

**Preliminary Approval Application, A004115562, West Village Development,
36 Mollison Street - 111 Boundary Street - 26 Little Jane Street, West End
Submission on behalf of Kurilpa Futures Campaign Group**

Introduction

This submission concerns the revised application to redevelop a 2.6-hectare site on the corner of West End's Boundary and Mollison Streets for a podium and 9 tall towers for residential, district centre and commercial uses. Following a request from Council late last year to reconsider their original application, which included a number of 19 and 25 storey apartment blocks, the applicants have reduced building height to accord with the local plan's 15 storey maximum. However, in the absence of any other indication, it must be assumed that the revised application maintains the original intended total number of 1350 units, as well as including other District Centre, open space and circulation uses. This would result in an overall residential density of approximately 519 dwellings to the hectare. This is one of the highest residential densities ever proposed in Brisbane, and 25 % more than that contained in the recently withdrawn draft Kurilpa Master Plan, rejected by the State Government, largely on the grounds of its own excessive densities.

Conflict with the South Brisbane Riverside Neighbourhood Plan (SBRNP)

The proposal, involving a podium occupying 95% of the site, conflicts with the stated *Purpose* of the SBRNP Code, Para 7.2.19. 4. (6) (d), which requires that new development "*contributes to the vibrant village atmosphere of Boundary Street*", and goes on to require that development within this Precinct "*maintains a human scale built form at the street level*". By contrast, the building bulk and site cover is incompatible with both village atmosphere and human scale. The proposal is thus out of keeping with its environmental context and in conflict with the intentions of the local SBRNP.

Amenity, Character, Community Expectations, Infrastructure Assumptions & Need

Para 7.2.19.4.2.3 (c) of the SBRNP Code states that new development should be "*of a height, scale and form which is consistent with the amenity and character, community expectations and infrastructure assumptions intended for the relevant precinct.*" The density and bulk of this proposal far exceed amenity, character and community expectations, as demonstrated by community submissions, rallies and responses to consultations conducted by this and other community organisations. Site occupancy of 95% and massed structures rising to five times the height of adjacent buildings would create an intensive city centre style of development inappropriate to this district centre location. Existing residences in Jane Street, especially Numbers 7 and 22, would be heavily shadowed in winter and thus suffer injurious affection. The Stage One proposal already compromises the setback-to-street requirement (PO12) of the SBRLP of a minimum of 10 metre distance between the tower and any street alignment. In using this as an average distance, they have set back Building 1 to 4.46m and Building 2 to 15.8m. Building 1 is towering over 1 & 2 storey houses fronting Wilson Street whilst Building 2 is opposite a 3 storey multiple dwelling complex. Buildings facing Mollison St also appear to be flouting these setback requirements.

In addition, there are unmanageable traffic generation and associated infrastructure implications in the proposed Stage 1 with 800 underground car park places, on top of the 441 proposed to cater for the units fronting Wilson Street, together discharging a potential of 1241 vehicles undertaking a likely daily minimum of 2 journeys, making a total of nearly 2,500 extra vehicle movements a day via the dead end and currently narrow Wilson Street (which also lacks adequate pedestrian space) directly onto one of the busiest stretches of the already congested local street network. This entry point would be only 120 metres south of the neighbourhood's busiest 5 way intersection, at the traffic light controlled meeting point of Boundary South, Browning, Melbourne, Boundary North and Mollison Streets.

This application also flies in the face of Council's intentions for development of the Boundary and Vulture Precinct as stated in the Council's *Priority Infrastructure Plan (PIP)*. On Page 15 of the PIP, in Table 4.3.10.1 *Assumed scale of development for residential and non residential zones*, it is stated that the *Residential Development (dwellings/ net developable hectare) for Zone 003 Boundary and Vulture* is "75 dwellings per developable hectare" as compared with the 519 being proposed in this application. Were Council to approve this application, this proposed gross over development might well pose unmanageable problems of infrastructure provision. What transpires is that although this site is firmly within the *District centre zone -District zone precinct* (and is clearly indicated as such on page 15 of the PIP), this application frames proposals out of all keeping with this zone and that even exceed those indicated in the higher density *District Centre Zone (Corridor zone)* precinct. In short, it appears as an over ambitious application prepared for a quite different zone. The applicants have thus failed to appreciate that the City Plan 2014 and its accompanying PIP allocate very high-density development to transport corridors in locations such as Coorparoo, Indooroopilly, Milton, Mt Gravatt and parts of Mitchelton and not to this inner city district centre.

This application thus ignores the strategic intent of the *City Shape* strategies, which are included within City Plan 2014. Not only is it inconsistent with the *South Brisbane Riverside Neighbourhood Plan* and Council's detailed *Priority Infrastructure Plan* as demonstrated above, but also but also with the strategic intent of *City Plan*. Granting permission would not only constitute a serious blow against coherent policy for city shape and development, but would also set a daunting precedent towards conceding planning policy to developer assertions about the expected performance of their proposals, rather than the conscientiously prepared, detailed and integrated proposal of Council's own planners, assessing overall need, capacity and outcomes.

The variations of performance outcomes identified in the Code are limited to cases where exceptional benefits are offered: Para 7.2.19.4.2.3 (c) of the Code stipulates that new development can "*only be developed at a greater height, scale and form where there is both a community need and an economic need for the development.*" The very large density, scale and form of the proposed

development cannot be justified on either of these grounds of economic or social need. The luxury residential unit market in South Brisbane and West End has been over-supplied, local sales are stagnant and overseas ones are looking increasingly insecure as the global investment market continues to contract.

Nor does this proposal include any provisions nor even display any interest in catering for “*community need or economic need*” for affordable housing, which would actually be better met in less intense developments, like those recently developed by the *Brisbane Housing Company* in Fortitude Valley, Bowen Hills and other inner city locations.

The Public Realm and Publicly Accessible Space

Para 7.2.19.4.2. (3) (d) of the Code requires that new development “*makes a positive contribution to the public realm*” through on site amenity, deep planting, well connected and publicly accessible spaces, protection of existing vegetation, landscaping and public art.” While the graphic illustrations and tone of the reports accompanying the current application indicate an awareness of these requirements, the very high densities and bulk of proposed buildings would prevent such outcomes being achieved. Planting would be anything but deep around the mini plazas and passageways of the podium, and details of such provisions are not supplied. Existing open space is replaced by the 95% podium coverage, and this precludes public spaces with guaranteed access. As a result, the neighbourhood’s existing severe lack of public open space would be compounded by the addition of a further 2,000-3,000 resident users, without the provision of any matching public open space. At the Council’s adopted figure of 1 hectare per 1,000 people, a further 2-3 hectares of real public open space would be required. Less than half a hectare is proposed.

Performance Outcome 9 (PO9) specifically requires that “*Development of a key development site makes a significant contribution to the public domain of South Brisbane Riverside by supplementing existing public spaces.*” The accompanying Acceptable Outcome 9 (AO9.2) states “*Development on a site where the area is equal to or greater than 10,000 m² has a minimum of 20% of the site that is publicly accessible*”. (This site is 26,000 sq. metres). West End already has a plethora of commercial backlands forming publicly accessible small plazas where, during trading hours, members of the public may visit. The current proposal in effect offers to augment this supply by provision of pedestrian circulation and commercialized public spaces on podium plazas. Provision needs to be made for truly publicly accessible space contributing to a “*public domain*” where people may meet, rest, reflect and recreate as of right.

Design and Bulk of Buildings

Performance Outcome 3 (PO3) states that “*Development of buildings over 8 storeys are made up of a podium and clearly defined slender tower to reduce visual bulk and scale. Spacing between multiple towers provides for solar access, cross ventilation and privacy*”. This is one of the greatest shortcomings of the proposal. The residential towers of 25, 20 and 19 storeys of the original proposal have now been reduced by 40% in height and squashed sideways to create more numerous very bulky ones, as well as re-using two existing heritage buildings.

This intensity of development would restrict solar access, erode natural ventilation and impair individual privacy both for themselves and for the neighbouring land uses. This submission therefore also fails to meet the requirements of Planning Outcome 3.

Site Cover

Performance Outcome 4 (PO4) (b) requires that *“Development provides building setbacks that are sufficient to ensure that the building... does not dominate the street or other pedestrian spaces and (d) enables existing and future buildings to be well separated from each other to allow light penetration, air circulation, privacy and ensure windows are not built out by adjoining buildings”*. The seven new 15 storey, 50 metre high, buildings proposed for this 2.6-hectare site would both cause heavy shadowing of the two recycled heritage buildings within the site, and also of the adjacent district centre and surrounding residential buildings. They would thus destroy existing and preclude future natural amenity. Initially applying to Stages 1 and 2 in Wilson and Boundary Streets, these problems would subsequently extend to Mollison Street as well, and affect all of the area’s highly sensitive environs. The application therefore fails to meet Performance Outcome PO4.

Table 7.2.19.4.3 (c) stipulates a maximum site cover of 80% *“in the Boundary and Vulture precinct”*. The application seeks to vary this requirement on the basis that its 95% podium coverage includes plazas and passages that will be publicly accessible for much of the time. However, there can be no guarantee that future owners and occupants will provide unrestricted 24-hour access, which is the hallmark of the public domain. Also, aesthetically, the psychological outcome of an effectively continuous structure over 95% of the 2.6-hectare site (equivalent to two and half football fields) would be potentially highly oppressive for a traditional neighbourhood centre.

Excessive provision for new commercial development

The proposal for a new supermarket of 4,500 square metres is also triple the SBRNP limit of 1,500 sq. metres for such new development. The applicant’s justification of need is not valid since a large and successful supermarket of more than 3,000 sq. metres is already located on the old “West End Markets” site, immediately opposite, on the other side of Mollison Street. The speculative possibility of moving that facility into the proposed new development would involve the capture and removal of an existing well used and liked facility from its present nodal and convenient position, with no community benefit. The justification of need to gain this large relaxation is thus neither secure nor germane to any objective planning assessment of an impartial planning system.

Conclusion

We submit that this application should be rejected on all six of the foregoing grounds. There is gross conflict with the City Council’s Neighbourhood Plan and Priority Infrastructure Plan. Density is excessive. Site coverage is too much and exceeds the SBRNP Acceptable Outcome. Open space and solar access are too little. Shadowing is too great. Relaxations are not justified. In responding to

Council and community concerns, supporting documents claim too much and offer too little.

For all these six reasons, the Kurilpa Futures Campaign Group objects to this proposal and requests that it be

- (i) deemed "Impact Assessable", and
- (ii) subsequently refused permission by Council's Planning Committee.