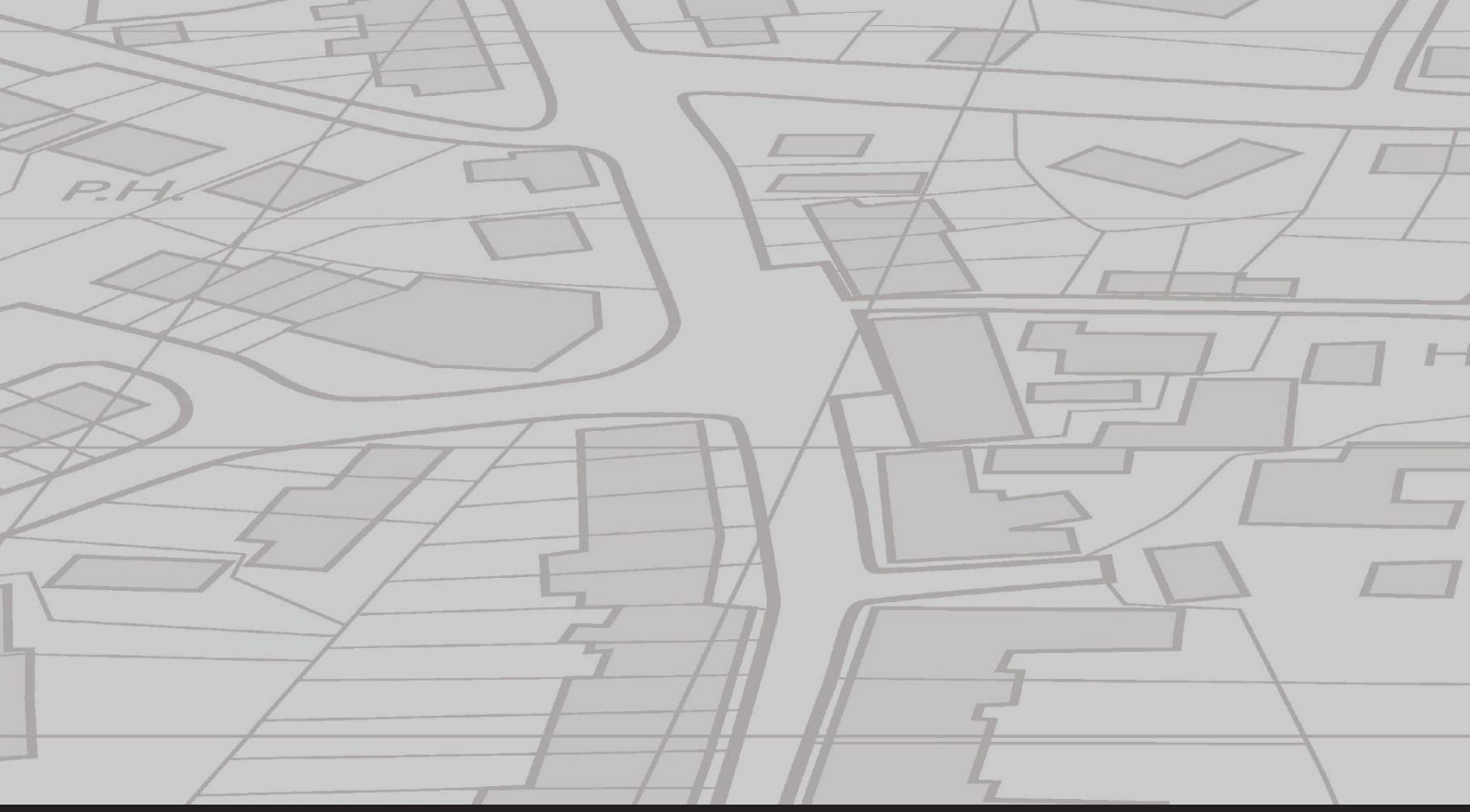
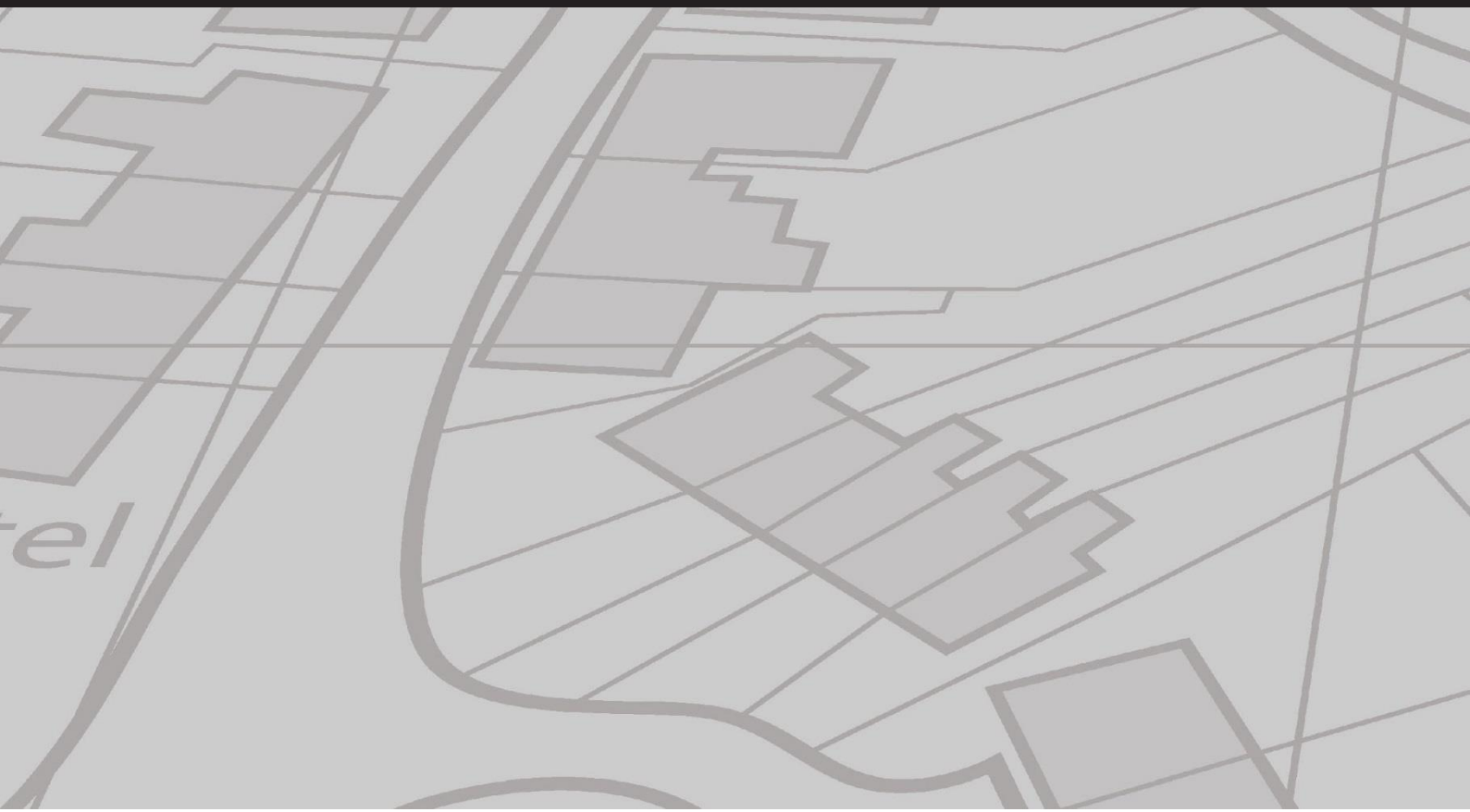


Section 2
SUPPORTING DOCUMENTS

zone
Planning Group



zone Planning Group

Planning Assessment Report

OTHER CHANGE TO A DEVELOPMENT PERMIT
Material Change of Use
- Multiple Dwellings

Prepared for Cuecorp Property Group Pty Ltd

April 2025
Q24167

37 & 37A Arthur Street,
Mermaid Beach

This Report was prepared by

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Zone Ref	Issue	Date	Prepared By	Checked by
Q24167	Draft	04/03/2025	AS	DR
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Appendix 3	City Plan Property Report
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Executive Summary

Aspects of Development

TYPE OF DEVELOPMENT	LEVEL OF ASSESSMENT	APPROVAL SOUGHT
Material Change of Use	Impact Assessment	Development Permit

Overview of Application

Zone Planning QLD have been engaged by Cuecorp Property Group Pty Ltd ('the Applicant') to in accordance with sections 78 and 82 of the *Planning Act 2016*, lodge a Change Application ('Other') to the Development Approval (Council reference: MIN/2024/478) for a Material Change of Use for Apartments (4 units) over land at 37 & 37A Arthur Street, Mermaid Beach, more accurately described as Lot 23 RP41194 and Lot 1 RP85529 ('the site').

The development seeks approval from the City of Gold Coast ('Council') for a 5-storey apartment development with a maximum building height of 18.7m with a single basement level. The basement will include a total of 10 x residential car parking spaces and 1 x visitor space for the 6 x apartments located on the upper levels of the building.

The subject site is unique in terms of its immediate proximity to the Mermaid Beach neighbourhood centre and the soon to be completed Gold Coast Light Rail Stage 3.

Pursuant to the Gold Coast *City Plan 2016 Version 11*, the site is located within the Medium Density Residential Zone and has an Urban Neighbourhood land use designation as per Strategic Framework Map 2 - Settlement (SFM2) pattern.

In accordance with the Material Change of Use Table of Assessment for the Medium Density Residential Zone, a Multiple Dwelling land use is listed as 'Code Assessable' and is subject to a 2-storey / 9m building height provision as provided for by the Building Height Overlay Map. However, as the proposed development exceeds the nominated building height, and seeks to exceed the 50% building uplift provision of the City Plan, the proposal is subject to Impact Assessment. The subject site also has a mapped Residential Density of RD4 (one dwelling per 200m^2) and comprises a total site area of 527.4m^2.

Despite the proposed development exceeding the mapped building height designation for the site, the proposal nonetheless achieves compliance with the Strategic Framework and is of a height and scale commensurate with the intent of the Zone and reflective of the considered development as part of the Light Rail Stage 3 Business Case for more intense development within close proximity to the future light rail stations.

The SEQRP sets a benchmark of 161,700 new dwellings to be provided within the City of Gold Coast local government area by the year 2046. Of which, the SEQRP benchmarks that 10% (16,170 dwellings) be provided in a medium-rise attached format (e.g. mid-rise apartments/units with ground level – street-facing and/or mixed use) by the year 2046. This requires the City of Gold Coast Council to provide on average, 703 medium-rise attached dwellings on a per annum basis until the year 2046, or the equivalent of 117 x 5-storey mid-rise towers with six units (as per this proposal) each per year. This proposal is considered an appropriate

development outcome for the site and directly responds to the benchmarks set out by the SEQRP by providing well-located infill housing opportunity.

This Report overviews the nature of the proposal and provides an assessment of the development against the requirements of the relevant statutory planning documents. Impact Design have supplied a set of detailed Architectural Plans which demonstrate the scale and appearance of the development in the context of the site (**Section 3 – Plans**). A number of specialist or technical reports have been included within **Section 4 – Specialist Reports**, namely Landscape Intent Plans, Traffic & Car Parking Assessment, Waste Management Plan, Acoustic Report, Engineering Infrastructure Report and Stormwater Management Report have been prepared in support of the proposal. The supplied a set of detailed Architectural Plans demonstrate the scale and appearance of the development in the context of the site.

This proposal is considered an appropriate development outcome for the site and directly responds to the benchmarks set out by the SEQRP by providing well-located infill housing opportunities as well as the intended development outcomes of the future Light Rail Corridor planning.

Whilst some alternative outcomes have been proposed to the Codes, these have been fully justified and demonstrated to satisfy the respective Zone Performance Outcomes, Zone Overall Outcomes and the relevant provisions of the Strategic Framework. As elaborated in detail within this Report, the development gains strong support from the higher order Strategic Framework provisions as well as the SEQ Regional Plan and 'relevant matters'.

In summary, the development is considered appropriate for the location providing a high quality contemporary and functional built form design consistent with the emerging modern architectural outcomes for the general Mermaid Beach locality that will further complement and enhance the subject site and the nearby Mermaid Beach commercial precinct, without unduly impacting the amenity currently enjoyed by surrounding and adjoining properties. Further to this, the development will support the Light Rail Stage 3 Business Case for more intense and connected development forms within the light rail corridor and function as an architectural statement for the visually prominent site.

It is therefore requested that the application be approved subject to reasonable and relevant conditions.

A perspective image of the proposed development is provided in **Figure 1** overleaf.

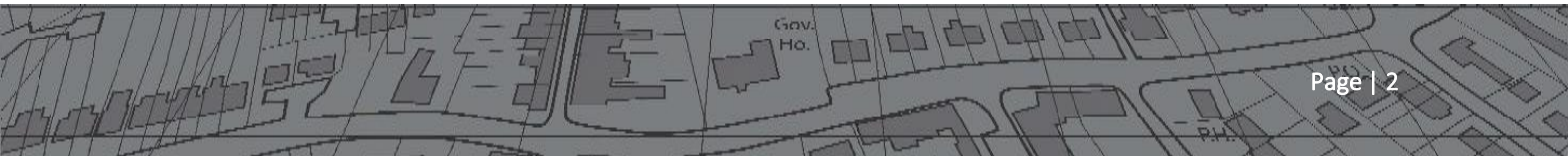


Figure 1: Streetscape Perspective from Arthur Street (Source: Impact Design)

1.0 Site & Surrounding Environment

1.1 Site & Application Details

Table 1: Site & Application Details

Address	37 & 37A Arthur Street, Mermaid Beach QLD 4218
Real Property Description	Lot 23 RP41194 & Lot 1 RP85529
Site Area	527m^2
Land Owner & Applicant	Cuecorp Property Group Pty Ltd
Applicant Contact Details	C/- Zone Planning QLD (Andre Sultan) PO Box 3805, Burleigh Town QLD 4220 07 5562 2303 | asultan@zoneplanning.com.au
Local Government	City of Gold Coast
SEQ Regional Plan Designation	Urban Footprint
Planning Scheme Zone	Medium Density Residential Zone

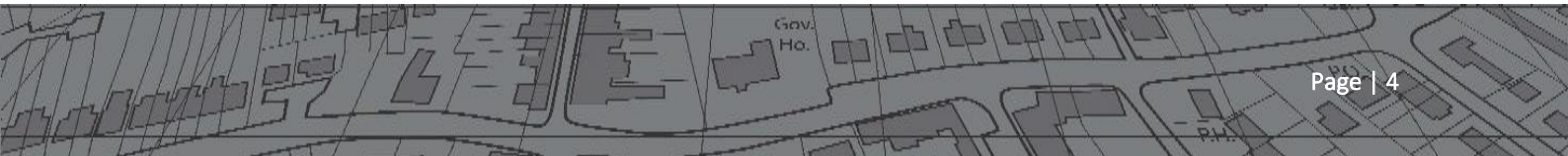
1.2 Site Characteristics

The site comprises of two adjoining lots with a single road frontage to Arthur Street to the south and has a combined total site area of 527m^2. The site is located at the western end of Arthur Street in close proximity to the Gold Coast Highway and is within relative walking distance (210m approx.) to the Mermaid Beach Village. The site is a rectangular configuration and comprises a 13m (approx.) wide frontage to Arthur Street and a 40m (approx.) boundary length.

The site is currently improved by a single detached dwelling which will be removed to facilitate future development. The following information is provided in response to site investigations including searches performed and a site inspection undertaken.

Table 2: Site Location & Characteristics

Topography	The site is relatively level and does not include topographical features of note having been previously developed for a single residential house.
Vegetation & Waterways	The site is not mapped as containing any matters of environmental significance. There is no existing vegetation on-site worthy of retention outside the City Plan exempt clearing provisions of the Vegetation Management Code.
Availability of Services	The site has all services available to it – water, sewer, stormwater, electrical, natural gas and telecommunications. These services are located within the road reserve to the front of the site. This has been documented further within the Engineering Infrastructure Report prepared by Pinnacle Engineering Group and included within **Section 4 – Specialist Reports**.
Allotment Dimensions	The site is of a rectangular configuration with a frontage to Arthur Street of approximately 13m and a boundary length of approximately 40m.



Current Use & Improvements	The site is currently improved by a single detached dwelling.
Other Constraints	The site not burdened by, nor does it benefit from the existence of any easements. No other constraints have been identified on the site.

Figure 2 below shows a recent aerial of the subject site in the context of the immediate area.

Figure 2: Aerial Image of the Subject Site – Image date 23 June 2024 (Source: Nearmap)

The following figures below illustrate the subject site in its current condition and detail of the development character of the immediately surrounding area.

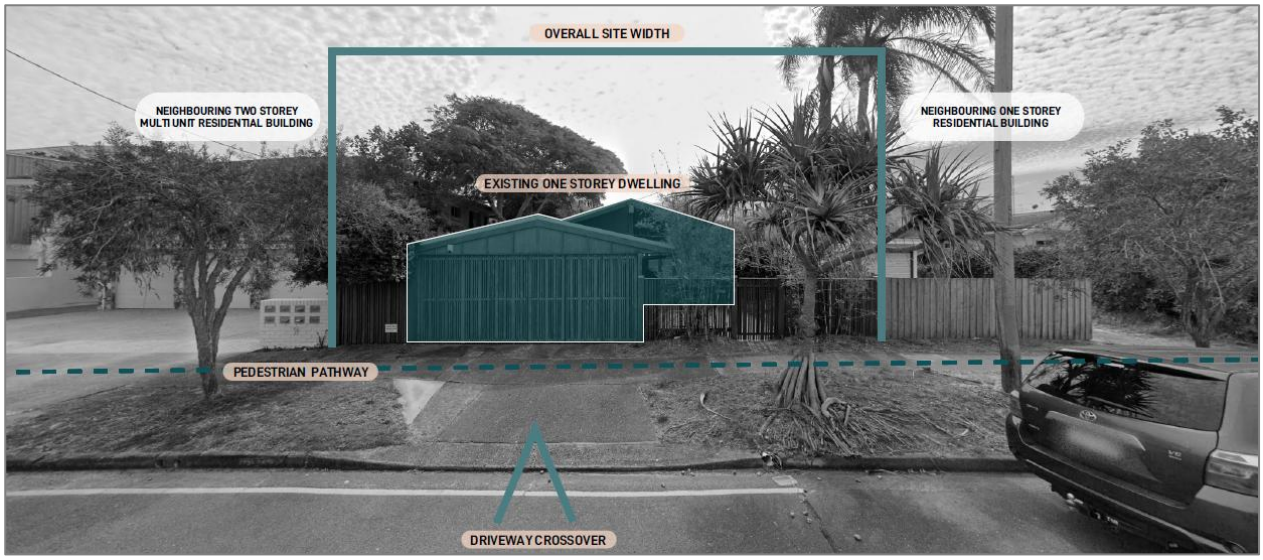


Figure 3: Subject Site viewed from Arthur Street (Source: Impact Design)

1.3 Site Surrounds

The surrounding area supports a mix of low and medium density residential developments ranging from townhouse and apartment style dwellings to low density detached dwellings, in addition to various commercial land uses that provide residents with convenient access to all essential services. The area has been subject to numerous higher density and medium rise approvals that are under construction or yet to be constructed and are reflective of the emerging higher density residential character that is being established in the Mermaid Beach locality, albeit along the Gold Coast Highway and Albatross Avenue.

Figure 4 below provides an aerial view of the site in the context of the existing features within the Mermaid Beach locality.

Figure 4: Context to the Surrounding Area (Source: Impact Design)

1.3.1 Surrounding Area Overview

1.3.1.1 Land Use

The local area consists of a diverse range of land uses where these are generally grouped in specific precincts. The Broadbeach Principal Centre located to the north of the site consists of a broad range of land uses with a large amount of retail (both large and small format), dining and commercial activities anchored by the Star Casino, Oasis Centre, Pacific Fair Shopping Centre and the Convention Centre. These facilities attract large numbers of visitors to the area every year and as a result, Short-Term Accommodation is a predominant land use within the Broadbeach area. The area's quality access to public transport, the above listed activities, and

open space make the area a desirable place to live where permanent accommodation also features heavily within the Broadbeach area.

Pacific Fair Shopping Centre is located to the north-west of the site and consists of 16.6Ha of intensive shopping centre land. The Centre comprises of large format retail, small boutique shops, food and beverage, cinemas, commercial floor area and extensive car parking.

Land uses in Mermaid Beach primarily consist of permanent accommodation within detached dwelling, duplex and small-scale apartments scattered along the Gold Coast Highway.

Within the more immediate area, land uses include small scale commercial, shops and service industry activities primarily located at the Mermaid Beach Village and Plaza. Land uses fronting the Gold Coast Highway are more akin to retail activities, food and beverage, gymnasiums, barbers and beauticians, health care services and offices.

1.3.1.2 Access & Movement

The site is located within a highly accessible area of the City within close proximity to the Gold Coast Highway, one of the City's key north/south connectors. The under construction Mermaid Beach South Light Rail station is located within 150m walking distance of the site offering convenient access to the City's primary public transport service. Several existing bus stops are also located within immediate proximity to the site along Gold Coast Highway. **Figure 5** below demonstrates the Mermaid Beach South Light Rail Station in proximity to the subject site.

Figure 5: Mermaid Beach South Light Rail Station (Source: Goldlinq)

The proximity to the light rail has been acknowledged through Council's Neighbourhood Framework mapping exercise for the Broadbeach to Burleigh Heads corridor with the site being included within the immediate walking distance to the Mermaid Beach South Station as shown in **Figure 6** below.

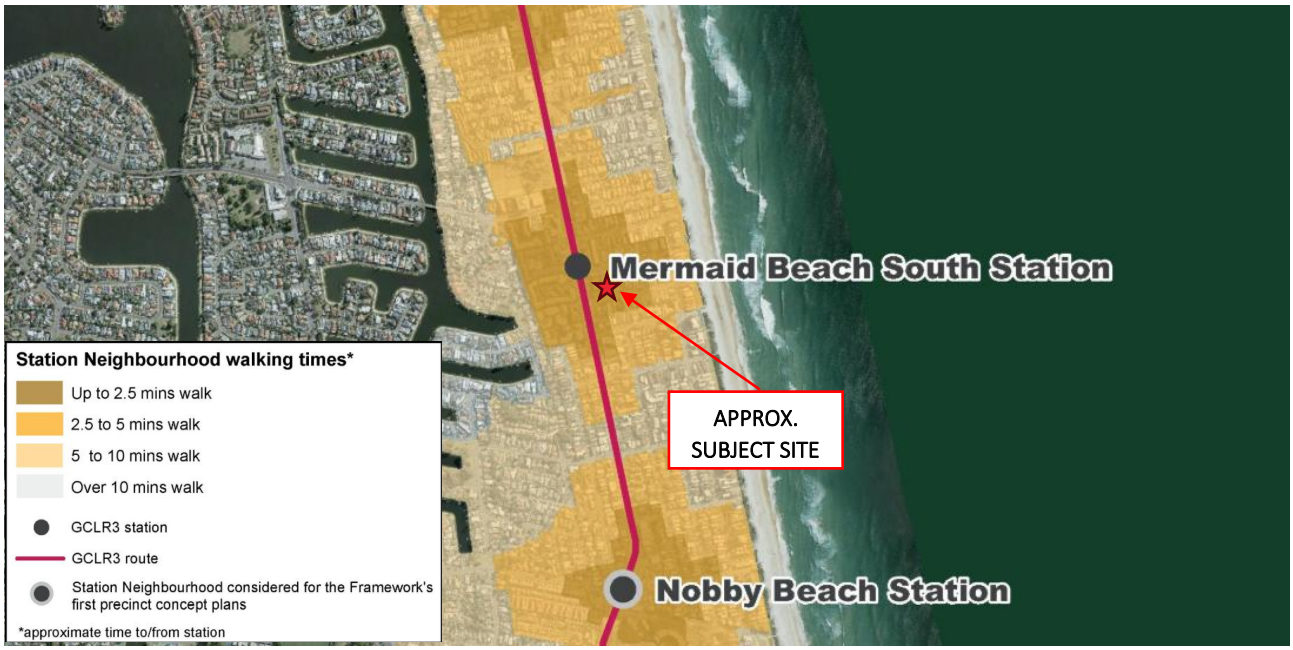


Figure 6: Burleigh Heads Walking Times (Source: City of Gold Coast)

Of importance to the development is the *Project Business Case Evaluation Summary* prepared by *Infrastructure Australia* dated 23 August 2019 which reviews the business case and strategy to the Gold Coast Light Rail: Stage 3A. Specifically, it is noted within the business case that:

> *"This project, known as Stage 3A, would replace existing bus services between Broadbeach South and Burleigh Heads with light rail services and implement a complementary urban renewal and economic development strategy in the light rail corridor. The strategic case for the project is largely dependent on the realisation of urban renewal and increased urban density".*

Figure 7: Extract of Gold Coast Light Rail: Stage 3A Business Case (Source: Infrastructure Australia)

The achievement of high urban densities along this corridor supports the Federal Government's financial contribution of hundreds of millions of dollars towards Stage 3 of the light rail, noting that the total cost of the project now exceeds $1 billion when the business case was based on assumed costs of approximately $709 million.

The proposal will be jointly funded by the Federal and State Governments, and Gold Coast City Council at a total cost of approximately $1.2 billion and is estimated to be completed in 2025/2026.

Page 1 of the business case states that:

> *'The strategic case for the project is* ***largely dependent on the realization of urban renewal and increased urban density'***

Page 2 states that:

> *'The proponent's business case has found that only a small proportion (around one-quarter) of the first-round transport benefits are attributed to public transport users.* ***The remaining benefits are primarily resulting from road decongestion and the redevelopment of land within the proposed light rail corridor.*** *Infrastructure Australia believes these benefits are disproportionately high and would expect public transport benefits to be higher for a project of this size and nature.*
>
> *Overall, Infrastructure Australia considers the total benefits of the project to be close to its total costs.* ***The project's strategic merit will be dependent on the appropriate land use changes being realised and mode shift to light rail being achieved, which will necessarily require proactive government policies,*** *including strongly-focused mode shift and traffic management policies'.*

Page 3 states that:

> *'The proponent has stated that urban renewal cannot be achieved between Broadbeach South and Burleigh Heads because of poor public transport accessibility'.*

Page 4 states that:

> *'The project also involves substantial levels of urban renewal, including potential land use zoning changes within the Stage 3A corridor.* ***The estimated population increase attributable to the project within the light rail catchment by 2041 is 26,000 additional people*** *and 5,760 additional jobs'.*

Page 5 states that:

> *'The second-round transport benefits are based on the land use changes and densification forecast by the proponent for the southern Gold Coast corridor.* ***By 2041, the business case suggests that an additional 26,000 people will live in this corridor****'.*
>
> *'….. Infrastructure Australia is concerned that the proponent's forecast land use changes, and the benefits from these changes, are overstated.* ***The level of urban renewal that can be achieved from the project will be critical in achieving the benefits of the project****, and returning economic, social and environmental value beyond its costs'.*

Summary

Stage 3 light rail is currently under construction. It is apparent that the business case for Stage 3 light rail is heavily dependent upon economic uplift assumptions associated with the redevelopment of land along the

light rail corridor, including significant new residential development within 400m walking distance of stations, to which the proposal achieves.

In summary, it is evident that the site is located within one of the most highly accessible and well serviced areas within the City with regard to proximity to high frequency transport, commercial services, retail services and public recreation space. It is therefore extremely well positioned in term of its ability to cater for increased residential densities and building height outcomes.

A detailed summary of the immediately surrounding developments is summarised in **Table 3** below.

Table 3: Site surrounds

NORTH	To the immediate north of the site is a two storey dwelling. Further north is a mix of single detached dwellings, duplexes and multi-unit arrangements.
EAST	Immediately east of the site is a one storey dwelling. Further east is a continuation of single houses, duplexes and multi-unit buildings before reaching Hedges Avenue and the beachfront further east.
WEST	To the west of the site is a two storey multi-unit building. Further west is the Gold Coast Highway which is experiencing an emergence of more intense built forms to support the light rail and provide for well-located living arrangements.
SOUTH	Immediately south of the site is Arthur Street, Further south is a continuation of the character described above.

2.0 Background

2.1 Previous Approvals

On 13 February 2025, Council approved a Change to the existing Apartments approval (Council Reference: MIN/2024/478) for a 3-storey and 13.3m apartment building containing 4 x units. The approved streetscape elevation is shown within **Figure 8** below.

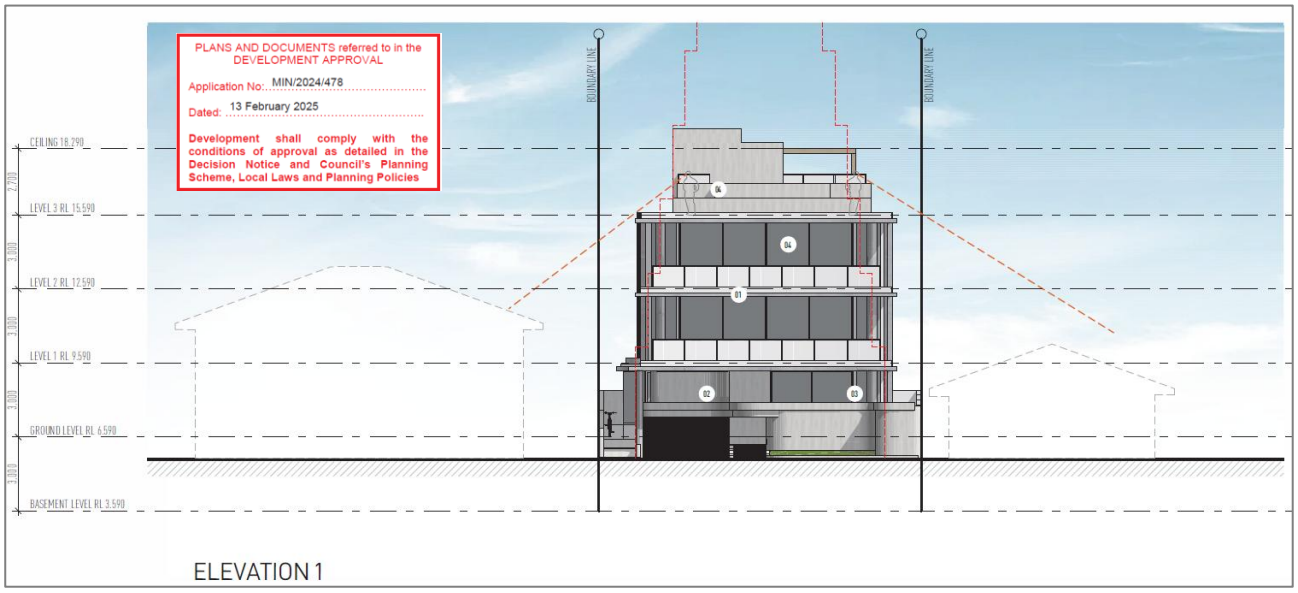


Figure 8: Approved Elevation – MIN/2024/478

The proposed application seeks to amend the existing approval.

2.2 Prelodgement Meeting

A Prelodgement Meeting was not held with Council Officers.

3.0 Proposed Development

3.1 Development Description

The proposed 'Other' Change seeks to modify the existing approval (Council Reference: MIN/2024/478) to make the following amendments:

- Increase the number of units from 4 to 6.
- Increase overall building height from 3-storeys and 13.3m to 5-storeys and 18.7m.
- Increase in carparks from 10 to 11.

Figure 9 below shows the comparison of the existing stamped approved Section A with the proposed revised layout.

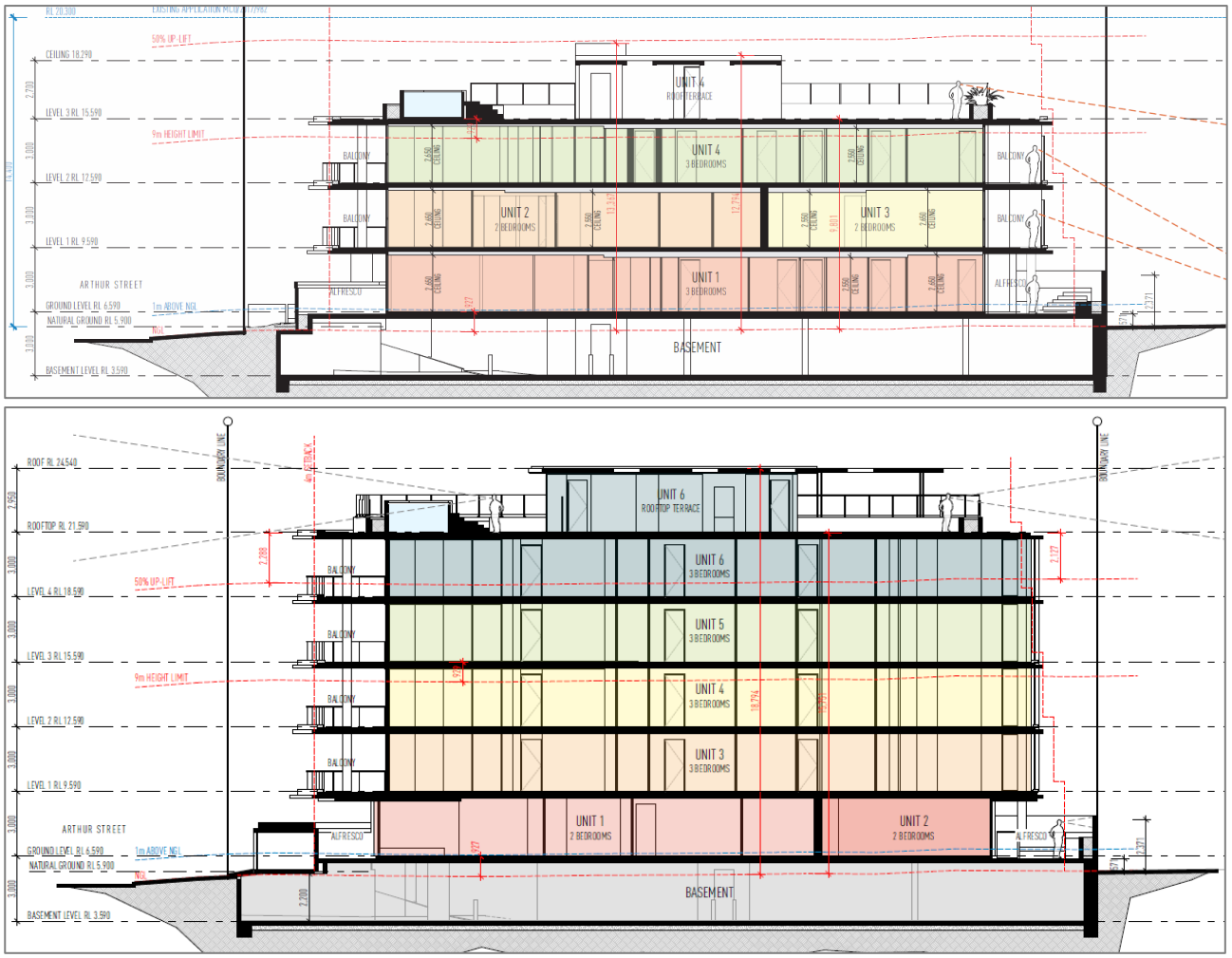


Figure 9: Comparison of Approved Plan (Top) & Proposed Plan (Bottom) (Source: Impact Design)

Figure 10: Streetscape Perspectives – Approved (Left) & Proposed (Right) (Source: Impact Design)

3.2 Overview of Development Specifics

3.2.1 Building Height

The subject site is identified on the Building Height Overlay Map as having a height provision of two storeys and 9m. The proposal has a maximum building height of 5-storeys with a rooftop terrace and 18.7m, which exceeds the prescribed building height.

Whilst the subject site has a mapped building height of two storeys / 9m, with the application of the 50% building height uplift provision enabling a 3-storey / 13.5m building height outcome providing the uplift criteria is achieved, the proposal seeks to exceed the 50% uplift height provisions based on strong contextual circumstances and an overwhelming need for housing in the City. An extract from the proposed building elevation plan is provided in **Figure 11** below.

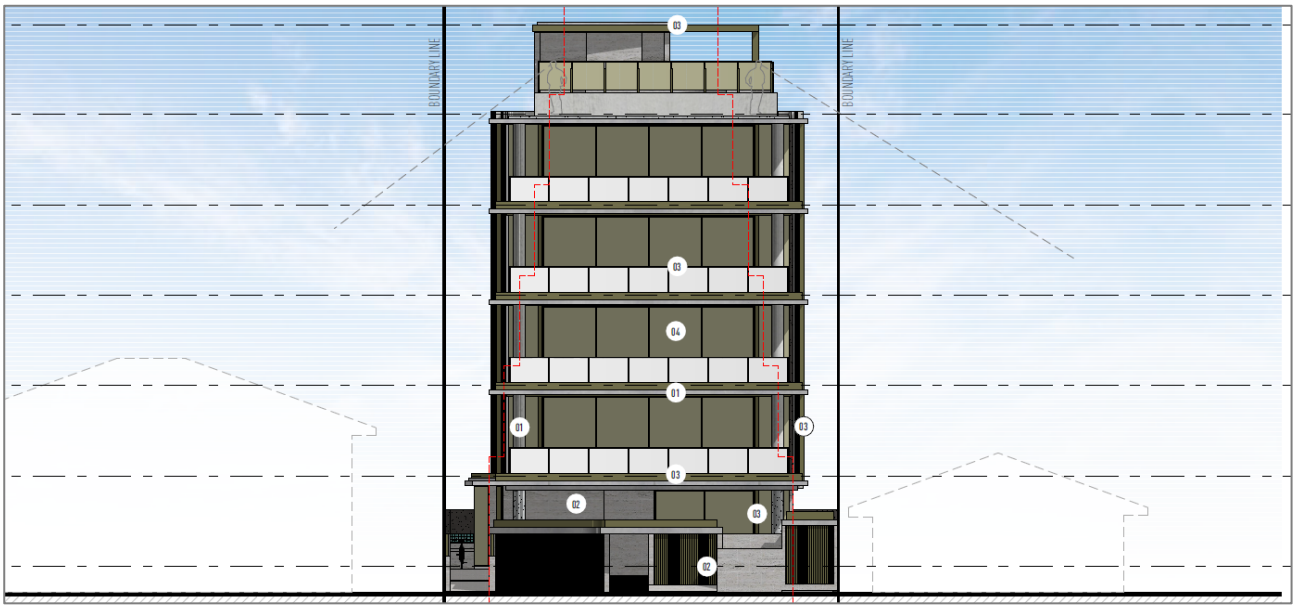


Figure 11: Proposed Southern Elevation (Source: Impact Design)

A full assessment against the uplift criteria is provided within Section 6.9.

3.2.2 Unit Mix & Residential Density

The amended development proposes to increase the density to 6 units in the following configuration:

→ 2 x 2-bedroom units
→ 4 x 3-bedroom units
Total bedrooms = 16

The changed development increases the approved dwelling density from one unit per 131.75m² of site area to one dwelling per 87.9m² of site area. The proposal increases the approved bedroom density from one bedroom per 52.74m² of site area to one bedroom per 32.9m² of site area.

The site is mapped within the RD4 – 1 dwelling/200m² overlay area and therefore exceeds the mapped density. Further discussion on this has been provided within Section 6.9 below.

3.2.3 Site Cover

The proposal seeks for the following revised site cover per level.

- Ground Level = 50.5% (Approved 55.4%)
- Level 1 = 59% (Approved 58.4%)
- Level 2 = 59% (Approved 58.4%)
- Level 3 = 59%
- Level 4 = 59%
- Rooftop = 9.8% (Approved 8.1%)

The design of the tower results in a highly articulated built form, which provides for a feeling of openness in the skyline and highly articulated façade through recesses, defined balcony lines and curvature in the built form. Further discussion on this has been provided within Section 6.9 below.

3.2.4 Setbacks

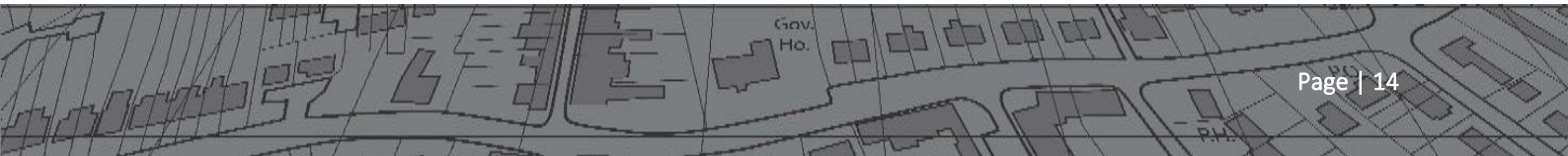
The proposed amendments seek to mostly maintain the approved setbacks across the new upper levels.

A summary of the proposed building setbacks is provided within **Table 4** below, with the approved setbacks noted in green.

Table 4: Minimum Proposed setbacks

	North (Rear)	South (Front)	East (Side)	West (Side)
GROUND LEVEL	4.7m (3.1m)	6.6m (5.0m)	1.5m (1.1m)	1.0m (1.0m)
LEVELS 1-4	2.8m Levels 1 & 2 = 3.0m	3.6m Levels 1 & 2 = 3.6m	1.5m Levels 1 & 2 = 1.1m	1.8m Levels 1 & 2 = 1.5m
ROOFTOP	13.9m (15.1m)	14.7m (15.4m)	5.6m (5.6m)	3.0m (3.0m)

The typical floor layouts and setbacks are better detailed through **Figure 12** below.



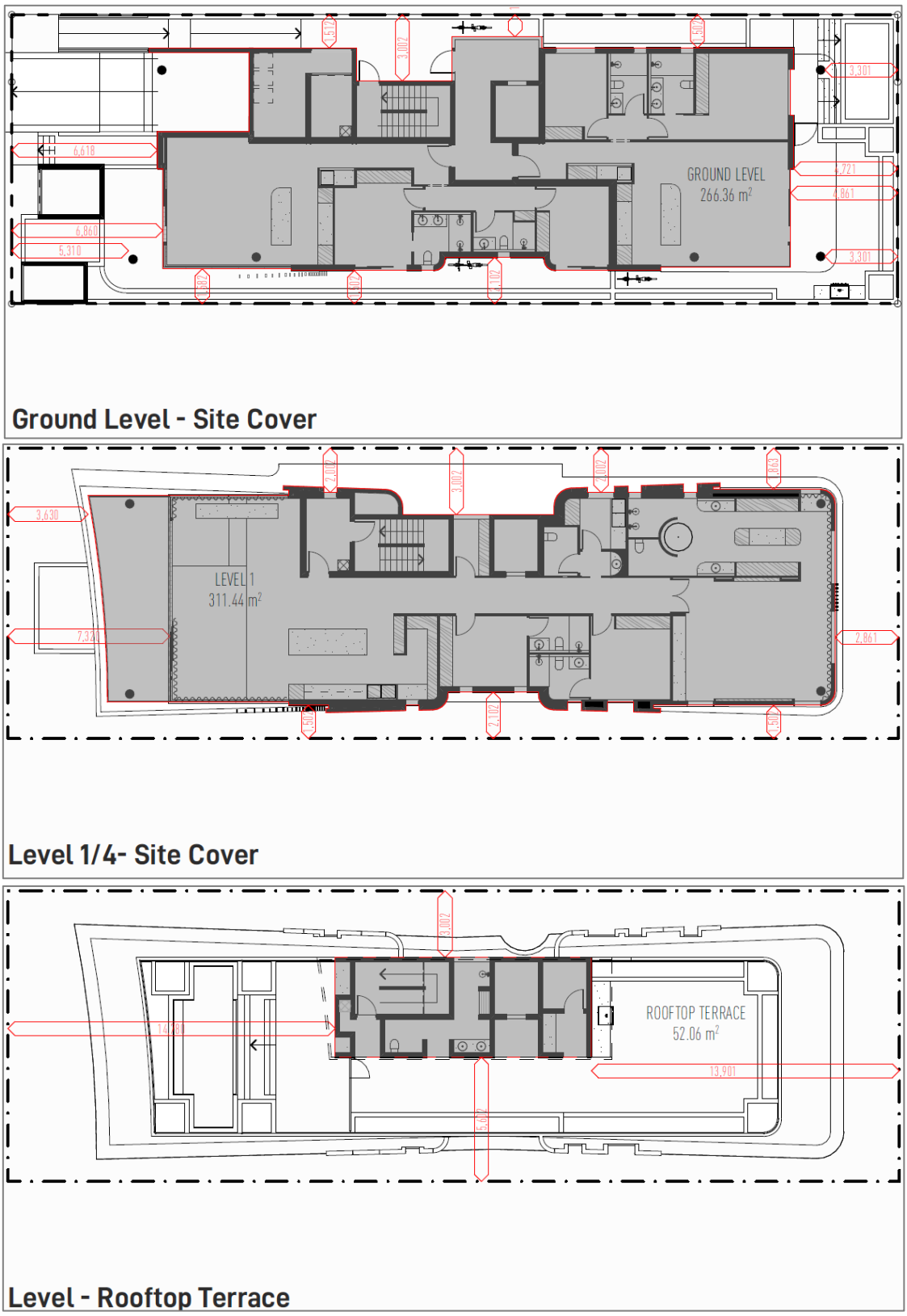


Figure 12: Typical Floor Plan Layout - Setbacks (Source: Impact Design)

Further detailed assessment and discussion on this has been provided within Section 6.9 below.

3.2.5 Vehicular Access, Servicing & Car Parking

The basement design and vehicle access to Arthur Street remains almost identical with the approved layout with exception to the introduction of an additional carparking space and a minor rearrangement internal to the basement.

The car park provision for the development has been calculated based on current car parking rates as stated in Council's Transport Code. A breakdown of the car parking calculation is provided below in **Table 5**.

Table 5: Car Parking Provision

PARKING RATES	TYPE	QUANTITY	PARKING RATE	REQUIRED	PROPOSED
Multiple Dwelling	2-bed	2 units	1.25 space per unit	2.5	10
	3-bed	4 units	1.5 spaces per unit	6	
	Visitor	6 units	where 5 to 6 dwellings, 2 for visitor parking	2	1
			TOTAL	**11 spaces**	**11 spaces**

Whilst the development provides for an overall surplus of residential carparking, the development seeks a relaxation to the visitor car parking requirements by 1 space. Additionally, whilst not currently considered through the current City Plan, it is considered that the presence of the under construction Light Rail and in particular the site's proximity to same will provide for sufficient grounds to seek for the relaxation of visitor spaces.

No changes are proposed to the approved servicing arrangement, which seeks to utilise kerbside servicing and waste collection.

A Traffic Impact Statement prepared by Zeka Corp has been completed and is included within **Section 4 – Specialist Reports**.

3.2.6 Pedestrian Access

The proposal maintains pedestrian access to the building from the western side of the basement ramp, with additional pedestrian access provided to the basement to the eastern side of the ramp.

3.2.7 Private Open Space

All units are provided with balconies directly accessible from the living areas with an additional private open space area located on the rooftop for Units 5 & 6 only. The balconies are a minimum of 29m^2 with the ground level Unit 1 having a courtyard area of 18m^2.

3.2.8 Communal Open Space

No communal open space is proposed as part of the revised development layout.

3.2.9 Waste Management

A Waste Management Plan has been prepared by MRA Environmental for the development and has been included as part of the supporting material for the assessment of the application (**Section 4 – Specialist Reports**).

3.2.10 Landscaping

Lead Design Group have supplied a Landscape Plan package for the development application, refer to **Section 4 – Specialist Reports** of this submission. These Plans demonstrate the proposed landscaping throughout the development. The proposal has been designed to present a varied planting outcome which includes cascading species that will present a visually interesting façade and soften the built form.

4.0 Specialist Reports

The following technical or specialist reports have been submitted in support of the application and are provided in **Section 4** of the application submission:

SPECIALIST DOCUMENTATION	PREPARED BY
STATEMENT OF LANDSCAPE INTENT	Lead Design Group
TRAFFIC IMPACT STATEMENT	Zeka Corp
ACOUSTIC REPORT	CRG Acoustics
STORMWATER MANAGEMENT PLAN	Pinnacle Engineering Group
ENGINEERING INFRASTRUCTURE REPORT	Pinnacle Engineering Group
WASTE MANAGEMENT PLAN	MRA Environmental

5.0 Statutory Planning Framework – State Legislation

5.1 Planning Act 2016

This section provides an overview of the legislative context of the application under the provisions of the *Planning Act 2016* and associated Planning Regulation 2017.

5.1.1 Assessable Development

The proposed development is made assessable under Section 45 of the *Planning Act 2016* by either Schedules 9 and 10 of the Planning Regulation 2017 or a Local Government's Planning Scheme. Furthermore, given the Assessment Manager for the application is the Local Government, the application is required to be assessed against the assessment benchmarks identified within the:

- Local Planning Scheme;
- Regional Plan for the region and the State Planning Policy – Part E (to the extent that they are not identified within the Scheme); and
- Any temporary State Planning Policy applying to the premises.

5.1.2 Referral Agencies

The development has been reviewed in light of Schedule 10 of the Planning Regulation 2017.

In this regard, the application triggers referral to the Department of State Development, Infrastructure, Local Government and Planning - State Assessment and Referral Agency (SARA). As per SARA's online mapping, the following referral triggers are applicable to this application:

Table 6: Referral Triggers

SCHEDULE 10 DEVELOPMENT ASSESSMENT			
Referral Type	**Referral Agency**	**Assessment Benchmarks**	**Trigger**
Part 9: Infrastructure Related Referrals **State Transport Corridors & Future State Transport Corridors**	The Chief Executive	SDAP	*Development application for a material change of use, other than an excluded material change of use, that is assessable development under a local categorising instrument, if all or part of the premises—* *(a) are within 25m of a State transport corridor; or* *(b) are a future State transport corridor; or* *(c) are—* *(i) adjacent to a road that intersects with a State controlled road; and* *(ii) within 100m of the intersection*

5.1.3 Public Notification

As per section 53 of the *Planning Act 2016*, this application triggers the requirement to undertake public notification given the application requires Impact Assessment. The Application seeks approval for a Development Permit and will be notified for a minimum of 15 business days.

5.1.4 South East Queensland Regional Plan 2023

The subject site is contained within the Urban Footprint land use designation under the SEQ Regional Plan, *ShapingSEQ,* which broadly speaking, is intended to cater for the region's urban development needs until the year 2046.

The proposed development constitutes an urban activity which supports the intent of the Urban Footprint designation by providing further housing supply to accommodate future population growth through urban consolidation.

The SEQRP sets a benchmark of 161,700 new dwellings to be provided within the City of Gold Coast local government area by the year 2046. Of which, the SEQRP benchmarks that 10% (16,170 dwellings) be provided in a medium-rise attached format (e.g. mid-rise apartments/units with ground level – street-facing and/or mixed use) by the year 2046. This requires the City of Gold Coast Council to provide on average, 703 Medium-Rise attached dwellings on a per annum basis until the year 2046. This proposal is considered an appropriate development outcome for the site and directly responds to the benchmarks set out by the SEQRP by providing well-located infill housing opportunity.

The following elements and strategies of the SEQRP are considered relevant to the development:

<u>Goal 1 - Grow</u>
Outcome 1: Efficient Land Use
Strategy 1.2 *– Prioritise unlocking underutilised land in the Urban Footprint.*

Outcome 2: Housing Supply
Strategy 2.1 *– Plan for and achieve the dwelling supply targets (including sub-targets) to 2031 and 2046 in Figure 2 and to 2046 in Figure 3 and Figure 5 (extracted below).*

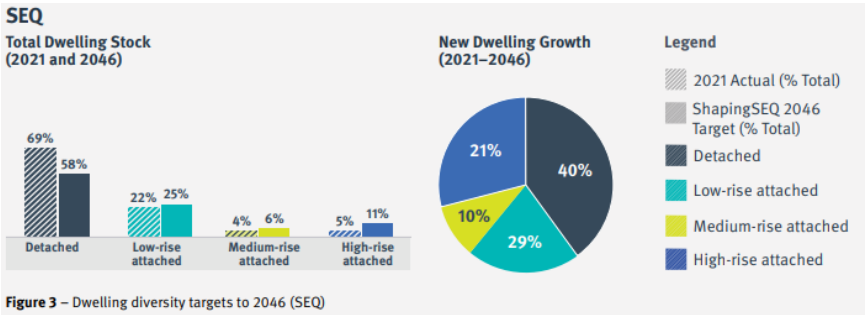
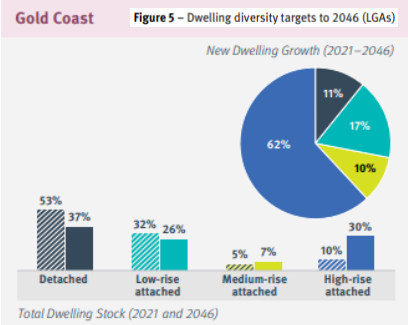


Figure 3 – Dwelling diversity targets to 2046 (SEQ)



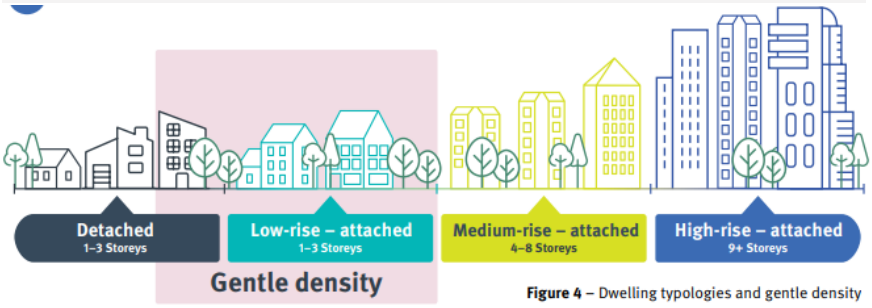


Figure 4 – Dwelling typologies and gentle density

Outcome 3: Housing Diversity
Strategy 3.1 *- Plan for and achieve dwelling diversity sub-targets in Figure 3 and Figure 5.*

Strategy 3.2 *- Facilitate increased gentle density across SEQ in consolidation and expansion areas (such as free-standing small lots or freehold title terrace-style development).*

Urban Footprint Principles
2 - Opportunities to increase capacity within the Urban Footprint take priority over expanding its boundaries in subsequent regional plan review processes.

Southern sub-region – Outcomes for Grow
Outcomes *– A strong focus on consolidation around major urban centres and along the light rail urban renewal corridor and its future extensions.*

Outcome (a) *- Further growth and urban renewal along the light rail corridor will provide a cohesive corridor of high-quality mixed-use environments. This corridor provides increased housing density and diversity outcomes that respond to the local circumstances and character of each station and centre. Economic development opportunities, and housing choice and affordability will also be maximised along this corridor*

In summary, it is submitted that the proposed development outcome facilitates the achievement of and is therefore consistent with not only the intent of the Urban Footprint classification but associated goals, elements, strategies and planning principles under the SEQ Regional Plan.

5.1.5 State Planning Policy

The State Planning Policy (SPP) 2017 came into force on 3 July 2017. Applicants are required to assess development applications against the current version of the SPP to the extent of the inconsistency between the current SPP and version reflected in the Planning Scheme.

In the case of the Gold Coast City Plan 2016 (v11), State interests associated with the former July 2014 iteration of the SPP, excluding those relating to natural hazards (coastal erosion and storm tide inundation) were integrated into the Scheme. However, with the commencement of the *Planning Act 2016* on 3 July 2017 and associated introduction of the July 2017 version of the SPP, Gold Coast City Plan 2016 (v11) has not been updated to reflect the latest State interests, specifically in regard to the 'natural hazards, risk and resilience (coastal hazards), Biodiversity (Policy 2) and Water Quality (Policies 4 & 5)' themes.

In the context of this application, the subject site is not mapped in a Coastal Management District and is not within an erosion prone or storm tide inundation area (refer **Appendix 2**). No further assessment is therefore required against the SPP.

The SPP also includes specific policy direction to support for flexible planning arrangements and provide for integrated development. Specifically, page 23 of the July 2017 Queensland State Planning Policy states that:

> *'To support the delivery of affordable housing and housing choice, local planning instruments will need to incorporate flexible planning arrangements and avoid or minimise regulatory barriers or inefficiencies'.*

Page 24 states that:

> *'All of the following state interest policies must be appropriately integrated in planning and development outcomes, where relevant. (1) Land for housing development and redevelopment in areas that are accessible and well-connected to services, employment and infrastructure are identified. (2) The*

development of residential land is facilitated to address and cater for all groups in the current and projected demographic, economic and social profile of the local government area, including households on low to moderate incomes'.

Council has obligations under the Queensland State Planning Policy to cater for housing supply and diversity under the SPP.

6.0 Statutory Planning Framework – Local Legislation

This Development Application is to be assessed under the provisions of City of Gold Coast's *City Plan 2016 (V11)* ('the City Plan'). This section of the Report addresses the components of the City Plan that apply to the proposed development.

6.1 Land Use Definition & Level of Assessment

The proposed development is defined as Multiple Dwelling pursuant to the City Plan, as per the following:

> ***Multiple Dwelling***
> *"A residential use of premises involving three or more dwellings, whether attached or detached, for separate households."*

As identified within the City Plan's online mapping service, the subject site is located within the Medium Density Residential Zone. As per the respective Table of Assessment for the Medium Density Residential Zone the proposed Multiple Dwelling land use is listed as Code Assessable development. However, the proposal's exceedance of the 2-storey & 9m designation of the Building Height Overlay Map applicable to the site elevates the development application to Impact Assessment.

6.2 Assessment Benchmarks

As per s82(2) of the *Planning Act 2016*, an application for an 'Other' Change is required to be assessed in the context of the development approval against the requirements of the development assessment rules as if *'the change application were the original development application, with the changes included, but was made when the change application was made'.*

As per the s45(5) of the *Planning Act 2016*, an Impact Assessable application and its assessment must give weight to the assessment benchmarks identified in a categorising instrument.

Table 7: Assessment Benchmarks

ZONE CODES	OVERLAY CODES	USE CODES	OTHER DEVELOPMENT CODES
• Medium Density Residential Zone	• Acid Sulfate Soils • Airport Environs • Coastal Erosion Hazard	• Multiple Accommodation	• Driveways & Vehicular Crossings • General Development Provisions • Healthy Waters • Solid Waste Management • Transport

In addition to the above, section 45(5) outlines that the assessment of this application may be carried out against, or having regard to, **any other relevant matter**, including (but not limited to) items such as:

- Planning need;
- The current relevance of the assessment benchmarks; and
- Whether assessment benchmarks or other prescribed matters were based on material errors.

6.3 Strategic Framework

In order to show due process in the assessment of this development, and to reinforce the suitability of the proposed development, the following provides an assessment of the proposal against the respective provisions of the Strategic Framework.

6.3.1 Strategic Framework Mapping

The subject site is located within an established urban area and as per Strategic Framework mapping (SFM-2) has an Urban Neighbourhood land use designation (see **Figure 13**).

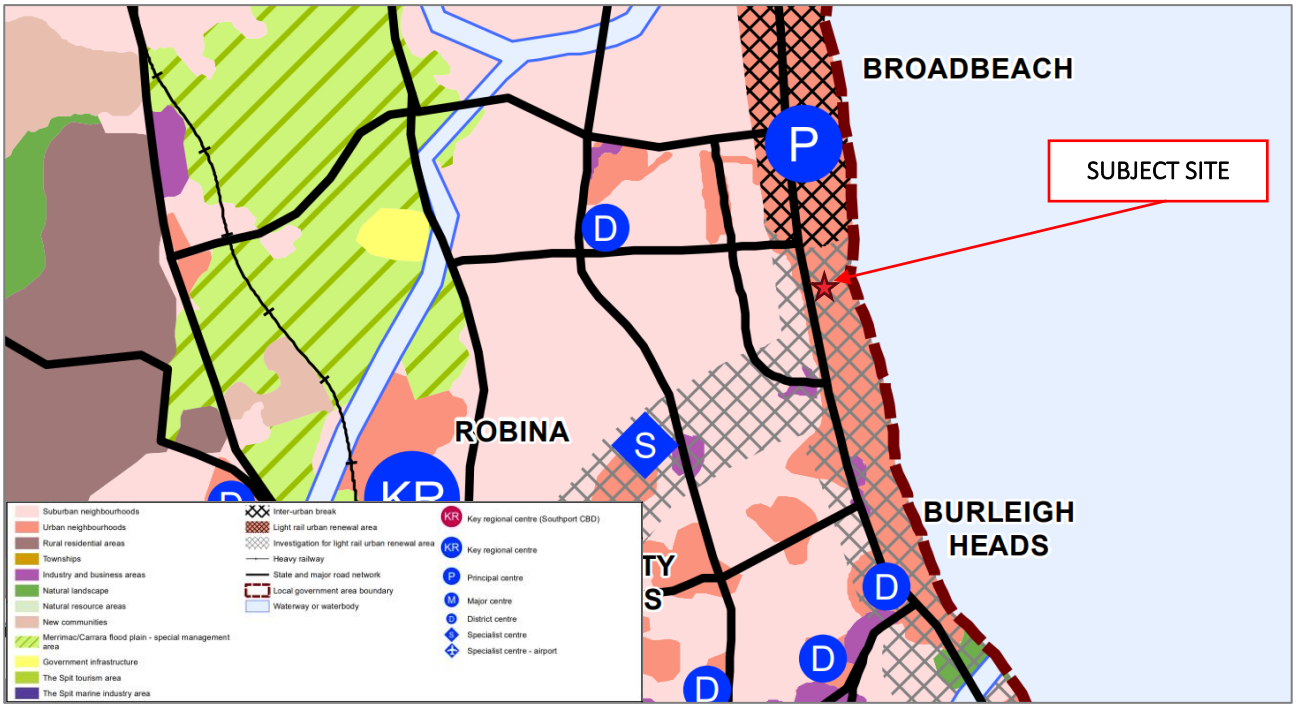


Figure 13: Strategic Framework Map 2 - Settlement Pattern

6.3.2 Strategic Framework Assessment

The following assessment applies the site's Strategic Framework Mapping attributes to the provisions of the Strategic Framework.

STRATEGIC INTENT

The Strategic Intent sets out planning vision for the City and provides a synopsis of the Strategic Framework. The proposed development is considered to align with the following relevant statements within the Strategic Intent:

3.2.1 – WORLD-CLASS CITY

The following statements from Section 3.2.1 are considered relevant to the assessment:

> *"This City Plan represents a major shift from development on the city's fringe to redevelopment of urban centres and key inner-city neighbourhoods. This will achieve an orderly and economically*

efficient settlement pattern and ensure our existing non-urban areas, places like the hinterland ranges and foothills, are protected.

As part of this, some urban areas will be renewed and transformed thanks to investment in world-class transport infrastructure, while other urban areas will be protected to maintain their existing appearance and amenity, or business function.

The City Plan supports greater development intensity and smaller lot sizes in the city's well-serviced and highly urbanised areas while requiring lower development intensities and larger lot sizes in areas where services and infrastructure are not as advanced and to provide a transition to the city's non-urban areas."

Comment

The development proposes urban renewal for two older land parcels within a key inner-city neighbourhood that is located close to services and infrastructure. The land in its current state is not high in amenity values and its redevelopment for a more intensive urban purpose will result in positive amenity outcomes for the locality and wider area.

3.2.2 – CITY SHAPE AND URBAN TRANSFORMATION

The following statements from Section 3.2.2 are considered relevant to the assessment:

"The Gold Coast needs around 130,000 new dwellings and 150,000 new jobs to support population growth over the next 20 years. Because the Gold Coast's urban areas (as shown on strategic framework map 1) will not significantly expand, the majority of these dwellings (around two-thirds) will occur in the consolidation area, particularly in renewed and transformed centres and key inner-city urban neighbourhoods.

Urban renewal and transformation will see an intentional city shape emerge. Growth and development will be concentrated in an integrated network of well serviced urban places – places with good access to public transport, services and infrastructure assets, or places where improvements to public transport provide a catalyst for mixed use development and higher density living.

Development intensity in the city's urban area will generally increase to align with improved public transport services and the augmentation of essential infrastructure networks. The city's integrated transport system will be the centrepiece of how we manage the city's growth, providing new transport choices, trends and patterns, spearheaded by the light rail line initially between the Gold Coast Health and Knowledge Precinct and Broadbeach and a rapid bus network. The light rail will be a catalyst to transform the city into a highly connected, compact city with vibrant centres, specialist precincts and urban renewal corridors…"

Comment

The subject site is within the Urban Consolidation Area where the majority of the City's rapidly expanding population is intended to be housed over the next 20 years. The proposed development involves urban renewal of a site with desirable contextual attributes for urban purposes. The site is mapped within immediate walking distance to a High Frequency Public Transport Route and within 150m of the Mermaid Beach South Light Rail station. It is clear that the City anticipates investment and a significant increase in development intensity where within proximity to the City's Light Rail network. The subject site is suitable for urban renewal and transformation based utilising the Light Rail as catalyst.

"While public transport investment will offer enormous potential for some areas to be renewed, building height and form will continue to vary across the city, including areas where building heights are planned to change abruptly to achieve a deliberate and distinct contrast in built form. This will reinforce community identity, create a sense of place, support housing choice and affordability and reflect the city's different places and spaces.

The city's tallest buildings will continue to be located in Southport, Surfers Paradise and Broadbeach, enhancing the city's iconic skyline views and building towards our status as a world-class city. Outside these areas, medium and high-rise buildings will be concentrated in mixed use centres and specialist centres to reinforce urban legibility, centre identity, sense of place and specific urban neighbourhoods."

Comment

As identified in the Strategic Framework Mapping table above, the subject site is located within an Urban Neighbourhood and within the Light Rail Urban Renewal Area where high intensity housing is encouraged.

Summary

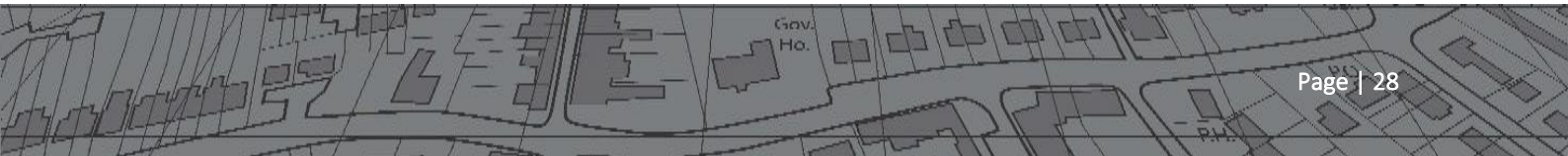
At a high level, the City Plan Strategic Intent supports the proposed development.

Table 8: Strategic Framework

ELEMENT	RELEVANT SPECIFIC OUTCOMES	RELEVANCE/COMMENT
Creating Liveable Places		
3.3.2 Urban Neighbourhoods	1. Urban neighbourhoods are compact, well-designed and pedestrian-friendly, offer housing choice and high amenity and provide access to facilities, services, public transport, employment and essential infrastructure.	**Complies** The proposal provides for entirely residential development and seeks to increase the overall density to accommodate more housing choice closer towards public transport opportunities. To this end, the proposal includes a high-quality architectural proposal that is in immediate proximity to the Light Rail corridor and provides for a compact and pedestrian friendly layout. Therefore, it is considered that the proposal complies with this specific outcome.
	2. Urban neighbourhoods are generally located on or near high frequency public transport corridors served by light rail or high frequency bus.	**Complies** The provision of the Light Rail Mermaid Beach South within close proximity to the site further reinforces the value of the site and the access to public transport infrastructure.
	3. Certain locations not within or near high frequency public transport corridors reflect long-term locations of medium and high intensity development and have the potential for increased public transport services.	**N/A**
	4. Urban neighbourhoods vary from pockets of detached housing on smaller lots to medium or higher-intensity places containing medium or high-rise buildings.	**Complies** The proposal provides for a medium rise building by definition and continues to achieve compliance with this specific outcome.
	5. Housing includes a mix of tenure, size and type to assist with affordability and location options, and to support	**Complies** The proposal provides for a mix of 2 & 3-bedroom layouts.

	occupants from various social and cultural backgrounds including key workers.	
	6. Urban neighbourhoods have a public transport hub, community facility, park or mixed use centre, specialist centre or neighbourhood centre as their focal point.	**Complies** The site is within immediate proximity to Mermaid Beach Village commercial precinct.
	7. Streets are characterised by high-quality walking and cycling paths, street trees and local streets for shared car and bike use. A legible built form and network of interconnected thoroughfares make it easy to get around.	**Complies** The proposal promotes and improve the streetscape by providing new footpaths for further streetscape activation.
	8. The Building height overlay map shows the building height pattern and desired future appearance for local areas within urban neighbourhoods. This map also shows areas where building heights change abruptly to achieve a deliberate and distinct contrast in built form within and between low, medium or high-rise areas.	**Complies in Part** It is acknowledged that the proposal exceeds the 50% uplift provisions in both storeys and overall metres. Notwithstanding, the proposal maintains a medium rise built form that is supported in the Medium Density Residential Zone and supports the delivery of the Light Rail Corridor.
	9. Increases in building height up to a maximum of 50% above the Building height overlay map may occur in limited circumstances in urban neighbourhoods where all the following outcomes are satisfied: (a) the development is not located within The Spit Master Plan height sensitive area, as identified on the Building Height overlay map; (b) a reinforced local identity and sense of place; (c) a well managed interface with, relationship to and impact on nearby development, including the reasonable amenity expectations of nearby residents; (d) a varied, ordered and interesting local skyline; (e) an excellent standard of appearance of the built form and street edge; (f) housing choice and affordability; (g) protection for important elements of local character or scenic amenity, including views from popular public outlooks to the city's significant natural features; (h) deliberate and distinct built form contrast in locations where	**Complies in Part** It is acknowledged that whilst the proposal exceeds the height of the 50% uplift provisions, the proposal complies in part with the framework of the 50% uplift provisions. A complete response to same has been provided as per the below: (a) The site is not located within The Spit Master Plan. (b) The proposed development has been designed to reflect the coastal character of the locale and the medium density residential intent for the neighbourhood. This is achieved through the use of varying setbacks, varying site cover, and by incorporating architectural elements and greenery to provide interest and articulation whilst enhancing the streetscape amenity of the locale. The proposed development locates a mid-rise residential building within the Medium Density Residential Zone, enhancing the intended transitional height variation between the more intense, High Density Residential zoning further north (Peerless Avenue) and the lesser intense, Low Density Residential zoning to the west, beyond Gold Coast Highway. The overall height of the development whilst exceeding the building height uplift provisions, is

	building heights change abruptly on the Building height overlay map; and (i) the safe, secure and efficient functioning of the Gold Coast Airport or other aeronautical facilities.	considered to demonstrate the clear demand for more intensive built forms around a major transport corridor in the Gold Coast Highway where the current mapped building height of 2-storeys and 9m simply does not make sense from a City Planning perspective. At a minimum, the site should be located within the 3-storey and 15m height area (as is most of Mermaid Beach) which would permit a 22.5m high building, to which the proposal would remain within. Therefore, due to the presence of the surrounding heights allowing up to 22.5m, the proposal is considered to reinforce local identity and the practical form of development along a major transport corridor. (c) The articulation of the elevations of the building ensure that the presence of blank walls is minimised, and visual interest is generated through a varied façade. This combined with the existing approved setbacks to the tower to ensure that the development provides for a well-managed interface with the adjacent properties. The development's varying setbacks and indentations across the levels (to all elevations) assist in creating an interesting built form / design outcome which contributes positively to the streetscape character and does not detrimentally impact upon the local amenity of nearby residents. (d) The proposed development will have no impacts on the existing skyline of the immediate area in that the development proposes a maximum building height of 18.7m. In addition, the site is framed to the north, south and west by sites with mapped heights of 3 storey/15m & 24m where similarly able 50% uplift provisions apply and create a far higher 'skyline' for the area. The development provides for a transitional height between the traditional smaller scale developments of two and 3-storeys to the south. The developments rooftop terrace and open balconies to the building corners promotes an open, attractive and distinct skyline. When viewed in conjunction with the existing, emerging and approved development on surrounding lots, a clear



		variation in building height and development intensity is evident. (e) As reflected in the Plans provided and particularly the perspective views, the development within its local context, will provide a high quality contemporary built form outcome that is reflective of the existing built form character of the locale. Further, the inclusion of balconies overlooking the street will contribute to enhancing the perceived safety of users of the public realm, increasing the capacity for passive surveillance. (f) In regard to housing choice and affordability, the proposal seeks to address this by increasing the number of units approved (from 4 to 6) and provide for a mix of 2 & 3-bedroom unit layouts. Traditionally speaking, new developments within the Mermaid Beach area are luxury apartment designs which include mostly 4-bedroom layouts. (g) The proposed building height will not impact on the scenic amenity of the locale, nor will it obstruct views from public outlooks to the City's significant natural features. (h) Under an Impact Assessment process, new developments in this locale can achieve a height of 3 storeys (13.5m) by seeking up to 50% above the Code Assessable height. In this instance, the proposal exceeds the 50% uplift height by proposing a 5-storey and 18.7m high building. However, the proposal is considered to satisfy the intent of this provision by providing for a distinct built form contrast that is supported by an increase to built form intensity around major transport corridors. It is considered to achieve the desired change in building form and height. Further, when considered in context, the proposal is reflective of the intended built form for development within the light rail corridor and frames the approach to the Mermaid Beach Village and Plaza precincts. (i) The subject site is located well below the OLS/PANS-OPS surface levels associated with the Gold Coast Airport and therefore will not impact on the safe operation of the airport.

	10. Increases in building height, beyond 50% above the Building height overlay map, are not anticipated in urban neighbourhoods.	**Does not Comply** As previously acknowledged, the proposal exceeds the 50% uplift provisions in both storeys and metres for the site. Notwithstanding, the delivery of Light Rail Stage 3 and the well-documented housing supply shortage and high land values requires additional supply to be delivered to address these issues, otherwise these issues will continue to intensify over time. It is proposed to utilise 'relevant matters' to overcome the technical height conflict which is detailed further below.
	11. Increases in building height above the height indicated on the Building height overlay map are not anticipated in the Urban neighbourhood within The Spit Master Plan height sensitive area, as this area has a deliberate planned building height.	**N/A** The site is not within the Spit Master Plan area.
	12. Urban neighbourhoods are diverse and distinguished by a distinct appearance, identity and built form in each neighbourhood.	**Complies** The proposal provides for a diverse and distinguished appearance that complements and supports the Mermaid Beach area and commercial precinct.
	13. Supplies of undeveloped urban land within the Coomera Town Centre area accommodate a large percentage of the city's planned expansion area population growth. These sites will develop as high quality new urban neighbourhoods that take advantage of their proximity to the Coomera principal centre.	**N/A**
	14. The light rail urban renewal area exists within urban neighbourhoods.	**N/A** Whilst not being technically mapped within the urban renewal area, it has been contended through the original planning submission that the City Plan has not kept pace with the delivery of the Light Rail and therefore the presence of the Light Rail clearly demonstrates that the Light Rail Overlay and associated urban renewal area or some alternate mechanism (i.e. TLPI) should be extended to reflect the under construction Stage 3 corridor, to which the site sits in. Therefore, to further reinforce that the proposal is suitable in this location and compliant with the Strategic Framework, a full assessment against this section of the framework has been completed as follows.
	15. The light rail urban renewal area provides a mix of small scale retail and commercial uses and activities; a mix of types and intensity of housing; and a safe and accessible street environment where pedestrians,	**Complies** As mentioned above, the site is not technically within the urban renewal area but is considered to provide for important housing that support the light rail and Mermaid Beach commercial precinct.

	cyclists and public transport take priority over private cars.	
	16. Building form interfaces with the street, creating strongly defined building edges and providing opportunities to engage with street life. Built form, uses that activate the street, tree planting and pedestrian facilities improve the comfort, environmental and visual quality of streetscapes.	**Complies** As demonstrated through the submitted architectural plans, the building provides a defined building edge with clear opportunities for streetscape activation that will assist in complementing the area.
	17. Building form is characterised by: (a) medium-rise buildings that have a perimeter form with buildings generally built to street edges, interspersed or 'fractured' by public spaces, landscaped areas or pedestrian access ways (refer Figure 10a); and (b) high-rise buildings with a clearly defined tower and podium form, where podiums are built to the street edge and may be interspersed or 'fractured' by public spaces, landscaped areas or pedestrian access ways (refer Figure 10b).	**Complies** The proposal complies with the medium-rise height envisaged within the zone.
	18. Building types and locations reinforce concentrations of activity and often protect local appearance. Not all light rail urban renewal areas will accommodate high-rise buildings.	**Complies** The proposal is not for a high-rise building by definition.
	19. At public transport hubs in centres and in other mixed use areas, development supports a mix of uses and a high quality pedestrian environment.	**N/A** The site is not within a public transport hub but provides for a much-improved pedestrian environment to Arthur Street.
	20. Regardless of the built form typology, non-residential uses are concentrated at the street and lower levels of buildings, with a fine grain nature. Non-residential uses at street level are built to the street edge or front meeting places including squares, open spaces and urban parks.	**N/A** The proposal does not include a non-residential component.
	21. Local character reflects a combination of built form and mix of uses, and is characterised by the following areas and their outcomes: (a) Primary focus areas' encompass Southport, Surfers Paradise and Broadbeach, allowing for the highest concentrations of activity, commerce and intensity of buildings utilising tower and podium form;	**Complies** Regardless of the site's future identification within one of the listed 'areas' of the light rail overlay, the proposal ensures a mid-rise built form is achieved and complies with the provisions of all areas.

	(b) 'Frame areas' allow for a range of intense built form outcomes that distinguish the light rail urban renewal area. They allow for activity and commerce of a scale that services the local neighbourhood requirements and supports the light rail stations; and (c) 'Transition areas' ensure the logical tapering of built form intensity and height for appropriate interface with adjacent lower intensity neighbourhoods and represent the end of the urban renewal area. These areas are purposely low to medium-rise to ensure a definitive shift in built form and the delivery of more affordable housing choices. They also offer a clear delineation and difference to the other 'areas' of the urban renewal area.	
	22. 'Primary focus areas' and 'frame areas' encourage innovative high-rise towers that advance the Gold Coast's iconic skyline. These areas are free from a height designation. Appropriate height will be determined by design criteria and site context.	**N/A**
Improving transport outcomes		
3.6.2 Integrated transport system	1. The city's transport systems are integrated to provide choice, convenience and efficiently connect people with places of economic, social and environmental value. The integrated transport system includes: active transport network, including local streets, walking and cycling paths; (a) public transport network, including heavy rail, light rail, rapid bus and local bus network; (b) freight corridors and haulage routes; (c) Gold Coast Airport; (d) navigable waterways; and (e) the road network.	**Complies** The development provides for an efficient connection to the light rail, rapid bus and local bus network due to its proximity to a major transport corridor (Gold Coast Highway).
	3. Mixed use centres and specialist centres are connected by active and public transport networks to other mixed use centres and specialist centres, urban neighbourhoods and industry and business areas.	**N/A**

	4. Light rail and rapid bus services are supported by convenient interchanges connected to walking and cycling networks and other public transport infrastructure.	**Complies** The site is within close walking distance to the Gold Coast Highway and Light Rail/Rapid Bus Services.
3.6.3 Enhance access and mobility	3. Development within mixed use centres, specialist centres and urban neighbourhoods, including the light rail urban renewal area, provides high quality active transport infrastructure including paths, cycle parking and end of trip facilities.	**Complies** Whilst not identified as a centre or within the light rail urban renewal area corridor, the presence of the Stage 3 Light Rail means that the site should be included within same. The development provides for bicycle parking and end of trip facilities to promote access and mobility.
3.6.4 Transport system efficiency	4. Development does not compromise the function of existing and future transport corridors, including roads, public transport and active transport corridors.	**Complies** The proposal does not compromise the function of the existing transport corridor.
	5. The type, location and design of development achieves a safe and efficient transport system by: (a) ensuring appropriate controls for the number, size and position of vehicle access points; (b) facilitating a functional road hierarchy; and (c) minimising direct vehicle access to higher-order roads.	**Complies** Access to the site is taken from Arthur Street.
	6. The integration of off-street parking, loading, servicing and access facilities with developments achieves a pedestrian-focused environment and high quality public realm.	**Complies** The proposal provides a compliant number of parking spaces.
	7. Car parking is reduced in areas serviced by high frequency public transport, including mixed use centres, specialist centres and the light rail urban renewal area. Lower rates of car parking may be applied in other locations depending on land uses and public transport accessibility, including major sporting facilities.	**Complies** As mentioned above, the proposal provides for a compliant overall number of carparking spaces.

The proposed building height of 5-storeys and 18.7m exceeds the uplift provision for the maximum building height A full assessment against the uplift criteria is provided in Section 6.9, with relevant matters provided within Section 6.10.

Compliance with the remainder of the Strategic Framework has been demonstrated through the above assessment.

6.4 Zone Code

6.4.1 Zone Purpose & Overall Outcomes

The subject site is included in the Medium Density Residential Zone as shown in **Figure 14** below. The purpose of the Medium Density Residential Zone Code is to –

> *'provide for a range and mix of dwelling types including Dwelling houses and Multiple dwellings supported by Community uses and small-scale services and facilities that cater for local residents.'*

The proposed development achieves the purpose statement of the Medium Density Residential Zone through the provision of residential units. The site's context to the Gold Coast Highway and Light Rail infrastructure makes it an ideal location for such activities.

Figure 14: Zoning Map Extract (Source: Interactive Mapping)

The following table (**Table 9**) provides an assessment of the proposal against the Overall Outcomes for the Zone.

Table 9: Zone Overall Outcomes

OVERALL OUTCOME	ACHIEVED / N/A
(a) Land Uses:	
(i) Include a range of medium density residential uses, predominantly permanent accommodation.	**COMPLIES** The proposal seeks to establish permanent residential accommodation in the form of a Multiple Dwelling as is envisaged to occur in the Zone.

OVERALL OUTCOME	ACHIEVED / N/A
(ii) Such as Multiple dwelling, Dual occupancies, Dwelling houses on small lots and Community residences are included in the zone to provide a mix of dwelling types and increase residential density.	**COMPLIES** The proposal is for Multiple dwellings and provides a range of residence types envisaged by the Zone and City Plan more broadly.
(iii) Include Relocatable home parks and Rooming Accommodation may be included to deliver housing choice, providing they do not reduce the potential supply of sufficient number of medium density residential dwellings and do not detract from the residential amenity of the area.	**N/A** Not relevant to this proposal.
(iv) Include neighbourhood centres and standalone small scale non-residential development consistent with the Strategic Framework.	**N/A** The proposal does not include non-residential development.
(v) Which carry higher potential for impacts on amenity such as Car washes, Childcare centres, Health care services, Food and drink outlets, Shops (other than a supermarket), Veterinary services, Community care centres, Community uses, Emergency services, Educational establishments and Places of worship may be considered if appropriately designed and located and not detract from the residential amenity of the area.	**N/A** The proposal does not include non-residential development.
(vi) Involving tourist-related development such as Short-term accommodation and Tourist parks may be considered where they can be supported by City services and do not compromise the amenity or character of the zone and local area; and	**N/A** Not applicable to the proposed development.
(vii) do not detract from the residential amenity of the area	**COMPLIES** The proposal provides for residential development that is not only consistent, but supportive of the existing surrounding residential amenity.
(c) Character consists of	
(i) Urban neighbourhoods that vary from pockets of detached housing on smaller lots to medium or high intensity places containing medium-rise buildings;	**COMPLIES** The development contributes to the character of the neighbourhood by locating a medium-rise building in an area already characterised by low to medium-rise apartment buildings within close proximity. The proposed height is in keeping with the envisioned and emerging built form in the locale.
(ii) Well serviced and compact urban neighbourhoods that offer a level of amenity appropriate to the intensity of the area;	**COMPLIES** The proposed development provides for a level of amenity that is consistent and improved on the current site circumstances. The level of amenity and services in this area bolster the discussion that this is a well-connected locale and prime for increased density/height and intensity of residential offerings in a medium-rise built form.

OVERALL OUTCOME	ACHIEVED / N/A
(iii) Walking and cycling paths, street trees and local streets for shared car and bike use.	**COMPLIES** The proposed development enhances the streetscape through the provision of landscaping and access to/from the Arthur Street frontage. The development will not detract from the existing footpath and bicycle infrastructure present.
(d) Built Form:	
(i) Has a building height that does not exceed that indicated on the Building height overlay map;	**NON-COMPLIANCE** The proposed development seeks to apply the 50% building height uplift provision as provided for development within the Medium Density Residential Zone from 2 storeys / 9m to 5storeys / 18.7m. It is acknowledged that this is a technical non-compliance with the 50% uplift provisions. Further assessment against the Strategic Framework 50% uplift provisions is included within Section 6.9 & 6.10 below.
(ii) Contributes to a transitioning density from lower intensity areas to higher intensity areas near centres, the high rise coastal spine and areas well serviced by public transport;	**COMPLIES** The proposal contributes to providing a transition in density from the lower intensity neighbourhoods of Mermaid Waters to the west, toward the higher intensity, medium-high rise spine along the Gold Coast Highway.
(iii) Is setback from road frontages to promote an urban setting and interface with the street;	**COMPLIES** Landscaping has been provided where achievable to the road frontage to soften the interface. The development maintains and enhances the streetscape character.
(iv) Is setback from side and rear boundaries to promote the amenity of adjoining residents;	**COMPLIES** The proposal maintains the approved setbacks of the existing development and seeks to replicate them to the new upper levels. At the upper tower levels, window placement, design and screening have been incorporated into the design of the building to mitigate any potential privacy impacts where required. This is further detailed in Section 6.9 below.
(v) Has varying site cover to reduce building dominance and provide areas for landscaping.	**COMPLIES** The development has varying site cover by virtue of the built form articulation and use of open elements to reduce bulk/scale. Significant area has been provided for landscaping over the site as illustrated in the Statement of Landscape Intent included within **Section 4 – Specialist Reports.** This is further detailed in Section 6.9 below.
(e) Lot Design:	

OVERALL OUTCOME	ACHIEVED / N/A
(i) supports a mix and variety of housing forms envisaged in the zone	**N/A**
(ii) Addresses site constraints	**N/A**
Variation in the Zone:	
(i) Calypso Bay precinct	**N/A**

6.5 Overlay Mapping & Codes

The applicable Overlay Mapping and associated Codes applying to the site are summarised as follows. Please refer to **Appendix 1** for assessment of the development against the relevant Codes. The following summary of the relevant Codes is provided.

Table 10: Overlays

OVERLAY MAP	OVERLAY CODE	RELEVANCE/COMMENT
OMA1 **Acid Sulfate Soils**	Acid Sulfate Soils	**Applies** - The site is identified as being potentially affected by Acid Sulfate Soils. It is requested that Council impose conditions for the preparation of an Acid Sulfate Soils investigation and management plan.
OMA2 **Airport Environs – Airservices Australia Aviation Facilities**	Airport Environs	**Applies** – The development is unlikely to impact on the operations of Coolangatta Airport.
OMA3 **Airport Environs – Australian Noise Exposure Forecast Contour**		**N/A**
OMA4 **Airport Environs – Wildlife Hazard Buffer Zone**		**N/A**
OMA5 **Airport Environs – Light Intensity**		**N/A**
OMA6 **Airport Environs – Obstacle limitation Surface (OLS)**		**Applies** – The site is located in the OLS Overlay Map. While the development exceeds the Code Assessable building height, the proposal remains below the OLS. Therefore, it is contended that the development will not impact on the operation of the Gold Coast Airport.
OMA7 **Airport Environs – Procedures for Air Navigation Surface, Aircraft Operational (PANS-OPS) Surfaces**		**Applies** – The PANS-OPS overlay sets a RL246.24m surface clearance over the subject site. The proposed building height does not encroach within this clearance area.
OMB1 **Building Height**	No Code Applies	**Applies** – The subject site is identified as having a mapped 2 storey / 9m building height provision. Whilst the development exceeds this provision, the building height is considered to remain within the envisaged built form outcome of the Medium Density Residential Zone being for a medium-rise outcome. A full

OVERLAY MAP	OVERLAY CODE	RELEVANCE/COMMENT
		assessment against the building height is provided in Section 6.9 & 6.10 below.
OMC1 **Coastal Erosion Hazard**	Coastal Erosion Hazard	**Applies** – The site is identified within the 0m-500m setback area of the foreshore seawall. It is requested that Council condition the application accordingly. Therefore, the Overlay Code has not been included accordingly.
OMD1 **Dwelling House**	No Code Applies	**Applies** – There are no applicable assessment benchmarks.
OMS1 **State controlled roads, rail corridor and transport noise corridors**	No Code Applies	**Applies** – The site is identified within the transport noise corridor of Gold Coast Highway. Acoustic treatment of the development will be managed through the Building Approval process.
OMR2 **Residential Density**	No Code Applies	**Applies** – The proposed development incorporates a total of 6 units and 16 bedrooms. Based on a site area of 527.45m^2 the proposed change to the development has a residential density of one dwelling per 87.9m^2 of net site area. The site is mapped within the RD4 – 1 dwelling/200m^2 overlay area and therefore exceeds the mapped density. Further discussion on this has been provided within Section 6.9 below.

6.6 Use & Development Codes

Whilst the following summary of the relevant Codes is provided, please also refer to **Appendix 1** which contains the relevant 'use' and 'development codes' applying to the application and assessment of the development in light of these. The following assessment contained in **Table 11** below demonstrates the level of compliance with the specific assessment benchmarks.

Table 11: Use and Development Codes

USE & DEVELOPMENT CODES	RELEVANCE/COMMENT
Multiple Accommodation	The proposal achieves compliance with the requirements of the Multiple Accommodation Code. Please refer to **Appendix 1** for the completed Code Compliance template.
Driveway **& Vehicular Crossings**	The proposal achieves compliance with the requirements of the Driveway and Vehicular Crossings Code. Please refer to the Traffic Impact Statement provided within **Section 4 – Specialist Reports.**
General Development Provisions	The proposal achieves compliance with the requirements of the General Development Provisions Code with exception to the overshadowing provisions within AO8.2. Please refer to **Appendix 1** for the completed Code Compliance template and Section 6.9 below for further detailed assessment.
Healthy Waters	The proposal achieves compliance with the requirements of the Healthy Waters Code. Please refer to the Stormwater Management Plan provided within **Section 4 – Specialist Reports** for the completed Code Compliance template.

Solid Waste Management	The proposal achieves compliance with the Solid Waste Management Code. Please refer to the Waste Management Plan prepared by MRA Environmental in **Section 4** of this submission.
Transport	The proposal achieves compliance with the requirements of the Transport Code. Please refer to the Traffic Impact Statement provided within **Section 4 – Specialist Reports.**

6.7 Planning Policies

The development complies with all relevant policies to the extent that they are relevant to this project.

6.8 Infrastructure Charges

It is noted that infrastructure charges will be levied in accordance with Council's Adopted Infrastructure Charges Resolution (AICR). Please refer to the information provided in the below table.

Table 12: Infrastructure Charges

PROPOSED DEVELOPMENT	CHARGE RATE	QTY	TOTAL
Multiple Dwelling			
2-bed units	$25,819.87	2	$51,639.74
3-bed units	$36,147.81	4	$144,591.24
		Total Charge	$196,230.98

LESS CREDITS	CHARGE RATE	QTY	TOTAL
Standard Lots			
Existing Residential Lots	$36,147.81	1	$36,147.81
		Total Credits	($36,147.81)

TOTAL CHARGE APPLICABLE	**$160,083.17**

6.9 City Plan Non-Compliance & Alternative Outcomes

This section of the Report above identifies non-compliances with the relevant assessment benchmarks of the *City Plan 2016 (v11)* Zone and applicable Development Codes. Where an Alternative Outcome is proposed, the ensuing assessment against the corresponding Performance Outcome confirms compliance has been achieved. The following Alternative Outcomes have been identified from an assessment against the applicable Codes.

6.9.1 Setbacks – Medium Density Residential Zone Code

Assessment of the development proposal has been undertaken against the Medium Density Residential Zone and complies with all Acceptable Outcomes of the Code with the exception of AO1, AO2, AO3 and PO5 relating to setbacks, site cover, building height and residential density. The following Alternate Outcomes are proposed which are considered to meet the intent of their corresponding Performance Outcome.

AO1
Setbacks are as follows:

Table 13: Prescribed Setbacks

	Height	***Setback***
Front for Covered Car Parking (excluding a basement)	*all*	*6m*
Front (excluding covered car parking)	*up to 23m*	*4m*
	for that part exceeding 23m	*6m*
Side & Rear	*Up to 4.5m*	*1.5m*
	For that part between 4.5m – 7.5m	*2m*
	For that part exceeding 7.5m	*Extra 0.5m is added for every 3m in height or part thereof over 7.5m*

PO1
Setbacks:

(a) assist in the protection of adjacent amenity;
(b) allow for access around the building;
(c) contribute to streetscape character; and
(d) allow for on-site car parking

COMMENT
The proposal does not strictly adhere to the prescribed setbacks and justifies minor non-compliances as discussed below. This is not uncommon on medium rise development types as Council's City Plan 'wedding cake' setbacks (where prescribed setbacks increase along with height in a stepped design) have long been abandoned as the standard provision.

The development proposes the following minimum setbacks (**Table 14**) where non-compliances are noted in red and the approved existing setbacks in green. **Figure 15 & 16** below also shows the extent of non-compliance.

Table 14: Proposed Minimum Setbacks

	North (Rear)	South (Front)	East (Side)	West (Side)
GROUND LEVEL	4.7m (3.1m)	6.6m (5.0m)	1.5m (1.1m)	1.0m (1.0m)
LEVEL 1	2.8m (3.0m)	3.6m (3.6m)	1.5m (1.1m)	1.8m (1.5m)
LEVEL 2	2.8m (3.0m)	3.6m (3.6m)	1.5m (1.1m)	1.8m (1.5m)
LEVEL 3	2.8m	3.6m	1.5m	1.8m
LEVEL 4	2.8m	3.6m	1.5m	1.8m
ROOFTOP	13.9m (15.1m)	14.7m (15.4m)	5.6m (5.6m)	3.0m (3.0m)

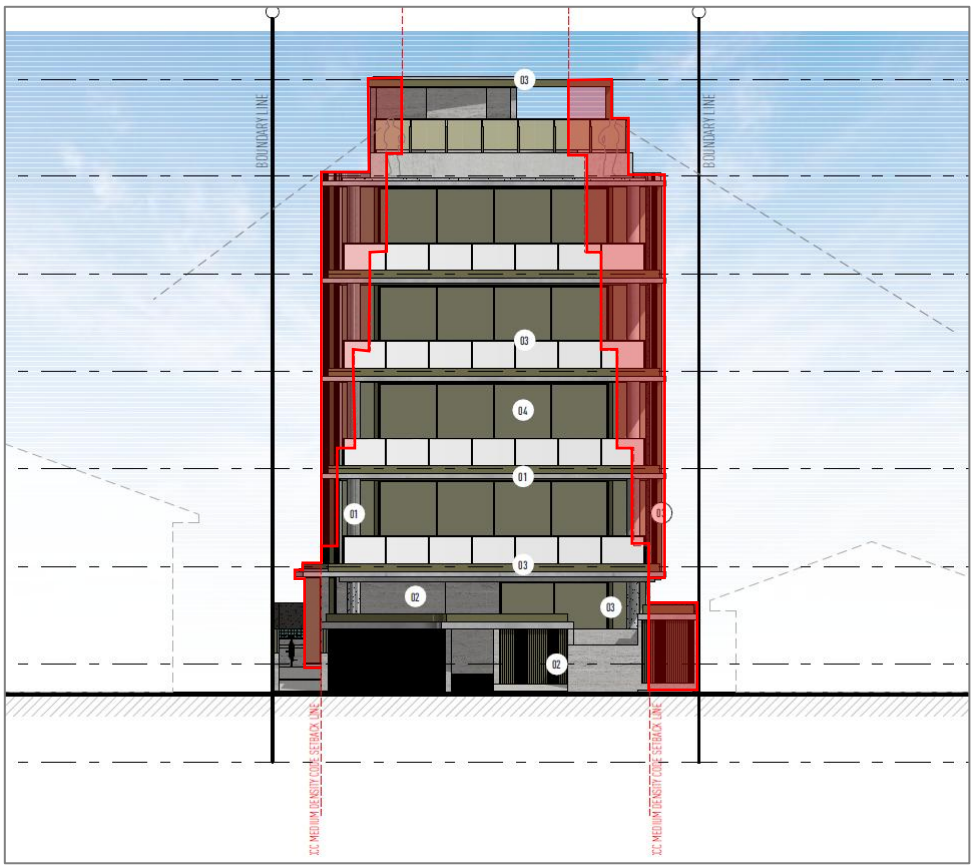


Figure 15: Streetscape Elevation and AO Setbacks (Source: Impact Design)

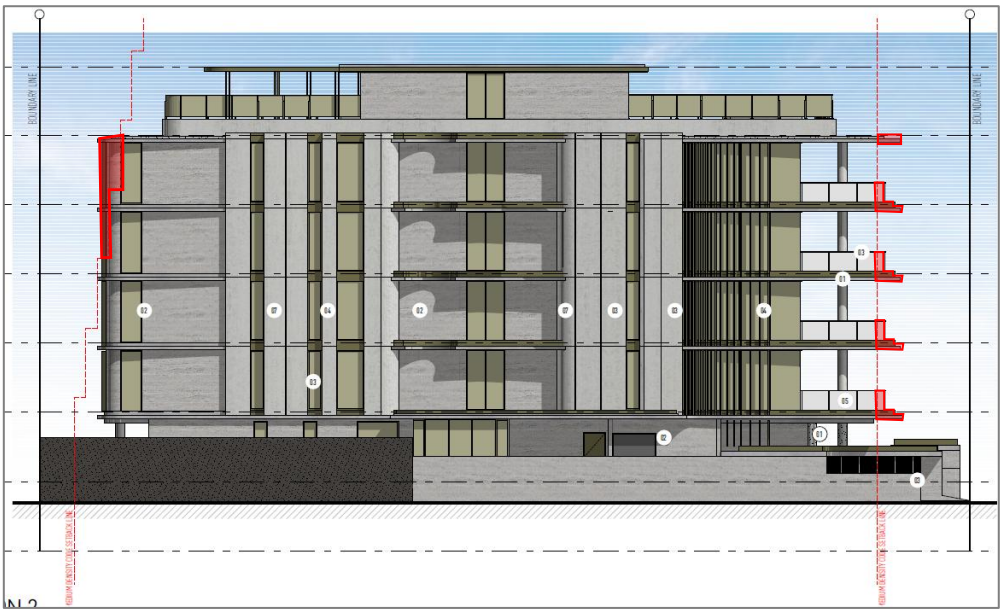


Figure 16: Side Elevation and AO Setbacks (Source: Impact Design)

Despite the Alternative Outcomes proposed for setbacks the proposed development complies with PO1 in the following manner.

(a) assist in the protection of adjacent amenity

The proposed setbacks have either been replicated or improved when considering the existing approved setbacks for the apartment development. With that being said, the minimum setbacks to adjacent properties remains unchanged, with exception to the rear setback which remains compliant up to Level 3.

The elevations facing adjoining properties include little opportunity for overlooking due to the inclusion over vertical batten screening, rendered wall and blades which obscure direct views between the sites. The rooftop terrace also includes a planter box to the edge of the rooftop which restricts resident access to the edge and removes any opportunity for looking down, over the adjacent properties.

When considering the impact on adjacent amenity, it should be noted that the tower form maintains the approved setbacks to the east and west boundaries and includes a variety of design treatments and articulations to promote a visually interesting façade.

The proposed setbacks to the building are therefore considered to protect the existing adjacent amenity. The side elevations are further shown below.

Figure 17: Eastern Elevation Perspective (Source: Impact Design)

Figure 18: Western Elevation Perspective (Source: Impact Design)

(b) allow for access around the building

Full access around the development has been provided as part of the design.

(c) contribute to streetscape character

The proposed development is of a high quality design that includes a variation in colours and materials that contribute to the continuing emergence of high quality development within Mermaid Beach. At the ground level, the proposal includes a combination of tiered planting to soften the pedestrian environment and complement the levels above. This is demonstrated through **Figure 19** below.

Figure 19: Streetscape Perspective (Source: Impact Design)

(d) allow for on-site car parking

The proposal provides for an oversupply of carparking overall. As such, it is considered that the development provides for sufficient on-site car parking.

Based on the above justification, the proposed development complies with PO1 of the Medium Density Residential Zone Code.

6.9.2 Site Cover – Medium Density Residential Zone Code

The Medium Density Residential Zone Code AO2 states the following regarding site cover:

AO2

For all other uses, site cover does not exceed a cumulative total of:

(a) 50% of net site area up to 8 storeys;
(b) 40% of net site area from 9 to 15 storeys; and
(c) 30% of net site area or 750m^2 per building, whichever is the lesser, above 15 storeys.

The proposal seeks for the following site cover per level.

- Ground Level = 50.5% (Approved 55.4%)
- Level 1 = 59% (Approved 58.4%)
- Level 2 = 59% (Approved 58.4%)
- Level 3 = 59%
- Level 4 = 59%
- Rooftop = 9.8% (Approved 8.1%)

Therefore, assessment against PO2 of the Zone Code is applicable to the proposal, which states:

PO2

Site Cover

(a) is balanced between built form and green areas for landscaped private open space;
(b) contributes to neighbourhood character and amenity;
(c) promotes slender bulk form;
(d) promotes an open, attractive and distinct skyline; and
(e) facilitates small, fast moving shadows.

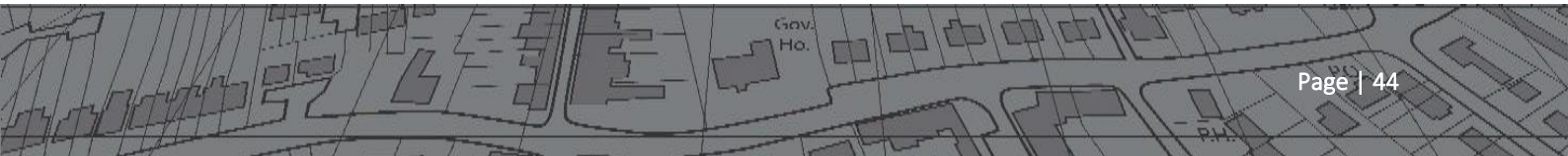
COMMENT

Despite the Alternative Outcome proposed for site cover, it is submitted that the proposed site coverage is modest and reflects similar scale proposals widely supported throughout the City and the character of the immediate locality. Further, the proposal is consistent with the above criteria under PO2 in the following manner.

(a) is balanced between built form and green areas for landscaped private open space;

The proposed development achieves an appropriate balance between built form and landscaping over the site with areas of landscaping proposed on all sides of the building, as consistent with the existing approved landscape outcome.

The locality is characterised by building footprints comparable to that being proposed where landscaping treatments have been included in a single consolidated planting area to the front of the building, to which is achieved in this instance. The ground level landscaping outcome is shown in **Figure 20** below.



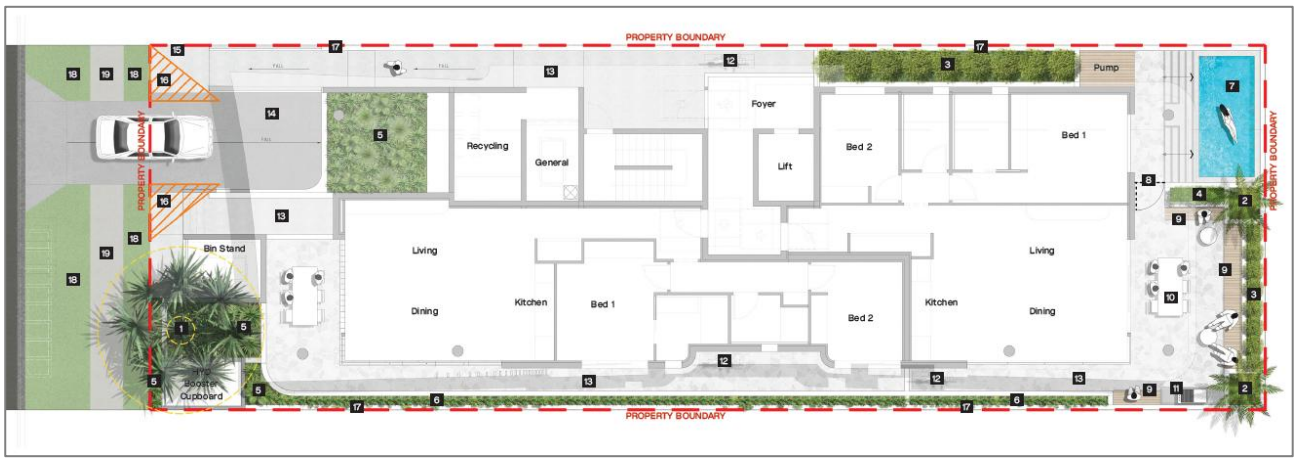


Figure 20: Extract of Ground Level Landscape Plan (Source: Lead Design Group)

The rooftop terrace space which is for private use of Unit 5 & 6 only, provides for a large outdoor recreational area that is supported through complementary landscaping across same. This is shown in **Figure 21** below.

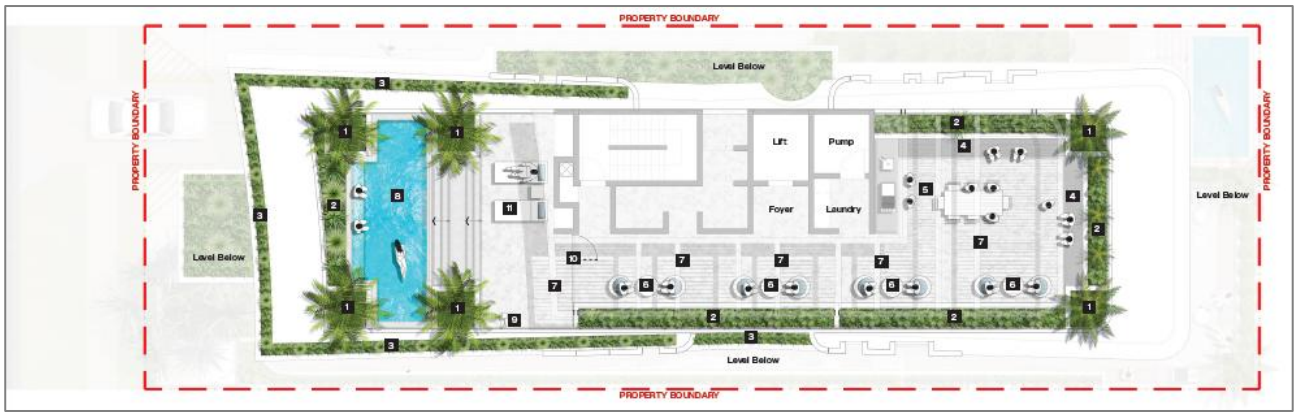


Figure 21: Extract of Rooftop Landscape Plan (Source: Lead Design Group)

The proposal retains large areas for private open space needs of the residents and ensures an appropriate balance is maintained.

(b) contributes to neighbourhood character and amenity;

The proposed development will contribute to and complement the existing neighbourhood character of Mermaid Beach and in particular, the immediate locality which is characterised by medium density Dual Occupancies, Multiple Dwellings, and a large commercial contingent within 150m walking distance. The development also complements and supports the desire to increase dwelling uplift in well located areas through infill development. The development provides for additional housing forms within a walkable neighbourhood and close to public transport infrastructure, upholding and contributing to the neighbourhood character and amenity.

It is anticipated that this form and scale of development will continue to emerge in the locality given the housing supply shortage currently being experienced, noting that the existing site currently only allows for a single dwelling house.

(c) promotes slender bulk form;

The building's footprint is long and slender when viewed from the streetscape, which is a direct consequence of the allotment's rectangular configuration and north-south alignment. The use of appropriate building

materials, balconies, windows and landscaping promotes a high quality/slender built form outcome, particularly by locating balconies to the corners to 'open' these elements in passing views from the street.

(d) promotes an open, attractive and distinct skyline; and

The proposed development will have no impacts on the existing skyline of the immediate area in that the development proposes a maximum building height of 18.7m. In addition, the site is framed to the north by sites to the north, south and west with mapped heights of 3-storey & 15m where similarly able 50% uplift provisions apply and create a far higher 'skyline' for the area (22.5m). The development provides for a transitional height between the traditional smaller scale developments of two and three storeys. The developments rooftop terrace and open balconies to the building corners promotes an open, attractive and distinct skyline.

(e) facilitates small, fast moving shadows.

The development has been designed to reflect the site's narrow configuration stated above, which in turn results in a long, slender building design, being consistent with the adjoining properties and therefore resulting in small, fast moving shadows. Please refer to the shadow diagrams prepared by Impact Design, included within the Architectural Plans in **Section 3**.

Overall, it is considered that despite the site cover non-compliance, the development appropriately balances built form with areas of landscape / greening, provides ample private open space to all levels of each dwelling, provides a compact development whilst creating a sense of space and openness (particularly in comparison to the streetscape character of the area), and contributes positively to the neighbourhood character and amenity. As such, it is considered the development supports the intent of PO2 despite to site cover proposed.

6.9.3 Building Height – Medium Density Residential Zone Code

Acceptable Outcome AO3 relating to building height states:

AO3

No acceptable outcome provided.

PO3

Building height and structure height does not exceed that shown on the ***Building height overlay map****.*

The subject site has a mapped building height provision of 2-storeys / 9m as Code Assessable development. The development as proposed, seeks to establish a 5-storey building comprising a maximum building height of 18.7m.

A non-compliance with the lower order provisions of the City Plan can be reasonably justified through an assessment of the higher order provisions (Strategic Framework) to determine compliance with the Planning Scheme. In this particular instance and as no AO is provided, the development is non-compliant with the relevant PO and OO of the Zone Code and therefore elevates assessment to the Strategic Frameworks of the Planning Scheme.

COMMENT

In this instance, 50% above the Code Assessable building height would be 3-storeys and 13.5m. As mentioned, the proposed building height is 5-storeys and 18.7m. While it is acknowledged that the proposed height exceeds the anticipated height when then 50% increase is applied, the proposed height is considered to be appropriate given the presence of 'relevant matters' which are discussed below.

The 50% uplift test largely considers (but not limited to) local identity, sense of place, visual impact and a well-managed interface with nearby residents. Noting this, the development whilst being defined as five storeys, is considered to not onerously impact on local identity, as considered under the provisions of the 50% uplift test.

To facilitate the proposed 5-storey / 18.7m development outcome, assessment of the built form in regard to the uplift criteria (*Strategic framework Urban Neighbourhoods Element 3.3.2.1(9)*) is provided below. Despite the height exceedance, assessment has been provided, nonetheless.

Furthermore, ***Strategic framework Creating liveable places 3.3.1*** is considered relevant when reviewing the uplift provisions of the strategic framework. In support of the uplift test provided below, an assessment against the relevant benchmarks of the creating liveable places theme is also included as follows:

(1) Urban activity is contained within the city's urban area.

The development is located within the Medium Density Residential Zone adjacent the Mermaid Beach Village/Plaza and within immediate walking distance (less than 150m) to the Gold Coast Highway and Light Rail Corridor. The proposal is within the City's urban area and is considered to comply with this strategic outcome.

(2) The Gold Coast's settlement pattern provides housing choices and diverse lifestyle opportunities in mixed use centres and specialist centres, neighbourhood centres, urban neighbourhoods, suburban neighbourhoods, new communities, and rural residential and township areas. Limited opportunities also exist in the Merrimac/Carrara flood plain special management area.

The proposal provides for flexible living arrangements and is located within the urban neighbourhood adjacent to a well serviced transport network. The proposal is considered to comply with this strategic outcome.

(3) Housing is provided in a form, height and scale consistent with the function, amenity and desired future character of local areas and centres, and promotes a sense of community cohesion and wellbeing. Housing is attractive and well-designed.

With consideration of Stage 3 of the Light Rail Corridor and the intent of the ShapingSEQ (Regional Plan), SPP and Infrastructure Australia Business Case, the proposal is provided in a form, height and scale consistent with the desired future character of the local area. It is also noted that the overall building height of 18.7m is not inconsistent with other approved built forms in the Mermaid Beach medium density residential area (i.e. up to 22.5m in height). The proposal is considered to comply with this strategic outcome.

(4) Affordable housing or entry level priced housing meets the needs of low to moderate income households, and purpose-built adaptable housing and accommodation meets the needs of seniors, people with disabilities, students and people in need of emergency accommodation. These forms of housing are located close to facilities, services, public transport, employment and essential infrastructure.

Whilst it is acknowledged that the development given its location, high quality design and number of units does not represent an 'affordable housing' product, the increase of housing supply on an existing site that currently only supports a single Dwelling is considered an improvement to the overall housing supply of the wider Gold Coast City. Importantly, housing products of all price points need to be delivered in the City,

noting that the more expensive apartment products are quite often purchased by downsizers who sell their family homes thus freeing up more housing products at a more affordable price point.

The site is also well located in terms of facilities, services, public transport (light rail), employment and essential infrastructure. The proposal is considered to comply with this strategic outcome.

(5) Varied building height and form throughout the city reinforces local identity, creates a sense of place and supports housing choice and affordability and the function and desired future appearance of each local area.

The proposal whilst exceeding the maximum height, provides for a built form that reinforces the desired future appearance of the local area and light rail urban renewal corridor by focussing more intense built form outcomes along the light rail corridor.

(6) High intensity urban activity optimises land well-serviced by public transport, infrastructure and community facilities and provides mixed use centres and specialist centres and urban neighbourhoods with improved amenity.

As noted above, the site is adjacent the Mermaid Beach Village/Plaza and within immediate walking distance (150m) to a major transport corridor with the Stage 3 light rail currently under construction and the Mermaid Beach South light rail station. The development provides for the needs of an urban neighbourhood and optimises land well-serviced. The proposal is considered to comply with this strategic outcome.

(7) Medium and higher intensity housing occurs in mixed use centres and specialist centres and urban neighbourhoods.

The site is located within the urban neighbourhood strategic framework land use designation. The development proposes a medium to high density development to economically support the light rail. The proposal is considered to comply with this strategic outcome.

(9) Urban neighbourhoods accommodate a diverse and well-connected network of urban places. Development is focused on mixed use centres and specialist centres and public transport hubs, and densities are higher in areas with high frequency public transport, community facilities and infrastructure capacity.

The development supports the adjacent Mermaid Beach Plaza/Village area by providing a well-connected residential development that is within an area serviced by high frequency public transport and soon to be further supported by the construction of the Mermaid Beach South station within 150m. The proposal is considered to comply with this strategic outcome.

(10) The light rail urban renewal area is a cohesive corridor of distinctive, high quality urban environments that optimises accessibility to light rail services and economic development opportunities.

The light rail cannot be successful without economic support and specific land use planning that promotes and drives usage of the light rail. The site's location is considered important to providing a distinctive, high quality urban environment that optimises accessibility to the light rail and supports it by providing economic relief. The Mermaid Beach South station is critical to the overall success and economic value of Stage 3 and needs to be supported through surrounding development, to which the development contributes. The proposal is considered to comply with this strategic outcome.

It is noted that Mermaid Beach is currently undergoing transition into a more compact built form outcome as the area is redeveloped with more intensive built forms evident throughout the area. The surrounding area includes a variety of buildings with a mix of building heights and is characterised by an emergent larger building mass largely comprising three and 4-storey buildings.

Despite exceeding the applicable height granted by way of the 50% uplift provisions, assessment of the built form regarding the uplift provisions of the Strategic Framework has been provided within Section 6.3.2 (**Table 8**) above and reinforced below.

(b) a reinforced local identity and sense of place;

The proposed development has been designed to reflect the coastal character of the locale and the medium density residential intent for the neighbourhood. This is achieved through the use of varying setbacks, varying site cover, and by incorporating architectural elements and greenery to provide interest and articulation whilst enhancing the streetscape amenity of the locale. The proposed development locates a mid-rise residential building within the Medium Density Residential Zone, enhancing the intended transitional height variation between the more intense, High Density Residential zoning further north (Peerless Avenue) and the lesser intense, Low Density Residential zoning to the west, beyond the Gold Coast Highway. The overall height of the development whilst exceeding the building height uplift provisions, is considered to demonstrate the clear demand for more intensive built forms around a major transport corridor in the Gold Coast Highway where the current mapped building height of 2-storeys and 9m simply does not make sense from a City Planning perspective.

At a minimum, the site should be located within the 3-storey and 15m height area (as is most of Mermaid Beach) which would permit a 22.5m high building, to which the proposal would remain within. Therefore, due to the presence of the surrounding heights allowing up to 22.5m, the proposal is considered to reinforce local identity and the practical form of development along a major transport corridor.

(c) a well managed interface with, relationship to and impact on nearby development, including the reasonable amenity expectations of nearby residents;

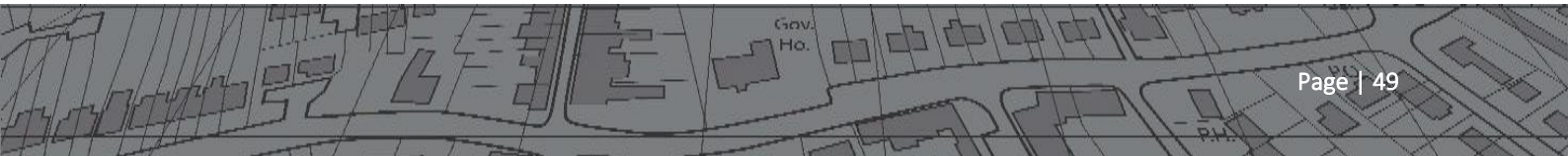
The articulation of the elevations of the building ensure that the presence of blank walls is minimised and visual interest is generated through a varied façade. This combined with the existing approved setbacks to the tower to ensure that the development provides for a well managed interface with the adjacent properties.

The development's varying setbacks and indentations across the levels (to all elevations) assist in creating an interesting built form / design outcome which contributes positively to the streetscape character and does not detrimentally impact upon the local amenity of nearby residents.

(d) a varied, ordered and interesting local skyline;

The proposed development will have no impacts on the existing skyline of the immediate area in that the development proposes a maximum building height of 18.7m. In addition, the site is framed to the north, south and west by sites with mapped heights of 3 storey/15m & 24m where similarly able 50% uplift provisions apply and create a far higher 'skyline' for the area. The development provides for a transitional height between the traditional smaller scale developments of two and 3-storeys to the south. The developments rooftop terrace and open balconies to the building corners promotes an open, attractive and distinct skyline.

When viewed in conjunction with the existing, emerging and approved development on surrounding lots, a clear variation in building height and development intensity is evident.



(e) an excellent standard of appearance of the built form and street edge;

As reflected in the Plans provided and particularly the perspective views, the development within its local context, will provide a high quality contemporary built form outcome that is reflective of the existing built form character of the locale.

Further, the inclusion of balconies overlooking the street will contribute to enhancing the perceived safety of users of the public realm, increasing the capacity for passive surveillance.

(f) housing choice and affordability;

In regard to housing choice and affordability, the proposal seeks to address this by increasing the number of units approved (from 4 to 6) and provide for a mix of 2 & 3-bedroom unit layouts. Traditionally speaking, new developments within the Mermaid Beach area are luxury apartment designs which include mostly 4-bedroom layouts.

The site is also well located in terms of facilities, services, public transport (light rail), employment and essential infrastructure. The proposal provides for more housing choice by increasing the overall dwelling yield on the existing site.

The City has a well-documented dwelling supply shortage and the proposed development seeks to make a small contribution to expanding this supply which will serve to have an immediate impact on housing affordability.

(g) protection for important elements of local character or scenic amenity, including views from popular public outlooks to the city's significant natural features;

The proposed building height will not impact on the scenic amenity of the locale, nor will it obstruct views from public outlooks to the City's significant natural features.

(h) deliberate and distinct built form contrast in locations where building heights change abruptly on the Building height overlay map; and

Under an Impact Assessment process, new developments in this locale can achieve a height of 3 storeys (13.5m) by seeking up to 50% above the Code Assessable height. In this instance, the proposal exceeds the 50% uplift height by proposing a 5-storey and 18.7m high building. However, the proposal is considered to satisfy the intent of this provision by providing for a distinct built form contrast that is supported by an increase to built form intensity around major transport corridors. It is considered to achieve the desired change in building form and height.

Further, when considered in context, the proposal is reflective of the intended built form for development within the light rail corridor and frames the approach to the Mermaid Beach Village and Plaza precincts.

(i) the safe, secure and efficient functioning of the Gold Coast Airport or other aeronautical facilities.

The subject site is located well below the OLS/PANS-OPS surface levels associated with the Gold Coast Airport and therefore will not impact on the safe operation of the airport.

Whilst not part of the 50% uplift test of the strategic framework, it should be noted that ***Strategic framework Urban Neighbourhoods Element 3.3.2.1(10)*** and the associated note are applicable. These are stated as follows:

10. *Increases in building height, beyond 50% above the Building height overlay map, are not anticipated in urban neighbourhoods.*

Note: No criteria have been identified for building heights which are more than 50% above the Building height overlay map, because such increases are in conflict with City Plan.

The Applicant acknowledges that the development proposes a technical non-compliance with ***Strategic framework Urban Neighbourhoods Element 3.3.2.1(10)*** as the development seeks a maximum building height of 5-storeys and 18.7m, therefore exceeding the maximum height considered under the 50% uplift provisions.

Pursuant to Section 45(5) of the *Planning Act 2016,* the assessment of this application may be carried out against, or having regard to, any other relevant matter. Council may and should support a non-compliance with their planning scheme whereby 'relevant matters' can be demonstrated for an application. The legislation allows for a merit based assessment to approve development regardless of its consistency with a planning scheme. It is not uncommon for developments to be approved where there is one or more technical conflicts with the City Plan.

A relevant matter can be anything other than a person's personal circumstances (financial or otherwise). The Act provides three examples of what may constitute a relevant matter, which are noted as follows:

- A planning need;
- The current relevance of the assessment benchmarks in the light of changed circumstances;
- Whether assessment benchmarks or other prescribed matters were based on material errors.

Additionally, when considering the above, context is given to The Planning Bill 2015 Explanatory Notes (Planning Bill 2015').

> *"The current relevance of the assessment benchmarks in the light of changed circumstances. <u>Assessment benchmarks may reflect the best available information at the time they are established</u>, <u>however circumstances may subsequently change, and there may be a delay in responding to changes with corresponding changes to planning instruments</u>. For example, land may have been allocated for residential development in a planning scheme on the basis of population projections which have since been exceeded, leading to a shortage of allocated residential land. This may be a relevant consideration for a development application seeking approval for residential development on land adjacent to the allocated land. <u>Generally the "older" a planning instrument becomes, the more likely it is that changed circumstances will become a relevant consideration</u>;"*

Whilst relevant matters have been provided for the development within Section 6.10 below, these have been reviewed and consolidated below for ease of reference. These matters are entirely relevant to the proposal and should demonstrate an overriding need for the development that far outweigh the technical conflict with respect to building height.

- The current assessment benchmarks of the Gold Coast City Plan (Version 11) are considered to have been surpassed by a relevant change of circumstances (i.e. Light Rail Stage 3 and a well-documented dwelling supply shortage) which significantly reduces the relevance of the applicable building height overlay (along with the residential density overlay to an extent) noting that the subject site should be included within the Light Rail Urban Renewal Area Overlay Code whereby different lower order provisions and overall outcomes which likely support the proposed development would apply.

- There is a planning need and economic benefit to permit this development in its proposed form to support the Infrastructure Australia Stage 3 Light Rail business case. The strategic case for the project is largely dependent on the realisation of urban renewal and increased urban density. The development supports the urban renewal of this corridor in a desirable location and provides for immediate financial reimbursement on the project.

- The subject site is within close proximity to the Mermaid Beach South light rail station (150m walking distance), which forms part of the Gold Coast Light Rail Stage 3 and is currently under construction. Additionally, the site is in immediate proximity to the Mermaid Beach Plaza/Village precinct which provides for the day-to-day retail needs of future residents in proximity of the subject site. Locating additional housing in such a location realises the benefits of such infrastructure and services to a maximal number of people.

- Public benefit exists for the surrounding area as the development provides for an activated street frontage and vibrancy which mitigates anti-social behaviour.

- It is well documented that the City of Gold Coast is suffering an acute dwelling supply problem and housing affordability crisis. While many parts of the country are experiencing this issue, it is particularly acute on the Gold Coast, because of continuing strong migration to the City. The only solution to this problem is to construct more dwellings to increase the supply of dwellings, and thus bring supply and demand back into some sort of equilibrium. It is not possible to stop or reduce migration to the City, and this process has been occurring for at least 70 years. The provision of a new supply of housing of any type (including luxury housing), will have a moderating impact on the price of housing in the City. There is also a strong need to construct specific affordable housing either provided by the Queensland Government directly, or via some sort of subsidy process.

  An ongoing dwelling supply shortage in the City has, and will, continue to have negative impacts on the City's economy, as staff required to fill job vacancies will be unable to accept job offers because they have nowhere to live.

  The subject development, by virtue of its location and construction costs will not constitute typical affordable housing, but it will add substantial new supply to the Mermaid Beach market in a location where occupants may access most services they need without the use of a motor vehicle.

Therefore, despite the technical non-compliance with the 50% uplift provisions, the presence of 'relevant matters' as detailed above are able to be used (and should be) to overcome the technical conflict with height.

6.9.4 Density – Medium Density Residential Zone Code

The site is mapped within the RD4 – 1 dwelling/200m^2 overlay area. The proposed development incorporates a total of 6 x units and 16 bedrooms. The changed development increases the approved dwelling density from one unit per 131.75m^2 of site area to one dwelling per 87.9m^2 of site area. The proposal increases the approved bedroom density from one bedroom per 52.74m^2 of site area to one bedroom per 32.9m^2 of site area. Therefore, the proposal exceeds the mapped density.

The proposal is considered to achieve compliance with the 'density test' provided under Overall Outcome OO(2)(b) of the Medium Density Residential Zone, as outlined below.

b) Housing is provided at a form, scale and intensity that is appropriate for the zone and each particular locality it is in where the following outcomes are satisfied:

Orderly and economically efficient settlement pattern:

- ***i. Degree of public transport service within a 400m walking distance, being the most desirable distance for pedestrian access, and the ease and safety of pedestrian access to that service;***
- ***ii. Proximity to major employment concentrations, centres, social and community infrastructure facilities and important amenity features, including the coast, recreational waterways and parkland;***
- ***iii. Capacity of available infrastructure to support the development, including water, sewer, transport and social and community facilities***

The proposed development is considered to facilitate an orderly and economically efficient settlement pattern by increasing the density within an established Medium Density Residential area that is close to commercial and recreational facilities (Mermaid Beach beachfront and Mermaid Beach Plaza/Village areas) and is within immediate walking distance to the Mermaid Beach South light rail station (150m walking distance).

As mentioned herein, the subject site benefits from being within close proximity to a number of bus stops serviced by high frequency bus services connecting to destinations such as the Gold Coast Airport, Broadbeach, Pacific Fair, Tweed Heads, Robina Town Centre and the under construction light rail.

The proposal only slightly exceeds the mapped density for the site and represents a relatively small-scale development in terms of the proposed residential yield. The increase in overall bedrooms is not considered to impact on available infrastructure as the site is well connected to community facilities, public infrastructure and transport opportunities.

Housing needs:

- ***iv. Delivery of a generous mix of housing form, sizes and affordability outcomes that meet housing needs (including housing needs of the future) for the locality***

As previously mentioned, it is acknowledged that whilst the development given its location, high quality design and number of units does not represent an 'affordable housing' product, the increase of housing supply on an existing site that currently only supports a single dwelling is considered an improvement to the overall housing supply of the wider Gold Coast City. Importantly, housing products of all price points need to be delivered in the City, noting that the more expensive apartment products are quite often purchased by downsizers who sell their family homes thus freeing up more housing products at a more affordable price point.

Design and amenity:

- ***v. Whether intended outcomes for building form/city form and desirable building height patterns are negatively impacted, including the likelihood of undesirable local development patterns to arise if the cumulative effects of the development are considered;***
- ***vi. Retention of important elements of neighbourhood character and amenity, and cultural heritage;***
- ***vii. Whether adjoining residential amenity is unreasonably impacted;***
- ***viii. Achievement of a high quality urban design***

As outlined herein, the proposals design responds to the site characteristics and provides a positive interface to the adjoining properties and the public realm. Compliance with the overarching design provisions

contained in the Strategic Framework, specifically the Urban Neighbourhoods and Elements has also been demonstrated as outlined herein, reaffirming the proposal's compliance with the intent of the City Plan. The design and amenity of the proposal should be strongly considered in the context of the light rail corridor and proximity to the light rail station.

Environment:

ix. The impacts of any site constraints, including natural hazard and environmental-based constraints

The subject site is not identified as containing any matters of environmental significance under either state or local overlays. Therefore, the proposed development will not impact on any matters of environmental significance.

Community benefit:

x. Where the development:

a. Is appropriate having regard to overall outcome (b)(i) to (ix)

b. Meets all other overall outcomes for the zone; and

c. Incorporates community benefits in addition to those that could be lawfully conditioned to be provided development bonuses are applied in accordance with SC6.5 City Plan Policy – Community benefit bonus elements

Note: development is not required to incorporate community benefits in order to demonstrate that housing has been provided at a form, scale and intensity that is appropriate having regard to overall outcome (f)(i) to (ix).

We note that as compliance with Overall Outcomes (2)(b)(i)-(ix) is achieved, the requirement to demonstrate compliance with OO(2)(b)(x) is not necessitated.

Therefore, based on compliance being demonstrated with the 'density test' provided by OO(2)(b) of the Medium Density Residential Zone Code above, the proposed residential density is considered to comply with the provisions of the City Plan.

6.9.5 Shadow Impact – General Development Provisions Code

AO8.2

The shadow cast by the building in a true south direction has a length 0.25 times the height of the building, as measured from ground level adjacent to the southern side of the subject building to the top of the topmost storey, and does not intrude onto any other site, or does not cast shadow onto any other building on the same site.

PO8

The building is designed and located to ensure that the shadow cast by the building does not detract from a comfortable living and ground level environment and the access of adequate sunlight to private and public spaces having regard to:

(a) the degree of containment of the shadow on the subject site at different times of the day on the summer and winter solstice and spring and autumn equinox;
(b) the cumulative impact of the shadow and existing shadows;
(c) the effect of the shadow on the ocean beach, Broadwater foreshore, or riverside or beachside public open space;
(d) the location of the shadow on non-residential areas external to the site; and
(e) the effect of the shadow on any other site or other building.

In this instance the proposed development will result in a shadow being cast over the neighbouring properties to the east & west (see shadow diagrams in architectural plan package in **Section 3 - Plans** of this application) and result in a non-compliance with AO8 due to the height proposed. The following provides a response to each element of PO8:

(a) The degree of containment of the shadow on the subject site at different times of the day on the summer and winter solstice and spring and autumn equinox

As demonstrated in the shadow diagrams prepared by Impact Design, the shadow cast by the proposed tower will extend beyond the subject site over the land to the east and west of the site. The site benefits from a southern road frontage, ensuring that the maximum impact of shadow is over the road and not adjoining properties.

The extent of overshadowing is minimal, with shadow cast over the neighbours during the morning and afternoon of the day in only the Winter Solstice and Autumn Equinox periods. The proposed shadow is relatively narrow, given the slender nature of the tower and is fast moving and therefore is relatively contained to the subject site or road.

(b) The cumulative impact of the shadow and existing shadows

Given the existing road frontage and separation to nearby buildings, there is little existing shadows over the site and surrounding areas. The proposal will result in areas currently not affected by shadow being affected; however, the orientation of the site and small footprint of the tower will ensure the shadow moves through these spaces relatively quickly and ensures the shadow cast in a southerly direction is narrow, relative to the site width.

(c) The effect of the shadow on the ocean beach, Broadwater foreshore, or riverside or beachside public open space

The subject site is located away from the beach, Broadwater foreshore, river and beachside public open space and subsequently will not result in any shadow being cast over these areas.

(d) The location of the shadow on non-residential areas external to the site

It is acknowledged that the proposed building will cast a shadow over the adjoining road reserve; however, such is not considered to impact on the functionality of the road or the pedestrian environment more generally.

(e) The effect of the shadow on any other site or other building

As noted herein, the orientation of the property assists to minimise the length of shadow of the tower over the neighbouring lots to short periods of time and subsequently is not anticipated to significantly detract from the reasonable access to sunlight.

Therefore, it is contended that the proposed development complies with PO8 of the General Development Provisions Code.

6.10 Relevant Matters

Pursuant to Section 45(5) of the *Planning Act 2016,* the assessment of this application may be carried out against, or having regard to, any other relevant matter. Council may and should support a non-compliance with their planning scheme whereby 'relevant matters' can be demonstrated for an application. The legislation allows for a merit based assessment to approve development regardless of its consistency with a planning scheme. It is not uncommon for developments to be approved where there is one or more technical conflicts with the City Plan.

A relevant matter can be anything other than a person's personal circumstances (financial or otherwise). The Act provides three examples of what may constitute a relevant matter, which are noted as follows:

- A planning need;
- The current relevance of the assessment benchmarks in the light of changed circumstances;
- Whether assessment benchmarks or other prescribed matters were based on material errors.

Additionally, when considering the above, context is given to The Planning Bill 2015 Explanatory Notes ('Planning Bill 2015').

> *"The current relevance of the assessment benchmarks in the light of changed circumstances. Assessment benchmarks may reflect the best available information at the time they are established, however circumstances may subsequently change, and there may be a delay in responding to changes with corresponding changes to planning instruments. For example, land may have been allocated for residential development in a planning scheme on the basis of population projections which have since been exceeded, leading to a shortage of allocated residential land. This may be a relevant consideration for a development application seeking approval for residential development on land adjacent to the allocated land. Generally the "older" a planning instrument becomes, the more likely it is that changed circumstances will become a relevant consideration;"*

Whilst previous relevant matters have been provided for the development within Section 6.9 above, these have been reviewed and consolidated below for ease of reference. These matters are entirely relevant to the proposal and should demonstrate an overriding need for the development that far outweigh the technical conflict with respect to building height.

While a detailed justification of each non-compliance has been provided in Section 6.9 of this Report, the following relevant matters are also provided to justify approval of the proposed development:

- The current assessment benchmarks of the Gold Coast City Plan (Version 11) are considered to have been surpassed by a relevant change of circumstances (i.e. Light Rail Stage 3 and a well-documented dwelling supply shortage) which significantly reduces the relevance of the applicable building height overlay (along with the residential density overlay to an extent) noting that the subject site should be included within the Light Rail Urban Renewal Area Overlay Code whereby different lower order provisions and overall outcomes which likely support the proposed development would apply.

- There is a planning need and economic benefit to permit this development in its proposed form to support the Infrastructure Australia Stage 3 Light Rail business case. The strategic case for the project is largely dependent on the realisation of urban renewal and increased urban density. The development supports the urban renewal of this corridor in a desirable location and provides for immediate financial reimbursement on the project.

- The subject site is within close proximity to the Mermaid Beach South light rail station (150m walking distance), which forms part of the Gold Coast Light Rail Stage 3 and is currently under construction. Additionally, the site is in immediate proximity to the Mermaid Beach Plaza/Village precinct which provides for the day-to-day retail needs of future residents in proximity of the subject site. Locating additional housing in such a location realises the benefits of such infrastructure and services to a maximal number of people.

- Public benefit exists for the surrounding area as the development provides for an activated street frontage and vibrancy which mitigates anti-social behaviour.

- It is well documented that the City of Gold Coast is suffering an acute dwelling supply problem and housing affordability crisis. While many parts of the country are experiencing this issue, it is particularly acute on the Gold Coast, because of continuing strong migration to the City. The only solution to this problem is to construct more dwellings to increase the supply of dwellings, and thus bring supply and demand back into some sort of equilibrium. It is not possible to stop or reduce migration to the City, and this process has been occurring for at least 70 years. The provision of a new supply of housing of any type (including luxury housing), will have a moderating impact on the price of housing in the City. There is also a strong need to construct specific affordable housing either provided by the Queensland Government directly, or via some sort of subsidy process.

  An ongoing dwelling supply shortage in the City has, and will, continue to have negative impacts on the City's economy, as staff required to fill job vacancies will be unable to accept job offers because they have nowhere to live.

  The subject development, by virtue of its location and construction costs will not constitute typical affordable housing, but it will add substantial new supply to the Mermaid Beach market in a location where occupants may access most services they need without the use of a motor vehicle.

7.0 Conclusion

This planning report has provided an assessment of the proposed 'Other' Change to the existing approval for Apartments over land at 37 & 37A Arthur Street, Mermaid Beach against the relevant elements of the planning legislative framework, particularly at both the State and Local Government level.

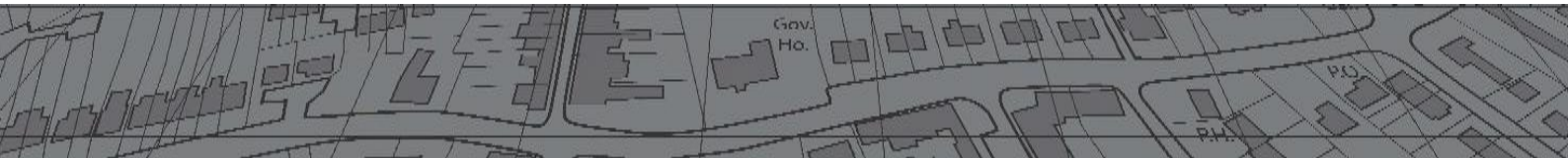
In summary, the outcome of the assessment and in particular the complementary statutory planning, contextual and operational circumstances applying to the site and development, clearly support approval of the application. More specifically and in conclusion:

- The intensification of the site will complement the Light Rail infrastructure, Mermaid Beach Plaza and Village precinct and provide for a well-connected and pedestrian focused urban environment;
- The development whilst exceeding the 50% uplift provisions, overcomes the technical conflict with the test through the use of relevant matters and an overwhelming demand for housing supply in the City;
- The site is located within an area that is currently transitioning from older building stock into a more intense 'urban' outcome that is more reflective of the area's attributes as evidenced by the contemporary character and scale of the more recent development in the area and the Light Rail Business Case;
- The development's exemplary standard of architecture will have a positive impact on the character and amenity values of the local area;
- The development has been assessed against the provisions of all relevant Codes of the Planning Scheme and whilst a number of Alternative Outcomes are proposed, the assessment as provided in this application demonstrates that the provisions of the relevant Codes are nonetheless complied with; and
- Similarly, the proposal is considered appropriate development within the Urban Footprint designation of the *South East Queensland Regional Plan 2023* and gains support from several of the Plan's goals, elements and strategies.

In summary, the development is deemed to be a desirable use of the land having regard to the site's context, optimising its high urban amenity and convenient location to urban services and public transport modes (existing and future). The development provides a high quality and contemporary design outcome that does not significantly affect the residential amenity of nearby sensitive land uses and delivers an acceptable built form outcome for the locality.

It is therefore recommended that Council favourably consider the application and impose reasonable and relevant conditions as part of its approval.

APPENDIX 1
Development Assessment Codes



City Plan code template

This code template supports the preparation of a development application against either the acceptable outcome(s) or performance outcome(s) contained in the code. Development assessment rules are outlined in **Section 5.3.3** of the City Plan.

Please note:

For assessment against the overall outcomes, refer to the appropriate code.

Note: The whole of the planning scheme is identified as the assessment benchmark for impact assessable development. This specifically includes assessment of impact assessable development against this strategic framework. The strategic framework may contain intentions and requirements that are additional to and not necessarily repeated in zone, overlay or other codes. In particular, the performance outcomes in zone codes address only a limited number of aspects, predominantly related to built form. Development that is impact assessable must also be assessed against the overall outcomes of the code as well as the strategic framework.

6.2.2 Medium density residential zone code

6.2.2.1 Application

This code applies to assessing all development in the Medium density residential zone.

When using this code, reference should be made to **Section 5.3.2** and, where applicable, **Section 5.3.3**, in **Part 5**.

Where development is identified in the **Calypso Bay precinct**, additional outcomes will apply to development.

Note: To the extent there is any inconsistency with the outcomes applying to the whole of the zone, the precinct outcomes will prevail.

6.2.2.2 Purpose

(1) The purpose of the Medium density residential zone code is to provide for a range and mix of dwelling types including Dwelling houses and Multiple dwellings supported by Community uses and small-scale services and facilities that cater for local residents.

(2) The purpose of the code will be achieved through the following overall outcomes:

(a) Land uses:

(i) include a range of medium density residential uses, predominantly permanent accommodation;

(ii) such as Multiple dwellings, Dual occupancies, Dwelling houses on small lots and Community residences are included in the zone to provide a mix of dwelling types and increase residential density;

(iii) including Relocatable home parks and Rooming accommodation may be included to deliver housing choice, providing they do not reduce the potential to supply a sufficient number of medium density residential dwellings and do not detract from the residential amenity of the area;

(iv) include neighbourhood centres and stand-alone small scale non-residential development consistent with the **Strategic framework**;

(v) which carry higher potential for impacts on amenity such as Car washes, Childcare centres, Health care services, Food and drink outlets, Shops (other than a supermarket), Veterinary services, Community care centres, Community uses, Emergency services, Educational establishments, and Places of worship may be considered if appropriately designed and located and not detract from the residential amenity of the area;

(vi) involving tourist-related development such as Short-term accommodation and Tourist parks but not Party houses, may be considered where they can be supported by City services and do not compromise the amenity or character of the zone and local area; and

(vii) do not detract from the residential amenity of the area.

(b) Housing is provided at a form, scale and intensity that is appropriate for the zone and each particular locality it is in where the following outcomes are satisfied:

Orderly and economically efficient settlement pattern

(i) degree of public transport service within a 400 metre walking distance, being the most desirable distance for pedestrian access, and the ease and safety of pedestrian access to that service;

(ii) proximity to major employment concentrations, centres, social and community infrastructure facilities and important amenity features, including the coast, recreational waterways and parkland;

(iii) capacity of available infrastructure to support the development, including water, sewer, transport and social and community facilities;

Housing needs

(iv) delivery of a generous mix of housing form, sizes and affordability outcomes that meet housing needs (including housing needs of the future) for the locality;

Design and amenity

(v) whether intended outcomes for building form/city form and desirable building height patterns are negatively impacted, including the likelihood of undesirable local development patterns to arise if the cumulative effects of the development are considered;

(vi) retention of important elements of neighbourhood character and amenity, and cultural heritage;

(vii) whether adjoining residential amenity is unreasonably impacted;

(viii) achievement of a high quality urban design through highly functional, accessible, attractive, memorable and sustainable buildings and public spaces;

Environment

(ix) the impacts of any site constraints, including natural hazard and environmental-based constraints and;

Community Benefit

(x) where the development:

(A) is appropriate having regard to overall outcome (b) (i) to (ix);

(B) meets all other overall outcomes for the zone; and

(C) incorporates community benefits in addition to those that could be lawfully conditioned to be provided (i.e. that are required to be provided by this City Plan or reasonably required in relation to the development or use of premises as a consequence of the development),

development bonuses are applied in accordance with the **SC6.5 City Plan policy – Community benefit bonus elements**.

Note: SC6.5 City Plan policy – Community benefit bonus elements provides guidance on what might constitute additional community benefits and the supporting material that may be required to demonstrate the degree of benefit.

Note: Development is not required to incorporate community benefits in order to demonstrate that housing has been provided at a form, scale and intensity that is appropriate having regard to overall outcome (b) (i) to (ix).

(c) Character consists of:

(i) urban neighbourhoods that vary from pockets of detached housing on smaller lots to medium or higher intensity places containing medium-rise buildings;

(ii) well serviced and compact urban neighbourhoods that offer a level of amenity appropriate to the intensity of the area; and

(iii) walking and cycling paths, street trees and local streets for shared car and bike use.

(d) Built form (excluding Dwelling houses on small lots) :

(i) has a building height that does not exceed that indicated on the **Building height overlay map**;

(ii) contributes to a transitioning density from lower intensity areas to higher intensity areas near centres, the high rise coastal spine and areas well serviced by public transport;

(iii) is setback from road frontages to promote an urban setting and interface with the street;

(iv) is setback from side and rear boundaries to protect the amenity of adjoining residences; and

(v) has varying site cover to reduce building dominance and provide areas for landscaping.

(e) Built form for Dwelling houses on small lots:

(i) has a building height that does not exceed that indicated on the **Building height overlay map**;

(ii) protects the amenity of adjacent residences;

(iii) visually integrates with the character of the locality;

(iv) provides differentiation by means of articulation; and

(v) provides adequate space for landscaping along street frontages.

(f) Lot design:

(i) supports a mix and variety of housing forms envisaged in the zone; and

(ii) addresses site constraints.

(g) Variations in the zone are:

(i) **Calypso Bay precinct**.

(3) The purpose of the Calypso Bay precinct will be achieved through the following additional overall outcomes:

(a) The cumulative residential density does not exceed 1852 dwellings within this precinct and the **Calypso Bay precinct** in the **Low density residential zone**.

(b) Development does not compromise planned infrastructure delivery to other land within the catchment.

(c) Development proposals do not comprise the achievement of other parts of the precinct being developed in accordance with the zone.

6.2.2.3 Specific benchmarks for assessment

PART B – ASSESSABLE DEVELOPMENT BENCHMARKS

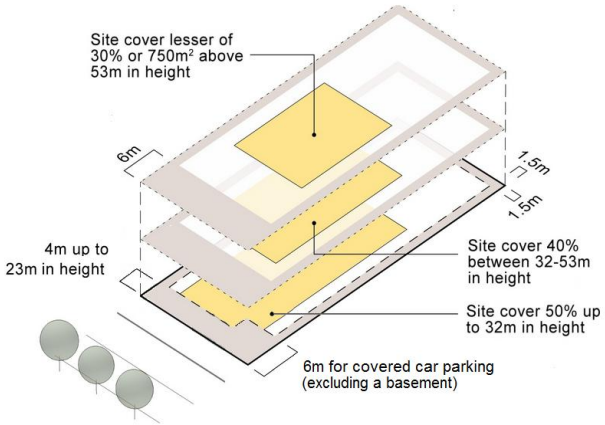
Table 6.2.2-2: Medium density residential zone code – for assessable development

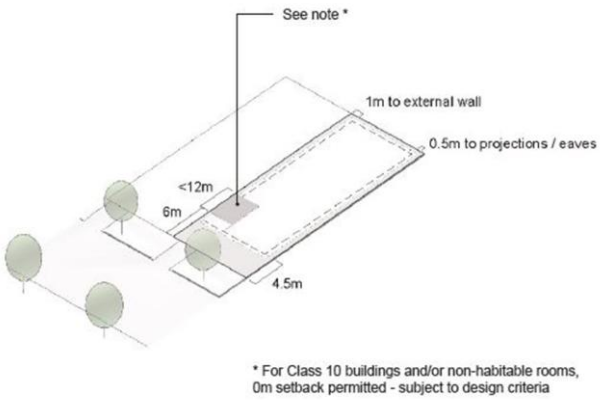
<table>
<tr><th>Performance outcomes</th><th>Acceptable outcomes</th><th>Does the proposal meet the acceptable outcome?
If not, justify how the proposal meets <u>either</u> the performance outcome or overall outcome</th><th>Internal use</th></tr>
<tr><td colspan="2">Setbacks</td><td></td><td></td></tr>
<tr><td>PO1
Setbacks:
(a) assist in the protection of adjacent amenity;
(b) allow for access around the building;
(c) contribute to the streetscape character; and
(d) allow for on-site car parking.

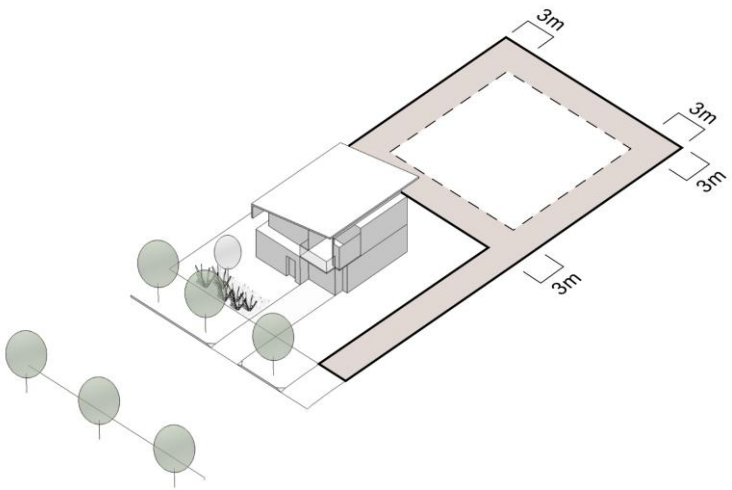
OR
Setbacks for Dwelling houses on small lots:
(a) protect the amenity of adjacent residences;
(b) visually integrate with the character of the locality;
(c) provide differentiation by means of articulation; and
(d) allow for on-site car parking.</td>
<td>AO1
Setbacks are as follows:
<table>
<tr><th rowspan="2">Setback</th><th colspan="2">Minimum distances measured in metres (m)</th></tr>
<tr><th>Height</th><th>Setback</th></tr>
<tr><td>Front for covered car parking (excluding a basement)</td><td>all</td><td>6m</td></tr>
<tr><td rowspan="2">Front (excluding covered car parking)</td><td>up to 23m</td><td>4m</td></tr>
<tr><td>for that part exceeding 23m</td><td>6m</td></tr>
<tr><td rowspan="3">Side and rear</td><td>up to 4.5m</td><td>1.5m</td></tr>
<tr><td>for that part between 4.5m – 7.5m</td><td>2m</td></tr>
<tr><td>for that part exceeding 7.5m</td><td>an extra 0.5m is added for every 3m in height or part thereof over 7.5m.</td></tr>
<tr><td>Between on site habitable buildings (where not attached)</td><td colspan="2">Double the applicable side setback.</td></tr>
</table></td>
<td>COMPLIES WITH PO
Refer to section 6.9 in the accompanying town planning report for further detailed assessment.</td><td></td></tr>
</table>

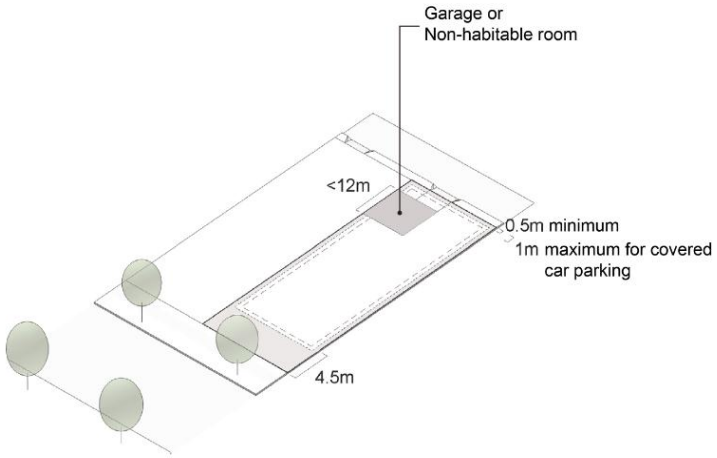
Performance outcomes	Acceptable outcomes	Does the proposal meet the acceptable outcome? If not, justify how the proposal meets <u>either</u> the performance outcome or overall outcome	Internal use
	OR **Setbacks for Dwelling houses on small lots:** **Setback** — **Minimum distances measured in metres (m)** Front — 4.5m to wall and balcony Secondary frontage of corner lot — 4m (not including projections up to 2m) Covered car parking (not applicable to the rear lane access) — 1m behind front wall or balcony; and 6m from the frontage where vehicles access the lot. Side and rear (not applicable to the secondary frontage of corner lots) — **Height**: up to 4.5m; **Setback**: 1m to wall and balcony; 0.5m to outermost projection; 0m to class 10 building and/or non-habitable room where: (a) located along a southern or western boundary; (b) a maximum length		

Performance outcomes	Acceptable outcomes			Does the proposal meet the acceptable outcome? If not, justify how the proposal meets <u>either</u> the performance outcome or overall outcome	Internal use
			of 12m where no single part exceeds 6m in length; and (c) at least 1m separation from a habitable window of a neighbouring dwelling.		

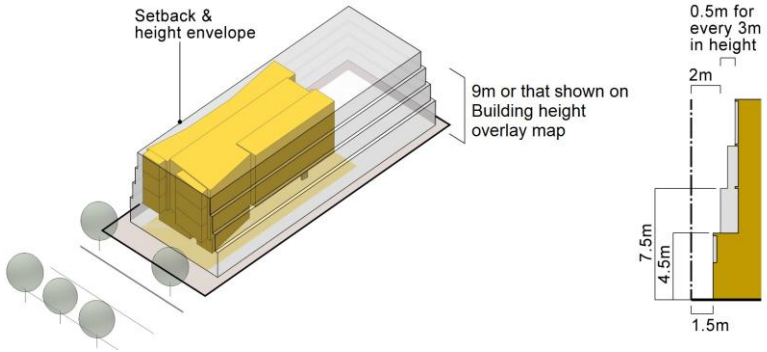
Performance outcomes	Acceptable outcomes			Does the proposal meet the acceptable outcome? If not, justify how the proposal meets <u>either</u> the performance outcome or overall outcome	Internal use
		for that part between 4.5m – 7.5m	1.5m to wall and balcony 1m to outermost projection		
		for that part exceeding 7.5m	2m to wall and balcony 1.5m to outermost projection		
	Rear lane	0.5m minimum 1m maximum for covered car parking			
	OR For development on rear lots the setback is 3m from all boundaries.				
					

Performance outcomes	Acceptable outcomes	Does the proposal meet the acceptable outcome? If not, justify how the proposal meets <u>either</u> the performance outcome or overall outcome	Internal use
Figure 6.2.2-1 Illustration showing Medium density residential zone setbacks and site cover outcomes (excludes Dwelling houses on small lots)			
 **Figure 6.2.2-2** Illustration showing Medium density residential zone setbacks for Dwelling houses on small lots			

Performance outcomes	Acceptable outcomes	Does the proposal meet the acceptable outcome? If not, justify how the proposal meets <u>either</u> the performance outcome or overall outcome	Internal use
 **Figure 6.2.2-3** Illustration showing Medium density residential zone setback outcomes for Dwelling houses on rear lots			

Performance outcomes	Acceptable outcomes	Does the proposal meet the acceptable outcome? If not, justify how the proposal meets <u>either</u> the performance outcome or overall outcome	Internal use
 **Figure 6.2.2-4** Illustration showing Medium density residential zone rear lane setbacks for Dwelling houses on small lots			
Site cover			
PO2 Site cover: (a) is balanced between built form and green areas for landscaped private open space; (b) contributes to neighbourhood character and amenity; (c) promotes slender bulk form; (d) promotes an open, attractive and distinct skyline; and (e) facilitates small, fast moving shadows.	**AO2** Site cover does not exceed 50% for Dwelling houses on lots with areas equal to or greater than 400m^2 and Dual occupancies. OR Site cover does not exceed 60% for Dwelling houses on lots less than 400m^2. OR For all other uses, site cover does not exceed a cumulative total of: (a) 50% of net site area up to 8 storeys; (b) 40% of net site area from 9 to 15 storeys;	**COMPLIES WITH PO** Refer to section 6.9 in the accompanying town planning report for further detailed assessment.	

Performance outcomes	Acceptable outcomes	Does the proposal meet the acceptable outcome? If not, justify how the proposal meets <u>either</u> the performance outcome or overall outcome	Internal use
	and (c) 30% of net site area or 750m^2 per building, whichever is the lesser, above 15 storeys.		
Height			
PO3 Building height and structure height does not exceed that shown on the **Building height overlay map**. OR Where not identified on the overlay map building height and structure height does not exceed: (a) 2 storeys with a maximum of 9m; or (b) a partial third storey if within 9m.	**AO3** No acceptable outcome provided.	**ALTERNATIVE OUTCOME PROPOSED** Refer to section 6.9 in the accompanying town planning report for further detailed assessment.	
PO4 Free standing garages and **carports** present to the street as single storey.	**AO4** Freestanding garages and carports do not exceed a height of 3.5m.	**N/A**	

Performance outcomes	Acceptable outcomes	Does the proposal meet the acceptable outcome? If not, justify how the proposal meets <u>either</u> the performance outcome or overall outcome	Internal use
 **Figure 6.2.2-5** Illustration showing Medium density residential zone setbacks and height outcomes (excludes Dwelling houses on small lots)			
Density			
PO5 For Dwelling houses density is one Dwelling house per lot. OR Density does not exceed that shown on the **Residential density overlay map**. OR Where not identified on the overlay map, density does not exceed one dwelling per 400m^2. OR For Residential care facilities and Retirement facilities there is no performance outcome provided. OR For Rooming accommodation, accommodating more than four unrelated	**AO5** No acceptable outcome provided.	**ALTERNATE OUTCOME PROPOSED** Refer to section 6.9 in the accompanying town planning report for further detailed assessment.	

Performance outcomes	Acceptable outcomes	Does the proposal meet the acceptable outcome? If not, justify how the proposal meets either the performance outcome or overall outcome	Internal use
people, density does not exceed one bedroom per 133m^2.			
PO6 **Calypso Bay precinct** The cumulative density (as a consequence of any material change of use or reconfiguring of a lot application) of this precinct and the Calypso Bay precinct in the **Low density residential zone** does not exceed 1852 dwellings. Development proposals do not comprise the achievement of other parts of this precinct being developed in accordance with the zone. **Note: A reconciliation table is to be provided to Council identifying the proposed and total dwellings in this precinct and the Calypso Bay precinct in the Low density residential zone.** **Sufficient density reserves should be demonstrated to show that balance land can be developed consistent with the zone and precinct intent.**	**AO6** **Calypso Bay precinct** No acceptable outcome provided.	**N/A**	

Performance outcomes	Acceptable outcomes	Does the proposal meet the acceptable outcome? If not, justify how the proposal meets <u>either</u> the performance outcome or overall outcome	Internal use
Lot design (for subdivision only)			
PO7 Lot size and configuration supports a mix and variety of housing forms envisaged in the zone. **Note: PO7 does not apply to the creation of small lots where associated with an existing residential building.**	**AO7.1** Where the site is not mapped on the **Residential density overlay map** the minimum lot size is 400m^2. OR Where the site is mapped on the **Residential density overlay map**, new lots meet the following: **Residential density overlay map designation** — **Minimum lot size** RD1 — 400m^2 RD2 — 300m^2 RD3 — 250m^2 RD4 — 200m^2 RD5 — 125m^2 RD6 — No minimum RD7 — No minimum RD8 — No minimum **Note: Lot sizes referenced must be determined exclusive of access strip or access easement area for rear lots.**	**N/A**	
Lot design within the Ridges and significant hills protection overlay area (for subdivision only)			
PO8 New lots proposed within the **Ridges and significant hills protection overlay** area**:** (a) support the intent of the **Ridges and significant hills protection overlay**	**AO8.1** The minimum lot size is 600m^2.	**N/A**	
	AO8.2 Minimum road frontage is 17m.	**N/A**	

Performance outcomes	Acceptable outcomes	Does the proposal meet the acceptable outcome? If not, justify how the proposal meets <u>either</u> the performance outcome or overall outcome	Internal use
code; and (b) address site constraints.	OR Minimum road frontage is 4.5m for a rear lot.		
Land uses			
PO9 Non-residential uses (other than community uses and neighbourhood centres) are small scale and stand alone.	**AO9** A non-residential use (such as a Health care service or a Child care centre) includes a single tenancy and does not adjoin another existing or approved non-residential use.	**N/A**	

City Plan code template

This code template supports the preparation of a development application against either the acceptable outcome(s) or performance outcome(s) contained in the code. Development assessment rules are outlined in **Section 5.3.3** of the City Plan.

Please note:

For assessment against the overall outcomes, refer to the appropriate code.

Note: The whole of the planning scheme is identified as the assessment benchmark for impact assessable development. This specifically includes assessment of impact assessable development against this strategic framework. The strategic framework may contain intentions and requirements that are additional to and not necessarily repeated in zone, overlay or other codes. In particular, the performance outcomes in zone codes address only a limited number of aspects, predominantly related to built form. Development that is impact assessable must also be assessed against the overall outcomes of the code as well as the strategic framework.

9.3.13 Multiple accommodation code

9.3.13.1 Application

This code applies to assessing material change of use for development for Multiple dwellings, Short-term accommodation, Resort complexes, Residential care, Retirement facilities and Rooming accommodation uses up to 32 metres in height where indicated within **Part 5 Tables of assessment**.

When using this code, reference should be made to **Section 5.3.2**, and, where applicable, **Section 5.3.3**, in **Part 5**.

9.3.13.2 Purpose

(1) The purpose of the Multiple accommodation code is to encourage high quality, attractive, well designed developments that promote a high standard of living for residents and make a positive contribution to the character of the city.

(2) The purpose of the code will be achieved through the following overall outcomes:

(a) Development is designed to create attractive, high-quality visually appealing buildings and protect the privacy and amenity of the occupants of the dwelling and neighbouring residential premises.

(b) Development is designed and orientated to promote a safe environment within the site, adjoining streets and public realm.

(c) Development is complemented by high-quality landscaping that contributes to the desired character of the area.

(d) Development is designed to promote safe and convenient pedestrian and vehicle access to and from the site.

(e) Development supports the provision of diversity of housing for various types of households within the city to meet the needs of existing and future residents.

(f) Development is designed to add visual interest to the streetscape, to contribute positively to the local and wider city character and image, and to achieve a high quality urban design, with highly functional, accessible, attractive, memorable and sustainable buildings and spaces.

(g) Multiple dwellings, Short-term accommodation, Resort complexes, Residential care, Retirement facilities and Rooming accommodation uses up to 32 metres in height, promote a high standard of living and care for residents through their design, recreation facilities and location.

(h) Development provides private and communal open spaces that respond to the subtropical climate, maximise outdoor living opportunities, enhance amenity for residents and provide for engagement of streets and public open spaces.

(i) Residential care facilities and retirement facilities are provided with self contained services and recreational facilities to meet the needs of residents.

9.3.13.3 Specific benchmarks for assessment

Part A applies to accepted development subject to requirements.

Part B applies to assessable development.

PART A – ACCEPTED DEVELOPMENT SUBJECT TO REQUIREMENTS

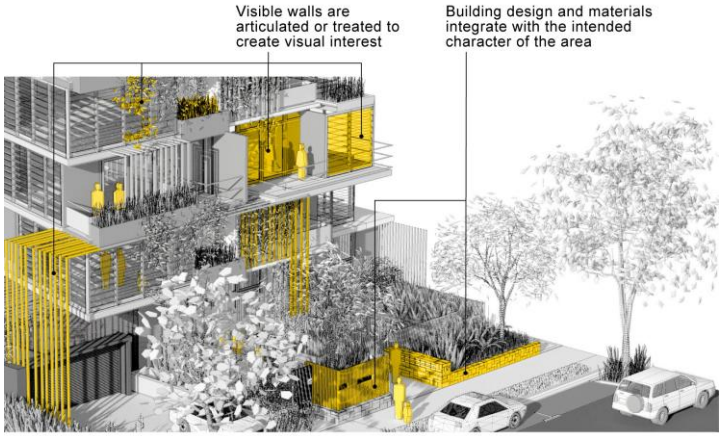
There are no requirements for accepted development for this code.

PART B – ASSESSABLE DEVELOPMENT BENCHMARKS

Table 9.3.13-1: Multiple accommodation code – for assessable development

Performance outcomes	Acceptable outcomes	Does the proposal meet the acceptable outcome? If not, justify how the proposal meets either the performance outcome or overall outcome	Internal use
Road frontage			
PO1 The site has sufficient frontage to ensure that: (a) safe and convenient vehicular and pedestrian access can be provided; and (b) adequate landscaping is provided adjacent to the road frontage.	**AO1** The minimum road frontage is 20m.	**COMPLIES**	
PO2 The use is not established on a rear lot.	**AO2** No acceptable outcome is provided.	**COMPLIES**	

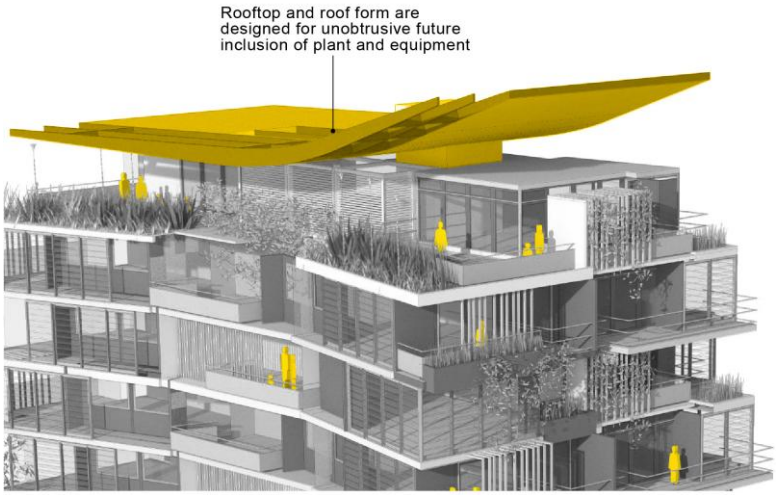
Performance outcomes	Acceptable outcomes	Does the proposal meet the acceptable outcome? If not, justify how the proposal meets either the performance outcome or overall outcome	Internal use
Design and appearance			
PO3 All buildings and ancillary structures are designed to: (a) contribute to the envisaged urban character of the local area; (b) promote casual surveillance of public streets, public open space and public areas; (c) add visual interest to the streetscape; (d) enable differentiation between buildings; and (e) avoid stark or austere appearance.	**AO3.1** All development is oriented so as to address public streets, public open space and public areas.	**COMPLIES**	
	AO3.2 Buildings located on a street corner are to address both street frontages.	**COMPLIES**	
	AO3.3 All visible walls are articulated, or otherwise architecturally treated, to create visual interest and to avoid a broad expanse of featureless wall.	**COMPLIES**	
	AO3.4 The building design and materials visually integrate with the prevailing or intended character of the area.	**COMPLIES**	
	AO3.5 The degree of reflection (both heat and light) of any reflective glass does not exceed 20%. **Note: this provision does not apply to class 1A and class 10A buildings.**	**COMPLIES**	

Performance outcomes	Acceptable outcomes	Does the proposal meet the acceptable outcome? If not, justify how the proposal meets <u>either</u> the performance outcome or overall outcome	Internal use
 Figure 9.3.13-1 Illustration showing Multiple accommodation outcomes where all development is oriented so as to address public streets, public open space and public areas			
 **Figure 9.3.13-2** Illustration showing Multiple accommodation outcomes where all visible walls are articulated to create visual interest			

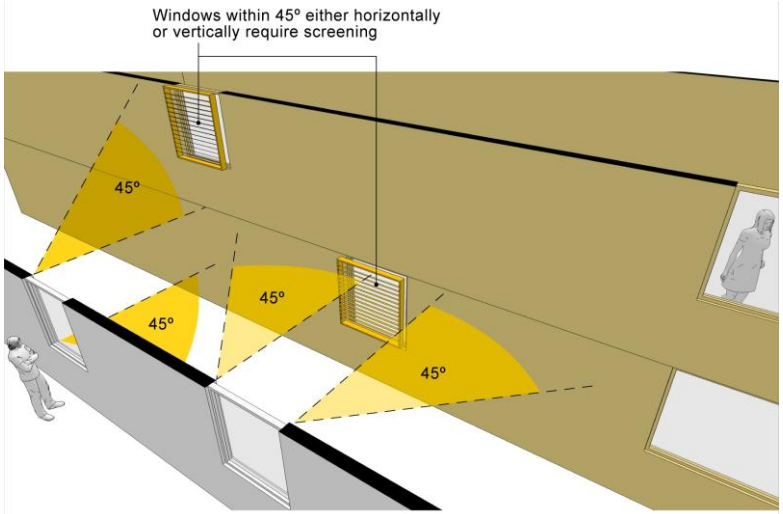
Performance outcomes	Acceptable outcomes	Does the proposal meet the acceptable outcome? If not, justify how the proposal meets either the performance outcome or overall outcome	Internal use
and the building design and materials visually integrate with the prevailing or intended character of the area			
PO4 Building form, orientation and articulation promotes sub-tropical design excellence and innovation, through: (a) optimising orientation to the north; (b) incorporation of generous outdoor living spaces; (c) privacy and utility of open space; (d) building articulation and ventilation; and (e) shading and climate protection.	**AO4** No acceptable outcome is provided.	**COMPLIES**	

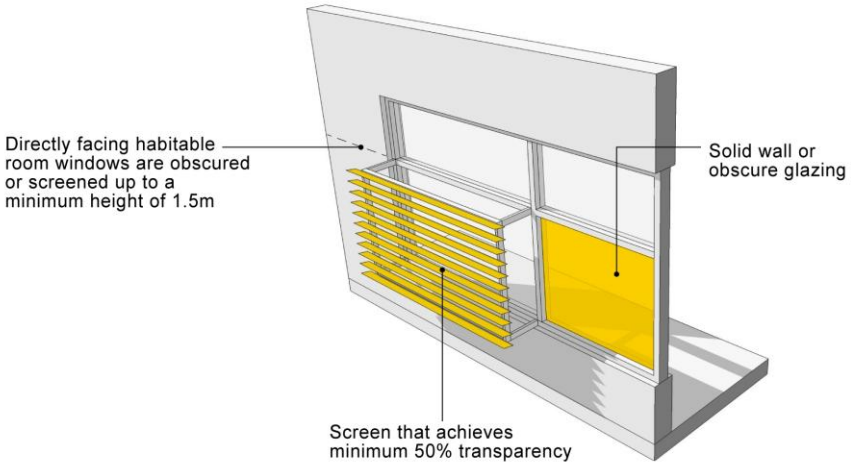
Performance outcomes	Acceptable outcomes	Does the proposal meet the acceptable outcome? If not, justify how the proposal meets either the performance outcome or overall outcome	Internal use
Roof form for buildings with 3 or more storeys			
PO5 Building caps and rooftops are provided to contribute an attractive roofscape that enhances the architectural distinction of the building and effectively screens service structures, plant and equipment. **Note: building height incorporates allowance for plant and equipment, attractive building caps and rooftop features.**	**AO5.1** Building caps and rooftops are provided to contribute an attractive roofscape that enhances the architectural distinction of the building	**COMPLIES**	
	AO5.2 Service structures, lift motor rooms and mechanical plant are: (a) designed as an architectural feature of the building; (b) incorporated into the roof form; or (c) screened effectively.	**COMPLIES**	
	AO5.3 The rooftop and roof form is designed to enable future inclusion of plant and equipment such as satellite dishes/telecommunications facilities in an unobtrusive manner.	**COMPLIES**	
	AO5.4 Where rooftops are used for open space, plant and equipment is visually and acoustically screened from the communal open space and the open space area is integrated into an attractive roofscape to enhance the architectural distinction of the building.	**COMPLIES**	

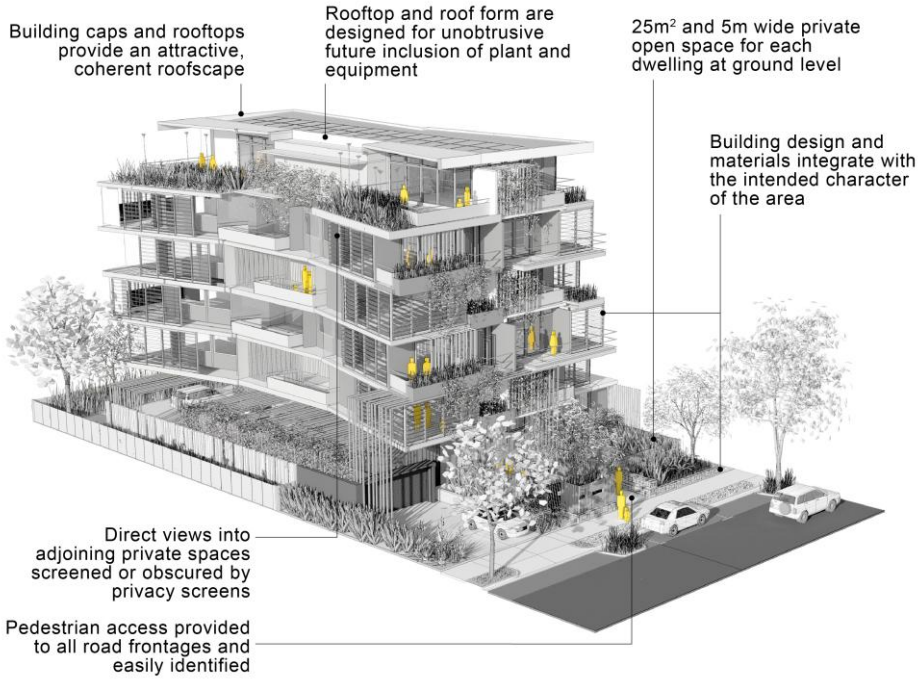
Performance outcomes	Acceptable outcomes	Does the proposal meet the acceptable outcome? If not, justify how the proposal meets <u>either</u> the performance outcome or overall outcome	Internal use
 Figure 9.3.13-3 Illustration showing Multiple accommodation outcomes for building caps and rooftops			

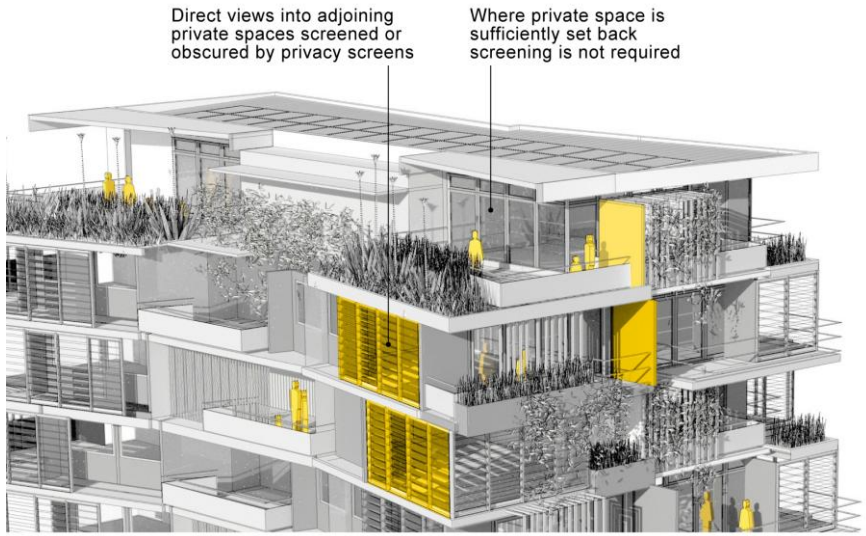
Performance outcomes	Acceptable outcomes	Does the proposal meet the acceptable outcome? If not, justify how the proposal meets <u>either</u> the performance outcome or overall outcome	Internal use
 **Figure 9.3.13-4** Illustration showing Multiple accommodation outcomes for rooftop and roof form			
Ground floor and entry requirements for buildings with 3 or more storeys			
PO6 The ground floor entrance area is easily identifiable and built to a human scale.	**AO6** No acceptable outcome provided	**COMPLIES**	
Privacy			

Performance outcomes	Acceptable outcomes	Does the proposal meet the acceptable outcome? If not, justify how the proposal meets <u>either</u> the performance outcome or overall outcome	Internal use
PO7 The building is designed to achieve an acceptable level of privacy for the occupants of the dwelling and neighbouring dwellings.	**AO7.1** Habitable room windows do not directly face: (a) a habitable room window of another building within 10m; and (b) an access way, footpath or communal open space area within 3m. OR Habitable room windows: (a) have a fixed obscure glazing in any part of the window below 1.5m above floor level; (b) have privacy screens that cover a minimum of 50% window view. **Note: 'directly face' means an angle within 45° either horizontally or vertically.**	**COMPLIES** Adjoining windows are generally high set or obscure glazing as is, there fore the proposal which affords 3m setbacks to adjoining properties is not deemed to create a privacy concern.	
	AO7.2 Where a direct view exists into the private open space of an adjoining dwelling, the outlook from windows, stairwells, terraces, decks and other private, communal or public areas, is obscured or screened by privacy screens.	**COMPLIES**	

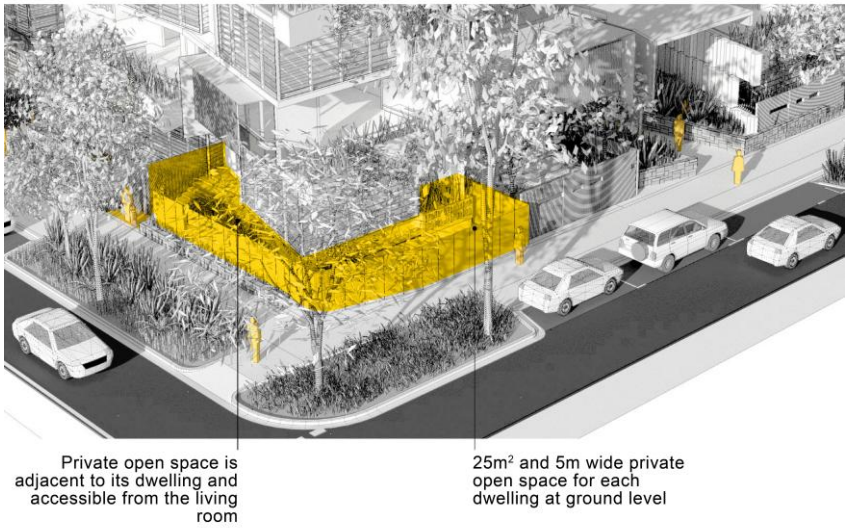
Performance outcomes	Acceptable outcomes	Does the proposal meet the acceptable outcome? If not, justify how the proposal meets <u>either</u> the performance outcome or overall outcome	Internal use
 **Figure 9.3.13-5** Illustration showing Multiple accommodation design privacy outcomes where windows and doors are appropriately obscured by screening.			

Performance outcomes	Acceptable outcomes	Does the proposal meet the acceptable outcome? If not, justify how the proposal meets <u>either</u> the performance outcome or overall outcome	Internal use
 **Figure 9.3.13-6** Illustration showing Multiple accommodation outcomes for privacy			

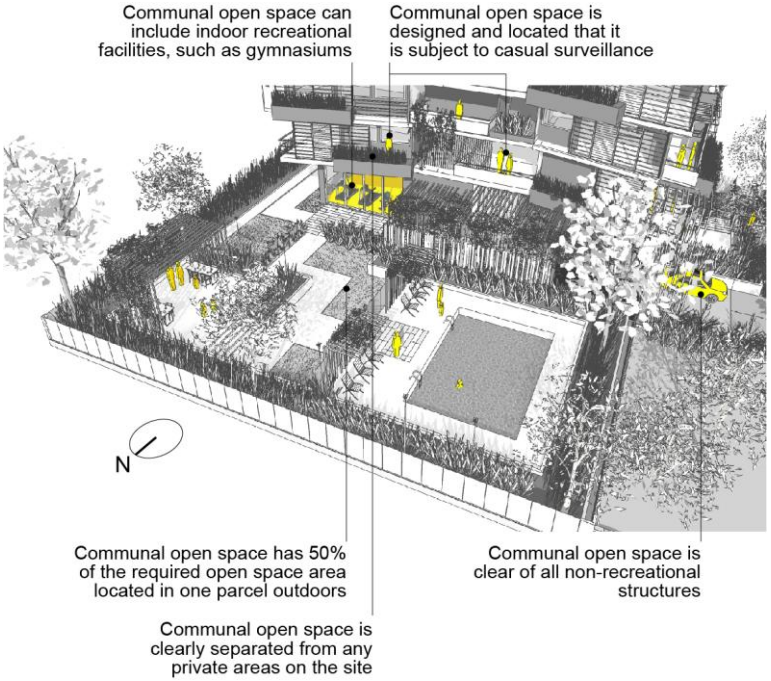
Performance outcomes	Acceptable outcomes	Does the proposal meet the acceptable outcome? If not, justify how the proposal meets <u>either</u> the performance outcome or overall outcome	Internal use
 **Figure 9.3.13-7** Illustration showing Multiple accommodation outcomes			

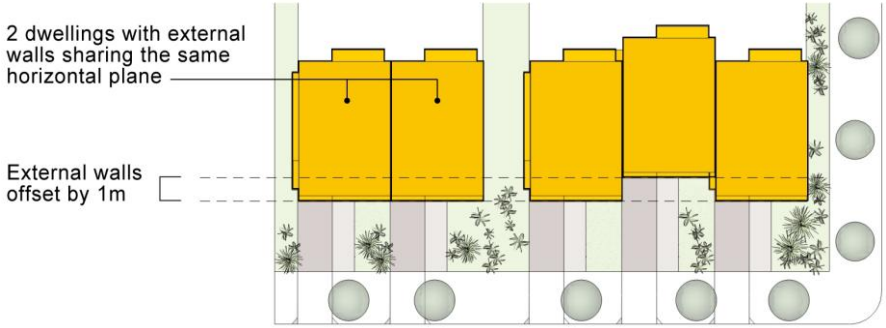
Performance outcomes	Acceptable outcomes	Does the proposal meet the acceptable outcome? If not, justify how the proposal meets <u>either</u> the performance outcome or overall outcome	Internal use
 **Figure 9.3.13-8** Illustration showing Multiple accommodation outcomes for privacy			

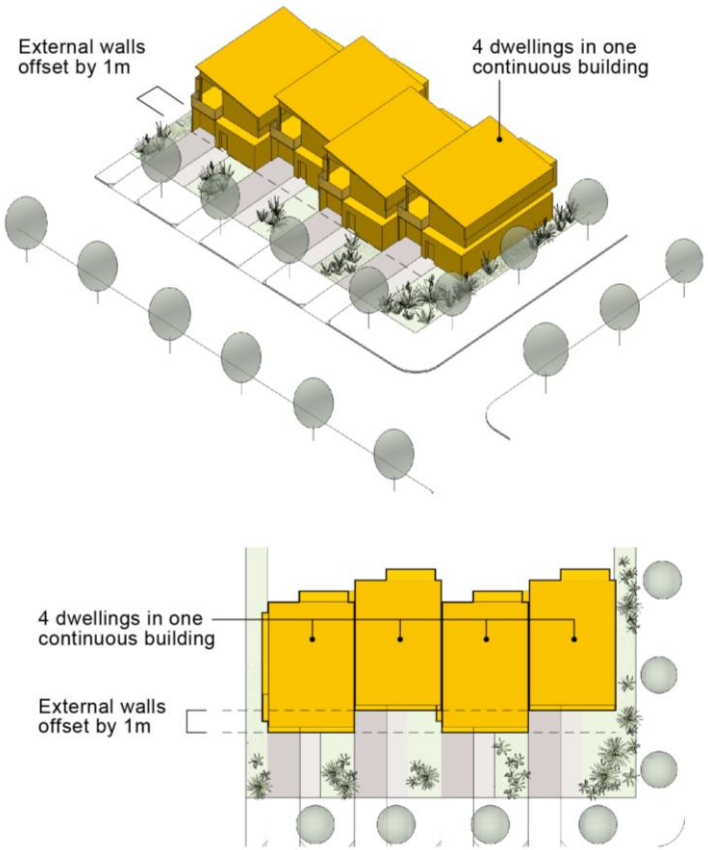
Performance outcomes	Acceptable outcomes	Does the proposal meet the acceptable outcome? If not, justify how the proposal meets either the performance outcome or overall outcome	Internal use
Private open space			
PO8 Development provides attractive, accessible and functional private open space for residents, which is designed for the subtropical climate, to maximise outdoor living opportunities and enhance amenity for residents.	**AO8** If the dwelling is located above ground, private open space for each dwelling shall: (a) mitigate negative wind effects on intended users; (b) be accessible from the living room; and (c) be supplied at the following rates: **No. of bedrooms** / **Minimum balcony area** 1 bedroom and studio: 9m² with a minimum dimension of 3m 2 bedrooms: 12m² with a minimum dimension of 3m 3 or more bedrooms: 16m² with a minimum dimension of 3m OR If the dwelling is located at ground level, private open space for each dwelling: (a) has a minimum area of 25m²; (b) has a minimum width of 5m; (c) is located adjacent to each dwelling unit; (d) is accessible from the living room; (e) has a maximum gradient not exceeding one in ten; and (f) is sufficiently screened or elevated for privacy OR **Bermuda Point precinct** **No. of bedrooms** / **Minimum balcony areas** 1, 2, 3 or more bedroom/studio: 8m² with a minimum dimension of 2m	**COMPLIES**	

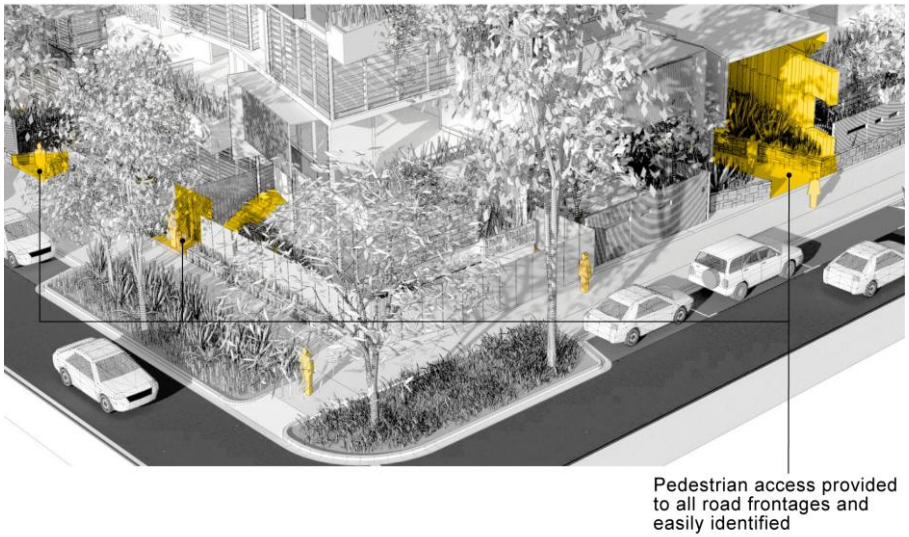
Performance outcomes	Acceptable outcomes	Does the proposal meet the acceptable outcome? If not, justify how the proposal meets <u>either</u> the performance outcome or overall outcome	Internal use
	OR For residential care facilities, no acceptable outcome provided.		
 **Figure 9.3.13-9** Illustration showing Multiple accommodation outcomes for private open space			
Communal open space			
PO9 Where the development includes ten or more dwellings, communal open space is provided on site that: (a) is accessible, useable and safe; (b) is designed for the subtropical climate,	**AO9.1** Principal communal open space areas are oriented to the north and receive at least three hours of sun between 9am and 5pm on 21 June over a portion of their surface. OR	**COMPLIES**	

Performance outcomes	Acceptable outcomes	Does the proposal meet the acceptable outcome? If not, justify how the proposal meets <u>either</u> the performance outcome or overall outcome	Internal use
maximising outdoor living opportunities, and enhancing amenity for residents; (c) is available for the recreational use of all occupants of the development; (d) provides outdoor recreational areas required to service the open space needs of residents or guests of the development; (e) aesthetically complements buildings on the site; (f) provides opportunities for social interaction; (g) is designed and located to reduce internal and external impacts on the amenity of residents and neighbouring premises; and (h) creates a pleasant streetscape by establishing landscaped (incorporating shade trees where practicable) areas adjoining the frontages of the development.	**Bermuda Point precinct** Principal communal open space areas are orientated to the north.		
	AO9.2 Where the development includes ten or more dwellings, communal open space (including any landscaped areas) is provided at a rate of 6.5m^2 per dwelling.	**COMPLIES**	
	AO9.3 The communal open space required in **AO9.2**: (a) includes a communal open space area of at least 50% of the total open space requirement in one parcel and, this parcel is outdoors and has a maximum length to breadth ratio of 2.5:1; (b) has a gradient not exceeding one in ten; (c) is clear of all non-recreational structures, including clothes hoists, driveways, water tanks, car parking and garbage receptacles; (d) is readily safe, accessible and convenient to residents; (e) includes an area being at least 10% for deep planting; (f) is designed and located so that it is subject to casual surveillance; (g) utilises hard and soft landscape treatment; (h) is clearly separated from any private areas of the site; and (i) can include indoor recreation facilities such as gymnasiums.	**COMPLIES**	

Performance outcomes	Acceptable outcomes	Does the proposal meet the acceptable outcome? If not, justify how the proposal meets <u>either</u> the performance outcome or overall outcome	Internal use
 **Figure 9.3.13-10** Illustration showing Multiple accommodation outcomes for communal open space, landscaping and design			
	AO9.4 Where the communal open space is for a residential care facility or retirement facility, the open space is provided with outdoor facilities for the health and wellbeing of residents such as sheltered gardens, circuit walkways, gardening beds and a space of sufficient size for a resident to take a visiting family with young children.	**N/A**	
Additional design and appearance requirements for multiple dwellings comprising townhouses			

Performance outcomes	Acceptable outcomes	Does the proposal meet the acceptable outcome? If not, justify how the proposal meets either the performance outcome or overall outcome	Internal use
PO10 Multiple dwellings comprising townhouses are designed to visually integrate with the desired built form of the area as expressed by the zone and provide differentiation between buildings by means of articulation.	**AO10.1** No more than two adjacent dwellings have external walls in the same horizontal plane, unless they are offset by at least 1m.	**N/A**	
	AO10.2 The number of dwellings in the one continuous building does not exceed four.	**N/A**	
 **Figure 9.3.13-11** Illustration showing Multiple accommodation outcomes for additional design and appearance requirements for multiple dwellings comprising townhouses			

Performance outcomes	Acceptable outcomes	Does the proposal meet the acceptable outcome? If not, justify how the proposal meets <u>either</u> the performance outcome or overall outcome	Internal use
 **Figure 9.3.13-12** Illustration showing Multiple accommodation outcomes for additional design and appearance requirements for multiple dwellings comprising townhouses			
Pedestrian access			
PO11 Safe and convenient access is provided for	**AO11.1** Pedestrian access is provided to all road frontages	**COMPLIES**	

Performance outcomes	Acceptable outcomes	Does the proposal meet the acceptable outcome? If not, justify how the proposal meets either the performance outcome or overall outcome	Internal use
pedestrians.	and is easily identified.		
	AO11.2 Footpaths are provided to connect dwellings with communal open-space areas, external roads and public open space. OR In low-speed traffic environments, driveways are designed to be a shared space.	**COMPLIES**	
 **Figure 9.3.13-13** Illustration showing Multiple accommodation outcomes for pedestrian access			
Car park areas			
PO12 The car parking area and associated structures do not dominate the street frontage	**AO12** No acceptable outcome provided.	**COMPLIES**	

Performance outcomes	Acceptable outcomes	Does the proposal meet the acceptable outcome? If not, justify how the proposal meets either the performance outcome or overall outcome	Internal use
of the development.			
Provision of access for multiple dwellings comprising townhouses			
PO13 Multiple dwellings, in the form of townhouse development, integrate within the overall street network.	**AO13** Pedestrian and cycle connections are provided to adjoining streets.	**N/A**	
Safety and security			
PO14 Building design enhances safety and security on and off the site.	**AO14.1** Above ground floor dwellings have windows or balconies that provide clear lines of sight towards private access ways, the street, and all adjacent public space.	**COMPLIES**	
	AO14.2 Lighting is provided to driveways, property entrances, pathways, communal service areas, car-parking areas, lobbies stairwells, steps and ramps.	**COMPLIES**	
	AO14.3 Entrances and exits to the street are directly accessible, illuminated and highly visible from public areas.	**COMPLIES**	
	AO14.4 Dead-end corridors, alleyways, pathways and refuse areas are secured to prevent unauthorised access.	**COMPLIES**	

Performance outcomes	Acceptable outcomes	Does the proposal meet the acceptable outcome? If not, justify how the proposal meets either the performance outcome or overall outcome	Internal use
Housing need and choice			
PO15 Development provides a mix of housing sizes and affordability outcomes to meet housing needs.	**AO15** No acceptable outcome provided.	**COMPLIES**	
 Figure 9.3.13-14 Illustration showing Multiple accommodation outcomes where above ground floor dwellings have windows and balconies that provide clear lines of sight towards private access ways, the street, and all adjacent public space			
Services and recreational facilities for residential care facilities and retirement facilities			
PO16 A range of self-contained services and recreational facilities are provided.	**AO16** Developments that have between 11 and 25 units include a community meeting room. OR Developments that have 26 units or more include a community meeting room and one or more of the	**N/A**	

Performance outcomes	Acceptable outcomes	Does the proposal meet the acceptable outcome? If not, justify how the proposal meets either the performance outcome or overall outcome	Internal use
	following: (a) community vehicle; (b) on-site personal care; (c) on-site meal service; and (d) recreational facilities, in addition to the communal open space requirements in **PO9**.		

City Plan code template

This code template supports the preparation of a development application against either the acceptable outcome(s) or performance outcome(s) contained in the code. Development assessment rules are outlined in **Section 5.3.3** of the City Plan.

Please note:

For assessment against the overall outcomes, refer to the appropriate code.

Note: The whole of the planning scheme is identified as the assessment benchmark for impact assessable development. This specifically includes assessment of impact assessable development against this strategic framework. The strategic framework may contain intentions and requirements that are additional to and not necessarily repeated in zone, overlay or other codes. In particular, the performance outcomes in zone codes address only a limited number of aspects, predominantly related to built form. Development that is impact assessable must also be assessed against the overall outcomes of the code as well as the strategic framework.

9.4.4 General development provisions code

9.4.4.1 Application

The code applies to assessing material change of use, building work, reconfiguring a lot or operational work where indicated within **Part 5 Tables of assessment**.

When using this code, reference should be made to **Section 5.3.2** and, where applicable, **Section 5.3.3**, in **Part 5**.

9.4.4.2 Purpose

(1) The purpose of the General development provisions code is to provide a consistent approach to city wide issues and avoid duplication of regulation throughout the City Plan.

(2) The purpose of the code will be achieved through the following overall outcomes:

(a) Development is designed to maintain the expected level of amenity for the area.

(b) Development promotes a safe environment and reduces the potential for crime.

(c) Development is designed to respect the natural values of the land, including vegetation, natural topography and development on steep slopes to minimise impacts on the landscape character of the city's rural, urban and hinterland areas.

(d) Development does not result in unsightly retaining walls.

(e) Building services and storage areas are designed and located to avoid nuisance to adjoining premises and avoid an unattractive appearance when viewed from the street.

(f) Development does not cause adverse stormwater drainage impacts on or off the site.

(g) Development is connected to essential services and public utilities in accordance with infrastructure provider requirements.

(h) Development is designed and located to ensure it does not adversely impact on Council infrastructure.

9.4.4.3 Specific benchmarks for assessment

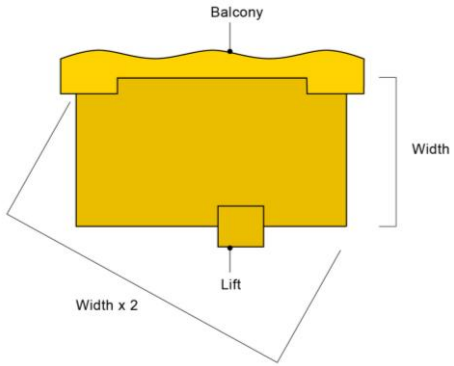
PART B – ASSESSABLE DEVELOPMENT BENCHMARKS

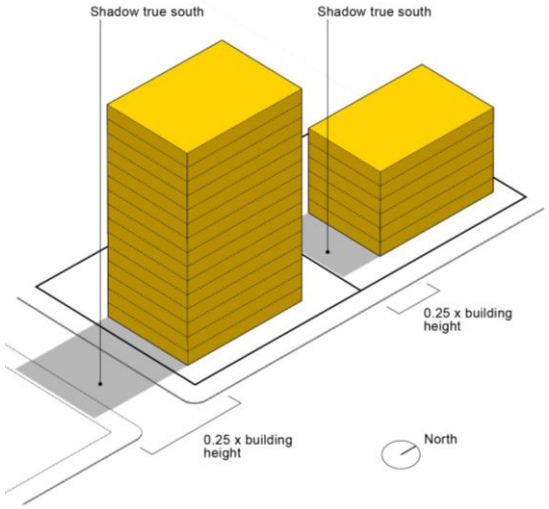
Table 9.4.4-2: General development provisions code – for assessable development

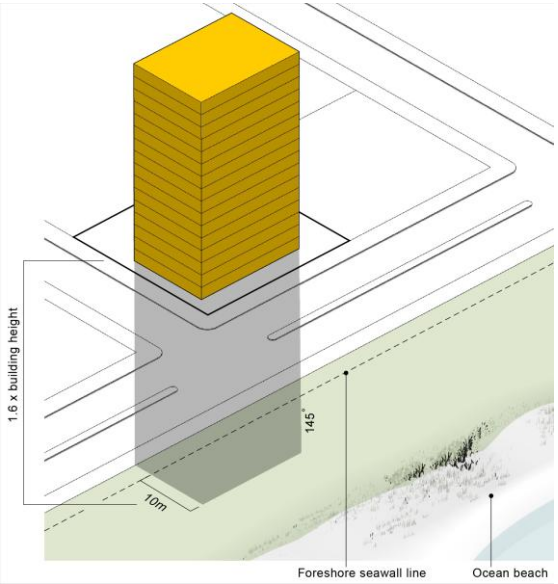
Performance outcomes	Acceptable outcomes	Does the proposal meet the acceptable outcome? If not, justify how the proposal meets either the performance outcome or overall outcome	Internal use
Amenity protection			
PO1 Development mitigates any negative effects to amenity, health and safety from existing surrounding activities having regard to: (a) noise; (b) hours of operation; (c) traffic; (d) signage; (e) visual amenity; (f) wind effects; (g) privacy; (h) vibration; (i) contaminated substances; (j) hazardous chemicals; (k) odour and emissions; and (l) safety.	**AO1** No acceptable outcome provided.	**COMPLIES** The proposal is not expected to be impacted by surrounding uses.	
PO2 The proposed development prevents loss of amenity and threats to health and safety, having regard to: (a) noise;	**AO2** No acceptable outcome provided.	**COMPLIES** The proposal is not expected to impact surrounding uses.	

Performance outcomes	Acceptable outcomes	Does the proposal meet the acceptable outcome? If not, justify how the proposal meets either the performance outcome or overall outcome	Internal use
(b) hours of operation; (c) traffic; (d) signage; (e) visual amenity; (f) wind effects; (g) privacy; (h) vibration; (i) contaminating substances; (j) hazardous chemicals; (k) odour and emissions; and (l) safety.			
Development along the Pacific Motorway and heavy railway line			
PO3 Development adjacent to the Pacific Motorway and heavy railway line minimises views of the storage of outdoor plant and equipment, including service areas to provide an attractive outlook for persons using the transport network.	**AO3** Where the site is adjacent to the Pacific Motorway or a heavy rail line, areas used for outdoor storage, including service areas are screened from view from users of the motorway or heavy rail line by buildings, solid fencing or vegetation.	**N/A**	
Landscaping			
PO4 The proposal provides landscape work that protects and enhances the character of the local area.	**AO4.1** For all development except dwelling houses, dual occupancies, caretaker's accommodation and community residences a Statement of Landscape Intent prepared in accordance with **SC6.13 City Plan policy – Landscape work** demonstrating that the landscaping will provide amenity for site users and will protect and enhance the character of the local area. **AO4.2** An Open Space Management Statement is prepared in accordance with **SC6.13 City Plan policy – Landscape work** where landscape works	**COMPLIES**	

Performance outcomes	Acceptable outcomes	Does the proposal meet the acceptable outcome? If not, justify how the proposal meets either the performance outcome or overall outcome	Internal use
	are proposed to be undertaken on land that is or is intended to be, public open space.		
Building services			
PO5 All mechanical equipment is located and housed so as not to cause disturbance to residents within or adjoining the development.	**AO5** **For all development except dwelling houses, dual occupancies, caretaker's accommodation and community residences:** The mechanical equipment, including air-conditioning plant and swimming pool pumps, is incorporated within the building. OR The mechanical equipment, including air-conditioning plant and swimming pool pumps, is housed external to the principal building and: (a) is contained within a solid structure; and (b) located no closer than 1.5m to any site boundary.	**COMPLIES**	
Casual surveillance and lighting			
PO6 Development facilitates casual surveillance of public areas and incorporates lighting to reduce opportunities for crime.	**AO6** No acceptable outcome provided.	**COMPLIES**	
Lighting			
PO7 Lighting associated with any development does not cause a nuisance.	**AO7** Direct or reflected light emissions from the premises must be positioned and shielded to prevent light spillage outside the boundaries of the site.	**COMPLIES**	
Shadow impacts – for all development 3 or more storeys			

Performance outcomes	Acceptable outcomes	Does the proposal meet the acceptable outcome? If not, justify how the proposal meets <u>either</u> the performance outcome or overall outcome	Internal use
PO8 The building is designed and located to ensure that the shadow cast by the building does not detract from a comfortable living and ground level environment and the access of adequate sunlight to private and public spaces having regard to: (a) the degree of containment of the shadow on the subject site at different times of the day on the summer and winter solstice and spring and autumn equinox; (b) the cumulative impact of the shadow and existing shadows; (c) the effect of the shadow on the ocean beach, Broadwater foreshore, or riverside or beachside public open space; (d) the location of the shadow on non-residential areas external to the site; and (e) the effect of the shadow on any other site or other building.	**AO8.1** The width of the shadow cast in any direction by each level of the building, excluding balconies and lift wells, does not exceed twice the width of the shadow cast in any other direction.  **Figure 9.4.4-1** Illustration showing width ratio shadow outcome	**COMPLIES**	
	AO8.2 The shadow cast by the building in a true south direction has a length 0.25 times the height of the building, as measured from ground level adjacent to the southern side of the subject building to the top of the topmost storey, and does not intrude onto any other site, or does not cast shadow onto any other building on the same site.	**COMPLIES WITH PO** Further detailed assessment has been included within section 6.9 of the Planning Report.	

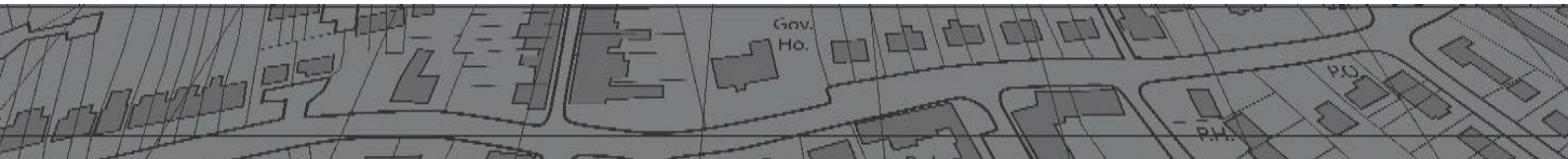
Performance outcomes	Acceptable outcomes	Does the proposal meet the acceptable outcome? If not, justify how the proposal meets <u>either</u> the performance outcome or overall outcome	Internal use
	 **Figure 9.4.4-2** Illustration showing southern shadow outcome		
	AO8.3 **Bermuda Point precinct** The shadow cast by the building in a true south direction has a length 0.25 times the height of the building, as measured from the top of the podium adjacent to the southern side of the subject building to the top of the topmost storey, and does not intrude onto any other site, or does not cast shadow onto any other building on the same site. **Note: The podium is excluded from any southern shadow calculations.**	**N/A**	
	AO8.4 The shadow cast by any building does not cover any part of the ocean beach or Broadwater foreshore when the shadow has a bearing of 145° east of true north and the length of the shadow is	**N/A**	

Performance outcomes	Acceptable outcomes	Does the proposal meet the acceptable outcome? If not, justify how the proposal meets <u>either</u> the performance outcome or overall outcome	Internal use
	1.6 times the height of the building as measured from the ground level to the top of the topmost storey. **Note: For the purpose of this acceptable outcome, the ocean beach is defined as that area east of a line 10m east of and parallel to the foreshore seawall line and the Broadwater foreshore is defined as that area east of the leading edge of the revetment wall.**  **Figure 9.4.4-3** Illustration showing ocean beach and Broadwater foreshore shadow outcome		
	AO8.5 The shadow cast by the building in the direction of true south does not intrude more than 10m into a riverside public open space reserve.	**N/A**	

Performance outcomes	Acceptable outcomes	Does the proposal meet the acceptable outcome? If not, justify how the proposal meets either the performance outcome or overall outcome	Internal use
Earthworks and treatment of retaining walls			
PO9 Earthworks and retaining walls associated with the development do not create a negative visual impact upon neighbouring properties or the streetscape.	**AO9** Retaining walls and batters comply with the requirements of **SC6.12 City Plan policy – Land development guidelines, Section 3 – Change to ground level standards**.	**COMPLIES**	
Stormwater drainage			
PO10 Development does not cause adverse stormwater drainage impacts on or off the site.	**AO10** All development incorporates stormwater drainage works to comply with the requirements of **SC6.12 City Plan policy – Land development guidelines, Section 4 – Stormwater drainage and water sensitive urban design standards**.	**COMPLIES**	
Infrastructure			
PO11 All development ensures connection to public utilities to meet the needs of the development, including sewer, water, electricity and communications services.	**AO11** All development is provided with services, as follows: (a) electricity supply and communication services (b) reticulated water supply, when within the mapped 'water supply service area' identified in the Local government infrastructure plan, and not located in the Conservation, Extractive industry, Major tourism (Island resorts precinct), Open space or Rural zones (c) reticulated sewer network, when within the mapped 'wastewater service area' identified in the Local government infrastructure plan, and not located in the Conservation, Extractive industry, Major tourism (Island resorts precinct), Open space, Rural or Rural residential zones.	**COMPLIES**	

Performance outcomes	Acceptable outcomes	Does the proposal meet the acceptable outcome? If not, justify how the proposal meets either the performance outcome or overall outcome	Internal use
PO12 Development is undertaken in accordance with the Performance Criteria specified in the *Queensland Development Code MP1.4 – Building over or near relevant infrastructure*.	**AO12** Development is undertaken in accordance with the Acceptable Solutions specified in the *Queensland Development Code MP1.4 – Building over or near relevant infrastructure*.	**COMPLIES**	
Site analysis			
PO13 Development is designed to: (a) complement the character and address any impacts on the amenity and environment of the local area; (b) avoid any risk to life or property arising from natural hazards; and (c) protect significant natural habitat areas, wildlife corridors, wetlands and waterway corridors.	**AO13** A site analysis plan is prepared in accordance with **SC6.14 City Plan policy – Site analysis**.	**COMPLIES**	

APPENDIX 2
State Planning Policy & Referral Mapping



State Assessment and Referral Agency

Date: 11/04/2024

Queensland Government

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Disclaimer:
This map has been generated from the information supplied to the Queensland Government for the purposes of the Development Assessment Mapping System. The map generated has been prepared with due care based on the best available information at the time of publication. The State of Queensland holds no responsibility for any errors, inconsistencies or omissions within this document. Any decisions made by other parties based on this document solely the responsibility of those parties. This information is supplied subject to the full terms and conditions available on the department's website.

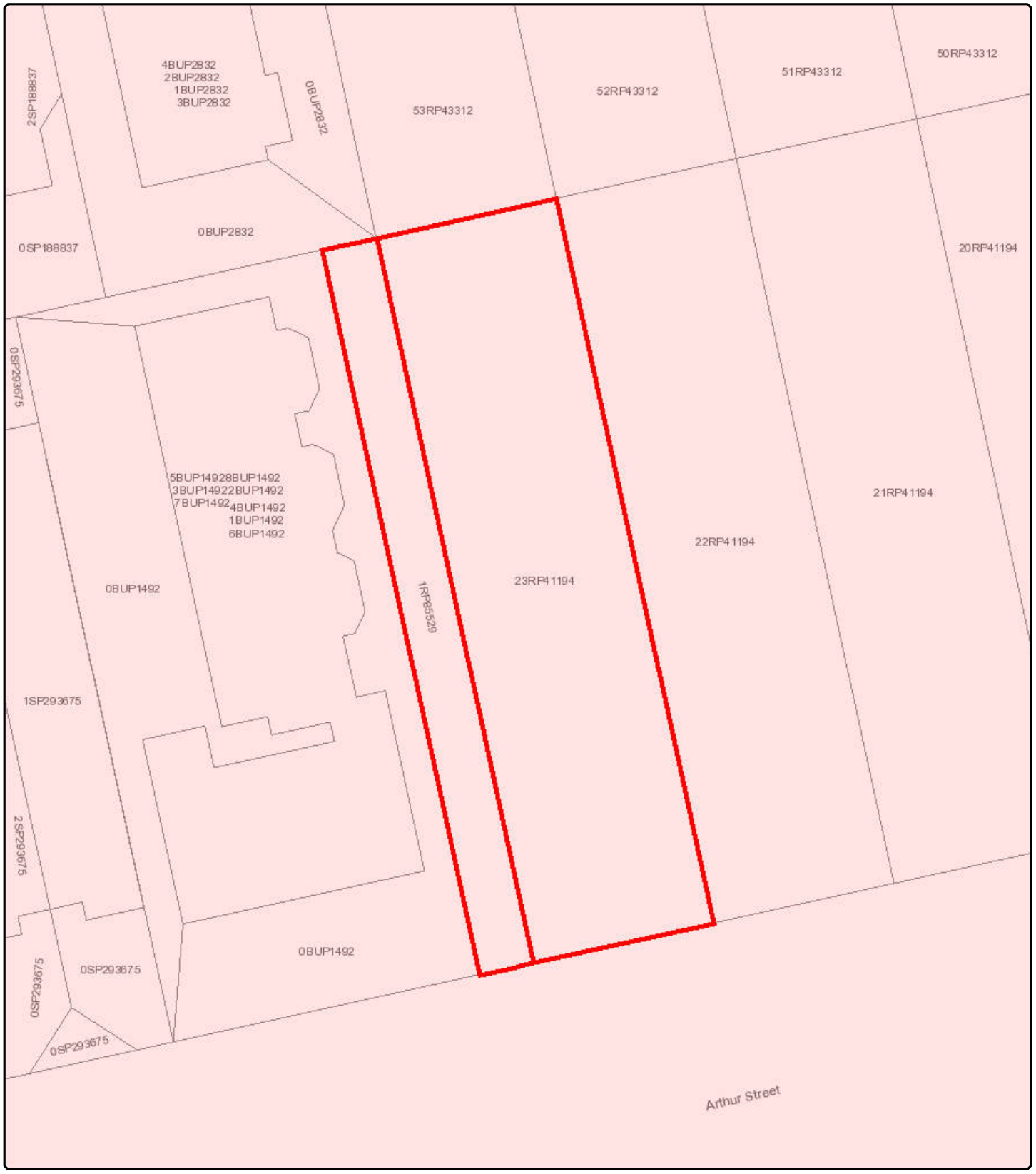
Matters of Interest for all selected Lot Plans

SEQ Regional Plan land use categories
Water resource planning area boundaries

Matters of Interest by Lot Plan

Lot Plan: 1RP85529 (Area: 122 m^2)
SEQ Regional Plan land use categories
Water resource planning area boundaries

Lot Plan: 23RP41194 (Area: 405 m^2)
SEQ Regional Plan land use categories
Water resource planning area boundaries



State Assessment and Referral Agency

Date: 11/04/2024

Queensland Government

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N

Legend

SEQ Regional Plan land use categories

- Regional Landscape and Rural Production Area
- Rural Living Area
- Urban Footprint

0 6 12 18 24

Metres

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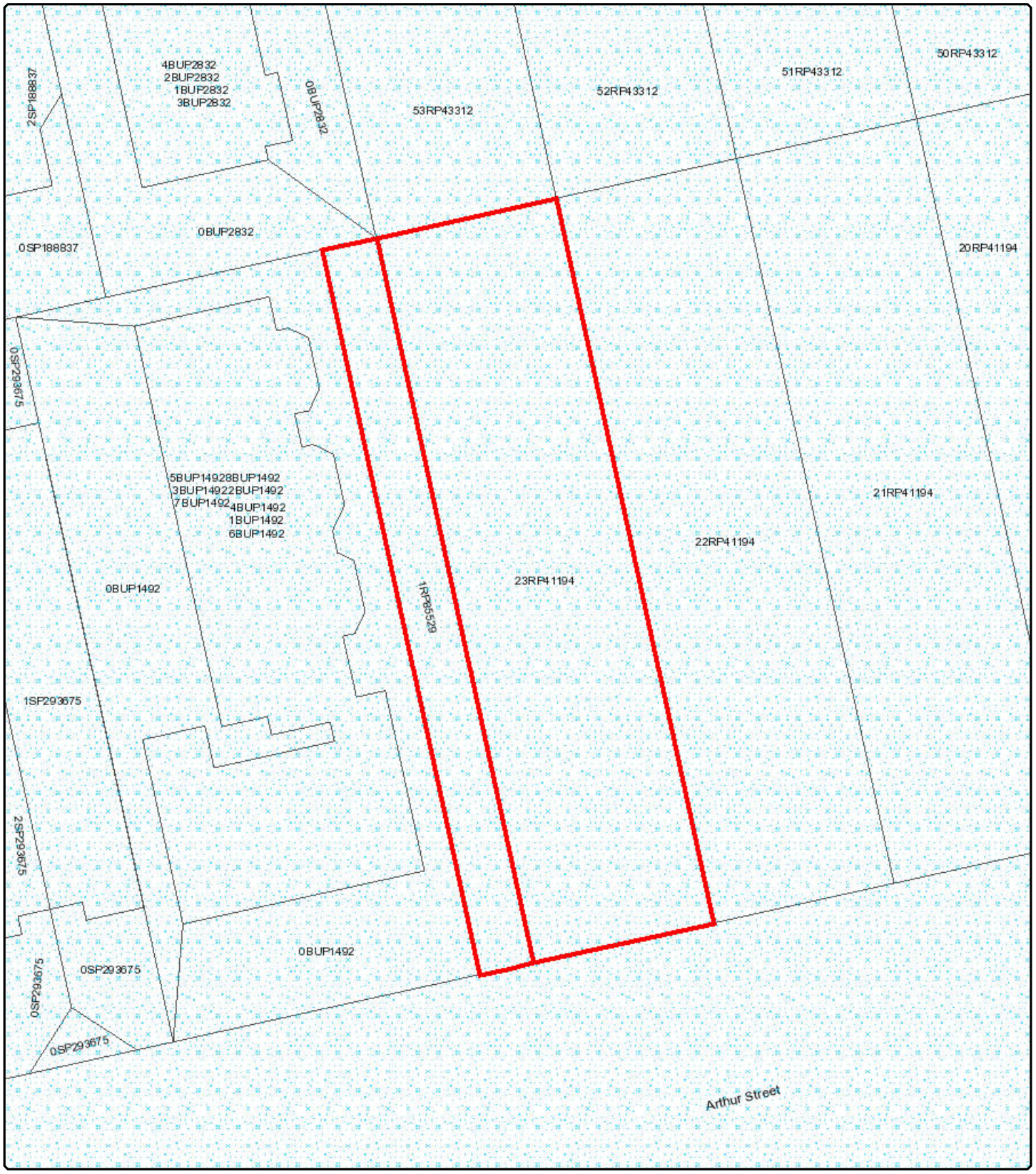

State Assessment and Referral Agency

Date: 11/04/2024

Queensland Government

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N

Legend

Water resource planning area boundaries

Water resource planning area boundaries

0 6 12 18 24

Metres

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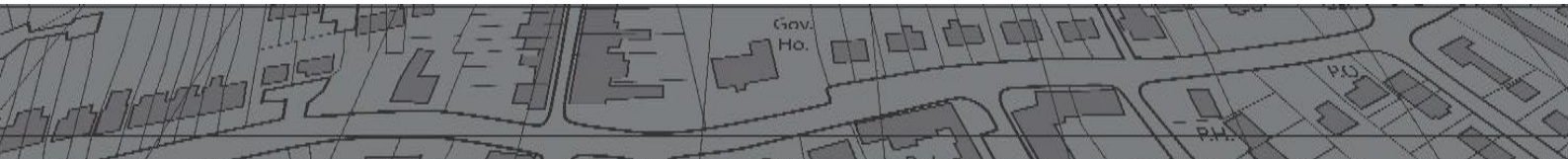
APPENDIX 3
City Plan Property Report



CITY OF GOLDCOAST.

City Plan property report

Economy, Planning and Environment Directorate
Planning Enquiries Centre
City Development Branch
PO Box 5042 GOLD COAST MC QLD 9729
P: (07) 5582 8708
E: mail@goldcoast.qld.gov.au
W: cityofgoldcoast.com.au

Property Details	
Property address	37 ARTHUR STREET, MERMAID BEACH, 4218
Lot and Plan	23RP41194
Area	405 m^2
City Plan content	
Zone map	

Residential zones category
- Low density residential
- Low density residential, Large lot precinct
- Low density residential, Calypso Bay precinct
- Medium density residential
- Medium density residential, Calypso Bay precinct
- High density residential

Centres zones category
- Centre
- Neighbourhood centre
- Neighbourhood centre, West Burleigh historic township precinct

Recreation zones category
- Sport and recreation
- Sport and recreation, Bond University precinct
- Sport and recreation, Bundall equestrian area precinct
- Open space

Tourism zones category
- Major tourism
- Major tourism, Island resorts precinct
- Major tourism, Sea World precinct
- Major tourism, The Spit northern tourism precinct
- Major tourism, The Spit eastern tourism precinct
- Major tourism, The Spit southern tourism precinct
- Major tourism, Wildlife park precinct

Environment zones category
- Conservation

Industry zones category
- Low impact industry
- Low impact industry, Future low impact industry precinct
- Medium impact industry
- Medium impact industry, Future medium impact industry precinct
- High impact industry
- High impact industry, Future high impact industry precinct
- Waterfront and marine industry
- Waterfront and marine industry, The Spit marine industry precinct

Other zones category
- Community facilities
- Emerging community
- Emerging community, Upper Coomera precinct
- Extractive industry
- Extractive industry, Extractive industry indicative buffer
- Innovation
- Innovation, Bond University precinct
- Innovation, Gold Coast cultural precinct
- Limited development (constrained land)
- Mixed use
- Mixed use, Bermuda Point precinct
- Mixed use, Fringe business precinct
- Rural
- Rural, Rural landscape and environment precinct
- Rural residential
- Rural residential, Rural residential landscape and environment precinct
- Special purpose
- Special purpose, Special development areas precinct
- Township
- Township, Commercial precinct
- Township, Large lot precinct
- Unzoned

- Property boundaries
- Selected property

Applicable mapping content	Related City Plan content
Division	
Division 12 (view divisional contact details)	
Zones	
Medium density residential zone	Medium density residential zone code Tables of assessment: • Material change of use • Reconfiguring a lot • Building work • Operational work
Overlay maps	
Acid sulfate soils: • Land at or below 20m AHD	Acid sulfate soils overlay code Tables of assessment: • Acid sulfate soils overlay
Airport environs- Obstacle Limitation Surface (OLS): • Obstacle Limitation Surface (OLS)	Airport environs overlay code Tables of assessment: • Airport environs overlay
Airport environs - Procedures for Air Navigation Services, Aircraft Operational (PANS-OPS) surfaces: • PANS-OPS contour	Airport environs overlay code Tables of assessment: • Airport environs overlay
Building height	
Coastal erosion hazard Foreshore seawall: • Foreshore seawall setback	Coastal erosion hazard overlay code Tables of assessment: • Coastal erosion hazard overlay
Dwelling house • Dwelling house overlay area	Tables of assessment: • Dwelling house overlay
Residential density	
State controlled roads, rail corridor and transport noise corridor: • Transport noise corridors	Regional infrastructure overlay code Tables of assessment: • State controlled roads, rail corridor and transport noise corridors overlay
LGIP	
Local Government Infrastructure Plan: • Priority infrastructure area	Local Government Infrastructure Plan
Local Government Infrastructure Plan: • LGIP projection areas	Local Government Infrastructure Plan

Date created	11 Apr 2024	Version	v11 - Current

CITY OF GOLDCOAST.

City Plan property report

Economy, Planning and Environment Directorate
Planning Enquiries Centre
City Development Branch
PO Box 5042 GOLD COAST MC QLD 9729
P: (07) 5582 8708
E: mail@goldcoast.qld.gov.au
W: cityofgoldcoast.com.au

Property Details	
Property address	37A ARTHUR STREET, MERMAID BEACH, 4218
Lot and Plan	1RP85529
Area	122 m^2
City Plan content	
Zone map	

Residential zones category
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- Low density residential, Large lot precinct
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- Medium density residential
- Medium density residential, Calypso Bay precinct
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- Centre
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- Neighbourhood centre, West Burleigh historic township precinct

Recreation zones category
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- Sport and recreation, Bond University precinct
- Sport and recreation, Bundall equestrian area precinct
- Open space

Tourism zones category
- Major tourism
- Major tourism, Island resorts precinct
- Major tourism, Sea World precinct
- Major tourism, The Spit northern tourism precinct
- Major tourism, The Spit eastern tourism precinct
- Major tourism, The Spit southern tourism precinct
- Major tourism, Wildlife park precinct

Environment zones category
- Conservation

Industry zones category
- Low impact industry
- Low impact industry, Future low impact industry precinct
- Medium impact industry
- Medium impact industry, Future medium impact industry precinct
- High impact industry
- High impact industry, Future high impact industry precinct
- Waterfront and marine industry
- Waterfront and marine industry, The Spit marine industry precinct

Other zones category
- Community facilities
- Emerging community
- Emerging community, Upper Coomera precinct
- Extractive industry
- Extractive industry, Extractive industry indicative buffer
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- Innovation, Bond University precinct
- Innovation, Gold Coast cultural precinct
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- Mixed use, Fringe business precinct
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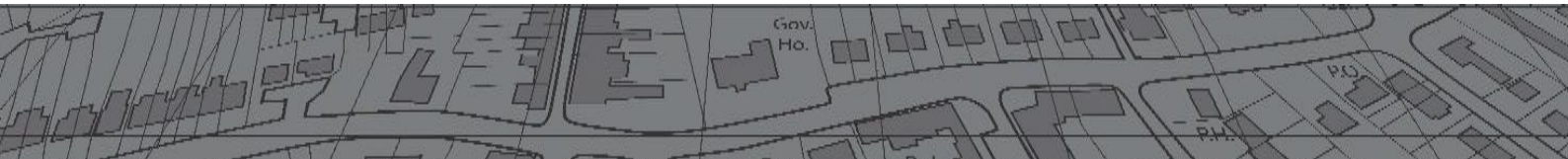
- Rural, Rural landscape and environment precinct
- Rural residential
- Rural residential, Rural residential landscape and environment precinct
- Special purpose
- Special purpose, Special development areas precinct
- Township
- Township, Commercial precinct
- Township, Large lot precinct
- Unzoned

- Property boundaries
- Selected property

Applicable mapping content	Related City Plan content
Division	
Division 12 (view divisional contact details)	
Zones	
Medium density residential zone	Medium density residential zone code Tables of assessment: • Material change of use • Reconfiguring a lot • Building work • Operational work
Overlay maps	
Acid sulfate soils: • Land at or below 20m AHD	Acid sulfate soils overlay code Tables of assessment: • Acid sulfate soils overlay
Airport environs- Obstacle Limitation Surface (OLS): • Obstacle Limitation Surface (OLS)	Airport environs overlay code Tables of assessment: • Airport environs overlay
Airport environs - Procedures for Air Navigation Services, Aircraft Operational (PANS-OPS) surfaces: • PANS-OPS contour	Airport environs overlay code Tables of assessment: • Airport environs overlay
Building height	
Coastal erosion hazard Foreshore seawall: • Foreshore seawall setback	Coastal erosion hazard overlay code Tables of assessment: • Coastal erosion hazard overlay
Dwelling house • Dwelling house overlay area	Tables of assessment: • Dwelling house overlay
Residential density	
State controlled roads, rail corridor and transport noise corridor: • Transport noise corridors	Regional infrastructure overlay code Tables of assessment: • State controlled roads, rail corridor and transport noise corridors overlay
LGIP	
Local Government Infrastructure Plan: • Priority infrastructure area	Local Government Infrastructure Plan
Local Government Infrastructure Plan: • LGIP projection areas	Local Government Infrastructure Plan

Date created	11 Apr 2024	Version	v11 - Current

APPENDIX 4
Existing Approval



Our reference: MIN/2024/478
Your reference: Q24167

Decision notice— change application approval including amended suite of development conditions for MIN/2024/478
(Given under section 83(1) of the *Planning Act 2016*.)

The Council of the City of Gold Coast received your change application made under section 78 of the *Planning Act 2016* on 26 August 2024 for the development approval dated 3 December 2019.

Date of decision notice: 13 February 2025

Applicant details

Applicant name:	CUECORP PROPERTY GROUP PTY LTD
Applicant contact details:	C/- ZONE PLANNING QLD PO BOX 3805 BURLEIGH TOWN QLD 4220

Application details

Application number:	MIN/2024/478
Approval sought:	Minor change to a Development Permit for a Material Change of Use (Single Uses) Apartments (Three Apartments)

Details of the change:	• Provision of one (1) additional dwelling on level 1, for a total provision of 4 units.
	• Changes to the basement, including:
	  ○ Modified basement ramp location to the western side of the frontage.
	  ○ Additional parking provision of 4 residential parking spaces and 1 visitor parking spaces, for a total provision of 11 car parking spaces.
	  ○ Relocation of services and waste storage location.
	• Changes to the ground floor of the building, including:
	  ○ Relocation of basement driveway ramp and vehicle crossover location to the western side of the frontage.
	  ○ Changes to landscaping.
	  ○ Amendments to apartment layout.
	  ○ Increase in site cover by 0.86%, for a total ground floor site cover of 55.48%.
	  ○ Removal of eastern courtyard area.
	  ○ Modified setbacks, as follows:
	  ▪ Revised frontage layout, with minimum front setback moved to eastern side of frontage to account for basement ramp (no change in

minimum front setback).

        - Eastern side boundary modified through the removal of courtyard area. Setback reduced to façade elements (previously 1.5m, now 1.18m), but increased to window openings (previously 1.5m, now 1.64m).
        - Western side boundary reconfigured, with lengthened foyer wall (no change in minimum side setback, nor location of minimum setbacks).
        - Northern rear boundary modified to increase setback for rear bedroom (previously 3.8m, now 4.2m).

- Changes to Level 1 of the building, including:
    - Modification of the unit layout to split the previously single unit into two units.
    - Provision of increased front balcony.
    - Reduction in site cover by 2.61%, for a total level 1 site cover of 58.42%.
    - Modified setbacks, as follows:
        - Revised front balcony setback to allow for increased front balcony area (previously 3m-6.4m, now 3m-4m).
        - Eastern side boundary modified through the enclosure of the eastern balcony area. Setback reduced to façade elements (previously 1.5m, now 1.18m), but increased to window openings (previously 1.5m, now 1.64m).
        - Western side boundary reconfigured, with removal of drying area, and increase in overall setbacks (previously 1.5m, now 1.57m-1.86m for façade elements, and 2m for window openings).
        - Northern rear setback modified to reduce setback to habitable rooms from 3.2m to 3m (to the location of previous architectural elements).
- Changes to Level 2 of the building, including:
    - Provision of increased front balcony.
    - Increase in site cover by 0.52%, for a total level 2 site cover of 57.9%.

- Modified setbacks, as follows:
    - Revised front balcony setback to allow for increased front balcony area (previously 3m-6.4m, now 3m-4m).
    - Eastern side boundary modified through the enclosure of the eastern balcony area. Setback reduced to façade elements (previously 1.5m, now 1.18m), but increased to window openings (previously 1.5m, now 1.64m).
    - Western side boundary reconfigured, with removal of drying area, and increase in overall setbacks (previously 1.5m, now 1.57m-1.86m for façade elements, and 2m for window openings).
    - Northern rear setback modified to reduce setback to habitable rooms from 3.2m to 3m (to the location of previous architectural elements).

- Changes to the rooftop terrace area of the building, including:
    - Increase in site cover by 1.19%, for a total rooftop terrace (level 3) site cover of 8.19%.
    - Inclusion of pool to the southern side of the rooftop terrace.
    - Increased connectivity between southern and northern terrace areas through eastern side of rooftop terrace.
    - Increased landscape planting.
- Changes to building façade, including:
    - Provision of wider front balcony area.
    - Amended frontage to account for amended basement ramp location.
    - Amended materiality to remove featureless walls.
    - Additional glazed window openings within side facades to provide additional variance in the façade materiality.

Original Application number	MCU/2017/982
Details of original decision	Material Change of Use (Single Uses)- Apartments (Three Apartments)
Date of original decision	3 December 2019

Location details

Street address:	37 Arthur Street, Mermaid Beach
Real property description:	Lot 1 on RP85529 Lot 23 on RP41194

Decision

Date of decision:	10 February 2025
Decision details:	Under Delegated Authority, the Manager Major Assessment of the City Development Branch of Council has resolved to Approve the change in full and amend the existing conditions of approval.

Affected Entity(s) for the application

Not applicable – no part of the application required referral to an affected entity.

Details of the approval

Development permit	Material Change of Use (Single Uses) Apartments (Four Apartments)

Conditions

New and/or amended conditions of approval for a development permit or a Material change of use (Single Uses) Apartments (Four Apartments) are enclosed in this notice.

A full suite of development conditions for the development approval is also enclosed in this notice.

Further development permits

The following development permits are required to be obtained before the development can be carried out:

- Operational works - vehicle access works
- Operational works - landscape works
- Compliance permit for plumbing and drainage work
- Operational works – infrastructure
- Application to work on the City's infrastructure

Notwithstanding the above, other approvals/development permits may be required.

Properly made submissions

Not applicable—No part of the application required public notification.

Approved plans and drawings

Approved plans and drawings reflecting the approved change(s) are attached and are identified in the conditions imposed by Council in the amended suite of development conditions.

Appeal rights

Applicant	You have appeal rights in relation to this decision. An appeal may be made against a responsible entity's decision for a change application. An appeal must be started within 20 business days after this notice is given to you.

	An appeal may be made to the Planning and Environment Court or, for certain matters which are identified in section 1(2) of Schedule 1 of the *Planning Act 2016*, to a development tribunal. An appeal is started by lodging a notice of appeal with the registrar of the Planning and Environment Court or a development tribunal, as applicable. The notice of appeal must be in the approved form, succinctly state the grounds of the appeal and be accompanied by the required fee. An appellant to the Planning and Environment Court must give a copy of the notice of appeal, within 10 business days after the appeal is started, to the persons identified in section 230(3) of the *Planning Act 2016*. A person who is appealing to the Planning and Environment Court must comply with the rules of the court that apply to the appeal. An extract of Chapter 6, Part 1 and Schedule 1 of the *Planning Act 2016* is attached to this notice, which sets out further information about the appeal rights.

For further information please contact Jackson Bohlsen, Planner, on p: 07 5582 8473 or via email mail@goldcoast.qld.gov.au who will be pleased to assist.

AUTHORISED BY

Nathan Griffey
A/Coordinator Planning Central
For the Chief Executive Officer
Council of the City of Gold Coast

Enc:

New and/or amended conditions imposed by Council, as the Responsible Entity
Amended suite of development conditions for development approval MIN/2024/478

Attach:

Stamped approved plans and drawings for development approval MIN/2024/478
Amended infrastructure charge notice for development approval MIN/2024/478
Appeal rights extracts

New and/or amended conditions imposed by Council as the Responsible Entity

Condition 2 currently reads:

2 Amended drawings

Prepare and submit amendments to the drawings for confirmation they constitute the approved drawings for the purposes of this development approval. All amended drawings must be submitted (and confirmed by Council) prior to commencement of any works on site.

Drawing Title	Author	Date	Drawing No.	Ver
Development Summary	bda	31 May 2019	1.00	B
Site Plan	bda	31 May 2019	2.04	B
Basement Plan	BDA Architecture	16 March 2018	4.01	A
Ground Floor Plan	BDA Architecture	31 May 2019	4.02	B
Level 1 Floor Plan	bda	31 May 2019	4.03	B
Level 2 Floor plan	bda	31 May 2019	4.04	B
Level 3 Floor Plan	bda	31 May 2019	4.05	B
Elevations	Bda	31 May 2019	4.07	B
Roof Plan	Bda	31 May 2019	4.06	B
Sections	bda	31 May 2019	4.08	B
Colours and Materials	bda	June 2017	3.01	-

The following amendments must be included:

a The Level 2 Floor plan is to include setbacks of 2m to the western boundary from Bed 1, Ensuite, Laundry and Bed 3. These setbacks are to be reflected on the Level 2 Floor Plan and Elevations plan.

b Screening on the balcony of Level 1 and 2 is to be removed. This is to be reflected on the Level 1 and 2 floor plans and Elevations plan.

c The Colours and Material plan is to be amended based on the amended building design required by parts 1 and b of this condition.

d The Level 2 floor to ceiling height is to be reduced from 3.6m to 3.0m to be reflected on all section and elevation plans.

e Removal of the northern terraced area (71m²) and the associated perimeter screening / landscaping from the Level 3 Floor Plan, to be reflected on all section and elevation plans.

Condition 2 is amended to read:

2 **Approved drawings**

Undertake and maintain the development generally in accordance with the following drawings including as amended in red by the Council:

Drawing Title	**Author**	**Date**	**Drawing No.**	**Ver**
Site Cover & Setbacks	Impact Design	3 December 2024	Sheet 4.1	P

Floor Plan – Basement Level	Impact Design	3 December 2024	Sheet 5.1	P
Floor Plan – Ground Level	Impact Design	3 December 2024	Sheet 5.2	P
Floor Plan – Level 1	Impact Design	3 December 2024	Sheet 5.3	P
Floor Plan – Level 2	Impact Design	3 December 2024	Sheet 5.4	P
Floor Plan – Level 3	Impact Design	3 December 2024	Sheet 5.5	P
Floor Plan – Roof	Impact Design	3 December 2024	Sheet 5.6	P
Elevations 1 & 2	Impact Design	3 December 2024	Sheet 5.7	P
Elevations 3 & 4	Impact Design	3 December 2024	Sheet 5.8	P
Section A	Impact Design	3 December 2024	Sheet 5.9	P
Section B	Impact Design	3 December 2024	Sheet 5.10	P
Colours & Materials	Impact Design	3 December 2024	Sheet 6.7	P

The conditions of this approval are to be read in conjunction with the attached stamped approved drawings. Where a conflict occurs between the conditions of this approval and the stamped approved drawings, the conditions of this approval shall take precedence.

Condition 6 currently reads:

6 Landscaping works

a Obtain an operational works approval to landscape the site and the adjoining road verge generally in accordance with the Statement of Landscape Intent listed below, prior to the commencement of the use at no cost to Council:

Drawing Title	Author	Date	Drawing No.	Ver
Arthur Street Apartments Landscape Design Intent	Form Landscape Architects	29 June 2017	170503 Pages 1-28	04

and include in particular:

i Unless otherwise specified in these conditions, tree species must be a minimum bag size of 200L at the time of planting.

ii Palm species must be a minimum 3 metres in height at the time of planting.

iii Unless otherwise specified in these conditions, shrub species must be a minimum 200mm pot size at the time of planting.

iv Screening shrubs must be able to achieve a minimum height of three (3) metres at maturity.

	v	Cascading planting specimens must be proposed at a minimum 200mm pot size at the time of planting.
	vi	Tree species planted with root zones adjacent to structures must have root control barriers and/or structure strengthening systems installed. Full demonstration of these systems is required.
	vii	Substitute *Plumeria obtusa* specimen within the frontage for two (2) native columnar tree specimens such as *Tristaniopsis laurina* or *Elaeocarpus eumundii.*
	viii	Pandanus specimens must be a minimum 3 metres in height and multi-headed at the time of planting,
	ix	Screening shrubs must be incorporated along the front boundary at 100L bag size within the garden beds outside the pedestrian sight triangles.
	x	Unless otherwise approved by Council, substitute proposed tree plantings within the podium planters along the eastern building façade balcony areas with feature shrub plantings.
	xi	Substitute *Plumeria obtusa* specimen within the rear setback area for one (1) native canopy tree specimen.
	xii	Planter boxes where trees are to be planted must possess a minimum surface area of 6m². Tree species must be chosen which are suitable for root zones growing in confined planting locations.
	xiii	An automatic irrigation system must be provided to all podium planter boxes.
	xiv	Include a maintenance management plan relating to the trellis/climbing plant/green roof/green wall systems. The maintenance management plan must: o Provide detailed information on how these vegetative systems will be safely access for maintenance. o Stipulate a maintenance schedule for these systems. o Provide details on the minimum standards to which these systems must be maintained. o Describe actions to be taken if the system does not function as intended.
	xv	Include frontage fencing as shown on the approved stamped plans, the subject of this application.
	xvi	All road reserve turf must be repaired and replaced if damaged.
	xvii	Street tree planting must be identified on the detailed landscape plan.
	b	Construct and maintain the private landscaping identified above at no cost to Council at all times.

Condition 6 has been amended to read:

6	**Landscaping works** a Obtain an operational works approval to landscape the site and the adjoining road verge generally in accordance with the Statement of Landscape Intent and architectural drawings listed below, prior to a request is made to Council to commencement of the use at no cost to Council: *Note: Where a discrepancy is shown between the referenced Statement of Landscape Intent and Floor Plans, the floor plans take precedence.*	

Drawing Title	Author	Date	Drawing No.	Ver

Landscape Intent Statement – Arthur St	Lead Design Group	21/08/2024	LA248101	-
Floor Plan – Ground Level	Impact Design	3/12/2024	Sheet 5.2	P
Floor Plan – Level 3	Impact Design	3/12/2024	Sheet 5.5	P

and include in particular:

i Unless otherwise specified in these conditions, tree species must be a minimum bag size of 200L at the time of planting.

ii Palm species must be a minimum 3 metres in height at the time of planting.

iii Unless otherwise specified in these conditions, shrub species must be a minimum 200mm pot size at the time of planting.

iv Screening shrubs must be able to achieve a minimum height of three (3) metres at maturity.

v Cascading planting specimens must be proposed at a minimum 200mm pot size at the time of planting.

vi Tree species planted with root zones adjacent to structures must have root control barriers and/or structure strengthening systems installed. Full demonstration of these systems is required.

vii Install one (1) feature canopy tree at a minimum 200L bag size within the frontage deep planting landscaping garden bed. Ensure frontage garden bed is consolidated and any frontage fencing is nominated behind the landscaping area.

viii Pandanus specimens must be a minimum 3 metres in height and multi-headed at the time of planting,

ix Incorporate screening shrubs at 1 metre centres within the nominated landscaping garden beds along the common boundaries at the ground floor level.

x Feature shrub installed within the nominated garden adjacent the western boundary must be a shade tolerant species.

xi Install one (1) palm specimen within the rear setback area.

xii Planter boxes where trees are to be planted must possess a minimum surface area of 6m². Tree species must be chosen which are suitable for root zones growing in confined planting locations.

xiii An automatic irrigation system must be provided to all podium planter boxes.

xiv Include a maintenance management plan relating to the trellis/climbing plant/green roof/green wall systems. The maintenance management plan must:

- Provide detailed information on how these vegetative systems will be safely access for maintenance.
- Stipulate a maintenance schedule for these systems.
- Provide details on the minimum standards to which these systems must be maintained.
- Describe actions to be taken if the system does not function as intended.

xv Include frontage fencing as shown on the approved stamped plans, the subject of this application.

xvi All road reserve turf must be repaired and replaced if damaged.

xvii Street tree planting must be identified on the detailed landscape plan.

b Construct and maintain the private landscaping identified above at no cost to Council at all times.

Condition 7 currently reads:

7	Off street vehicle and car parking facilities a Design and construct off street vehicle facilities, at no cost to Council, prior to the commencement of the use, generally in accordance with the Car Parking, Access and Transport Integration Constrain Code of the Gold Coast Planning Scheme 2003 version 1.2 and include in particular: i A minimum of 6 car parking spaces for residents. ii All spaces are drained, sealed and line marked. b Maintain the off street vehicle and parking facilities at no cost to Council at all times.

Condition 7 has been amended to read:

7	Off street vehicle and car parking facilities a Design and construct off street vehicle facilities, at no cost to Council, prior to the commencement of the use, generally in accordance with the Car Parking, Access and Transport Integration Constrain Code of the Gold Coast Planning Scheme 2003 version 1.2, and include in particular: i A minimum of 10 car parking spaces (9 for residents, and 1 for visitors) ii All spaces are drained, sealed and line marked. b Maintain the off street vehicle and parking facilities at no cost to Council at all times.

Condition 12 currently reads:

12 Footpaths

a Obtain an operational works approval for the design and construction of all footpaths marked on the drawings listed below, prior to commencement of the use, at no cost to Council:

Drawing Title	Author	Date	Drawing No.	Ver
Ground Floor Plan	BDA Architecture	31 May 2019	4.02	B

and include in particular:

i A minimum 1.2 m wide footpath link, within the Arthur Street verge, to connect the development's pedestrian access to the public footpath.

b Construct and maintain the footpaths identified above at no cost to Council until the asset is accepted "off maintenance" by the City in accordance with the procedures in City Planning Policy SC6.9 – Land development guidelines, sections 6.9.6 and 6.9.7.

Condition 12 has been amended to read:

12	Footpaths a Obtain an operational works approval for the design and construction of all footpaths marked on the drawings listed below, prior to commencement of the use, at no cost to Council:

Drawing Title	Author	Date	Drawing No.	Ver
Floor Plan – Ground Level	Impact Design	3/12/2024	Sheet 5.2	P

and include in particular:

i A minimum 1.2 m wide footpath link, within the Arthur Street verge, to connect the development's pedestrian access to the public footpath.

b Construct and maintain the footpaths identified above at no cost to Council until the asset is accepted "off maintenance" in accordance with the procedures in City Plan Policy SC6.12 – Land development guidelines, section 2 – Transport network standards, section 7 – Procedures, section 8.5 – As-constructed requirements, section 9 - Specifications and section 10 – Standard drawings.

Condition 19 currently reads:

19 Certification of works - Health and Regulatory Services

Provide Council with certificates prepared by qualified experts from the disciplines listed below, confirming as follows:

Health and Regulatory Services				
Certified document	Certification date	Plan/ Drawing	Expert discipline	Requesting Council Section
Waste Management compliance report	Prior to commencement of the use	'Basement Plan', Dated: 16 March 2018, Ref: 4.01	Suitably qualified person	Health and Regulatory Services

The certification is to confirm:

a The development has been designed and constructed in accordance with the recommendations outlined in an approved Waste Management Plan; and

b The wheelie bin storage point is a purpose built storage room, air-locked, fly and vermin proofed in accordance with *SC16.13.13 of the Solid Waste Management Policy*.

Condition 19 has been amended to read:

19 Certification of works - Health and Regulatory Services

Provide Council with certificates prepared by qualified experts from the disciplines listed below, confirming as follows:

Health and Regulatory Services

Certified document	Certification date	Plan/ Drawing	Expert discipline	Requesting Council Section
Waste Management compliance report	Prior to commencement of the use	'Floor Plan – Basement Level', Dated: 3 December 2024, Ref: Sheet 5.1 – Issue P	Suitably qualified person	Health and Regulatory Services

The certification is to confirm:

a The development has been designed and constructed in accordance with the recommendations outlined in an approved Waste Management Plan; and

b The wheelie bin storage point is a purpose built storage room, air-locked, fly and vermin proofed in accordance with *SC16.13.13 of the Solid Waste Management Policy*.

Amended suite of development conditions for development approval MIN/2024/478

For ease of reference only, a consolidated set of the conditions, incorporating the above changes, of the development permit dated 3 December 2019 for a Material Change of Use (Single Uses) Apartments (Three Apartments) is set out below:

General

1 Timing

a All conditions of this development approval must be complied with at no cost to Council at all times unless otherwise stated in another condition.

b Where the timing in a condition is prior to commencement of the use and a Building Format Plan is lodged for approval, the timing in the condition changes from being prior to commencement of the use to being prior to the earlier of the commencement of the use and approval of the plan of subdivision. This timing requirement prevails despite any inconsistency with the timing requirement in another condition.

2 **Approved drawings**

Undertake and maintain the development generally in accordance with the following drawings including as amended in red by the Council:

Drawing Title	Author	Date	Drawing No.	Ver
Site Cover & Setbacks	Impact Design	3 December 2024	Sheet 4.1	P
Floor Plan – Basement Level	Impact Design	3 December 2024	Sheet 5.1	P
Floor Plan – Ground Level	Impact Design	3 December 2024	Sheet 5.2	P
Floor Plan – Level 1	Impact Design	3 December 2024	Sheet 5.3	P
Floor Plan – Level 2	Impact Design	3 December 2024	Sheet 5.4	P
Floor Plan – Level 3	Impact Design	3 December 2024	Sheet 5.5	P
Floor Plan – Roof	Impact Design	3 December 2024	Sheet 5.6	P
Elevations 1 & 2	Impact Design	3 December 2024	Sheet 5.7	P
Elevations 3 & 4	Impact Design	3 December 2024	Sheet 5.8	P
Section A	Impact Design	3 December 2024	Sheet 5.9	P
Section B	Impact Design	3 December 2024	Sheet 5.10	P
Colours & Materials	Impact Design	3 December 2024	Sheet 6.7	P

	The conditions of this approval are to be read in conjunction with the attached stamped approved drawings. Where a conflict occurs between the conditions of this approval and the stamped approved drawings, the conditions of this approval shall take precedence.
Property	
3	Lots to be amalgamated Amalgamate Lot 23 on RP41194 and Lot 1 RP85529 into one lot and register the plan of amalgamation prior to commencement of the use.
4	Rooftop terrace *(specific condition)* The rooftop terrace on level 3 is to be for the use of residents and visitors of the apartment on Level 2 only.
Amenity	
5	Screening of visually offensive components Locate and screen the following components of the development so that they are not visible from any road to which the site has frontage, adjoining premises or otherwise on display from any public thoroughfare or vantage point: a Refuse storage areas b Service equipment c Mechanical ventilation d Refrigeration units e Storage areas for machinery, materials, vehicles or the like.
Environmental and Landscaping	
6	Landscaping works a Obtain an operational works approval to landscape the site and the adjoining road verge generally in accordance with the Statement of Landscape Intent and architectural drawings listed below, prior to a request is made to Council to commencement of the use at no cost to Council: *Note: Where a discrepancy is shown between the referenced Statement of Landscape Intent and Floor Plans, the floor plans take precedence.*

Drawing Title	**Author**	**Date**	**Drawing No.**	**Ver**
Landscape Intent Statement – Arthur St	Lead Design Group	21/08/2024	LA248101	-
Floor Plan – Ground Level	Impact Design	3/12/2024	Sheet 5.2	P
Floor Plan – Level 3	Impact Design	3/12/2024	Sheet 5.5	P

and include in particular:

i Unless otherwise specified in these conditions, tree species must be a minimum bag size of 200L at the time of planting.

ii Palm species must be a minimum 3 metres in height at the time of planting.

iii Unless otherwise specified in these conditions, shrub species must be a minimum 200mm pot size at the time of planting.

iv Screening shrubs must be able to achieve a minimum height of three (3) metres at maturity.

	v Cascading planting specimens must be proposed at a minimum 200mm pot size at the time of planting. vi Tree species planted with root zones adjacent to structures must have root control barriers and/or structure strengthening systems installed. Full demonstration of these systems is required. vii Install one (1) feature canopy tree at a minimum 200L bag size within the frontage deep planting landscaping garden bed. Ensure frontage garden bed is consolidated and any frontage fencing is nominated behind the landscaping area. viii Pandanus specimens must be a minimum 3 metres in height and multi-headed at the time of planting, ix Incorporate screening shrubs at 1 metre centres within the nominated landscaping garden beds along the common boundaries at the ground floor level. x Feature shrub installed within the nominated garden adjacent the western boundary must be a shade tolerant species. xi Install one (1) palm specimen within the rear setback area. xii Planter boxes where trees are to be planted must possess a minimum surface area of 6m². Tree species must be chosen which are suitable for root zones growing in confined planting locations. xiii An automatic irrigation system must be provided to all podium planter boxes. xiv Include a maintenance management plan relating to the trellis/climbing plant/green roof/green wall systems. The maintenance management plan must: o Provide detailed information on how these vegetative systems will be safely access for maintenance. o Stipulate a maintenance schedule for these systems. o Provide details on the minimum standards to which these systems must be maintained. o Describe actions to be taken if the system does not function as intended. xv Include frontage fencing as shown on the approved stamped plans, the subject of this application. xvi All road reserve turf must be repaired and replaced if damaged. xvii Street tree planting must be identified on the detailed landscape plan. b Construct and maintain the private landscaping identified above at no cost to Council at all times.
Transport	
7	Off street vehicle and car parking facilities a Design and construct off street vehicle facilities, at no cost to Council, prior to the commencement of the use, generally in accordance with the Car Parking, Access and Transport Integration Constrain Code of the Gold Coast Planning Scheme 2003 version 1.2 and include in particular: i A minimum of 10 car parking spaces (9 for residents, and 1 for visitors). ii All spaces are drained, sealed and line marked. b Maintain the off street vehicle and parking facilities at no cost to Council at all times.
Engineering	
8	Vehicular crossings *(specific condition)*

	a A vehicular crossing (driveway entry within the road reserve) must be designed and constructed by the applicant (at no cost to Council) in accordance with the following Council Standard Drawing/s for vehicular crossings as applicable: i 05-02-302 Vehicular crossing low density residential, and 05-02-303 Vehicular crossing low density residential requirements. b The applicant must apply for and obtain a licence from Council for the construction of the vehicular crossing/s. c The vehicular crossing/s must be constructed to the satisfaction of the Chief Executive Officer prior to the commencement of use of the site.
9	Connection to, alteration or realignment of Council infrastructure *(specific condition)* a The applicant must, in respect of any connection to, alteration or realignment of Council infrastructure, regardless of its location (i.e., within road/park reserve or private property), do the following: i Ensure that the proposed works comply with *Planning Scheme Policy 11 – Land Development Guidelines, Standard Specifications and Drawings*; ii Apply for and obtain a development permit for operational work (works for infrastructure) for the proposed works; iii Enter into a bond agreement to ensure damage is not caused to Council infrastructure and to secure the satisfactory completion of the 'On Maintenance' period; and iv Submit 'As Constructed' data in accordance with *Planning Scheme Policy 11 – Land Development Guidelines, Standard Specifications and Drawings*. b The connection to, alteration or realignment, once approved, must be undertaken by the applicant, at no cost to Council, and be to the satisfaction of the Chief Executive Officer. Any connections, alterations or realignment must be completed prior to the commencement of the use of the premises, a request for compliance assessment of the subdivision plan or the issuing of a certification of classification, whichever occurs first. *Information note:* *Such connection to, alteration or realignment works may include but not limited to, fire hydrants, water service meters, sewer man hole covers, stormwater drainage infrastructure, reinstatement of disused driveway crossovers with kerb and channel, footpaths, road pavement, kerb and channel, kerb ramps, medians and traffic islands, road furniture, signage and linemarking.* *Where such works will require the alteration, realignment or in any way impact on other public utility infrastructure (e.g. telecommunications, electricity, gas) the applicant must obtain the necessary approvals from the relevant public utility authority prior to works commencing.*
10	Reconstruction of kerb and channel *(specific condition)* a Where kerb and channel is removed or damaged, the applicant must reconstruct the kerb and channel for the full frontage/s of the development site at Arthur Street to meet the requirements of section 3.4 of *Planning Scheme Policy 11 – Land Development Guidelines, Standard Specifications and Drawings*, prior to the earlier of a request for compliance assessment of the subdivision plan or the commencement of the use of the premises. b The reconstruction of any service pits or infrastructure necessary to achieve the requirements of *Planning Scheme Policy 11 – Land Development Guidelines, Standard Specifications and Drawings* when constructing/reconstructing kerb and channel and footpaths is to be at the applicant's cost and at no cost to Council prior to the commencement of the use of the premises.
11	Telecommunications network

Design, construct and connect a telecommunications services network at no cost to Council and include in particular:

a Provide underground telecommunications to the subject building/s, lead-in conduits and equipment space/s in a suitable location within the building/s, to suit the carrier of choice.

b All new pit and pipe infrastructure required to be installed along public road(s), must be suitably sized to cater for future installation of fibre optic cables.

c Meet the telecommunications industry standards (e.g. Telstra/NBN Co standards).

12 Footpaths

a Obtain an operational works approval for the design and construction of all footpaths marked on the drawings listed below, prior to commencement of the use, at no cost to Council:

Drawing Title	Author	Date	Drawing No.	Ver
Floor Plan – Ground Level	Impact Design	3/12/2024	Sheet 5.2	P

and include in particular:

i A minimum 1.2 m wide footpath link, within the Arthur Street verge, to connect the development's pedestrian access to the public footpath.

b Construct and maintain the footpaths identified above at no cost to Council until the asset is accepted "off maintenance" in accordance with the procedures in City Plan Policy SC6.12 – Land development guidelines, section 2 – Transport network standards, section 7 – Procedures, section 8.5 – As-constructed requirements, section 9 - Specifications and section 10 – Standard drawings.

Stormwater Drainage

13 Overland flow paths and hydraulic alterations

a Leave unaltered the overland flow paths on the site, such that the characteristics of existing overland flows on other properties remain uninhibited and unchanged.

b The development must not:

i Increase peak flow rates downstream from the site.

ii Increase flood levels external to the site.

iii Increase duration of inundation external to the site that could cause loss or damage.

Sewer and Water Works

14 Sewer reticulation

a Connect the proposal to Council's sewer network at the existing 150 mm sewer main in Arthur Street via existing property service connection, prior to commencement of the use at no cost to Council and include in particular:

i Be in accordance with the SEQ Water Supply & Sewerage Design and Construction Code (SEQ WS&S D&C Code), Water and Sewerage Connections Policy.

15 Reline sewer connection

Obtain an approval from Water and Waste to reline the existing 100 mm sewer property connection prior to connection to the internal private sewer reticulation at no cost to Council and include in particular:

	i The use of a “cured in place pipe” (CIPP) relining methodology. ii A closed circuit television (CCTV) and condition report. iii An “Application to Work on the City’s Infrastructure” form.
16	Water reticulation a Design, construct and connect the proposal to Council’s potable water supply network at the existing 100 mm water main in Arthur Street, prior to commencement of the use at no cost to Council and include in particular: i Be in accordance with the SEQ Water Supply & Sewerage Design and Construction Code (SEQ WS&S D&C Code), and Water and Sewerage Connections Policy. ii The property service, water meter box and water meter must be provided at the boundary of the development site. iii Conduits are required to be installed to service the proposed development by thrust boring the road (open cutting of the road is not permitted) to connect to Councils potable water supply network. iv Remove redundant water meters/connections.
17	Sub-metering Provide individual sub-metering for each unit including common property generally in accordance with the Metering Technical Specifications and Water and Sewerage Connections Policy.
18	Fire loading Fire loading must not exceed 15 L/s for 4 hours.
Construction Management	
19	Certification of works - Health and Regulatory Services Provide Council with certificates prepared by qualified experts from the disciplines listed below, confirming as follows:

Health and Regulatory Services				
Certified document	Certification date	Plan/ Drawing	Expert discipline	Requesting Council Section
Waste Management compliance report	Prior to commencement of the use	‘Floor Plan – Basement Level’, Dated: 3 December 2024, Ref: Sheet 5.1 – Issue P	Suitably qualified person	Health and Regulatory Services
The certification is to confirm: a The development has been designed and constructed in accordance with the recommendations outlined in an approved Waste Management Plan; and b The wheelie bin storage point is a purpose built storage room, air-locked, fly and vermin proofed in accordance with *SC16.13.13 of the Solid Waste Management Policy*.				

20 Certification of works - Subdivision Engineering

Provide Council with certificates prepared by qualified experts from the disciplines listed below, confirming as follows:

Subdivision Engineering				
Certified document	Certification date	Plan/ Drawing	Expert discipline	Requesting Council Section
Registered survey plan	Prior to commencement of the use	-	Registered land surveyor	Development Compliance
The certification is to confirm: The site is amalgamated into one lot.				

Subdivision Engineering				
Certified document	Certification date	Plan/ Drawing	Expert discipline	Requesting Council Section
Contractual agreement (e.g., Agreement Advice or Completion Letter from Telstra. Alternatively, a copy of Master Development Agreement or Small Development Agreement from NBN Co).	Prior to commencement of the use	-	The authorised telecommunication carrier (e.g., Telstra, NBN Co)	Development Compliance
The certification is to confirm: Underground telecommunication infrastructure has been undertaken and installed in accordance with telecommunications industry standards (e.g., Telstra / NBN Co standards).				

21 Certification of works - Geotechnical Engineering

Provide Council with certificates prepared by qualified experts from the disciplines listed below, confirming as follows:

Geotechnical Engineering				
Certified document	Certification date	Plan/ Drawing	Expert discipline	Requesting Council Section
Basement excavation	Prior to the issue of a	-	Registered Professional	Geotechnical Engineering

retention design certification	development permit for building works		Engineer of Queensland (RPEQ) specialising in geotechnical engineering	

The certification is to confirm:

i The basement excavation retention system has been adequately designed based on existing geotechnical conditions of the site.

ii Detailed stability analyses have been carried out for the designed basement excavation retention system.

iii The designed basement excavation retention system achieves a factor of safety of at least 1.5, the calculated retention wall movements and rotations are within acceptable limits, and the basement excavation/construction including any dewatering will not cause any adverse effects on the stability and integrity of the adjacent buildings, properties and infrastructure.

iv A site-monitoring plan is in place for the entire basement excavation/construction period and for a post-construction period of at least three months in order to monitor and detect impact on the stability and integrity of the adjacent properties/structures.

v A contingency plan is in place in case any sign of instability on the adjacent properties/structures is identified or detected during the basement excavation/construction period.

Geotechnical Engineering

Certified document	Certification date	Plan/ Drawing	Expert discipline	Requesting Council Section
Post-construction certification	Immediately after completion of the basement structure up to natural ground level	-	Registered Professional Engineer of Queensland (RPEQ) specialising in geotechnical engineering	Development Compliance

The certification is to confirm:

The basement excavation/construction has been satisfactorily carried out and there are no visible signs or monitored data indicating any adverse effects on the stability and integrity of the adjacent buildings, properties and infrastructure.

22 Availability of approved plans, drawings and reports

Retain a copy of this decision notice and stamped approved plans, drawings and reports on site at all times during construction. Any contractors undertaking approved work (including tree removal or relocations) must be directly provided with a copy of these conditions and instructed as to the need to comply with them.

23 Acid sulfate soils management plan

a Obtain a Management Plan approval for an Acid sulfate soils management plan to

	implement acid sulfate soils control measures at no cost to Council, prior to any works commencing generally in accordance with: • State Planning Policy 2/02 Guideline: Planning and Management Development Involving Acid Sulfate Soils (with Guideline for SPP 2/02); • Planning Scheme Policy 14 – Management of Activities Located within Areas of Acid Sulfate Soils; and • The *Queensland Acid Sulfate Soil Technical Manual* Version 4.0 (2014, Dear *et al*) b The Acid sulphate soils management plan must be prepared by a suitably qualitied professional. c Implement the Acid sulphate soils management plan during construction works at no cost to Council.
24	Erosion and sediment control a Undertake works generally in accordance with the Sediment and Erosion Control constraint code of the Gold Coast Planning Scheme 2003 version 2.1 and include in particular: i Sediment control structures e.g.: sediment fence, must be placed at the base of all materials on site to mitigate sediment run-off. ii A perimeter bund and/or diversion drain must be constructed around the disturbed areas to prevent any outside clean stormwater from mixing with polluted polluted/contaminated stormwater. iii All polluted/contaminated water from the site, including dewatering discharge, must be treated to achieve the water quality objectives in Table 8.2.1 of the Queensland Water Quality Guidelines (DERM September 2009) prior to discharging from the site. iv Inspections for erosion and sediment control measures are to occur in accordance with the Council's Land Development Guidelines.
25	Sand management plan a Prepare and submit for approval a Sand management plan generally in accordance with the Ocean Front Land constraint code of the Gold Coast Planning Scheme 2003 version 1.2 prior to any works commencing. b The Sand management plan must be prepared by a suitably qualified professional and include in particular. i Outline actions to ensure excavated sand is cleaned, treated, placed, levelled and stabilised. ii Ensure sand is cleaned using a 20mm sieve to remove all material other than clean sand. iii Ensure sand is delivered and deposited to (identify relevant beach). c Implement the Sand management plan prior to any works commencing at no cost to Council.
26	Dewatering management plan a Obtain a Management Plan approval for a Dewatering management plan generally in accordance with the Guidelines for Dewatering Management Plan dated May 2016, prior to any works commencing. b The Dewatering management plan must be prepared by a suitably qualitied professional and include in particular: i Purpose for dewatering (i.e., an explanation why dewatering is required).

	ii Dewatering technique (i.e., wellpoint, deep well, open hole etc.). iii Anticipated dewatering flow rate and total dewatering duration. iv Controls (i.e., settling tank, turbidity curtain etc.) and method of effluent discharge. v Measures and techniques to manage noise, vibration and odour issues. vi Measures and techniques to manage geotechnical stability issues. vii Contingency plan in case of emergency situation. viii Engineering specifications for dewatering effluent treatment (i.e., air-stripper, carbon filtration, etc.) and details for an analytical monitoring program to ensure effluent will meet water quality release standards described in Tables 1 & 2, where dewatering is conducted in a contaminated area. ix Monitoring program to ensure effluent will comply with applicable water quality release standards described in Tables 1 & 2 of the guidelines. x Baseline assessment of the existing environment (i.e., fauna, water quality) that will receive the discharge. xi Strategy for monitoring and managing any impacts during the life and after closure of the project. xii The point of discharge to the storm water system and to any waterway or water body. xiii Hydrogeological and hydrological assessment of the project area to estimate quantity and quality of water to be discharged. xiv Verification the quality of discharge water will comply with the receiving water duration and frequency of the discharge. xv Seasonal variability of the receiving water quality. xvi Assessment of the viability of treating or recycling wastewater. xvii Location of all treatment pads. c Implement the Dewatering management plan during construction works at no cost to Council.
27	Noise management plan a Prepare and submit for approval a Noise management plan addressing construction activities prior to any works commencing. b The Noise management plan must be prepared by a suitably qualified professional and include in particular. i Provide details of expected noise sources. ii Identify the measures and work practices to be implemented to ensure noise from construction activities does not cause an ‘environmental nuisance’ (within the meaning of the term set out in the Environmental Protection Act 1994) at any sensitive receptor stated in schedule 1 of the Environmental Protection (Noise) Policy 2008. iii Identify the measures and work procedures to monitor noise emissions. iv Provide details of complaint response procedures. v Identify procedures to monitor and review the noise management plan. c Implement the Noise management plan prior to any works commencing at no cost to Council.
28	Construction management plan

	a Prepare and submit for approval a Construction management plan generally in accordance with the Guidelines for Construction Management Plans prior to any works commencing. b The Construction management plan must be prepared by a suitably qualified professional and include in particular. i Provide hours of construction. ii Provide details on vehicle access (including responsibility for maintenance of the defined cartage route) during construction hours. iii Provide details on traffic management (including loading, unloading and cartage routes). iv Parking of vehicles (including on site employees and delivery vehicles). v Maintenance of safe pedestrian movement across the site's frontage/s (including people with disabilities). vi Provide details for the collection and control of Building waste and refuse disposal. vii Details on the presentation of hoarding to the street. viii Provide details for tree management. ix Demonstrate how the general public will be protected from construction activities. x Provide details on how the building site will be kept clean and tidy to maintain public safety and amenity. c Implement the Construction management plan during all construction works at no cost to Council.
29	Vibration management plan (specific condition) a Prepare and submit for approval a vibration management plan addressing construction activities prior to any works commencing to the satisfaction of the Chief Executive Officer. b The vibration management plan must be prepared by a suitably qualified professional and include in particular. i Provide details of expected vibration sources. ii Identify the measures and work practices to be implemented to ensure vibration from construction activities are managed and mitigated. iii Include expected vibration levels for monitoring during basement retention construction. iv Identify the measures and work procedures to monitor vibration emissions. v Provide details of complaint response procedures. vi Conduct vibration monitoring by a suitably qualified professional during the basement retention phase in accordance with time periods and locations in the approved vibration management plan, not exceeding the expected levels. vii Maintain onsite logs of vibration levels at sensitive receptors identified in the vibration management plan for inspection by City officers at no cost to Council. viii Levels are not to exceed those in the approved vibration management plan. ix Council may require further vibration monitoring to be carried out at no cost to Council. c Implement the vibration management plan prior to any works commencing at no cost to Council.
Plumbing and Drainage Act 2018	

30	Plumbing and drainage works Obtain a permit for all plumbing and drainage work prior to any compliance assessable work commencing. *Note:* *A permit for plumbing and drainage works does not approve the discharge of trade waste to Council's sewerage system. The generator of trade waste must complete an application for approval to discharge trade waste to Council's Sewerage System (available on Council's website).*
Advice Notes	
A	Connections and disconnections Any connection/disconnection to the existing water and sewerage networks will be at the applicant's cost. Prior to the connection/disconnection taking place, the applicant must obtain written approval from Water and Waste. Refer to Water and Sewerage Connections Policy, available on Council's websitehttp://www.cityofgoldcoast.com.au
B	No open trenching of the road pavement for water connections across/in roadways Conduits must be installed to service the proposed development by thrust boring the road (open cutting of the road is not permitted) to connect to Council's potable water supply network. In certain circumstances approval of open trenching of the road may be allowed, subject to Council approval. Refer to Water and Sewerage Connections Policy, available on Council's website: http://www.cityofgoldcoast.com.au
C	Water meter sizing All water meters 50 mm in diameter or larger require an operation works approval. Refer to Water and Sewerage Connections Policy, available on Council's website: http://www.cityofgoldcoast.com.au
D	Connections to, alteration or realignment of Council infrastructure Where development works require the connection to, alteration, removal or realignment of Council infrastructure or impact on other public utility infrastructure (e.g., telecommunications, electricity and gas), the applicant must obtain the necessary approvals from the relevant public utility authority prior to works commencing. Connection to, alteration, removal or realignment of Council infrastructure includes (but is not limited to) fire hydrants, water service meters, sewer maintenance hole covers, stormwater drainage infrastructure, reinstatement of maintenance hole covers, stormwater drainage infrastructure, crossovers, footpaths, road pavement, kerb and channel, kerb ramps, medians, traffic islands, road furniture, signage and line-marking.
E	Further development permits / compliance permits Further development permits and/or compliance permits from Council are required to facilitate the development of the approved works identified in this decision notice. These include: City Assets - Operational works - vehicle access works Landscape Assessment

	- Operational works - landscape works
	Plumbing and Drainage - Compliance permit for plumbing and drainage work
	Transport Impact Assessment - Operational works - infrastructure
	Water and Waste - Application to work on the City's infrastructure
	A copy of this decision notice and accompanying stamped drawings / plans must be submitted with any subsequent application identified above. Subsequent development applications (i.e.: Operational works) will be assessed in accordance with the City Plan Version at the time of lodgement (excluding instances where Variation / Preliminary approval exists).
F	Compliance with conditions Once this development approval takes effect, the conditions attach to the land and are applicable in perpetuity. It is a development offence to contravene a development approval, including any of its conditions.
G	Indigenous cultural heritage legislation and duty of care requirement The *Aboriginal Cultural Heritage Act 2003* ('ACHA') is administered by the Department of Aboriginal and Torres Strait Islander and Multicultural Affairs (DATSIMA). The ACHA establishes a duty of care to take all reasonable and practicable measures to ensure any activity does not harm Aboriginal cultural heritage. This duty of care: a Is not negated by the issuing of this development approval; b Applies on all land and water, including freehold land; c Lies with the person or entity conducting an activity; and d If breached, is subject to criminal offence penalties. Those proposing an activity involving surface disturbance beyond that which has already occurred at the proposed site must observe this duty of care. Details of how to fulfil this duty of care are outlined in the duty of care guidelines gazetted with the ACHA. The applicant should contact DATSIMA's Cultural Heritage Coordination Unit on (07) 3405 3050 for further information on the responsibilities of developers under the ACHA.
H	Infrastructure charges Infrastructure charges are now levied under a Charges Resolution by way of an Infrastructure Charges Notice, which accompanies this decision notice.
I	Properly made submissions There were properly made submissions about the application. The name and address of the principal submitter for each properly made submission is attached to the decision notice.
J	Applicant responsibilities

	The applicant is responsible for securing all necessary approvals and tenure, providing statutory notifications and complying with all relevant laws. Nothing in this decision notice alleviates the need for the applicant to comply with all relevant local, State and Commonwealth laws and to ensure appropriate tenure arrangements have been made where the use of / reliance upon land other than that owned by the applicant is involved. Without liming this obligation, the applicant is responsible for: a Obtaining all other / further necessary approvals, licences, permits, resource entitlements etc. by whatever name called required by law before the development the subject of this approval can be lawfully commended and to carry out the activity for its duration; b Providing any notifications required by law (by way of example only, to notify the administering authority pursuant to the *Environment Protection Act 1994* of environmental harm being caused / threatened by the activity, and upon becoming aware the premises is being used for a 'notifiable activity'); c Securing tenure / permission from the relevant owner to use private or public land not owned by the applicant (including for access required by conditions of approval); d Ensuring the correct siting of structures on the land. An identification survey demonstrating correct siting and setbacks of structures may be requested of the applicant to ensure compliance with this decision notice and applicable codes; e Providing Council with proof of payment of the Portable Long Service Leave building construction levy (or proof of appropriate exemption) where the value of the Operational Works exceeds $150,000. Acceptable proof of payment is a Q. Leave –Notification and Payment Form approved by the Authority. Proof of payment must be provided before Council can issue a development permit for the Operational works. This is a requirement of section 77(1) of the Building and Construction Industry (Portable Long Service Leave) Act 1991; f Making payment of any outstanding Council rates and charges applicable to the development site prior to the lodgement of subdivision plans; and g Obtaining any necessary local government / state approvals where works require the installation of temporary ground anchoring into adjacent Road Reserves. Where ground anchoring is proposed into an adjacent private property, approval from the relevant property owners(s) is required.
K	Weeds, pest animals and ants Biosecurity Queensland of the Department of Agriculture and Fisheries leads the Government's efforts to prevent, respond to and recover from pests and diseases threatening agricultural prosperity, the environment, social amenity and human health. All landscape materials, including but not limited to, soils, mulch, grass, gravel, potted or ex-ground plants, pavers and timber used in landscape treatments must be free from weeds, pest animals and ants.
L	Fire ant control Northern suburbs of the Gold Coast are within Fire Ant Biosecurity zone 2 and must remain vigilant for the presence of fire ants. Under the *Biosecurity Act 2014* individuals and organisations whose activities involve the movement or storage of fire ant carriers have a general biosecurity obligation to take all reasonable steps to ensure they do not spread fire ants. Movement of a fire ant carrier from within the fire ant biosecurity zone may need a biosecurity instrument permit. More information is available on the Department of Agriculture and Fisheries website www.daf.qld.gov.au/plants/weeds-pest-animals-ants/invasive-ants/fire-ants.
M	Notice of works timetable The applicant is responsible for providing a Notice of works timetable for Commencement of work/Commencement of use / Retrospective development approval to Council's Development

	Compliance section. A copy of Council's Notice of works timetable is available for viewing on Council's website http://www.goldcoast.qld.gov.au/documents/fa/fm579_notice-of-works.pdf
N	Gold Coast Airport approval of building and/or structure height Any building or structure (including construction crane or other temporary equipment) in the City extending to a height of 110 metres or more above ground level must be notified to Gold Coast Airport Pty Ltd.
O	Development infrastructure Development infrastructure required to be provided in implementing this development approval is non-trunk development infrastructure unless otherwise stated in a condition of the approval.

Site Cover & Setbacks

PLANS AND DOCUMENTS referred to in the DEVELOPMENT APPROVAL

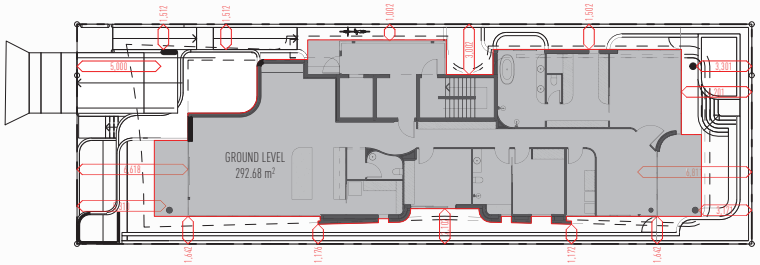
Application No: MIN/2024/478

Dated: 13 February 2025

Development shall comply with the conditions of approval as detailed in the Decision Notice and Council's Planning Scheme, Local Laws and Planning Policies

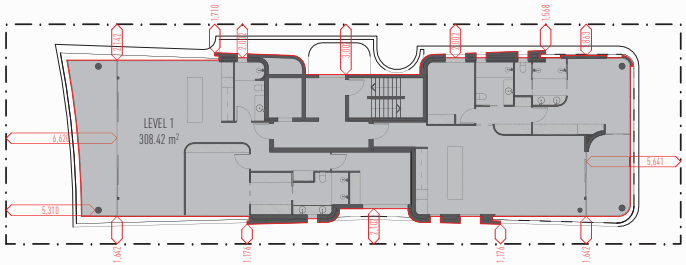
LEGEND

BUILDING OUTLINE OF MCU/2017/982



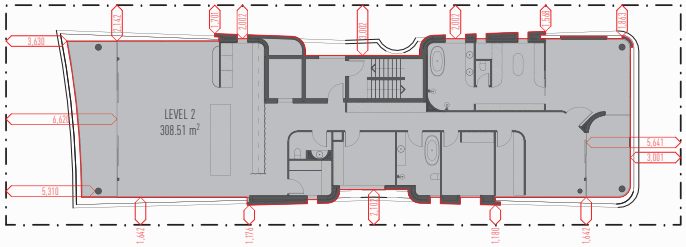
Ground Level - Site Cover

SITE AREA	FOOTPRINT	PROPOSED MC SITE COVER	CURRENT DA SITE COVER
527.45m2	292.68m²	55.48%	54.62%



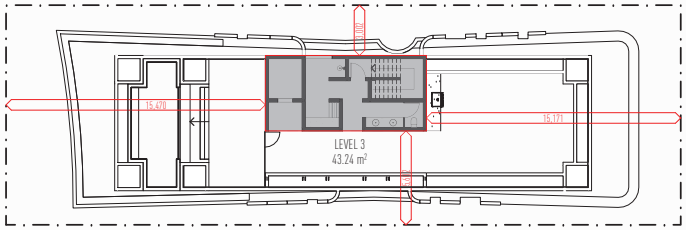
Level 1 - Site Cover

SITE AREA	FOOTPRINT	PROPOSED MC SITE COVER	CURRENT DA SITE COVER
527.45m2	308.07m²	58.41%	61.02%



Level 2 - Site Cover

SITE AREA	FOOTPRINT	PROPOSED MC SITE COVER	CURRENT DA SITE COVER
527.45m2	308.16m²	58.42%	57.90%



Level 3 - Site Cover

SITE AREA	FOOTPRINT	PROPOSED MC SITE COVER	CURRENT DA SITE COVER
527.45m2	43.24m²	8.19%	7.00%

Floor Plan - Basement Level

PLANS AND DOCUMENTS referred to in the DEVELOPMENT APPROVAL

Application No: MIN/2024/478

Dated: 13 February 2025

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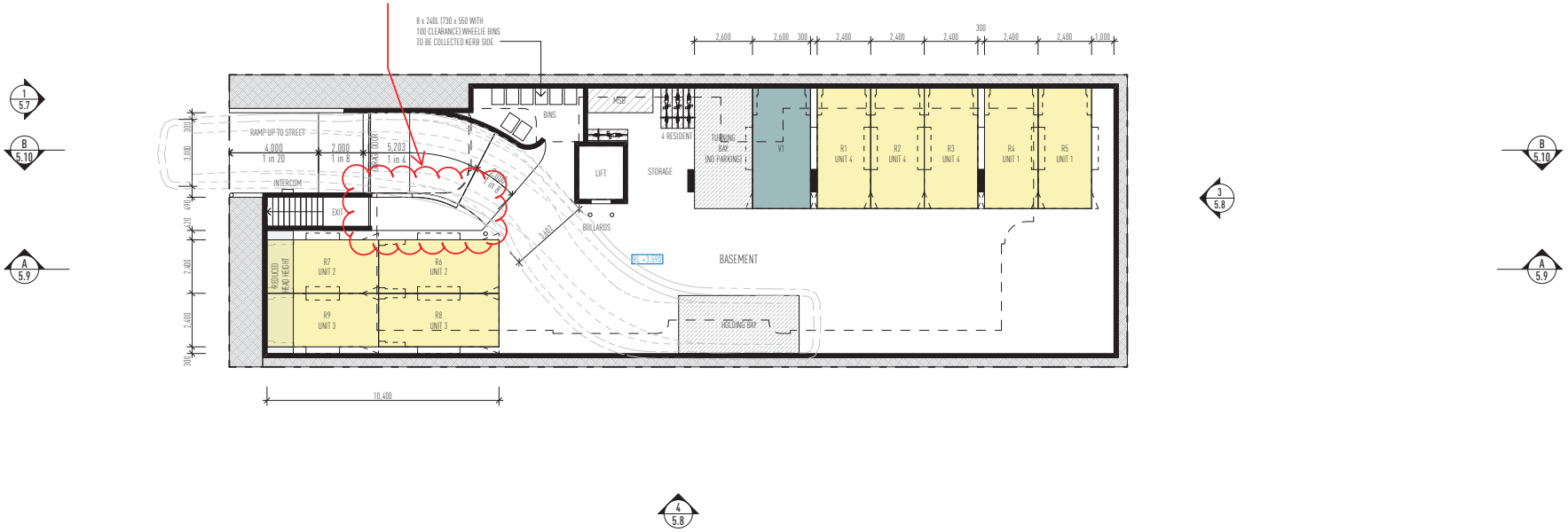
Basement ramp to be widened to fully contain swept path and applicable clearances for a B99 vehicle (300mm clearance on the inside of the swept path, 600mm clearance on the outside), to ensure compliance with AS2890.1



Floor Plan - Ground Level

PLANS AND DOCUMENTS referred to in the DEVELOPMENT APPROVAL

Application No: MIN/2024/478

Dated: 13 February 2025

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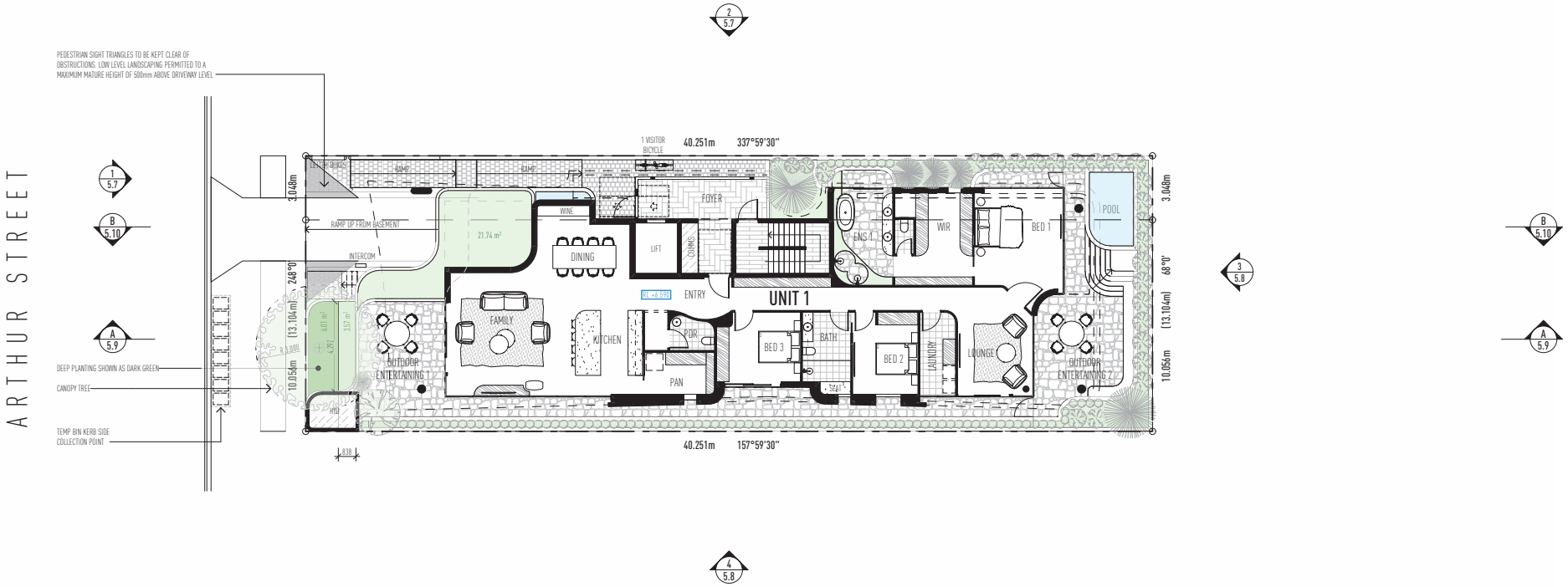

Floor Plan - Level 1

PLANS AND DOCUMENTS referred to in the DEVELOPMENT APPROVAL

Application No: MIN/2024/478

Dated: 13 February 2025

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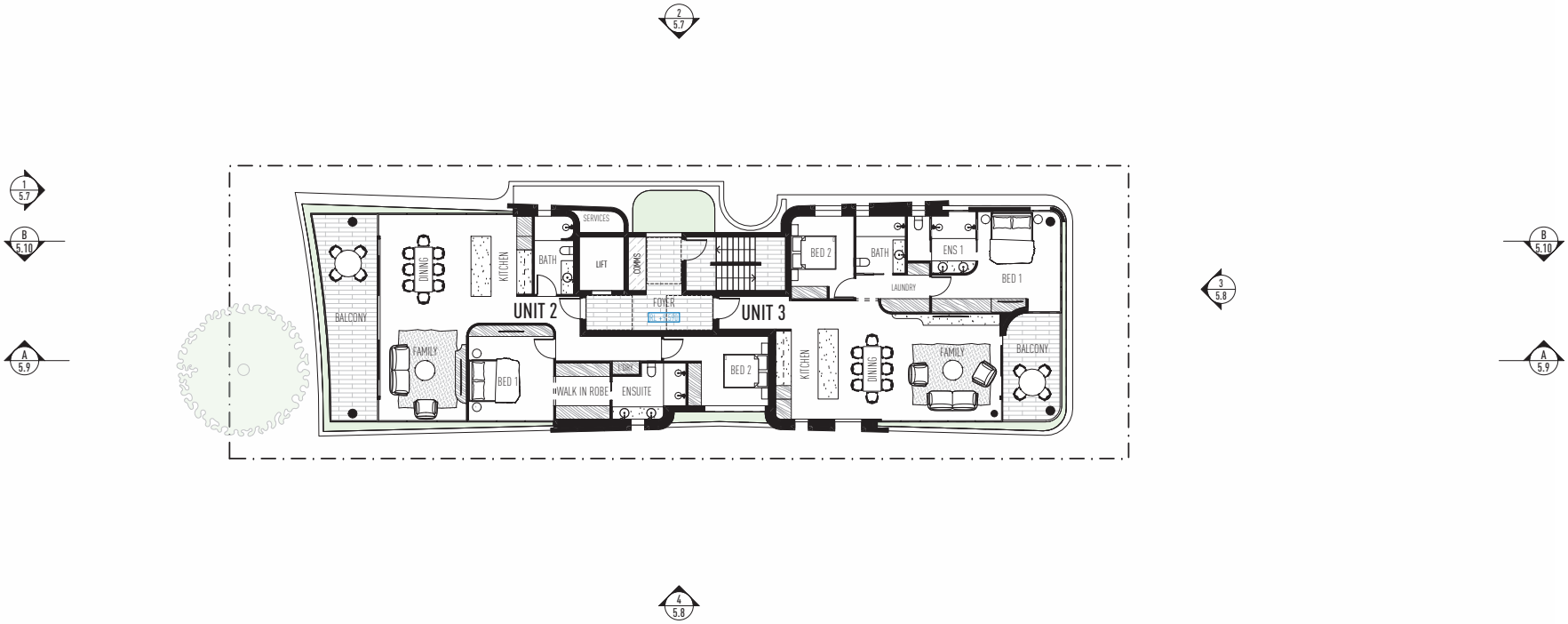

Floor Plan - Level 2

PLANS AND DOCUMENTS referred to in the DEVELOPMENT APPROVAL

Application No: MIN/2024/478

Dated: 13 February 2025

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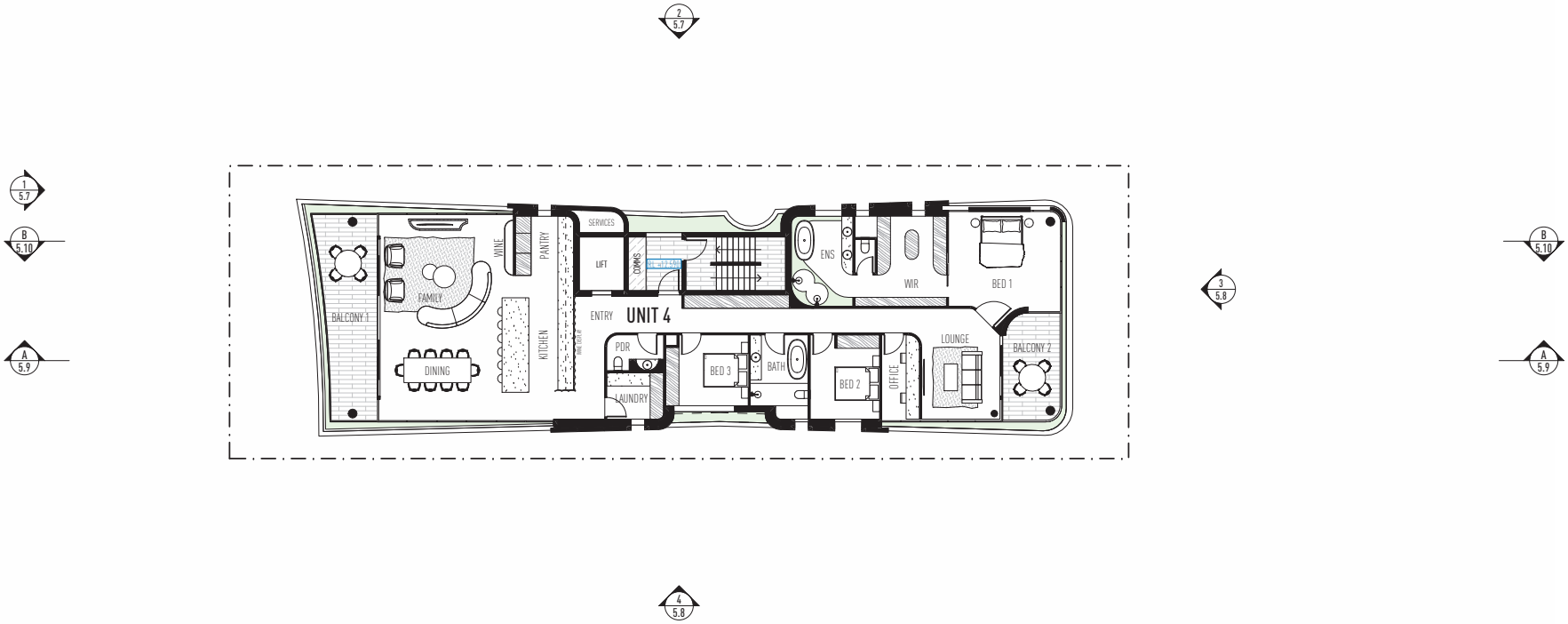


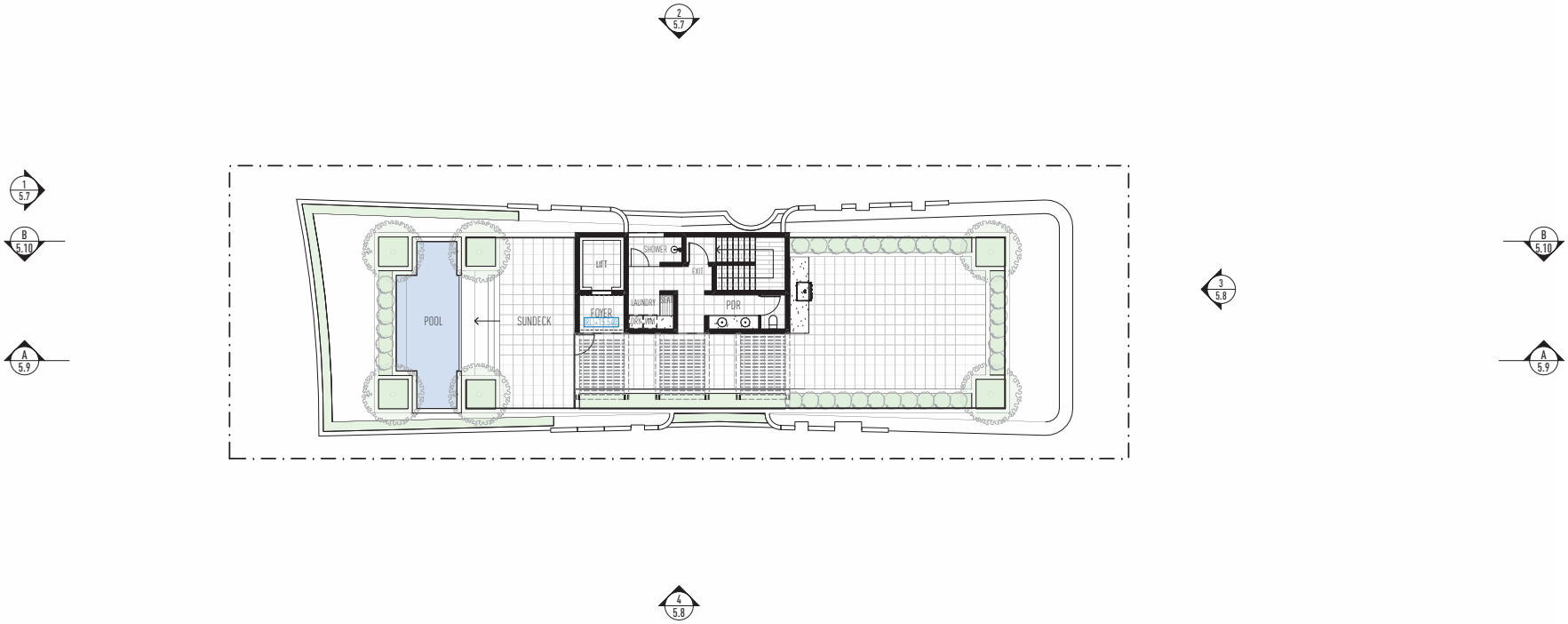
Floor Plan - Level 3

PLANS AND DOCUMENTS referred to in the DEVELOPMENT APPROVAL

Application No: MIN/2024/478

Dated: 13 February 2025

Development shall comply with the conditions of approval as detailed in the Decision Notice and Council's Planning Scheme, Local Laws and Planning Policies



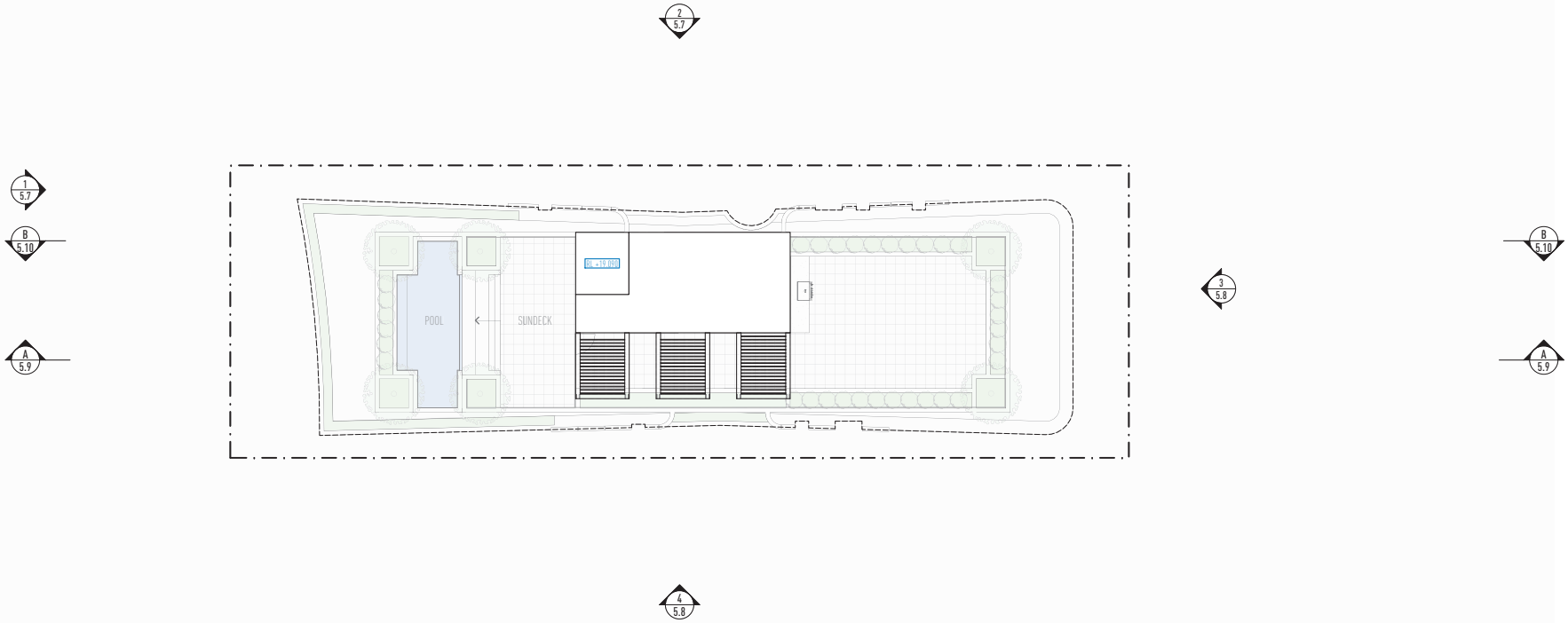
Floor Plan - Roof

PLANS AND DOCUMENTS referred to in the DEVELOPMENT APPROVAL

Application No: MIN/2024/478

Dated: 13 February 2025

Development shall comply with the conditions of approval as detailed in the Decision Notice and Council's Planning Scheme, Local Laws and Planning Policies



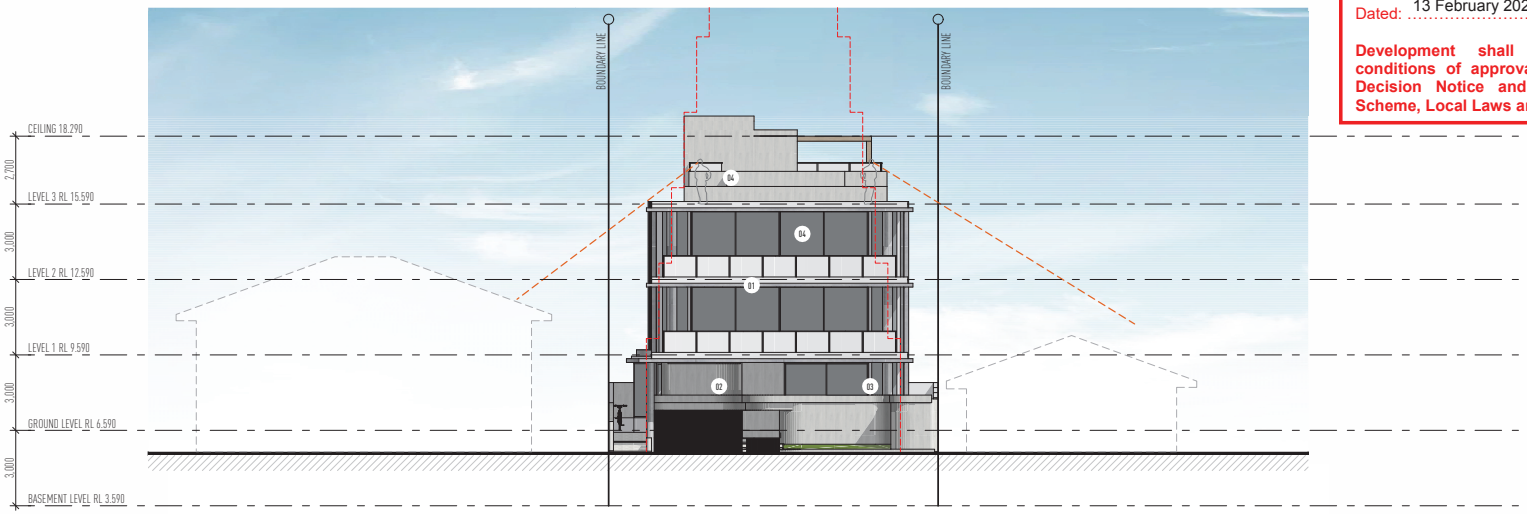
Elevations 1 & 2

PLANS AND DOCUMENTS referred to in the DEVELOPMENT APPROVAL

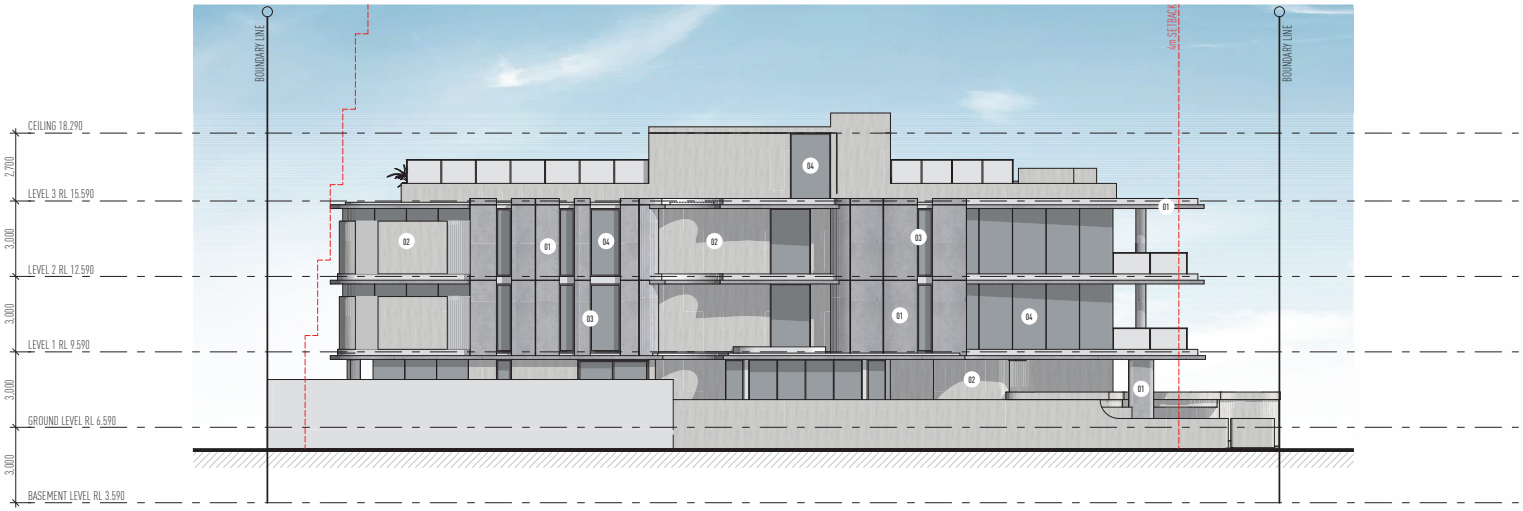
Application No: MIN/2024/478

Dated: 13 February 2025

Development shall comply with the conditions of approval as detailed in the Decision Notice and Council's Planning Scheme, Local Laws and Planning Policies



ELEVATION 1



ELEVATION 2

LEGEND

01. CONCRETE, OFF-FORM, CLASS 1
02. STONE, TRAVERTINE, WHITE
03. ALUMINIUM WINDOW & DOOR FRAMES, WHITE
04. GLASS, TINTED, GREY

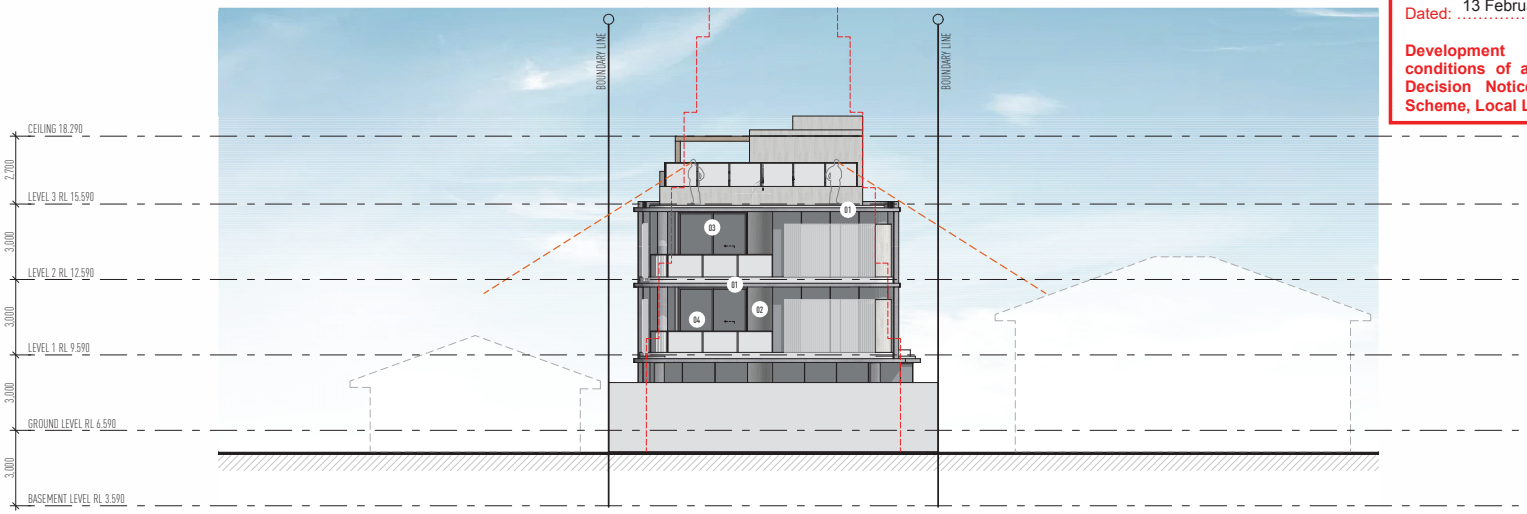
Elevations 3 & 4

PLANS AND DOCUMENTS referred to in the DEVELOPMENT APPROVAL

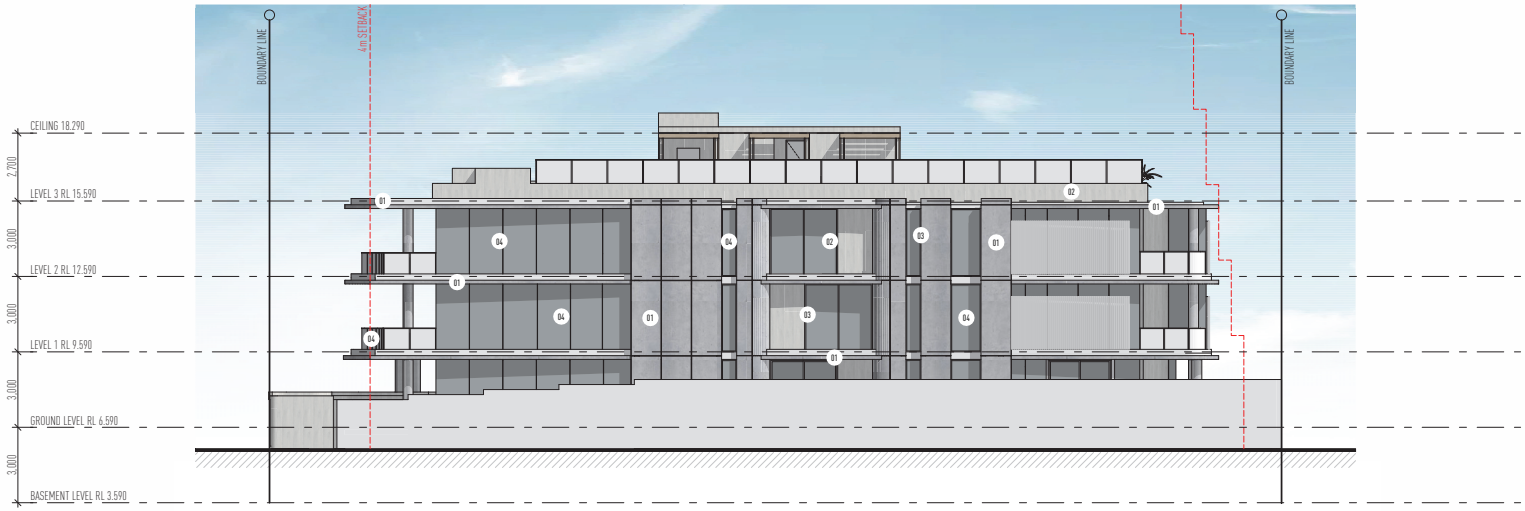
Application No: MIN/2024/478

Dated: 13 February 2025

Development shall comply with the conditions of approval as detailed in the Decision Notice and Council's Planning Scheme, Local Laws and Planning Policies



ELEVATION 3



ELEVATION 4

LEGEND

01. CONCRETE, OFF-FORM, CLASS 1
02. STONE, TRAVERTINE, WHITE
03. ALUMINIUM WINDOW & DOOR FRAMES, WHITE
04. GLASS, TINTED, GREY

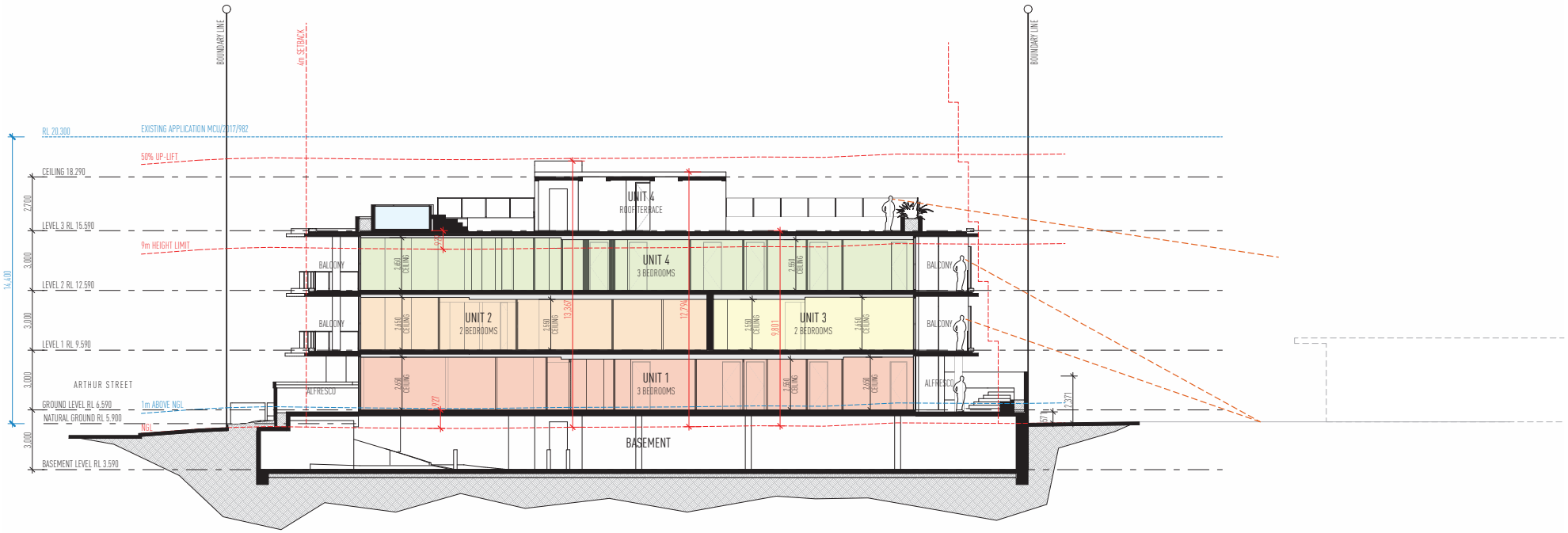
Section A

PLANS AND DOCUMENTS referred to in the DEVELOPMENT APPROVAL

Application No: MIN/2024/478

Dated: 13 February 2025

Development shall comply with the conditions of approval as detailed in the Decision Notice and Council's Planning Scheme, Local Laws and Planning Policies



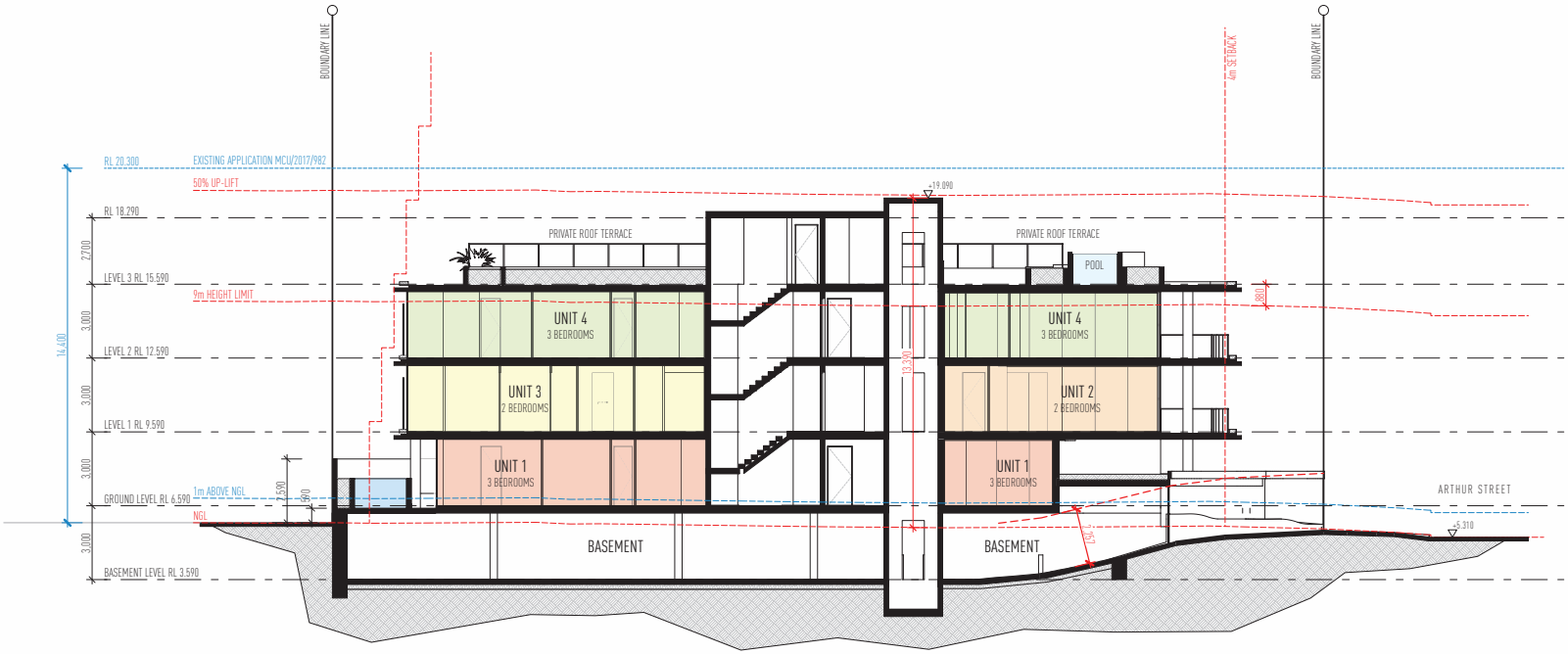
Section B

PLANS AND DOCUMENTS referred to in the DEVELOPMENT APPROVAL

Application No: MIN/2024/478

Dated: 13 February 2025

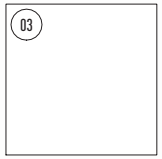
Development shall comply with the conditions of approval as detailed in the Decision Notice and Council's Planning Scheme, Local Laws and Planning Policies



Colours & Materials

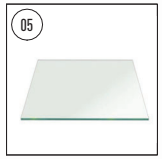
CONCRETE
OFF FORM
CLASS 1

STONE
TRAVERTINE
WHITE



ALUMINIUM WINDOW & DOOR FRAMES
POWDER COATED
WHITE

GLASS
TINTED
GREY



GLASS BALUSTRADE
CLEAR

PLANS AND DOCUMENTS referred to in the DEVELOPMENT APPROVAL

Application No: MIN/2024/478

Dated: 13 February 2025

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