



**City Planning & Sustainability  
Development Services**

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*Dedicated to a better Brisbane*

09 October 2023

The Paint Factory  
C/- Wolter Consulting Group Pty Ltd  
PO Box 436  
NEW FARM QLD 4005

**ATTENTION: Amy Marsden**

**Application Reference:** A006334703  
**Address of Site:** 115 HYDE RD YERONGA QLD 4104

Dear Amy,

**RE:** Information request under the *Planning Act 2016*

It is noted there are two aspects to the above development application:

**Material Change of Use for a Preliminary Approval that includes a variation request to:**

- Apply the Mixed use zone (with variations) to the whole site;
- Remove the Industrial amenity overlay mapping; and
- Remove the Waterway corridor areas overlay mapping.

**Material Change of Use for a Development Permit for:**

- Centre activities (Community use, Dwelling unit, Educational establishment, Food and drink outlet, Function facility, Office, Service industry, Theatre);
- Warehouse (creative art storage)
- Medium impact industry A (Creative art - glass product manufacturing)
- Indoor sport and recreation (escape room)

It is acknowledged the site is identified as part of the Yeronga transition area for the *Brisbane: Our Productive City* strategy (Hyde Road site). To ensure a cohesive outcome for the precinct, broader structure planning and consultation is required to resolve key issues and identify opportunities that impact all land parcels within the precinct as part of the variation request aspect of the application. It is recommended further consultation occurs with relevant stakeholders including, but not limited to, landowners within the transition area, Urban Utilities, the local community and nearby sporting clubs. Further consultation with Council on the below key precinct outcomes is also encouraged:

- Stormwater management and flood management
- Public roads, site access and car parking arrangements
- Land uses and mix
- Public transport connectivity
- Active transport connectivity
- Interfaces to open space
- Creative and productive arts vision.

Council has carried out an initial review of the above application and has identified that further information is required to fully assess the proposal as discussed below.

## **VARIATION REQUEST**

### **Structure / Precinct planning**

1. Provide an updated structure plan in accordance with the requirements of the Structure planning scheme policy (SC6.29) indicating how the proposed development will provide enhanced integration with surrounding sites and Goodwin Park. This should include precinct-wide outcomes that provide:
  - a) A new public road connecting the site to adjoining properties and providing new access points to existing roads;
  - b) Additional open space for stormwater management; and
  - c) A land use and movement network strategy (road network, pedestrian and cyclist paths) that facilitates east / west connectivity and interfaces towards the northern boundary and park.
2. As part of the structure planning, further refine sub-precincts within the subject site and demonstrate how these will function within the context of the broader precinct, while responding to the opportunities, challenges, corresponding uses, building heights and community benefit outcomes, including:
  - a) Interfaces with Goodwin Park and land use mix;
  - b) Opportunities for retention of the existing buildings and public road networks in conjunction with future residential uses; and
  - c) Retention of creative uses.
3. Provide further information on the staging of the proposed development, including the outcomes for temporary / interim uses, to ensure orderly and sequential development and that infrastructure and services can be provided in an efficient and timely manner.

### **Traffic**

4. Vehicle movement to and through the site and precinct will be required for visitation, private car parking entry, emergency services, utilities and waste management and potentially other services related to creative and productive uses as part of the variation request. Impacts associated with development staging and renewal over time for the site and broader precinct require further consideration, particularly where construction access and regular use access requires use of the same spaces.

Provide an updated traffic report that includes the following:

- a) Proposed traffic volumes for the subject site and the ultimate transition precinct;
- b) Information regarding thresholds, where roads/intersections will need to be upgraded including the feasibility of these upgrades;
- c) Proposed car parking locations, demand and supply;
- d) Proposed access and servicing arrangements;
- e) Confirmation that the function of the existing road network (Cansdale Street, Hyde Road and Brisbane Corso) remain within the ranges contemplated under the Brisbane City Plan 2014 - Infrastructure design planning scheme policy;

- f) Further information on staging for logical development progression, including construction access minimising conflicts with regular use access;
- g) Further information on the delineation between areas and networks that will be publicly- and privately accessible on site;
- h) Assessment of the potential extension of the Fairfield Road right turn lane in to Hyde Road in relation to any impact on corridor planning;
- i) Investigations regarding the direct access to Cansdale Street including flood impacts, with secondary flood free access via Hyde Road;
- j) Investigations into a potential northern pedestrian connection utilising the mapped bicycle route as a shared facility, rather than duplicating that route to Brisbane Corso; and
- k) Further review of other/improved pedestrian crossing facilities (e.g., Cansdale Street and Hyde Road west of Cansdale Street).

Note - Under a 0.05% AEP river flood event that emergency access/egress to the broader area appears to be limited to a single point (the Cardross Street bridge over the railway line).

#### **Building heights, design and landscaping**

5. The proposed building heights range from 4 storeys within 30m of Hyde Road to 8 storeys to the rear sections of the site. Further analyses are required on impacts to visual amenity, views and vistas of the local area. Similarly, the interface of the proposed development to adjoining properties and open space areas requires further investigation, in addition to setbacks, building separation, landscaping, and deep planting.

Provide the following information:

- a) Amended plans with the proposed building heights (expressed as maximum RL heights);
- b) 3D massing models indicative of the height intent and built form controls. This should include an analysis of the topography of the site with regard to the height transitions of Hyde Road in conjunction with the existing 1950's brick sawtooth building. 3D modelling is also to be provided for Virtual Brisbane analysis;
- c) A views and vistas analysis of the proposal within its context, with regard to key view lines to and through the site;
- d) Indication of boundary setbacks and internal setbacks to the proposed built form;
- e) Indication of interface treatments to adjoining sites and open space;
- f) The proposed separation of industrial and sensitive uses on site, and with the land uses on adjoining sites;
- g) The strategies proposed to mitigate noise and lighting impacts from adjoining sporting clubs on the proposed sensitive uses, including the extent of any landscape buffers toward the rear of the site;
- h) The Gross Floor Area (GFA) of all proposed uses, including community uses;
- i) Provide details of the proposed staging of the variation request;

- j) Information on the proposed residential density and diversity (including mix of bedrooms/sizes);
- k) The amount of open space, deep planting and landscaping;
- l) Existing and proposed trees on site including location, species, height and status (e.g. trees proposing to be retained, replaced, or removed);
- m) Location of publicly accessible areas;
- n) Further information regarding how the development addresses sustainability, including green infrastructure, urban cooling and energy efficiency; and
- o) Further information regarding how buildings and spaces will incorporate sub-tropical design principles.

### **Creative uses**

6. It is acknowledged the vision for the site is a hub for the creative industries, incorporating living and working opportunities. Fundamental to the vision are the uses and activities that are currently occurring on site within the existing built form and outdoor spaces.

Provide further information that demonstrates the creative uses are viable and catered-for in the long term, including:

- a) Information on community uses, or spaces for community access on site;
- b) Clarification regarding the proposed utilisation of the 1950's brick sawtooth building; and
- c) Information on the management and operation of the creative uses on site, including tenant management, activation strategies, public art intent, public visitation, and events strategy.

### **Community consultation**

7. It is acknowledged that community engagement utilised a range of platforms and communication styles to gather feedback from a variety of stakeholders. Given the scale of the proposed development:

- a) It is recommended that additional consultation with adjoining landowners, Urban Utilities and the local community take place to ensure that structure planning opportunities for the wider precinct are realised in accordance with the Structure planning scheme policy (Step 5 – Level of consultation required for a structure plan).

### **Housing diversity and affordability** □

8. It is acknowledged that the proposal includes 20% of future dwellings to be provided as affordable housing, key worker housing and/or artist studios, however the definition of housing affordability does not appear to correspond with *Planning Regulation 2017* definition of 'affordable housing'.

- a) Amend the application to align with the *Planning Regulation 2017* definition of affordable housing.

## **Infrastructure, stormwater and flood management**

9. Further information is required regarding the capacity of infrastructure to support additional density on the site and within the broader precinct. Provide the following:
- a) An assessment of the capacity of existing infrastructure to service the site and broader precinct;
  - b) Additional technical investigations that demonstrate that the increased quantity and change of flow regime (more frequent low flows) will not cause material impacts (e.g. erosion) to the existing Waterway corridor;
  - c) Flood risk and accessibility assessment to and from the site; and
  - d) Demonstrate the existing channel through Council land has adequate capacity for the additional stormwater flows for the proposed development. If adequate capacity is not available, the development is required to provide upgrades to the existing channel/ infrastructure or stormwater detention under buildings and driveways to mitigate post development increases.

## **Overlays**

10. The waterway corridor is required to be preserved, having flood management and vegetative functions.
- a) Provide amended plans in accordance with PO8 of the Stormwater code that demonstrate the Waterway corridor is retained and preserved.
11. The Industrial amenity overlay is aligned with the ongoing function of the Fairfield Sewerage Treatment Plant (Fairfield STP). Removal of this overlay is not supported as future development is required to address the requirements of the Industrial amenity overlay code, including the issues identified under the Air quality section of this Information request.
- a) Provide amended plans/reports that include the retention of the Industrial amenity overlay.

## **Sustainability Planning Strategy**

12. Given the nature of the proposed development and broader precinct considerations, high quality urban design and sustainability outcomes to provide substantial precinct and community benefits are required to be considered as follows:
- a) Engage with a suitably qualified Environmentally Sustainable Development (ESD) specialist to develop sustainable design solutions and strategies as part of the site and broader precinct master planning process;
  - b) Engage a third-party assessor and sustainability tool for guiding the design and planning for the site. The Green Building Council of Australia [GreenStar Communities](#) tool is an appropriate tool for this type of development; and
  - c) Align the proposed development over the site to respond to the [Design-led City Strategy](#) noting that the strategy identifies 12 design values to guide good design. Furthermore, development on the site for built-form and landscape outcomes should be designed to be highly aligned with the 8 key themes and 31 sub-elements of Council's [New World City Design Guide – Buildings that Breathe](#)

## **Air quality**

13. The Air Quality Report prepared by Trinity Consultants, dated 12 July 2023, has been reviewed. The report is required to be updated to consider all the relevant aspects of the proposed development as follows:

- a) Onsite receptors have been modelled up to a height of 12m. It is noted application seeks to increase the acceptable outcome for building heights to 8 storeys. Provide an updated Air Quality Report that aligns with the future development proposed over the site;
- b) The report notes the anaerobic bioreactor is addressed, however there would still be fugitive emissions. Include assessment of the fugitive emission from the anaerobic bioreactor within the updated Air Quality Report;
- c) As the proposed sensitive uses/zone on-site could potentially constrain future expansion of the Fairfield Sewage Treatment Plant (STP), the application must include the potential worst-case odour impacts of the Fairfield STP including potential expansion and increase in throughput; and
- d) Provide a basis for the assumption that the emission rates would double, and not more than double, for 'upset' conditions.

### **Noise**

14. The Noise Report prepared by Trinity Consultants, dated 12 July 2023, has been reviewed. The report is required to be updated to consider all the relevant aspects of the proposed development as follows:
- a) As the proposed sensitive uses and mixed use zoning on-site could potentially constrain future expansion of the Fairfield STP, provide an updated Noise Report demonstrating the potential worst-case noise impacts of the Fairfield STP including any potential expansion; and
  - b) Specify the building requirements to attain a typical façade attenuation of 25 dBA.

### **Streetscape upgrades**

15. It is noted the site frontage is currently mapped as an Industrial street under the Streetscape hierarchy overlay.
- a) Provide amended plans confirming a minimum verge width of 3.75m is proposed to the Hyde Road frontage of the site.
16. The Hyde Road frontage of the site and nearby streets including Cansdale Street contains established street trees.
- a) Provide amended plans that show the location of proposed new roads or crossovers in relation to existing street trees.

### **Acid sulfate soils**

17. The site is located within the Potential and actual acid sulfate soils overlay. The application therefore must demonstrate that the site is not affected by, or will not disturb, actual or potential acid sulfate soils.
- a) Submit information on whether the development includes soil disturbance at or below 5m AHD and involving i) excavating or removing equal to or greater than 100m<sup>3</sup> of soil; or ii) soil disturbance (including filling) greater than 500m<sup>3</sup>; or iii) filling equal to or greater than 0.5m average depth; and
  - b) Where the above soil disturbance is involved, provide an Acid Sulfate Soils (ASS) Investigation Report and Management Plan prepared by an appropriately qualified and experienced person, and prepared in accordance with relevant policies/guidance materials and technical guidelines/manuals such as:
    - State Planning Policy and SPP Guidance Materials;

- Queensland Acid Sulfate Soil Guidelines: sampling guidelines; laboratory methods guidelines/manuals; and
- Queensland Acid Sulfate Soil Technical Manual: Soil Management Guidelines.

## **DEVELOPMENT PERMIT - STAGE 1**

### **Traffic and parking**

18. The Traffic Report anticipates events with attendance of up to 500 persons may occur on site. For this parking demand, additional informal car parking spaces are provided however a large proportion of the available onsite parking is a tandem arrangement, which may be difficult to operate effectively during an event.

It is further noted that the extent of tandem car parking at the eastern boundary shown on the submitted plans is greater than what appears to be shown on the site plan, or historically occupied during the industrial use of the site.

- a) Provide amended plans and a Traffic Report in accordance with PO13 and PO15 of the Transport, access, parking and servicing code that detail how onsite carparking would be accommodated and managed during peak parking demand events.

### **Land uses**

19. It is noted the application comprises a site plan with a general location of the proposed uses sought under the Development Permit aspect of the application. Provide further information on the location and type of proposed uses onsite via updated plans and reporting including:

- a) Detailed floor plans of the proposed layout for each use;
- b) Extent of Gross Floor Area (GFA) for each use;
- c) Location of all car parking and service vehicle parking areas;
- d) Location of any outdoor dining areas;
- e) The specific location and type of Centre activities within each building, including Dwelling unit locations; and
- f) Hours of operation for each use.

### **Air quality**

20. As identified, the Air Quality Report prepared by Trinity Consultants, dated 12 July 2023, has been reviewed. The following additional information is required:

- a) The proposed development involves potential air emission sources (e.g. glass product manufacturing, food and drink outlet, etc). Submit further information demonstrating that the proposed development can comply with the acceptable outcomes as prescribed in AO1.1 - AO1.8 of the Industry code, AO3.1 – AO3.3 of the Centre or mixed use code and AO20.1 of the Multiple dwelling code. Where compliance with the separation distances cannot be achieved, the application must assess these emission sources in the Air Quality Report prepared in accordance with the Air quality planning scheme policy to demonstrate compliance with PO1 of the Industry code, PO3 of the Centre or mixed use code and PO20 of the Multiple dwelling code. Impacts are to be assessed not just at the nearby sensitive zones but also on-site proposed sensitive uses/zone; and

- b) The report notes the anaerobic bioreactor is addressed, however there would still be fugitive emissions. Include assessment of the fugitive emission from the anaerobic bioreactor within the updated Air Quality Report.

## **Noise**

21. As identified, the Noise Report prepared by Trinity Consultants, dated 12 July 2023, has been reviewed. The following additional information is required:
- a) As the proposed sensitive uses on-site could potentially constrain future expansion of the Fairfield STP, provide an updated Noise Report demonstrating the potential worst-case noise impacts of the Fairfield STP including any potential expansion;
  - b) Specify the building requirements to attain a typical façade attenuation of 25 dBA; and
  - c) The proposed development involves potential noise emission sources (e.g. glass product manufacturing, commercial/centre activities, escape room, etc.). Submit further information demonstrating that the development can comply with the Acceptable outcomes as prescribed in AO2.1–AO2.9 of the Industry code, AO1.1–AO1.2 of the Centre or mixed use code, AO2.1–AO2.2 of the Community facilities code, AO21 of the Multiple dwelling code, and AO2.1–AO2.3 of the Indoor sport and recreation code. Where compliance with the Acceptable outcomes cannot be achieved, the application is to assess these noise emission sources in the Noise Report prepared in accordance with the Noise impact assessment planning scheme policy to demonstrate compliance with the corresponding Performance outcomes of the relevant codes. Impacts are to be assessed not just at the nearby sensitive zones but also on-site proposed sensitive uses/zone.

## **Stormwater quality – Stormwater quality management plan**

22. The Stormwater Quality Management Plan prepared by Naxos Engineers, dated 3 August 2023 has been evaluated. The following further information is required to complete assessment of the report.
- a) Submit a digital copy of the MUSIC modelling file; and
  - b) Provide the drainage layout plan showing the locations of the proposed stormwater quality improvement devices and demonstrating that all run-off will be directed to these devices before discharge off-site.

## **REQUIREMENTS FOR BOTH PERMITS**

### **Hazard & risk - Hazardous goods**

23. The proposed use has the potential to store and/or use various quantities of hazardous goods.
- a) Submit further information detailing the Type, Quantity, Location, Class and Package Group of all existing/proposed dangerous goods.

Where quantities exceed the AO3 of the Industry code, submit for approval a Hazard Analysis Report in accordance with PO3 of the Industry code and the Industrial hazard and risk assessment planning scheme policy.

Note – Provide sufficient information and details to assist with determination of whether additional industry threshold/use should be triggered for the development.

### **Fuel burning or Power generator**

24. The proposed development may include the use of fuel burning (e.g., gas boiler or a back-up/emergency power generator or a glass kiln). Such uses are defined as “Fuel burning” in Schedule 1 Definitions – Industry Thresholds:



- a) Submit further information outlining whether fuel burning is proposed. Such information is to include maximum fuel burning capacity in MW, potential hours of use, type and quantity of fuel stored, air quality controls and type of engine. (the Air Quality Report may be required to be amended, demonstrating compliance with PO1 of the Industry code).

NOTE - Amendment to the DA form and an amendment to the proposed application may be required if a new industry use/threshold is triggered.

### **Site contamination**

25. Information on potential site contamination and remediation processes proposed to be undertaken as part of the development permit and variation request is required, particularly with regard to the establishment of sensitive uses on the site.

- a) Provide information on how site contamination and remediation activities will be undertaken to provide for the establishment of sensitive uses on the site.

### **Development Application**

26. To address the development of the broader precinct structure plan, you may wish to consider separating the Variation Request and Development Permit aspects of this application.

### **Urban Utilities (UU)**

Council does not undertake water and sewer assessment of any planning applications. Contact UU on (07) 3432 2200 to discuss any water and sewer issues and whether you are required to submit an application to UU for assessment.

### **Responding to this request**

Your response should include a summary table which outlines any changes to performance outcomes and plans that have resulted from addressing the issues outlined above. The table should also include details of any supporting documentation.

If a response is not provided within the prescribed response period of three (3) months assessment of the application will continue from the day after the day on which the response period would have otherwise ended.

Email your response to [edasouth@brisbane.qld.gov.au](mailto:edasouth@brisbane.qld.gov.au) quoting the application reference number A006334703.

Please phone me on telephone number below during normal business hours if you have any queries regarding this matter.

Yours sincerely,



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