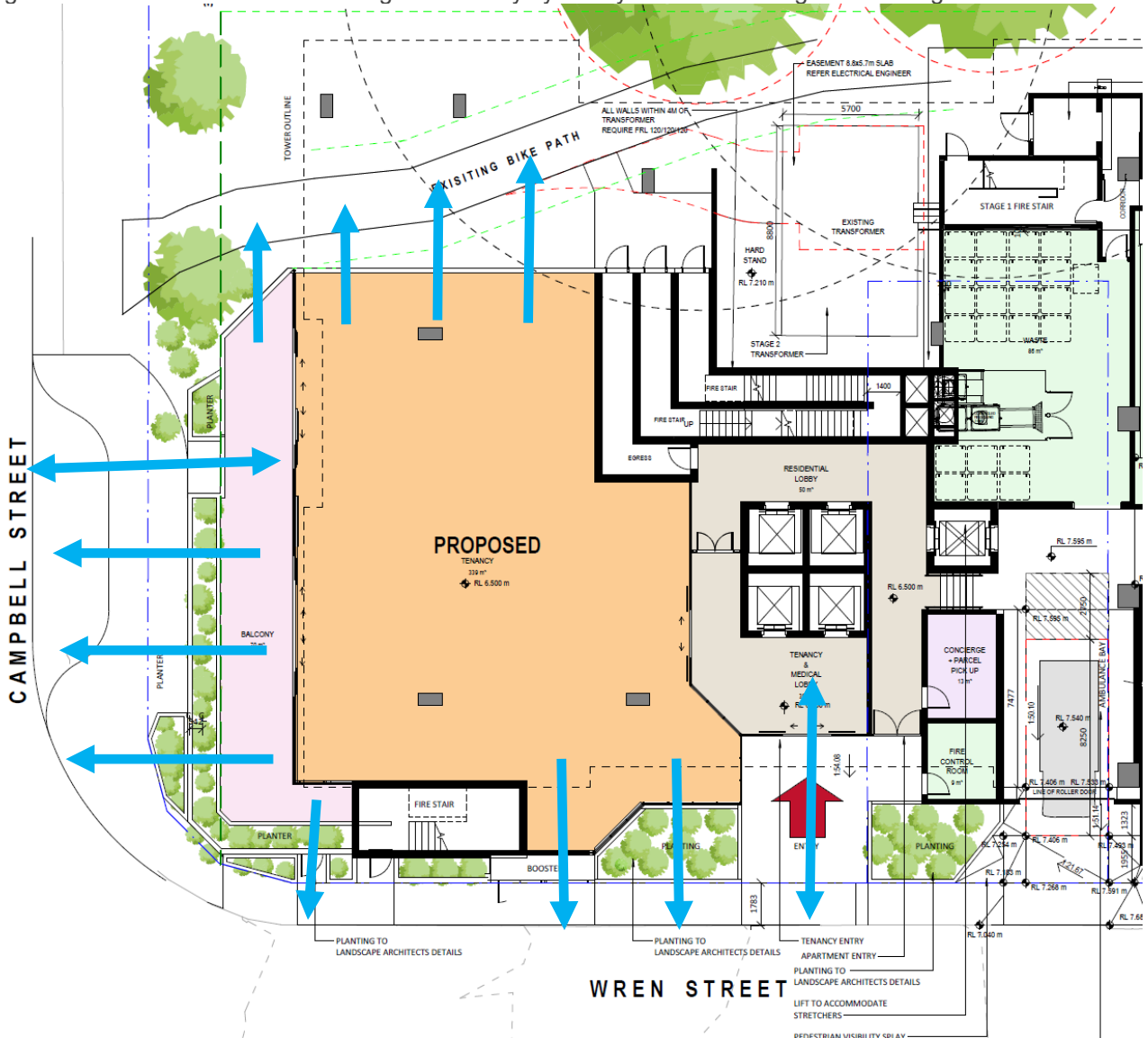
The proposed development will facilitate an outcome consistent with this element of the Development Scheme vision for the following reasons:

- The proposed development involves the retention of the inner-city bikeway through the site.
- Furthermore, the proposed development will integrate with, and improve the level of activation to, the inner-city bikeway through the provision of active spaces and tenancies adjoining and overlooking the bikeway. This is illustrated in Figure 18.
- The proposed development will retain and improve the amenity, activation and casual surveillance of pedestrian footpaths around the site.

“Streets are designed to cater for anticipated vehicle, cyclist and pedestrian movements as well as streetscaping and car parking requirements. Intersections are designed to facilitate safe movement of vehicles, cyclists and pedestrians. Where required new streets or upgrades will be delivered to improve connectivity and permeability within the PDA.”

The traffic engineering report provided in **Appendix H** demonstrates that the streets surrounding the site have been designed to cater for the anticipated vehicle, cyclist and pedestrian movements associated with the development. No new streets or intersections are proposed.

Figure 17 – Activation and overlooking of inner-city cycleway and surrounding road frontages



Source: Thomson Adsett

7.3.5.3. Urban Design and Public Realm

“The relationship between public spaces, streets and buildings in the PDA creates an urban environment that is human-scale, attractive, safe and activated. Development addresses street frontages and public spaces, creating an interface that is integrated and activated with human movement and passive surveillance.”

The proposed development will facilitate an outcome consistent with this element of the Development Scheme vision for the following reasons:

- The proposed development has been designed to provide an attractive, safe and activate pedestrian environment around all frontages of the development at ground level (including the inner-city bikeway that traverses part of the site). This has been achieved through the provision of high-quality built form design, the provision of small-scale active tenancies and active spaces around the edges of the ground level of the building.
- The overall design of the building podium and tower will further provide for activation and passive surveillance of the surrounding streets and public spaces.
- The above points are illustrated in Figure 18 above.

“Open spaces, streetscapes and other public realms are designed to cater for universal access and improved with quality landscape and features that create an inviting place with a strong urban identity. Streetscaping along key pedestrian and cycling linkages contributes to the visual appeal of the public realm and reinforces connections between key destinations in the PDA. These public spaces provide safe and secure access throughout the PDA and connect the surrounding urban areas.”

The proposed development will facilitate an outcome consistent with this element of the Development Scheme vision for the following reasons:

- The proposed development has been designed to meet universal access standards to allow ease of movement from the surrounding streets into the building.
- The edges of the development are treated with landscaping and public art to create an inviting urban form with a strong urban identity.
- The proposed development involves the provision of a food and drink outlet adjoining the inner-city cycleway. This will contribute to the visual appeal of this public space. The shop tenancy also provides for additional overlooking and activation to the bikeway. This will contribute to ensuring the bikeway and adjoining streetscapes are safe and secure for users. Refer to Figure 18 above.

“Buildings within the PDA are designed and developed in consideration of the principles of sub-tropical urban design which ensures that neighbouring properties, open spaces and the public realm receive optimal levels of solar access, and buildings achieve a high standard of environmental performance and responsiveness. Building occupants are provided with high quality living environments designed to achieve best practice levels of natural light, thermal comfort, privacy, amenity and cross ventilation.”

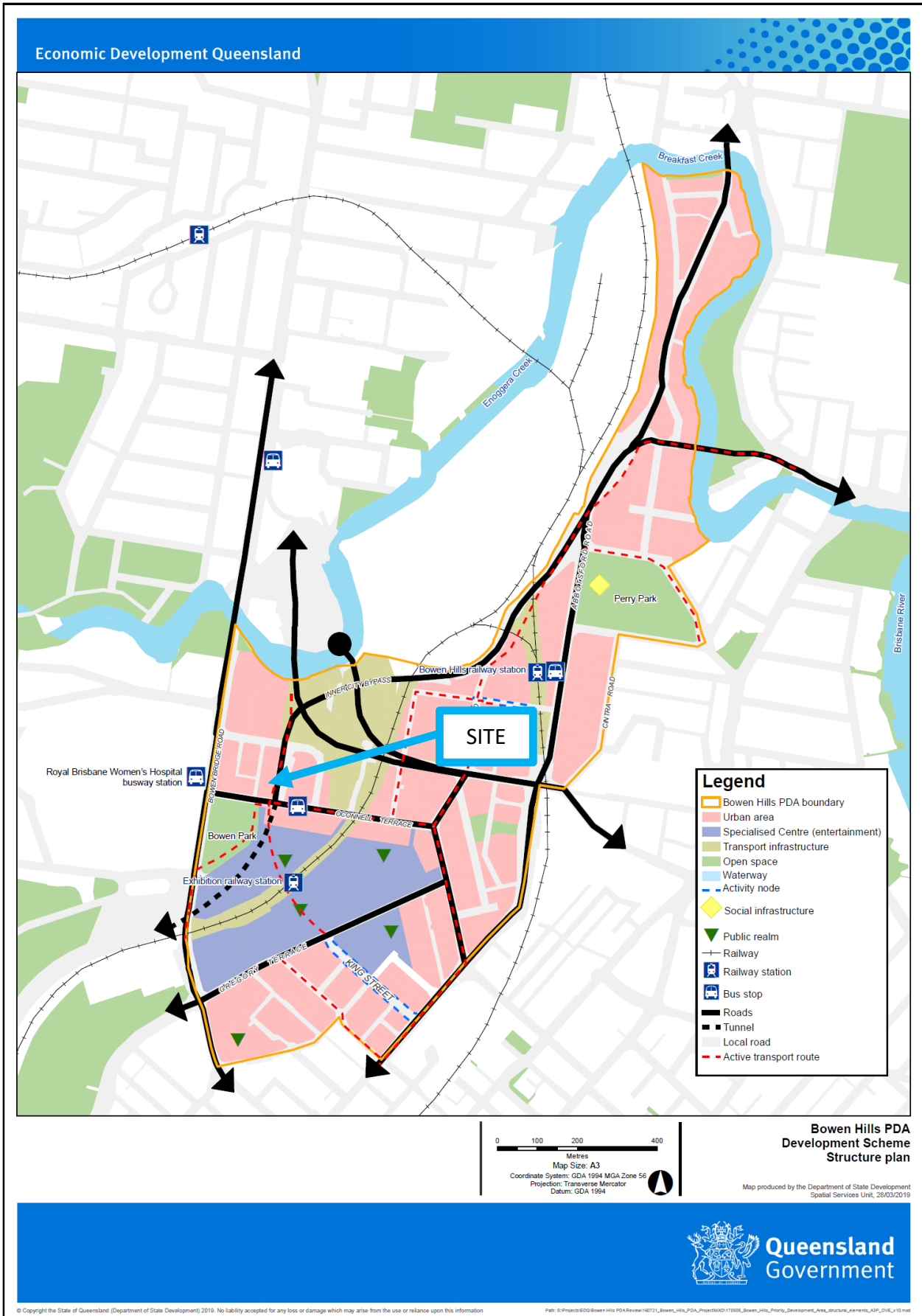
The proposed development has been designed based on the principles of sub-tropical urban design and will deliver a high quality design outcome. A detailed assessment against the Brisbane City Council’s New World City Design Guide: Buildings that Breathe will be provided shortly after lodgement of this application.

7.3.5.4. Structural Elements

Figure 19 is a copy of the structure plan for the Bowen Hills PDA. This structure plan represents a spatially indicative depiction of the highest order physical elements described in the vision statement. The proposed development is consistent with this structure plan.

As demonstrated by the above, the proposed development will advance the strategic vision for the Development Scheme.

Figure 18 – Bowen Hills PDA Development Scheme Structure Plan



Source: EDQ

7.3.6. PDA-Wide Criteria

Section 2.5 of the Development Scheme outlines a series of PDA-wide criteria that establish outcomes and quantitative measures to which will assist to achieve the vision for the PDA. These criteria include the following themes:

- Urban design and public realm;
- Connectivity;
- Sustainable developments;
- Infrastructure planning and delivery;
- Heritage places;
- Environment;
- Flooding; and
- Managing the impacts of infrastructure.

An assessment of the proposed development against the relevant PDA-wide criteria of the Development Scheme has been undertaken and is included within **Appendix G**.

This assessment reveals that the proposed development will facilitate an outcome consistent with the relevant criteria detailed in Section 2.5 of the Development Scheme. All performance outcomes are discussed in greater detail in Section 9 of this report.

7.3.7. Zoning Provisions

The site is identified within the Mixed Use Zone as illustrated in Figure 20 below.

Figure 19 – Zoning Plan Extract



Source: EDQ

Section 2.6.3.1 of the Development Scheme outlines the following preferred intent for development within the Mixed Used Zone:

“Development provides a wide range and intensity of commercial, retail, health and medical, community, entertainment, cultural activities and residential uses in a predominantly high-rise built form. Development comprises a tower and podium typology which addresses the street, within a range of building heights, dependent on site area. The greatest development yields and heights in the zone are achieved on larger lots, development on larger sites reduces visual bulk and shade impacts by providing appropriate setbacks and tower separations.

Building form improves streetscape and pedestrian outcomes by providing spaces for human movement and informal activation at ground level. Podiums are human scale and encourage passive surveillance of the public realm.

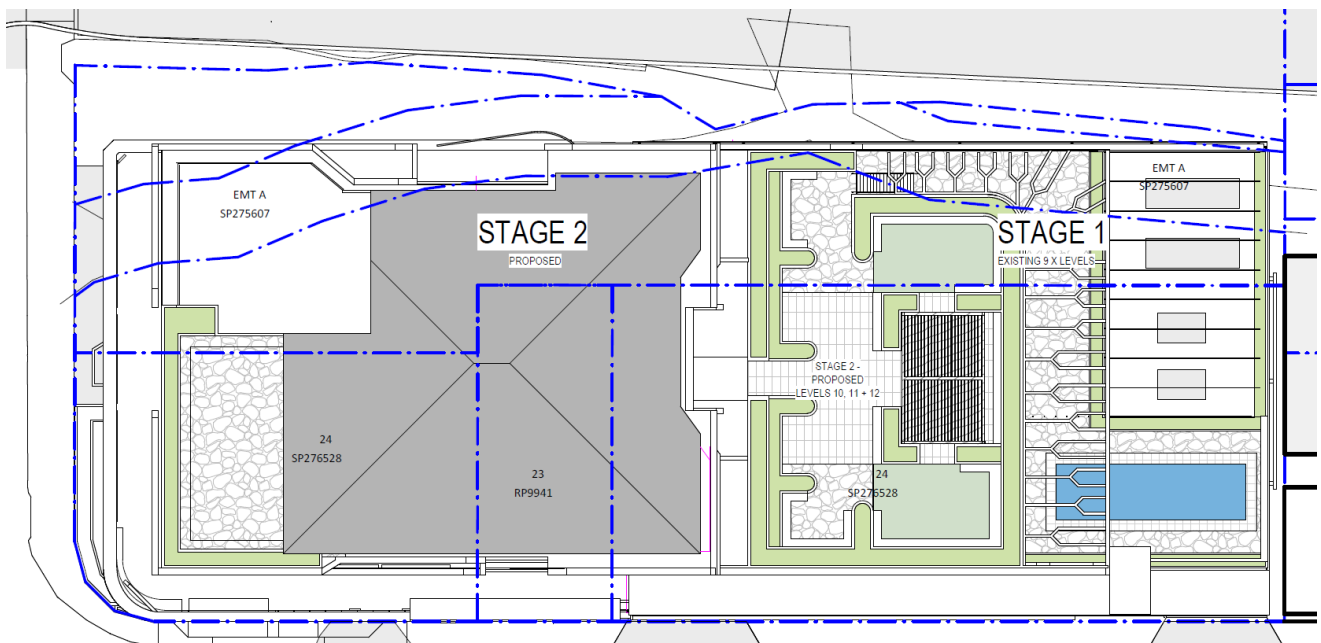
Residential amenity is maximised through creation of generous, high quality, private and communal open spaces which improve occupant lifestyles suited to the sub-tropical environment.

Development surrounding the public transport stations provides for concentrations of commercial uses that capitalise on the area’s proximity to high frequency public transport.”

The proposed development will facilitate an outcome consistent with the zone intent above for the following reasons:

- The proposed development will provide a mix of uses at the premises including residential, retail, entertainment and health and medical uses. This is illustrated in Section 3 of this report.
- The built form will provide attractive and highly activated streetscapes around the site. This includes a podium and tower design that provides for passive surveillance. This is illustrated in Figure 21 below.
- Significant indoor and outdoor communal recreation spaces are provided throughout the development including on the podium rooftop and tower rooftop.
- The site does not surround a public transport station.

Figure 20 – Significant indoor and outdoor communal recreation spaces on podium and tower rooftops



Source: Thomson Adsett

An assessment of the built form provisions anticipated within this zone is provided in **Appendix G**. This confirms the development will facilitate an outcome consistent with these provisions. Where performance outcomes are proposed. These are discussed in greater detail in Section 9 of this report.

7.4. GUIDANCE MATERIAL

The Development Scheme confirms that 'guidance material' is also a component of the development scheme for the purpose of assessing this development application. Guidance material includes any EDQ guidelines and any other documents or guidelines referenced in the development scheme.

The following EDQ Guidelines and Practice Notes are relevant to the proposal and why the proposed development:

- PDA Guideline 2 – Accessible Housing
- PDA Guideline 8 – Medium and High Rise Buildings
- PDA Guideline 16 – Housing

The applicant confirms that the above guidelines have informed the proposed development. The proposed development complies with the intent and provisions of these guidelines, to the extent they are relevant to the proposed development (and where they are not inconsistent with the Development Scheme).

8. ASSESSMENT OF COMPLIANCE

Section 86 of the ED Act states that the MEDQ “cannot grant the PDA development approval applied for if the relevant development would be inconsistent with the land use plan for the relevant priority development area”.

Section 2.2.3 of the Development Scheme states that:

“PDA assessable development is consistent with the Land use plan if it is consistent with all outcomes of the relevant PDA development requirements.

However, development that is inconsistent with any of the outcomes of the relevant PDA development requirements, may be consistent with the Land use plan if the development is consistent with the vision, and:

i. the development is an interim use; or

ii. there are sufficient grounds to justify the approval of the development despite any inconsistency with the relevant PDA development requirements.”

This report provides a detailed assessment of the proposed development against the vision, structural elements, PDA-wide criteria, zoning provisions, and precinct provisions of the Development Scheme (**Appendices I and J**), and the relevant EDQ Guidelines and Practice Notes (**Section 5.3**). A summary of these assessments is provided in the table below.

Table 2 – Compliance Summary

Benchmarks	Proposal
Vision	The proposed development is fully consistent with the vision for the PDA. This is demonstrated in Section 7.3.3 of this report.
Structural elements	The proposed development is fully consistent with the structural elements sought for the PDA. This is demonstrated in Section 7.3.3.4 of this report.
PDA-wide criteria	The proposed complies with, or can be conditioned to comply with, all relevant PDA-wide criteria with the exception of on-site car parking. Sufficient grounds demonstrating why the proposed car parking provision is adequate to meet the needs of the proposed development is provided in Section 9 of this report and in the traffic engineering report in Appendix H .
Zoning provisions	The proposed development complies with the overwhelming majority of relevant zoning provisions detailed in Section 2.6.3 of the Development Scheme. However, minor performance outcomes are proposed in relation to the following matters: <ul style="list-style-type: none"> • Plot ratio; • Building height; • Building setbacks; Sufficient grounds demonstrating why these minor performance outcomes are appropriate are provided in Section 9 of this report.
Precinct provisions	Not applicable. The site is not identified within a precinct.
Guidance material	The proposed development is fully consistent with the relevant Guidelines and Practice Notes, as outlined in Section 7.4 of this report.

9. SUFFICIENT GROUNDS

Section 2.2.3 of the Development Scheme states that:

“PDA assessable development is consistent with the Land use plan if it is consistent with all outcomes of the relevant PDA development requirements.

However, development that is inconsistent with any of the outcomes of the relevant PDA development requirements, may be consistent with the Land use plan if the development is consistent with the vision, and:

i. the development is an interim use; or

ii. there are sufficient grounds to justify the approval of the development despite any inconsistency with the relevant PDA development requirements.”

The assessments undertaken in **Appendix G** demonstrates that the proposed development is generally compliant with the development scheme. However, performance outcomes are proposed in relation to the matters identified in section 8 of this report. The following sections of this report demonstrate why there are sufficient grounds to approve the proposed development despite these minor performance outcomes. These are outlined as follows:

- **Plot ratio** – the proposed plot ratio of 8.4:1 marginally exceeds the accepted plot ratio in the Development Scheme of 8:1. It is also noted that the proposal includes a GFA of 1,247m² for communal amenities for the BTR apartments. If this GFA is excluded, the plot ratio is reduced to 8:1 which is a compliant outcome. Based on the discussions in the third pre-lodgement meeting, the applicant understands that this approach is supported by EDQ in principle.
- **Building height** – the proposed building height is technically 32 storeys based on the definition of ‘storey’ in the Development Scheme. However, the proposed building will read as a 30 storey building. The exceedance of 30 storeys is only the result of the inclusion of the small food and drink outlet tenancy on the lower ground level (which provides significant activation benefits to Campbell Street) and also the inclusion of an internal mezzanine level within the building which will not be visible. Accordingly, the building will read as a 30 storey building and therefore complies with the intent of the development scheme.
- **Building setbacks** – variations to the tower setbacks are proposed to the Wren Street and Inner-City Bypass frontages. The tower setback to Campbell Street is compliant with the Development Scheme. The Wren Street setback of 4m allows for an 18m building separation to be achieved to potential future building/s on the opposite side of Wren Street (on the basis that this site also proposes a 4m tower setback). The Inner-City Bypass setback does not result in any adverse impacts on surrounding sites.
- **Car parking** – a reduction in car parking spaces below the rates nominated in the Development Scheme is proposed. However, given the development comprises build-to-rent apartments in a location well-served by public transport and other modes of transportation, a lower rate of car parking is appropriate in this instance. The proposed development will provide adequate car parking to cater for the likely parking needs of the development. This is demonstrated in the traffic engineering report provided in **Appendix H**.

As demonstrated above, proposed performance outcomes are very minor. The housing diversity and affordability benefits delivered by the proposed development are commensurately sufficient grounds to support the proposed performance outcomes.

The proposed development provides build-to-rent apartments in a location which will be convenient for key workers to reside in. The site is located within immediate proximity to the Herston Health Precinct which has a workforce population of approximately 13,000 people, many of which are key workers at the RBWH. This represents one of Brisbane’s highest concentrations of employment in a single location.

Further, the project will naturally achieve high levels of affordability through the inclusion of 50% of apartments as either studio apartment or 1-bedroom apartments. Therefore the project will contribute to the supply of affordable housing in this key location.

10. CONCLUSION

Urbis Pty Ltd has been commissioned by *Wren Street Health Investments Pty Ltd.* to prepare this Town Planning Report associated with a development application over the land at 15-21 Wren Street, Bowen Hills.

This application seeks a development permit for a material change of use involving the following land uses:

- Multiple Dwellings (build-to-rent);
- Bar;
- Food and Drink Outlet;
- Health Care Services;
- Shop; and
- Parking Station.

The following key points are highlighted in support of this proposal:

- **The proposed development is highly compliant with the relevant assessment benchmarks. This is demonstrated by the assessment provided in this report.**
- **The development involves 240 build-to-rent dwellings. These dwellings are intended to provide additional accommodation options for key workers at nearby locations including the Royal Brisbane Women's Hospital (RBWH).**
- **A minimum of 5% of the proposed dwellings will be provided as affordable dwelling units.**
- **A high-quality and highly articulated building design is proposed. This is demonstrated in Appendix E. This design has been based on the principles of Brisbane City Council's New World City Design Guide: Buildings That Breathe. A detailed assessment against this guideline will be provided shortly after lodgement.**
- **The proposed development will provide improved activation and casual surveillance to the inner-city bikeway as it runs through the site through the provision of a café and other active spaces overlooking the bikeway.**

As demonstrated by the assessment provided in this report, the proposed development generally complies with the outcomes sought by the Bowen Hills Development Scheme. To the extent any performance outcomes are proposed, these are very minor and there are sufficient grounds to support the proposed development. The proposed development is therefore recommended for approval.

20 December, 2023 and incorporates information and events up to that date only and excludes any information arising, or event occurring, after that date which may affect the validity of Urbis Pty Ltd (**Urbis**) opinion in this report. Urbis prepared this report on the instructions, and for the benefit only, of Wren Street Health Investments Pty Ltd. (**Instructing Party**) for the purpose of the Development Application (**Purpose**) and not for any other purpose or use. To the extent permitted by applicable law, Urbis expressly disclaims all liability, whether direct or indirect, to the Instructing Party which relies or purports to rely on this report for any purpose other than the Purpose, and to any other person which relies or purports to rely on this report for any purpose whatsoever (including the Purpose).

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