DELEGATED AUTHORITY REPORT FOR IMPACT ASSESSABLE COMBINED DEVELOPMENT APPLICATION FOR MATERIAL CHANGE OF USE FOR MULTIPLE DWELLINGS (7 UNITS) AND OPERATIONAL WORKS FOR VEGETATION CLEARING AT 60 DUTTON STREET, COOLANGATTA
COM/2025/157 **DIVISION NO. 14**

1 APPLICATION SUMMARY

Application information		
Address	60 Dutton Street COOLANGATTA QLD 4225	
Lot and plan	Lot 2 RP86756	
Site area	703m^2	
Type of development and proposed use	Development permit for a Combined application for Material change of use for Multiple dwellings (7 units) and Operational works for Vegetation clearing	
Categories of development and assessment	Impact Assessment	
Properly made date	03 June 2025	
Decision due date	12 November 2025	
Applicant and Applicant's consultancy team	**Southern Cross Property Holdings Pty Ltd –** Applicant **Enhance Urban Planning –** Planning consultant **Lightwave Architecture** – Architect **Shepherd** – Landscape Architect **TPZ Project Arborists** – Arborist **Geleon** – Waste Management consultant and Traffic Engineer **Acoustic works –** Acoustic Engineer **Michael Bale and Associates** – Engineering services and Stormwater Management consultant **Usher & Company** – Surveyor	
Owner details	Southern Cross Property Holdings Pty Ltd	
City Plan version	Version 11	
Zone / Precinct	Medium density residential zone	
Overlays	• Acid sulfate soils overlay • Airport environs overlay • Building height overlay • Environmental significance overlay • Residential density overlay	
Submissions	**Objections**	**Support**
	Five (5) properly made	Nil (0)

	Nil (0) not properly made	
Key matters raised by submitters	• Building height • Setbacks and amenity impacts • Noncompliance with Uplift provisions of the Strategic Framework • Conflict to neighbourhood character • Waste management	
Referral agencies	Not Applicable.	
Officer's recommendation	Approval, with conditions	

2 PROPOSAL

The purpose of this report is to assess an application for a combined development permit for a material change of use (Impact assessment) to establish Multiple dwellings (7 units) and Operational works (Code assessment) for Vegetation clearing at 60 Dutton Street, Coolangatta.

The City Plan defines the proposed Multiple dwellings as follows:

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

Table 5.5.2 of the City Plan categorises the Multiple dwelling land use as subject to Code assessment, however the Material change of use component is triggered to Impact assessment due to exceeding the code assessable building height of 23m as identified on the Building height overlay. The proposed development has an overall maximum building height of 27.75m and is therefore triggered to Impact assessment as per Table 5.5.2 of the City Plan.

Table 5.8.4 of the City Plan categories the Operational works component (Vegetation clearing) as subject to Code assessment.

2.1 Brief description of proposed development

The proposal involves the removal of the existing dwelling to establish the Multiple dwelling development (7 units). There is associated tree works (OPW component) included as part of this application. The development includes an under-croft area for ground floor car parking. The 7 units are comprised of 4 bedrooms each in a one per floor arrangement.

The development key details of the proposal are outlined in the table below:

<table>
<tr><th colspan="6">Development proposal</th></tr>
<tr><td>Height</td><td colspan="5">8 storeys / 27.75m (lift overrun)</td></tr>
<tr><td>Density</td><td colspan="5">1 dwelling per 104.43m^2
1 bedroom per 25.10m^2</td></tr>
<tr><td>Setbacks</td><td colspan="5">The development proposes the following setbacks:
<table>
<tr><th></th><th>Front (west)</th><th>Side (north)</th><th>Rear (east)</th><th>Side (south)</th></tr>
<tr><td>Ground</td><td>0m (OMP -</td><td>5.86m</td><td>3m</td><td>0m (OMP foyer)</td></tr>
</table></td></tr>
</table>

	Floor	services) 4.86m column 10.86m wall			1.2m wall	
	Level 2	3m OMP (planter) 5m wall	2m OMP planter 3m wall	2m OMP planter 3m balcony 6m wall	1.2m wall 3m wall	
	Level 3 – 6	3m balcony 5m wall	2.7m OMP slab 3m wall	2.55m OMP balcony 6m wall	2.7m OMP slab 3m wall	
	Level 7	3m balcony 5m wall	2.7m OMP slab 3m wall	2.55m OMP balcony 6m wall	2.7m OMP slab 3m wall	
	Level 8	3m balcony 5m wall	2.7m OMP slab 3.5m wall	2.55m OMP balcony 6m wall	2.7m OMP slab 3.5m wall	
	Roof	3m	3.2m	2.55m	3.2m	

Site cover	The development proposes the following site cover: **Level** / **Site cover (%)** Ground – 64.6% Level 2 – 53.7% Level 3-6 – 49.7% Level 7 – 50.1% Level 8 – 46.2%
Car parking	20 residential spaces (car stacker arrangement) 3 visitors
Bicycle parking	7 residential spaces (informal) 1 visitor
Private open space	Ranges from 31m^2 to 38m^2
Waste management	The development includes a dedicated waste storage room on the ground floor, located centrally between car parking areas. The waste room provides storage for 3 x 360L general waste bins and 2 x 360L recycling bins. The bin collection point is located at the property frontage with servicing to occur on Dutton Street.
Stormwater management	Connects into the existing stormwater infrastructure located within Goodwin Park. Flows are detained and treated within combined stormwater treatment and detention tank before discharge.

The following drawings identifies the proposed development, floor plans have been provided as partial extracts as the full diagram was not legible when the full extent was shown.

Figure 1: Perspective of proposed development (Source: Lightwave Architecture)

Figure 2: Perspective of proposed development (Source: Lightwave Architecture)

Figure 3: Perspective of proposed development (Source: Lightwave Architecture)

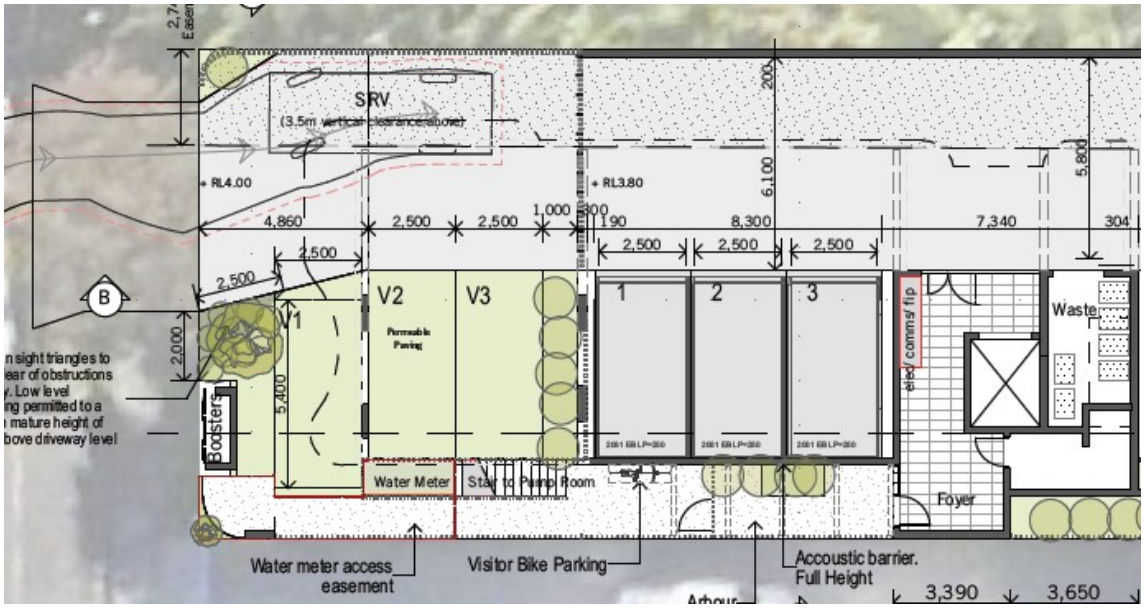


Figure 4: Partial ground floor plan (Source: Lightwave Architecture)

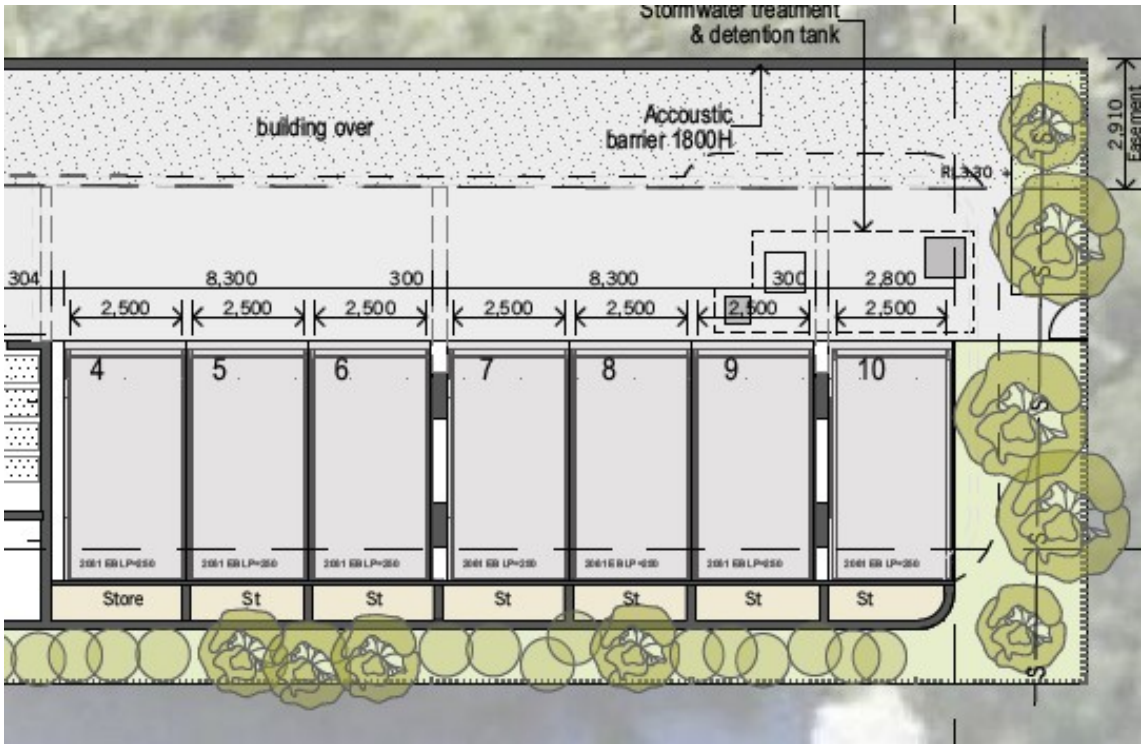


Figure 5: Partial ground floor plan (Source: Lightwave Architecture)

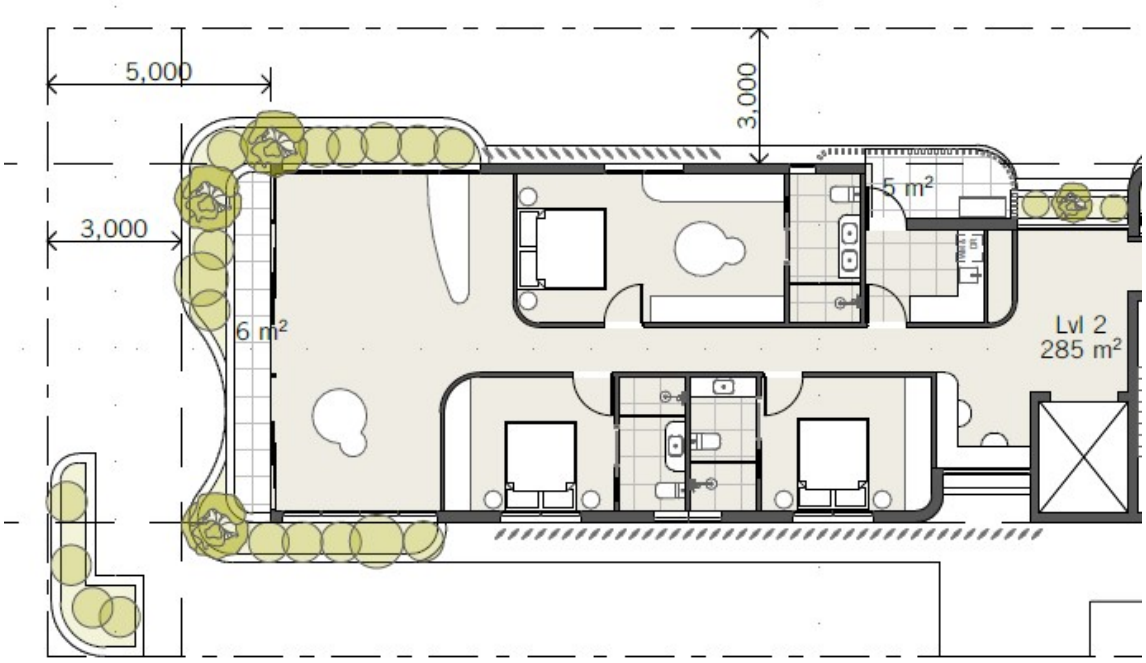


Figure 6: Partial level 2 floor plan (Source: Lightwave Architecture)

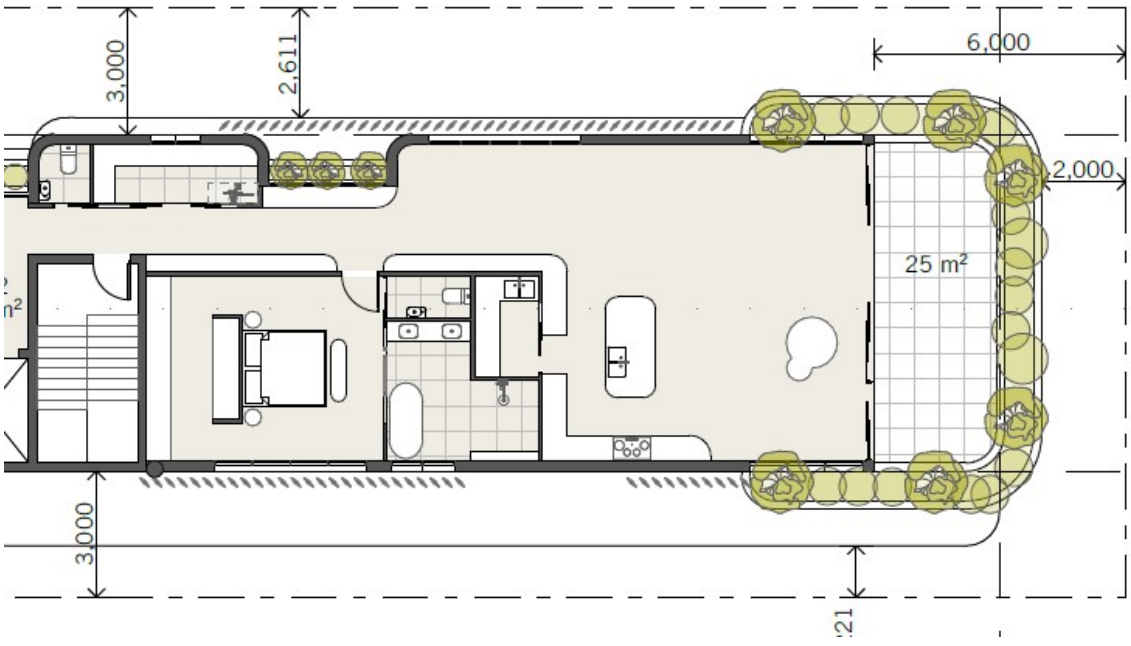


Figure 7: Partial level 2 floor plan (Source: Lightwave Architecture)

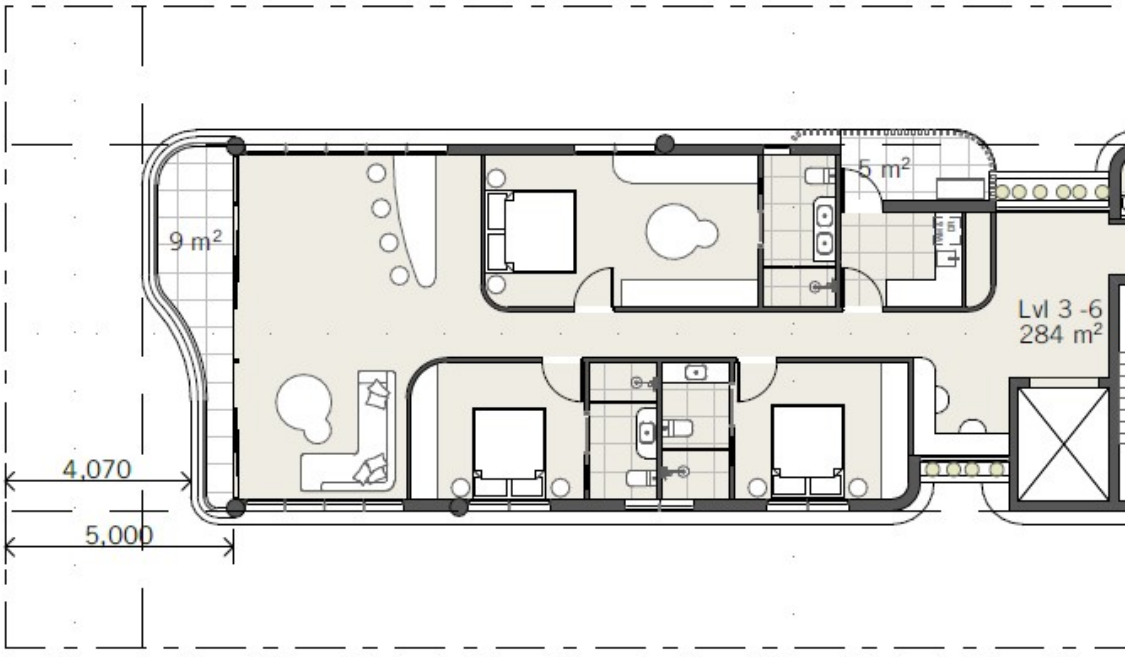


Figure 8: Partial level 3 – 6 floor plan (Source: Lightwave Architecture)

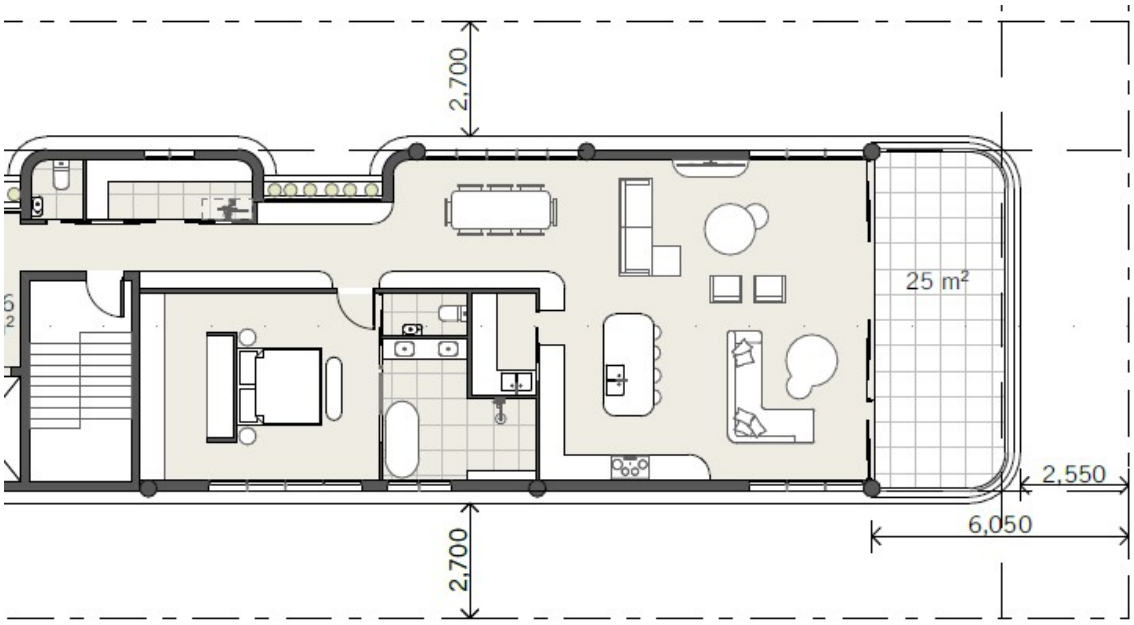


Figure 9: Partial level 3 – 6 floor plan (Source: Lightwave Architecture)

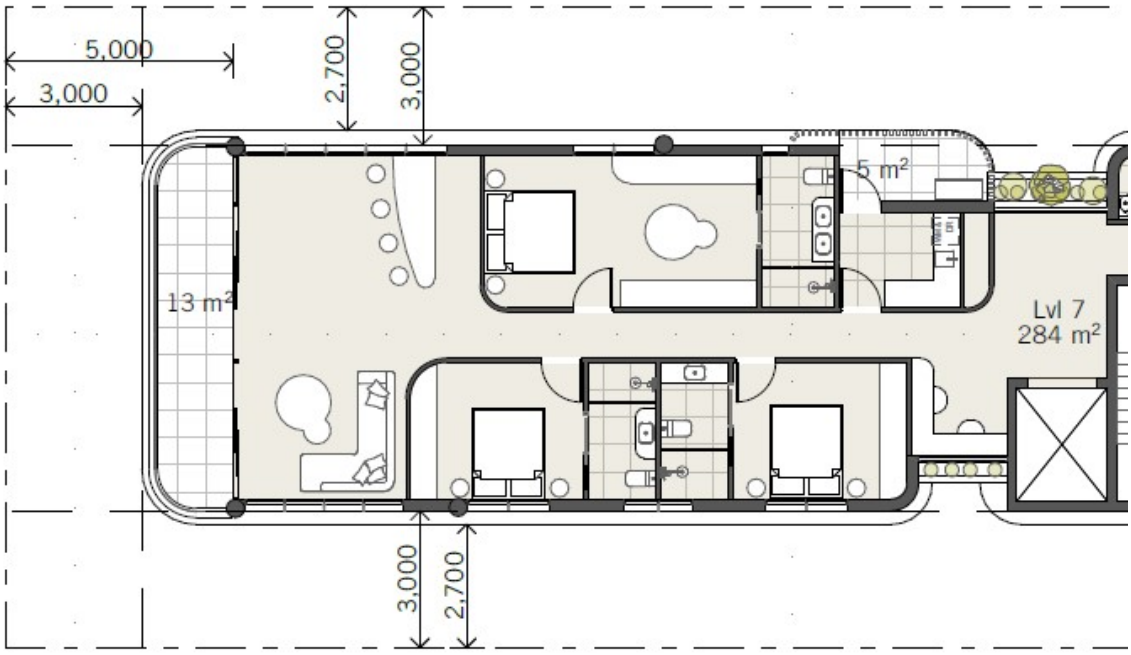


Figure 10: Partial level 7 floor plan (Source: Lightwave Architecture)

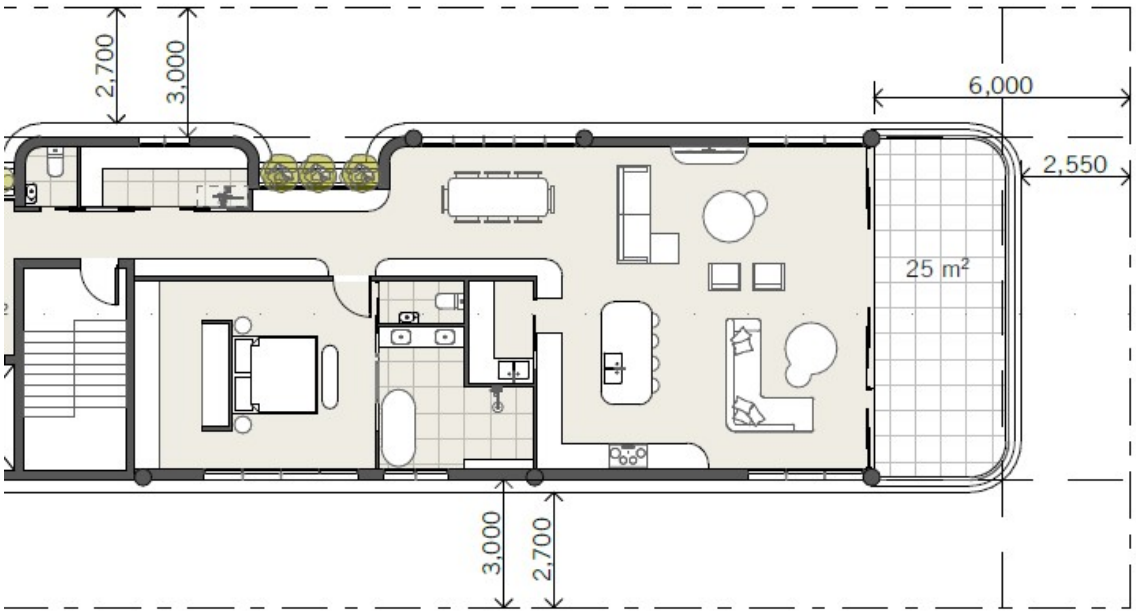


Figure 11: Partial level 7 floor plan (Source: Lightwave Architecture)

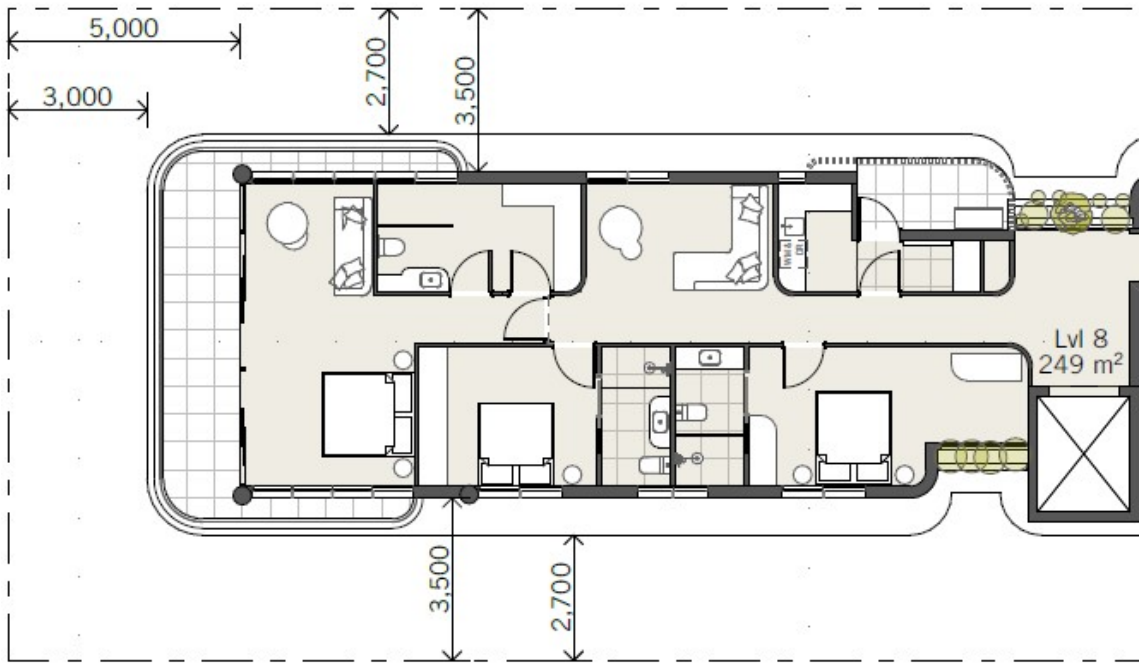


Figure 12: Partial level 8 floor plan (Source: Lightwave Architecture)

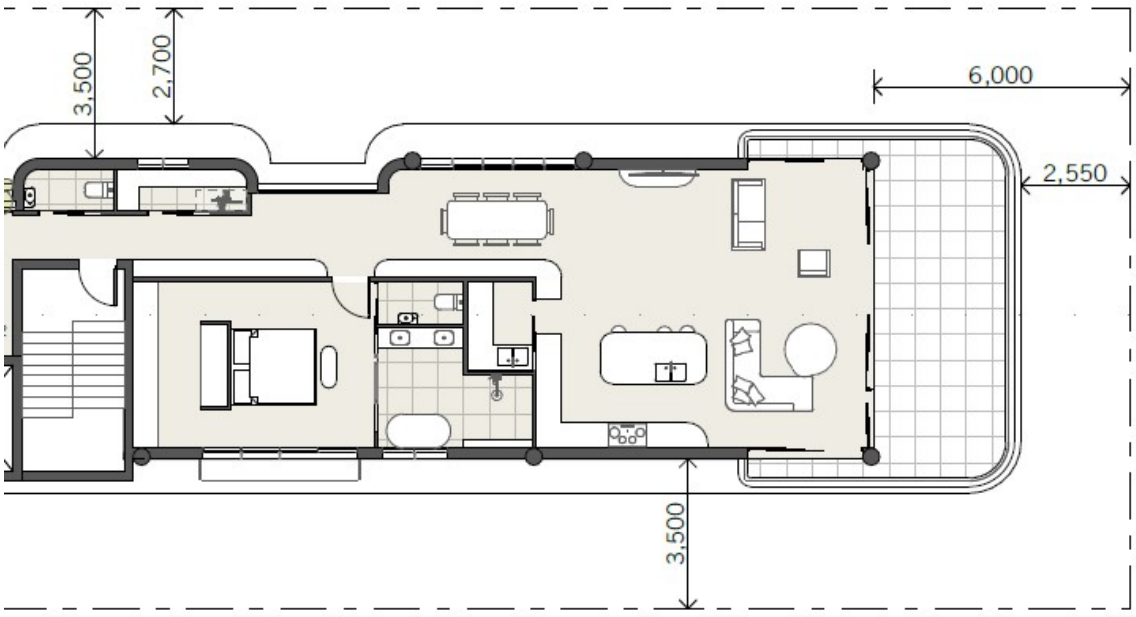


Figure 13: Partial level 8 floor plan (Source: Lightwave Architecture)

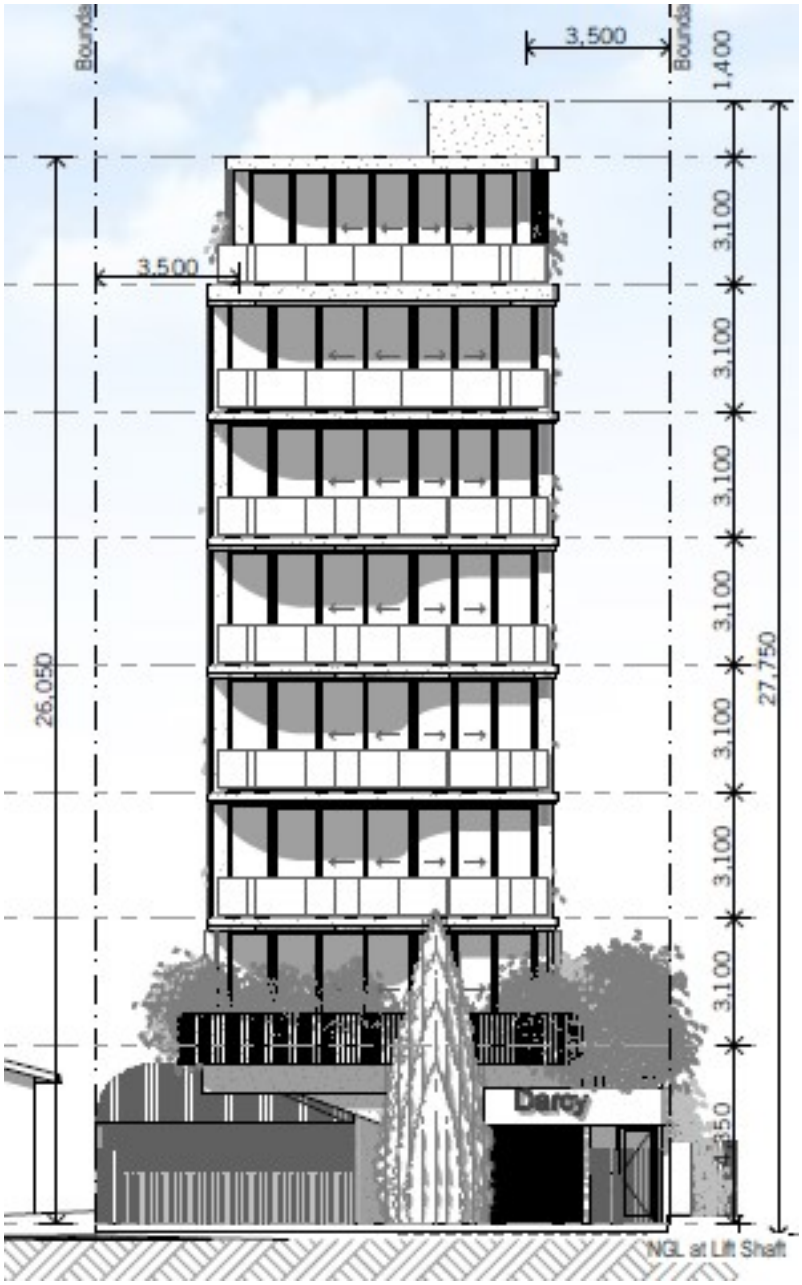


Figure 14: Front (west) elevation (Source: Lightwave Architecture)

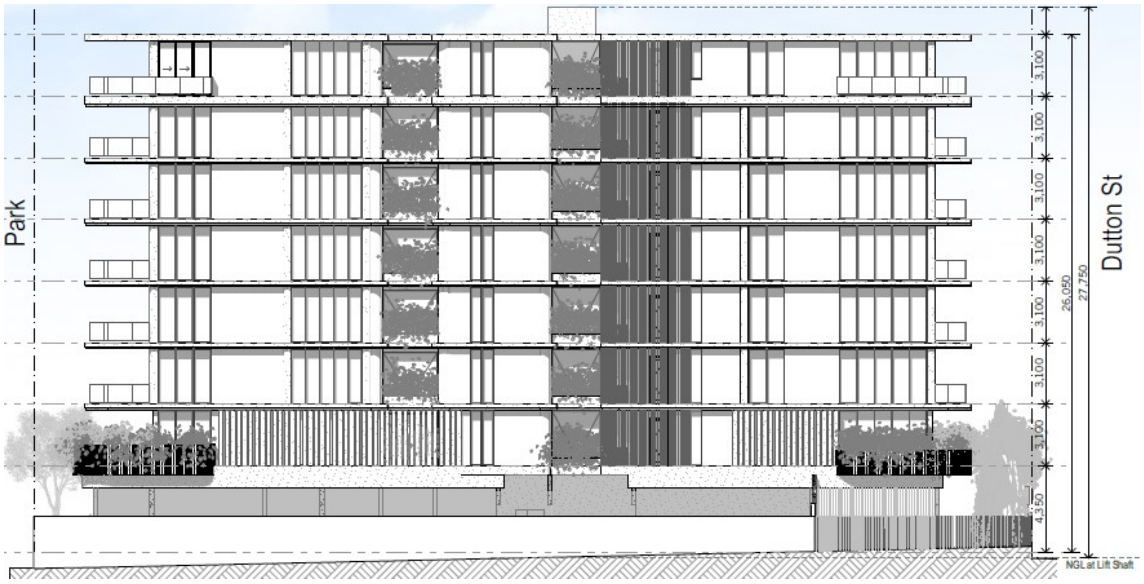


Figure 15: Side (north) elevation (Source: Lightwave Architecture)

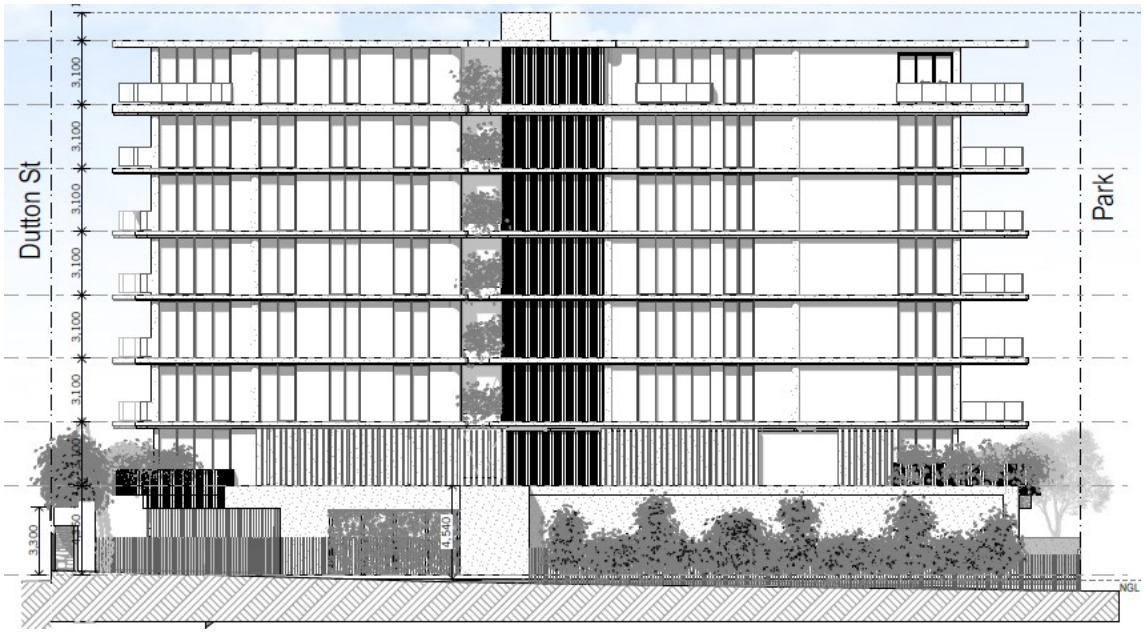


Figure 16: Side (south) elevation (Source: Lightwave Architecture)

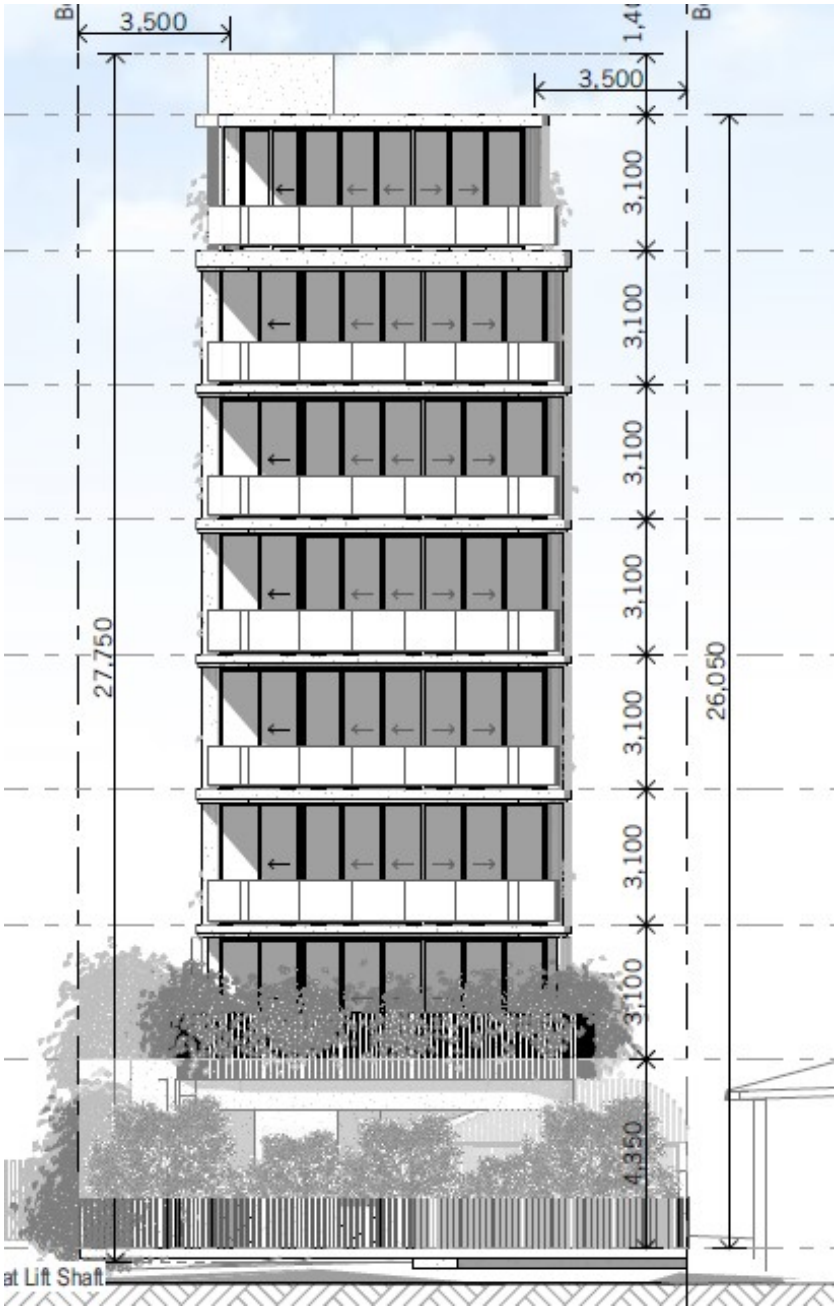


Figure 17: Rear (eastern) elevation (Source: Lightwave Architecture)

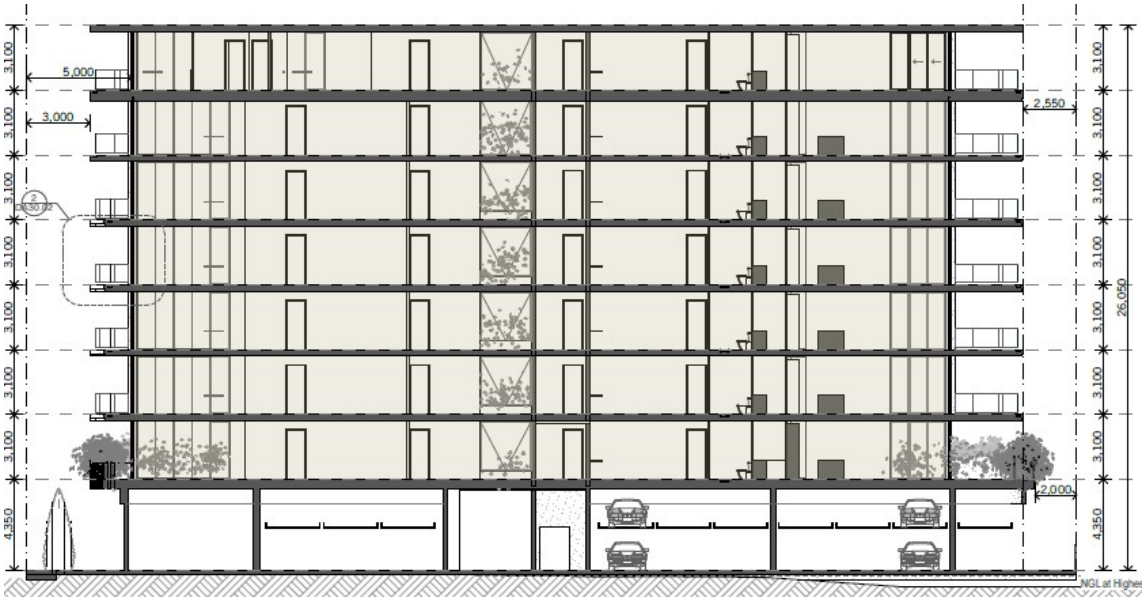


Figure 18: Development section (Source: Lightwave Architecture)

3 KEY CONSIDERATIONS

The key considerations of the proposal include:

Building Height	The subject site is located within a Medium density residential zone and is afforded with a Code building height designation of 23 metres. Specific outcome 3.3.2.1(9) of the Urban neighbourhoods Element of the Strategic Framework allows for (up to) 50% increases in building height subject to the uplift criteria being satisfied. The proposed building height of 27.75m is contained within the potential 34.5m maximum height prescribed for the subject site. Assessment against relevant provisions and benchmarks of the Strategic Framework has demonstrated that the proposal is consistent with the uplift provisions of the Urban neighbourhoods Element and therefore increases above the Code building height is warranted.
Density	The subject site is identified with a residential density designation of RD5 / 1 bed per 50m^2. The proposed development results in a density of 1 bed per 25.1m^2. Assessment throughout this report details that the increased density is appropriate for the subject site and the local context supports the increased intensity. Given the built form parameters afforded for the site, proximity to the Coolangatta Major Centre and additional essential community and social infrastructure, the density outcome is considered appropriate. This is further discussed throughout the body of the report when assessed against relevant provisions of the City Plan.

4 SITE CONTEXT

The subject site being 60 Dutton Street Coolangatta presents the following characteristics and is further shown in the below figures.

Site Area	703m^2
Dimensions	14m in width and 50m in length (approximately)
Easements	The site is not encumbered by any easements. A future easement is conditioned for stormwater infrastructure.
Topography	The site is generally level, however there is a slight sloping topography towards Goodwin Park to the rear (eastern direction).
Existing development	Previously featured a stand-alone Dwelling
Vegetation	No significant vegetation or local species observed
Access	Obtained via a single vehicle crossover to Dutton Street.
Zoning	Medium density residential zone
Code Building height designation	23m
Residential density designation	RD5 – 1 bedroom / 50m^2

The immediate surrounding context is further described below:

North: The site directly adjoins a single storey dwelling house to the northern boundary. Development is characterised by a mix of 1 – 3 storeys Dwelling houses and Multiple dwellings.

East: The site directly adjoins public open space areas to the east, being Goodwin Park.

South: The site directly adjoins a two storey Dwelling house to the southern boundary. Further, development is characterised by the Medium density residential zoning.

West: The site opposes 3 storey walk up apartments to the west, however the western portion of Dutton Street is identified within the Low density residential zone.

Figure 19: Aerial image of subject site (Source: Nearmaps)

Figure 20: Image of subject site (Source: Assessing officer)

4.1 Local context

The subject site is located in a cluster of Medium density residential zoned sites that borders Goodwin Park. This open space area provides opportunities for recreational facilities. The site directly opposes residential development, consistent with the Low density residential zoning designation. Towards the north of the site is the Coolangatta Major Centre, with development of increased scale and intensity and a diverse range of commercial business activities and services.

Figure 21: Subject site and surrounding local context (Source: City Plan V11)

5 PLANNING ASSESSMENT

Section 45(5) of the *Planning Act 2016* identifies:

> *(5) An **impact assessment** is an assessment that –*
>
> *(a) must be carried out -*
>
> *(i) against the assessment benchmarks in a categorising instrument for the development; and*
>
> *(ii) having regard to any matters prescribed by regulation for this subparagraph; and*
>
> *(b) may be carried out against, or having regard to, any other relevant matter, other than a person's personal circumstances, financial or otherwise.*

The proposed development triggers impact assessment and has been assessed in accordance with Section 45(5) of the *Planning Act 2016.*

5.1 State Planning instruments

The application has been assessed against the following instruments:

Instrument	Comment
State Planning Policy	The City Plan appropriately reflects all aspects of the State Planning Policy apart from aspects relating to natural hazards, risk and resilience (coastal hazards). The proposal does not trigger assessment against any assessment benchmarks relating to natural hazards, risk and resilience (coastal hazards).
South East Queensland Regional Plan	The proposal is consistent with the goals, elements and strategies; and the Southern Sub-regional directions of the South East Queensland Regional Plan 2023 (ShapingSEQ).
Planning Regulation 2017	The proposal does not trigger assessment against any assessment benchmarks listed in a Schedule of the Planning Regulation 2017.

5.2 Local categorising instruments

The application has been assessed against the following instruments:

Local categorising instrument	Comment
Temporary Local Planning Instrument	The proposal does not trigger assessment against any temporary local planning instruments.
Variation approval	The proposal does not trigger assessment against a variation approval.
City Plan (Version 11)	The proposal is within the City Plan area of the City of Gold Coast. This is discussed in section 5.3 below. <u>Local Government Infrastructure Plan</u> There is no new trunk infrastructure required as part of this development.

5.3 City Plan

The following is an assessment of the application against the City Plan.

5.3.1 Assessment against the Strategic framework

The strategic framework requires balanced consideration of the provisions to best achieve the purpose and objectives of the City Plan. The strategic framework sets the policy direction for the City Plan and has a planning horizon of 2031.

This Policy direction is structured in the following way:

(a) The strategic intent describes the planning vision for the Gold Coast over the coming decades; in particular, what our city will look like and how it will function, potential for major development over the next 20 years and areas for growth and protection.

(b) The following six city shaping themes play an important role in shaping future growth and managing change across the city, and collectively represent the policy intent of the City Plan:

i Creating liveable places;

ii Making modern centres;

iii Strengthening and diversifying the economy;

iv Improving transport outcomes;

v Living with nature; and

vi A safe, well designed city.

(c) Strategic outcomes for each theme.

(d) Elements that refine and further describe the strategic outcomes.

(e) Specific outcomes sought for each of the elements.

Strategic intent

The strategic intent flows through to the themes (strategic outcomes), elements (specific outcomes) and applicable codes. The strategic intent is achieved through assessment against these outcomes.

Theme/s and Elements

The following is an assessment of the application against the relevant theme/s and elements of the strategic framework identified in the table below:

Theme/s	Related element	Maps
Creating liveable places	Urban neighbourhoods Element	Strategic framework map 1 – designated urban area • Urban area Strategic framework map 2 – settlement pattern • Urban neighbourhoods
A safe, well designed city	Urban design, Character and Community identity Element	

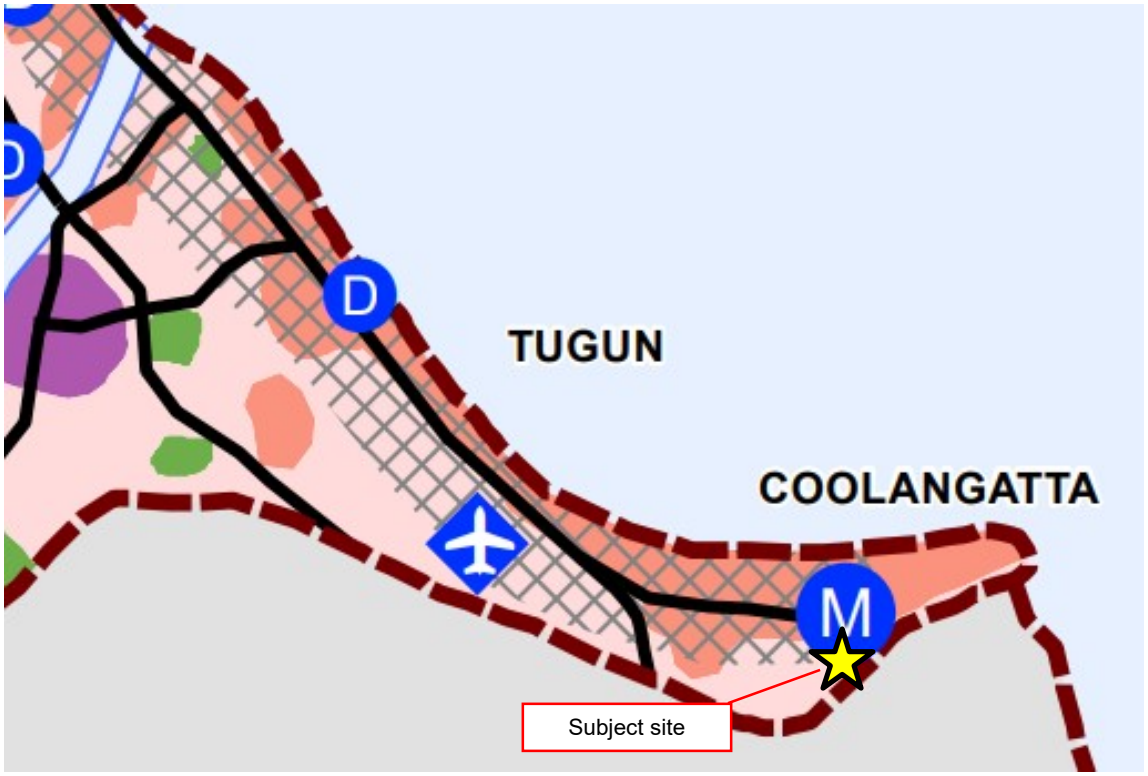


Figure 22: Subject site and Strategic Framework Map 2 (Source: City Plan V11)

According to Table 5.5.2 of City Plan (version 11), a material change of use for multiple dwellings requires a code assessable development application. However, the proposed building height exceeds the code assessable height specified on the Building Height Overlay Map. Therefore, the application is subject to impact assessment. Given that the land use is a Code assessable outcome, assessment of the Strategic Framework is primarily focused on the proposed building height and any design related criteria, as per the following assessment:

Creating liveable places Theme - Urban neighbourhoods Element

Specific outcome 3.3.2.1(1), (2), (3), (4), (5), (6) and (7) of the urban Neighbourhoods Element are included below and provides assessment benchmarks relating to the land use and local character.

> *"(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.*
>
> *(2) Urban neighbourhoods are generally located on or near high frequency public transport corridors served by light rail or high frequency bus.*
>
> *Note: Some corridors have a specialised employment focus or are unsuited to intensive residential development, including general industry areas that front corridors served by light rail or high frequency bus.*
>
> *(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.*

(4) Urban neighbourhoods vary from pockets of detached housing on smaller lots to medium or higher-intensity places containing medium or high-rise buildings.

(5) Housing includes a mix of tenure, size and type to assist with affordability and location options, and to support 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.

(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."

Officers comment

Specific outcome 3.3.2.1(1) – (7) seeks for development to be situated within close proximity to public transport networks and additional essential services and facilities. Further, the assessment benchmarks seek for residential development of varying scale, form and intensity to occur, supporting the needs of future residents. The proposed development complies with the above-referenced specific outcomes for the following reasons:

- The subject site is located within a walkable 450m from the Coolangatta Major Centre which provides a variety of alternative transport options inclusive of cycle lanes and frequent bus services. Specifically, the Coolangatta East bus stop is located on Griffith Street, approximately 480m from the site. There are additional bus stop locations within 750m from the site.
- Dutton Street provides pedestrian footpath networks on both sides of the Street, providing direct connectivity to the Coolangatta Major Centre. The site adjoins Goodwin Park to the rear which further provides pedestrian connectivity to the Centre.
- Pedestrian networks provides convenient access to public open space, recreational facilities and additional community services, all within close proximity to the site.
- The subject site has a Code assessable height designation of 23m and directly opposes a Low density residential zoned area (2 storey / 9m height designation). As such the City Plan intends for Medium rise buildings to directly oppose the low intensity area. The proposed built form is consistent with this intended variation.
- The proposed development is for Multiple dwellings (7 units) providing a residential outcome consistent with the above assessment benchmarks. The proposal replaces the existing dwelling on site, therefore contributing to the availability of housing throughout the local area.

Specific outcome 3.3.2.1(8) of the Urban neighbourhoods Element states:

"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."

Officer's comment

Specific outcome 3.3.2.1 (8) seeks to ensure building height variations in certain locations are deliberate and distinct between low, medium and high rise areas.

The City Plan provides definitions for low and medium high rise buildings as follows:

Low rise building height:

> "*A building up to 9 metres above ground level (intent for up to 2 storeys, with optional for partial third if within 9 metres).*

Medium rise building height:

> *"A building exceeding 9 to 32 metres above ground level (intent for 3 to 8 storeys)*

The subject site is identified within an Urban neighbourhood and is therefore afforded a 50% uplift to the Code assessable building height, resulting in a maximum height of 34.5m. The proposed development has a maximum height of 27.75m and therefore the development constitutes a Medium rise building height. The site directly opposes a Low density area which intends for Low rise building height. This is considered an abrupt change in the mapped building height and achieves a deliberate contrast in built form scale and intensity. The proposed development is consistent with the intent of Specific outcome 3.3.2.1(8) of the Strategic Framework.

Specific outcome 3.3.2.1(9) of the Urban neighbourhoods Element states:

> *"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 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."*

Officer's comment

The subject site is within a designated Urban neighbourhood where in limited circumstances building heights can extend up to 50% above the Building height overlay map provisions (Urban Neighbourhoods Element - Specific outcome 3.3.2.1(9)). The building height overlay map identifies the subject site with a building height of 23 metres. The site therefore can be afforded an increase in building height of 34.5 metres, subject to the proposal meeting relevant provisions prescribed below.

The proposal presents a height of 27.75 metres. The proposal is therefore within the 50% increase identified in the Strategic Framework. Officers note that submitters raised concerns with the proposed

building height voicing concerns regarding compliance with test prescribed for the Urban neighbourhoods element. It is noted that submissions raised concerns regarding the overall building height, this is further addressed in the Strategic Framework assessment. Officers consider the proposal complies with the provision as detailed below.

(a) the development is not located within The Spit Master Plan height sensitive area, as identified on the Building Height overlay map;

The subject site is located in the suburb of Coolangatta on the southern end of the Gold Coast and is therefore not identified within The Spit Master Plan. Therefore, this provision is not applicable.

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

The subject site is located within the southern portion of Coolangatta where the current development character comprises of built form of varying scale, form and intensity. This is evident through the Low and Medium density residential zoning classifications and the built form parameters afforded within the zoning designations. The local context includes residential development ranging between single storey detached dwellings and medium rise Multiple dwellings (up to 4 storeys). Notwithstanding, the uplift provisions of the Strategic Framework prescribes a maximum height opportunity of 34.5m for the subject site. The City Plan anticipates development of increased scale for the surrounding Medium density residential area, however this transition is yet to occur, specifically for the Western portion of properties adjoining Goodwin Park. The applicant has provided a built form analysis which identifies the diverse range of built form parameters existing and anticipated in the local area, as seen in the Figure below:

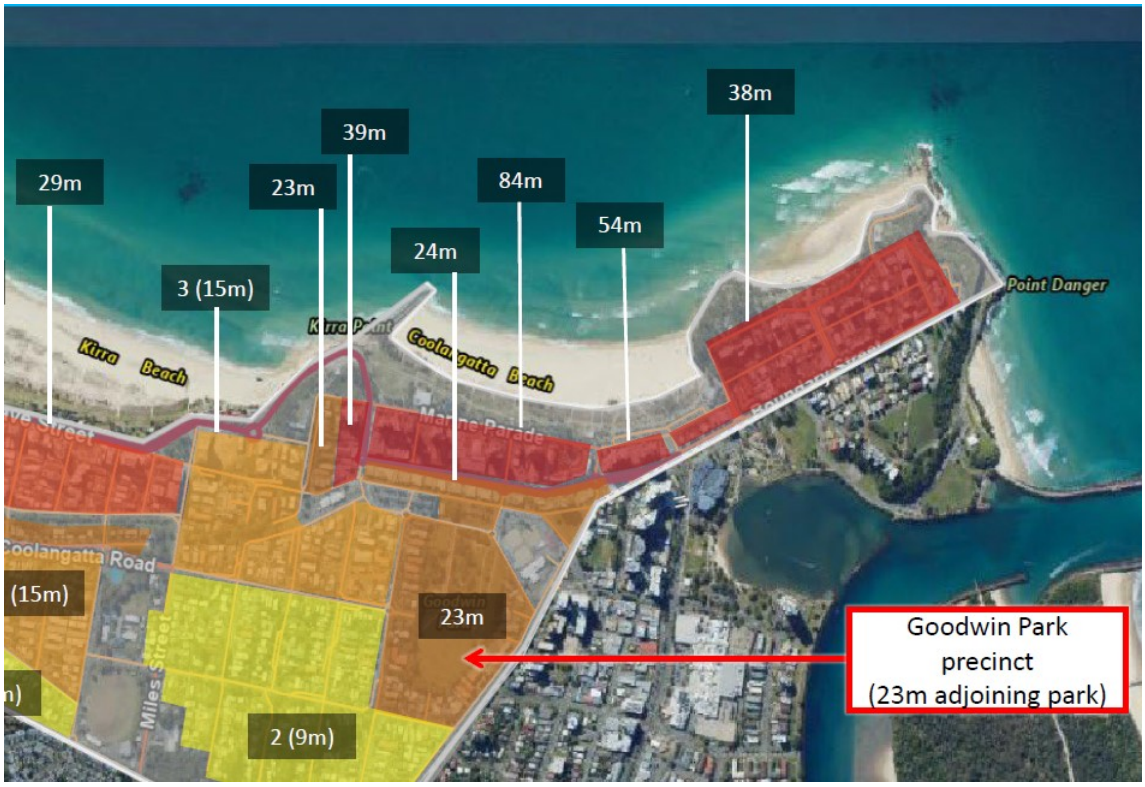


Figure 23: Building height character analysis (Source: Enhance Urban Planning)

As identified in the figure above the subject site is located in a mapped 23m code height area, directly opposing a 2 storey / 9m designation (Low density residential zone). Evidently, the City Plan anticipates a distinct change in built form in this location with consideration to the Figure above.

When determining the 'local identity and sense of place' of the area, officers considered the area situated within the Urban neighbourhood / Medium density residential zone with a mapped code height of 23m, identified as the 'Goodwin Park precinct' that surroundings the park as shown in the Figure above. Similar to the building height designation, this area has a residential density designation of RD5 (1 bedroom per 50m^2) which affords increased development parameters in comparison to the surrounding context. The various residential density designations are evident in the Figure below:

Figure 24: Residential density character analysis (Source: Enhance Urban Planning)

Within the Goodwin Park precinct / area, the following character analysis and table identifies existing and approved development that represents medium rise built form, providing context to the existing and emerging character of the local area.

1

25 Dixon Street

32.2m / 11 storeys

2

27 Dixon Street

23m / 8 storeys

OTH currently under assessment for increased height

3

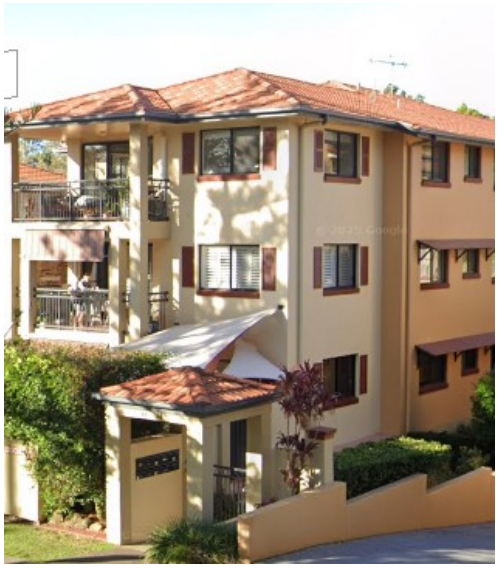
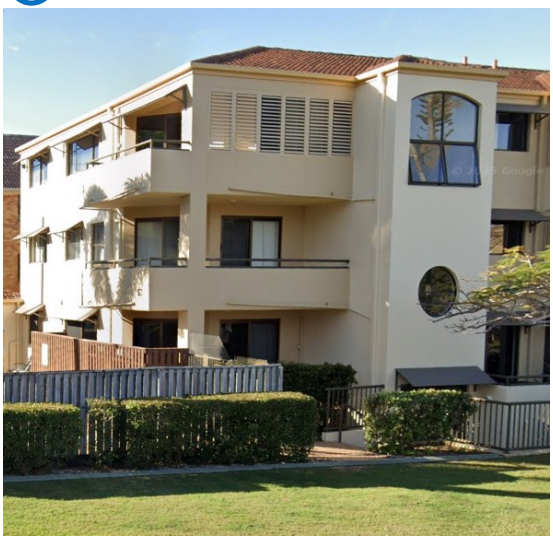
4 Carmichael Close

25.2m / 8 storeys

4

50 Dutton Street

3 storeys

5  32 Dutton Street 3 storeys	6  36 – 38 Dutton Street 3 storeys
7  54 Dutton Street 3 storeys	8  53 Stapylton Street 3 storeys

As shown in the above table, there is diverse range of development outcomes within the catchment area. However, the recent development approvals (Figures 1 – 3 in table above) demonstrate there is a transitioning nature, reflecting built form outcomes consistent with the parameters established by the City Plan. Examples (1) and (3) are approvals established under the City Plan and have sought the

uplift provisions for increases to building height. Example (2) is currently being assessed by Council officers for increases to building height.

For context, the Gold Coast Planning Scheme 2003, specifically the Coolangatta Local Area Plan – LAP Map 8.3 – Maximum Building Heights, prescribed the Goodwin Park precinct to be within a Medium density residential area with a maximum building height of 5 storeys. This further demonstrates the surrounding area has been anticipated to provide development of an increased scale to the existing character for a considerable period of time.

Figure 25: Goodwin Park building parameters 2003 Planning Scheme (Source: Gold Coast Planning Scheme 2003)

The development incorporates a recessed upper level for the portion of building work above the Code assessable 23m height requirement. This ensures the development has reduced built form intensity for the portion of building work above the code height requirement. Furthermore, the dominance of the structure when viewed from surrounding vantage points is reduced. The subject site is conveniently located in a low point of Dutton Street and the wider Goodwin Park area with consideration to the natural ground level and surrounding topography. Consequently, the proposed development will present with a lower RL height to surrounding development situated on the higher portions of Dutton Street. The topographical features of the site is shown below:

Figure 26: Subject site context from Tweed Street / Dutton Street roundabout (Source: Assessing officer)

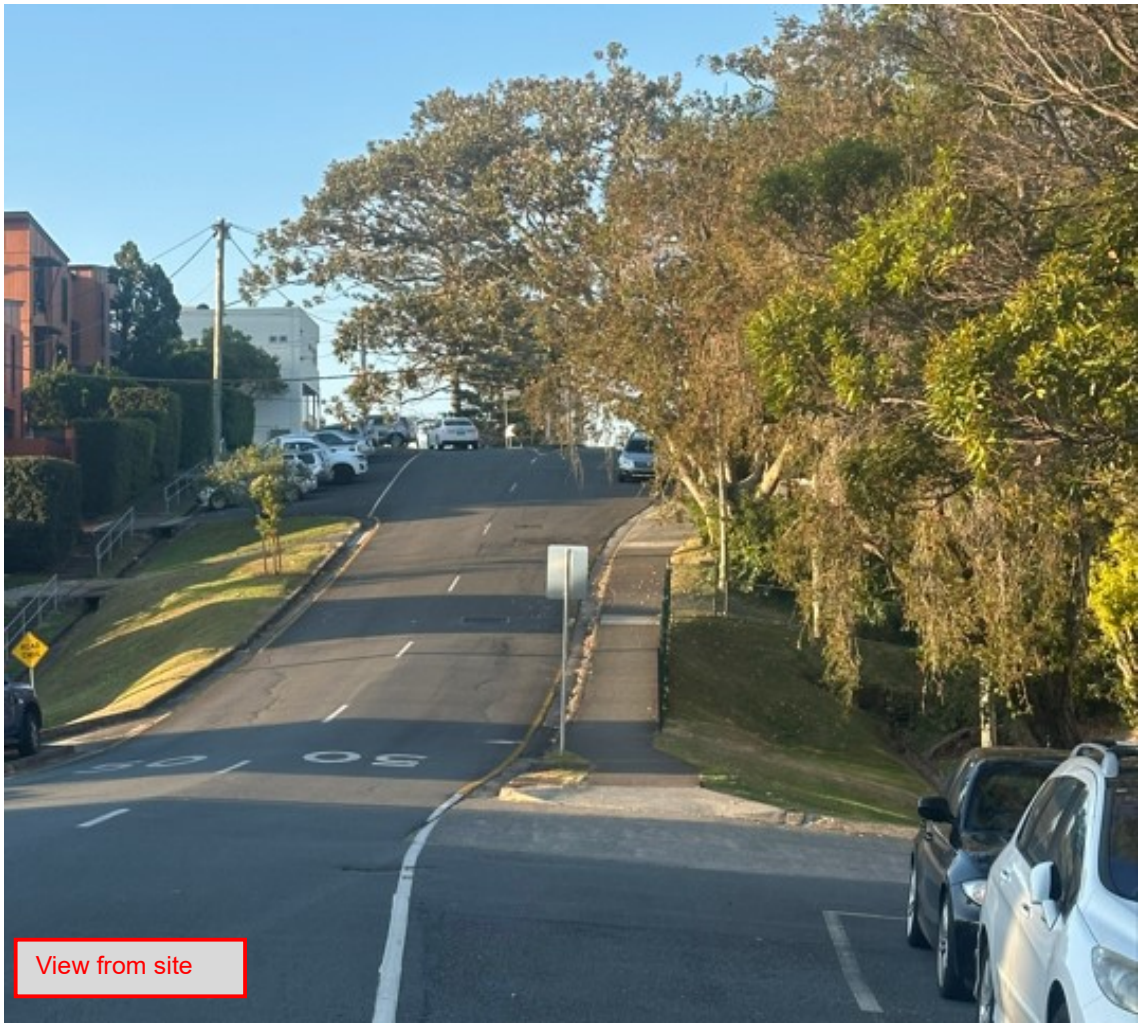


Figure 27: Subject site when facing east from frontage (Source: Assessing officer)

The figures above demonstrate that the subject site is situated at a lower height relative to surrounding areas, with existing and future development having the potential to have a higher RL level. The existing vegetation located within close proximity to Goodwin Park and within close proximity to the site's rear boundary will provide natural screening of the ground floor and lower levels of the tower form. The existing public space (Goodwin Park) will compliment the rear interface, withadditional landscaping provisions is to be incorporated along the rear of the site boundary which will further assist in softening the built form. The proposal is therefore not considered to negatively impact the open space character of Goodwin Park.

Figure 28: Subject site from Goodwin Park (Source: Assessing officer)

Officers consider the site specific characteristics discussed above to further demonstrate that the proposed height results in an appropriate development outcome. Given the above assessment, officers consider the proposed development to reinforce 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;

It is noted through public notification that submitters raised concerns regarding setbacks provisions, amenity impacts and the interface to adjacent residents. It is noted the submission from the neighbouring southern resident only raised concerns regarding waste management which indicates there are no immediate concerns from adjacent residents regarding setbacks or privacy.

The proposed development provides the following setbacks:

	Front (west)	**Side (north)**	**Rear (east)**	**Side (south)**
Ground Floor	0m (OMP - services) 4.86m column 10.86m wall	5.86m	3m	0m (OMP foyer) 1.2m wall
Level 2	3m OMP (planter) 5m wall	2m OMP planter 3m wall	2m OMP planter 3m balcony 6m wall	1.2m wall 3m wall
Level 3 – 6	3m balcony 5m wall	2.7m OMP slab 3m wall	2.55m OMP balcony 6m wall	2.7m OMP slab 3m wall
Level 7	3m balcony 5m wall	2.7m OMP slab 3m wall	2.55m OMP balcony 6m wall	2.7m OMP slab 3m wall

Level 8	3m balcony 5m wall	2.7m OMP slab 3.5m wall	2.55m OMP balcony 6m wall	2.7m OMP slab 3.5m wall
Roof	3m	3.2m	2.55m	3.2m

The proposal is considered to provide sufficient setbacks to all property boundaries, ensuring a well-managed interface is achieved.

The proposed development adjoins detached dwellings (single storey – north, two storey – south) to both sides. The proposal has been designed to consider amenity impacts on adjacent residents and design features have been incorporated to improve privacy / amenity. Setback provisions of the ground floor are appropriate for the northern aspect given the separation distance from the driveway. A screening apron extending down from the first floor slab has been included to effectively mitigate light spill impacts and screens associated services. The apron, combined with a 1.8m acoustic fence, provides a well managed interface to the northern residents. This is identified in the Figure below:

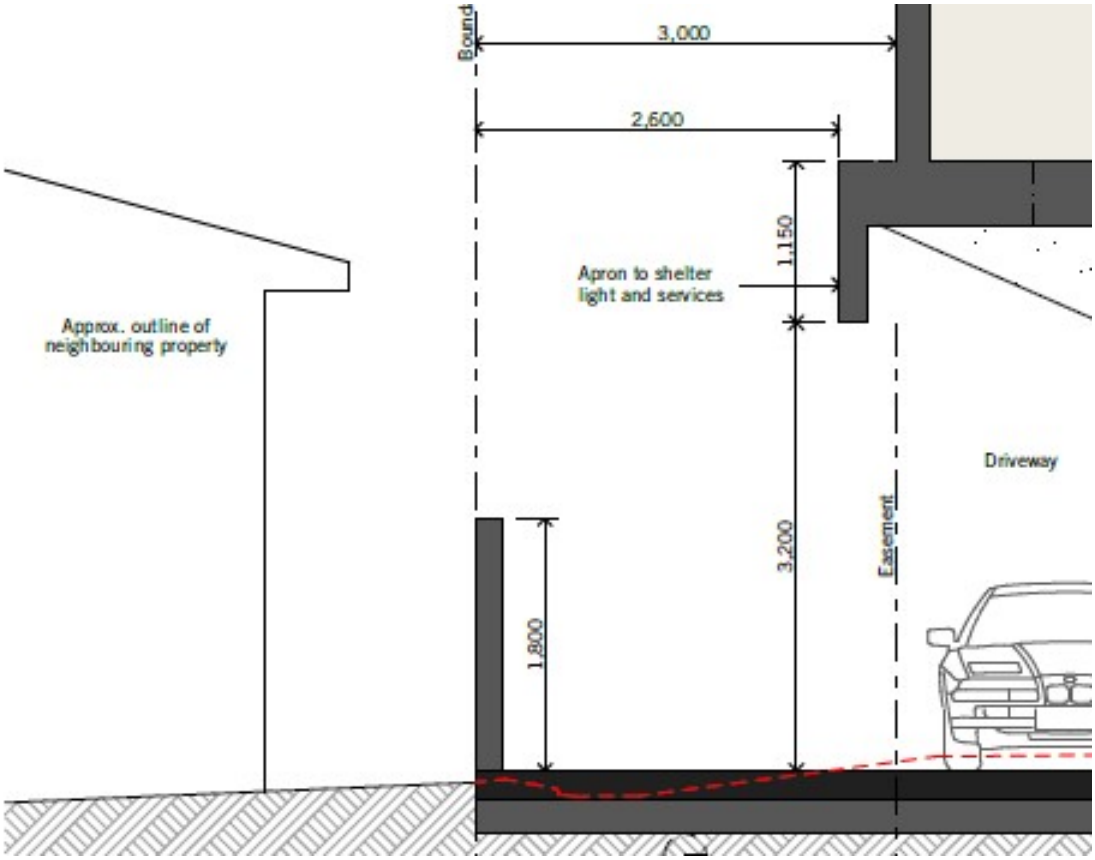


Figure 29: Subject site and ground floor interface to northern property (Source: Lightwave Architecture)

For the first floor side interfaces, aluminium louvre blading has been included on the window features which demonstrate privacy elements have been included for amenity protection of neighbouring residences. In addition, landscaping planters have been adopted for the perimeter of the first floor balconies to assist in screening the private open space areas on this level. A 3m separation distance to both northern and southern wall planes for the first floor provide an appropriate setback to adjoining sites. The first floor interface and associated amenity consideration features are seen below, with the same outcome achieved for both the northern and southern elevations.

Figure 30: Level 2 interface to adjoining property (Source: Lightwave Architecture)

The neighbouring driveway of the southern adjoining property (62 Dutton Street) ensures that a considerable distance between future built forms is achieved. As identified in the Figure above, amenity protection for these residents in considered. The current interface of the subject site and adjoining properties can be seen below:

Figure 31: Subject site and interface to southern property (Source: Assessing officer)

Figure 32: Subject site and interface to northern property (Source: Assessing officer)

A predominant 3m side setback to the wall plane of the tower form is considered an appropriate amenity outcome, with consideration to potential future development similar in nature on adjoining properties. Further, the upper level provides improved setbacks (3.5m to the wall of both side elevations) which is the portion of building work above the code height 23m threshold.

Improvements to the setback provisions above the Code height threshold reduces the built form dominance for the built form above the mapped height requirement. Elevated planters have been included on both side elevations for the full extent of the tower form to soften the perceived hardstand area and assist in contributing to the overall aesthetic of the design. The slab projections and variations to the external walls ensure articulation and modulation is achieved. Expansive balconies to the rear elevation overlooking Goodwin Park add visual interest to the public interface while also achieving deep recesses to the building reducing overall mass. As discussed further below, the proposal incorporates specific architectural design elements that result high quality elevations to all development interfaces.

On balance, the proposed is considered to maintain a well managed interface and relationship to nearby development, achieving reasonable amenity expectations of nearby residents.

Architecture assessment have provided the following comments regarding a well managed interface:

- *The subject site bounds a single storey residence to the north and 2 storey residential dwelling to the south. To the side boundaries, the proposal generally provides good setbacks to the wall and balconies of typically 3m to wall up to level 7, where this increases to 3.5m for level 8. Recesses of 4m are provided to both elevations. While the proposal provides a built to boundary element to the south boundary, this is short in length of 3.39m.*

- *The development provides a distinct architectural appearance which incorporates a modulated floor plate, variation in balcony arrangements, feature slab projections and screening elements*

which are combined with high-quality material selections which include finishes in varied natural and neutral shades and integrated landscaping.

- *Additional screening is provided to level 2 to support privacy to adjoining residential development.*

- *On balance, the proposal is considered to achieve a well-managed interface to adjoining development.*

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

As previously outlined, the subject site contains site specific characteristics that result in a relatively low location in comparison to nearby hills and ridgelines. The proposed development is therefore not anticipated to protrude into the skyline significantly with consideration to the surrounding context. Notwithstanding, the existing character is predominantly 1 – 3 storey residential development, as such the proposal contributes to the intended varied building height. The proposal results in a 27.75m overall height which is below the maximum 50% height uplift available of 34.5m, an ordered skyline is therefore achieved. The roof form incorporates slab edges and projections to contribute to visual interest.

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

The proposed development provides a high-quality architectural outcome that achieves an excellent standard of appearance for the built form and street edge.

At the site's frontage the development incorporates a defined pedestrian entry with varying materials that activates the frontage. The services are screened and located within the pedestrian entry feature structure. Given the site's relatively narrow width, appropriate landscaping is included consisting of a feature tree, elevated planters and low level planting, softening the perceived hardstand and contributing to the streetscape. The car parking area is screened behind the security gate which reduces the visual impact of the ground floor under croft.

Throughout the assessment the building design and architectural outcome has been modified to improve the visual appearance and ensure an excellent standard of appearance is achieved. The built form incorporates a diverse range of materials and architectural elements that contribute to the high standard of appearance, inclusive of aluminium screening battens, aluminium louvre blading, featured concrete wall, frameless glass balustrading, powder coated window textures, timber look soffits and feature stone. This extensive variation contributes to the high-quality architectural outcome. The proposal further incorporates sufficient articulation through deep recesses, slab projections and sufficient setbacks. Curved balconies provide additional modulation specifically for the front elevation. Detailed landscaping is to be incorporated at the ground floor and elevated in the building design, this contributes to visual interest and provides a softening of the side elevations.

Architecture assessment have provided the following comments regarding an excellent standard of appearance:

- *The building presents a distinctive and high-quality architectural form, with strong horizontal lines through feature slab detailing and visual movement in the façade design. The façade design includes variation in setbacks as the building becomes taller, cantilevered balconies to the street and rear, variation in façade detailing with solid and glazed elements, timber look soffits, frameless balustrading, integrated greenery, enhancing visual interest and reducing bulk.*

- *Use of transparent materials and open balconies promotes natural light and ventilation, supporting a subtropical character.*
- *The development is well-integrated with landscaping, including trees at the street frontage and landscaping that soften its urban presence.*
- *A defined entry and apartments orientated to the street contribute to a vibrant and engaging streetscape.*
- *The proposal provides visually interesting materials such as form lined concrete, painted render, timber look soffits, feature stonework and frameless balustrades.*
- *Overall, the design enhances the urban character and identity of the area, aligning with the strategic intent for high-quality built form outcomes.*
- *The proposal therefore is considered to meet Specific outcome 3.3.2.1(9)(e)*

(f) *housing choice and affordability;*

The subject site previously contained a dwelling house. The proposed development introduces 7 units compromised of 4 bedrooms each. The proposal will contribute to the housing availability and affordability options within the Coolangatta area.

(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 height and scale of the proposed development is not of a height that will impact on any elements of local character or scenic amenity and would not impact on any public outlooks to the city's significant natural features. The site is located at the southern portion of Coolangatta, and not within close proximity to any significant natural features, particularly Greenmount Hill, Kirra Hill or the Coolangatta foreshore. The proposal will not be viewable from these major features and does not impact the upon the existing character values.

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

As previously discussed, the building height overlay map contains a distinct and deliberate change within the locality given the proximate Low density residential zone with a 2 storey / 9m height requirement. The contrasting 23m code height / 34.5m uplift height determines that the location is intended to provide an abrupt changes in height and development intensity. The proposal is consistent with this intention while ensuring an appropriate development outcome is achieved.

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

The height of the proposal will not interfere with the efficient functioning of Gold Coast Airport or any other aeronautical facilities.

Assessment determined the proposal satisfies the uplift provisions within 3.3.2.1 (9) as detailed above.

Specific outcome 3.3.2.1(10) of the Urban neighbourhoods Element states:

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

Officer's comment:

The proposed development results in an overall height of 27.75m which represents a 41.3% increase from the code 23m building height. A full 50% uplift above the code height results in a maximum height of 34.5m. As the proposed development does not exceed a 50% increase, the proposal demonstrates compliance with Specific outcome 3.3.2.1(10).

Specific outcome 3.8.3.1(1) of the Urban design, character and community identity states:

> *"Development is cognisant of the function and desired future appearance of each individual area and reinforces or reinterprets the character of that area."*

Officer's comment:

The subject site is located in the Medium density residential zone where a Multiple dwelling is an anticipated land use. Further, the site is identified within an Urban neighbourhood which allows for increases above the code height provisions. Assessment of the Specific outcome 3.3.2.1(9) has demonstrated the proposal meets the criteria required for increases to building height. The development parameters allocated to the site and surrounding area demonstrates the City Plan intends for development of this nature to occur, the proposal therefore reinforces the desired future appearance of the surrounding area.

Summary of the Strategic framework

The proposal is considered to support and promote the strategic framework for the following reasons:

- The proposed development provides an anticipated land use (Multiple dwelling) within the Medium density residential zone / Urban neighbourhood. Further, the local context can support the scale of development.
- The proposal provides built form consistent with Specific outcome 3.3.2.1(8) where it is intended in certain locations have changes in building height to achieve a distinct contrast in built form between low, medium or high rise areas.
- The development reinforces local identity by providing a development outcome consistent with the built form parameters afforded for the site under the City Plan. The development is consistent with existing and transitioning character of the Goodwin Park Precinct (Specific outcome 3.3.2.1(9)(b)).
- A well managed interface to adjoining residents is achieved. The proposal incorporates adequate setbacks, privacy treatment, screening elements and mitigation measures for amenity protection of existing and future neighbouring residential development (Specific outcome 3.3.2.1(9)(c)).
- An excellent standard of appearance is achieved (Specific outcome 3.3.2.1(9)(e).
- The proposed development does not result in a building height that exceeds the maximum 50% uplift provision above the code height designation.
- Assessment of the Strategic Framework demonstrates the increase to building height is warranted and consistent with the uplift provisions prescribed in Specific outcome 3.3.2.1(9).

5.3.2 Zone

The site is located within the Medium density residential zone.

> *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 proposal is for a Multiple dwelling and subject to meeting the outcomes of the zone code, is an envisaged development for the zone.

5.3.3 Assessment against the codes

Under the City Plan, compliance with a code can be achieved by either compliance with the purpose and overall outcomes of the code, or, compliance with either the performance outcomes or acceptable outcomes. Acceptable outcomes are generally quantifiable provisions, with the performance and overall outcomes generally qualitative and performance based.

The following assessment benchmarks identified in the City Plan for the site are listed below.

Zone code	Overlay / Overlay codes	Development codes
• Medium density residential zone code	• Acid sulfate soils overlay code • Airport environs overlay code • Environmental significance overlay code	• Driveways and vehicular crossings code • General development provisions code • Healthy waters code • Multiple accommodation code • Solid waste management code • Transport code • Vegetation management code

This is a 'report by exception' and only discusses issues where the development does not meet the relevant acceptable outcomes or where a relevant performance outcome does not have a stated corresponding acceptable outcome. This is outlined in the table below:

Code	Acceptable / Performance Outcome	Subject matter
Medium density residential zone code	AO1/PO1	Setbacks
	AO2/PO2	Site cover
	PO3	Building height
	PO5	Density

Code	Acceptable / Performance Outcome	Subject matter
General development provisions code	PO1/PO2	Amenity protection
	AO4.1/PO4	Landscaping
	PO6	Casual surveillance
	AO8.1/PO8	Shadow impacts – for all development 3 or more storeys
Multiple accommodation code	AO1/PO1	Road frontage
	PO4	Design and appearance
	PO6	Ground floor entry requirements for buildings with 3 or more storeys
	AO7.1/7.2/PO7	Privacy
	PO12	Car park areas
	PO15	Housing needs and choice
Solid waste management code	AO1.1/PO1	Waste and recycling storage and bin wash-down facilities
Transport code	AO1	Car parking travel and demand
	PO3/PO3	Servicing
	AO7.1	Active transport network
	PO9	Active transport network
	PO16	Integrated transport and land use
	AO20.1/PO20	General
Vegetation management code	AO1	Vegetation management plan

5.3.3.1 Assessment against the Medium density residential zone code

Assessment has been undertaken against the applicable Performance outcome or Overall outcome and Purpose for each subject matter as follows:

Setbacks – Medium density residential zone

The Acceptable outcome and corresponding Performance outcome is provided below:

Performance outcome	Acceptable outcome

<table>
<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.</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>
</tr>
</table>

Officer's comment

The development proposes the following setbacks:

	Front (west)	Side (north)	Rear (east)	Side (south)
Ground Floor	0m (OMP - services) 4.86m column 10.86m wall	5.86m	3m	0m (OMP foyer) 1.2m wall
Level 2	3m OMP (planter) 5m wall	2m OMP planter 3m wall	2m OMP planter 3m balcony 6m wall	1.2m wall 3m wall
Level 3 – 6	3m balcony 5m wall	2.7m OMP slab 3m wall	2.55m OMP balcony 6m wall	2.7m OMP slab 3m wall
Level 7	3m balcony 5m wall	2.7m OMP slab 3m wall	2.55m OMP balcony 6m wall	2.7m OMP slab 3m wall
Level 8	3m balcony 5m wall	2.7m OMP slab 3.5m wall	2.55m OMP balcony 6m wall	2.7m OMP slab 3.5m wall
Roof	3m	3.2m	2.55m	3.2m

The development imposes encroachments into the setback area as identified in the table above, assessment against the corresponding Performance outcome is therefore as follows:

(a) Assist in the protection of adjacent amenity

The proposed development has been designed to assist in the protection of adjacent amenity and avoid any potential privacy conflicts with existing, and any future development. Currently, the site adjoins stand-alone dwelling houses to both the northern and southern property boundaries. The development incorporates privacy treatment elements to mitigate potential impacts for these residents. Specifically, the first floor northern and southern side interfaces incorporate aluminium louvre for all window elevations to reduce privacy implications and maintain appropriate amenity. Elevated planters have also been included for the first floor side to soften the built form and provide natural screening of the balcony areas. An apron has been included to mitigate potential light spill impacts of the under croft. The solid acoustic wall along the fence line will assist in screening the car parking and service areas. These components are considered to effectively mitigate privacy impacts for adjoining residential development.

The tower form provides a 3m separation distance to both side elevations for the predominant wall plane of built form, up to the code height of 23m. Increased setbacks are established for the portion above the 23m Code height designation. A 3.5m setback to the wall is achieved for the side elevations of the upper floor. Additional minor encroachments are evident for the side elevation slab projections of the tower form. Officers consider the separation distance to achieve appropriate setbacks to the side boundaries. Further, sufficient separation is provided to neighbouring residents if similar development outcomes were to be sought on adjacent properties.

The proposed development has been designed to consider adjacent amenity and ensure there are minimal impacts on the privacy of neighbouring residential properties. Further discussion regarding setbacks has been undertaken in Section 5.2 of this report, specifically the proposal's ability to provide a *'well managed interface to adjoining residents'* in accordance with Specific outcome 3.3.2.1(9)(c).

(b) Allow for access around the building

The proposed setbacks will allow for sufficient access around the building for safety and maintenance while supporting the provision of landscaping.

(c) Contribute to streetscape character

The proposed development provides a high-quality architectural outcome that will enhance lth local area and contribute to streetscape character. The tower form provides frontage setbacks of 3m to the outer-most projection of the balcony and 5m to the wall plane of the building. This ensures the proposal provides a sufficient separation to the frontage, as such built form dominance is reduced. The architectural language further incorporates expressed slab edges, sufficient modulation, batten screening, aluminium louvre blading, feature stonework, rendered and textured finishes and glass balustrading, these elements will achieve a high visual appeal and provides a residential character to Dutton Street.

The pedestrian entry provides an appropriate built form outcome to the streetscape. With consideration to the constraints of the site, sufficient landscaping has been included to soften the built form and contribute to neighbourhood character. A feature tree supported by ground covers and elevated planters will further improve visual amenity of the site. Officers consider the development to contribute to streetscape character.

(d) Allow for on-site car parking

The proposed development provides 20 residential and 3 visitor, car parking spaces. The setback provisions do not affect the site's ability to cater for on-site car parking.

Based on the above assessment it is considered the development complies with Performance outcome 2 of the Medium density residential zone code.

Site cover – Medium density residential zone

The Acceptable outcome and corresponding Performance outcome is provided below:

Performance outcome	Acceptable outcome
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.	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.

Officer's comment

The proposed development results in the following site cover:

Level	Site cover (%)
Ground	64.6%
Level 2	53.7%
Level 3-6	49.7%
Level 7	50.1%
Level 8	46.2%

The proposed development exceeds the 50% Acceptable outcome prescribed above, as such the following assessment against the Performance outcome is provided:

Site cover:

(a) is balanced between built form and green areas for landscaped private open space;
(b) contributes to neighbourhood character and amenity;

The subject site has a relatively narrow frontage (14m) which limits the ability to provide significant landscaping areas given the requirement of vehicle access and services. Notwithstanding, the proposed development has been designed to provide sufficient landscaping with consideration to the constraints of the site. Landscaping has been incorporated at the ground floor and elevated into the building (particularly the level 2 front interface) to provide a balanace of built and green form, while enhancing neighbourhood character and visual amenity. Deep planting areas supporting a feature tree and ground covers are located adjacent to the driveway area, providing screening to the car parking areas. A small garden bed is situated on the opposite side of the driveway. Elvated planters have been included for the full length of the level 2 front facing balcony, and also included above the pedestrian entry / services structure. This further contributes to aesthetic and softens the built from of the development. Feature trees are to be incororpated along the rear boundary to provide an appropriate interface to the Goodwin Park open space. The provision of landscaping effectively provides a balance of built and green form while contributing to the neighbourhood character of the streetscape.

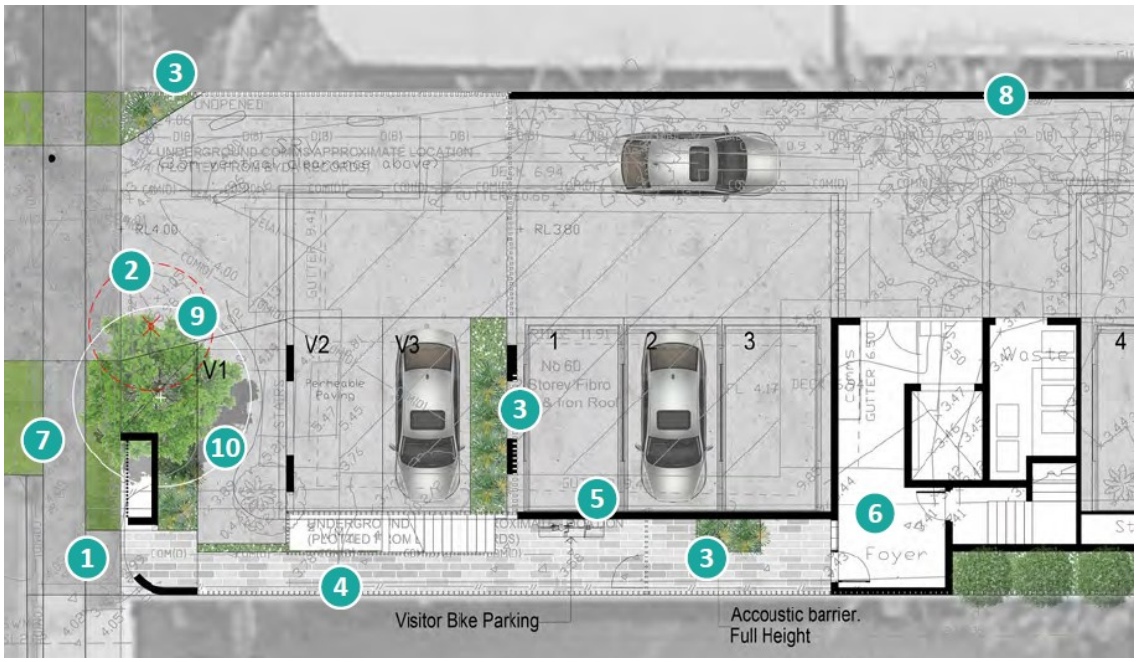


Figure 33: Partial statement of landscape intent (Source: Shepheard)

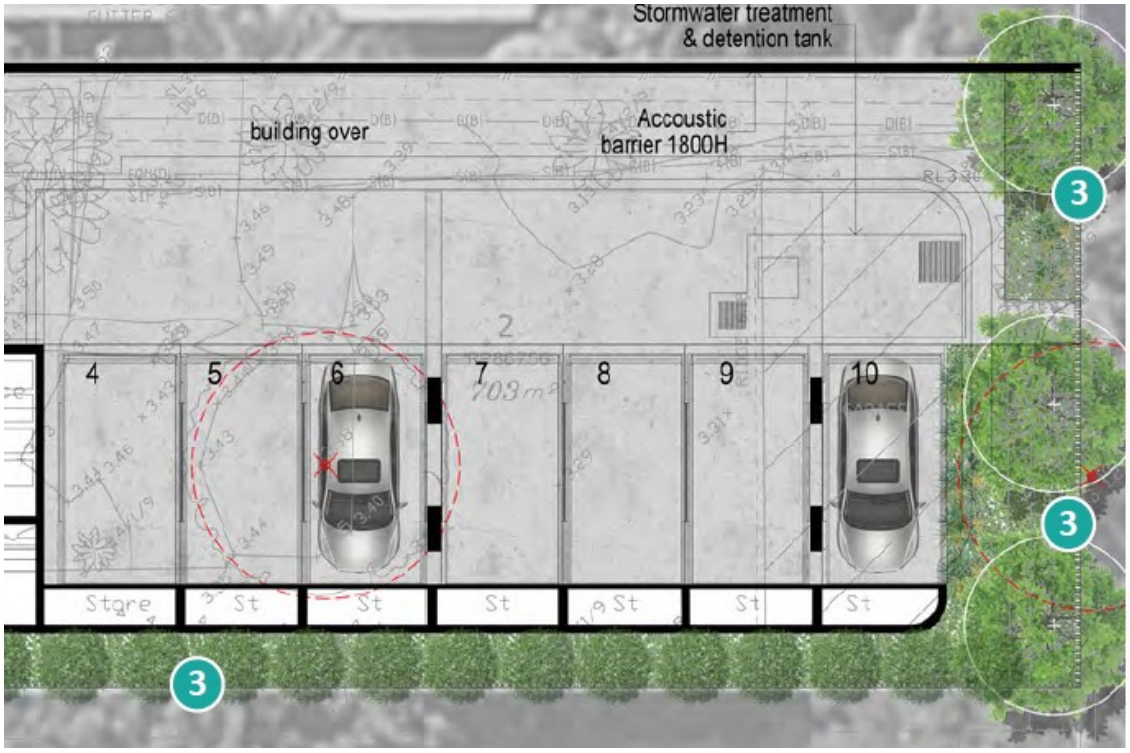


Figure 34: Partial statement of landscape intent (Source: Shepheard)

(c) promotes slender bulk form;
(d) promotes an open, attractive and distinct skyline; and
(e) facilitates small, fast moving shadows.

As identified in the table above, the building reduces in site cover for the tower form (levels 3 – 8), resulting in a site cover of 50.1% - 46.2% A slender bulk form is therefore achieved. Appropriate setbacks also ensure the tower form has an appropriate form, slab projections, articulation and recesses to promote a slender design. The upper level and roof form is recessed compared to the storeys below, ensuring the built form dominance for the building above the code height provision is reduced. This assist in an attractive, open and distinct skyline. The proposal shadows will move quickly throughout the day.

Based on the above assessment it is considered the development complies with Performance outcome 2 of the Medium density residential zone code.

Height – Medium density residential zone

The Acceptable outcome and corresponding Performance outcome is provided below:

Performance outcome	Acceptable outcome

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.

Officer's comment

The subject site is identified as having a building height of 23m as shown on the Building height overlay map. The proposal results in a building height of 27.75 metres which exceeds the prescribed code threshold. The proposal does not demonstrate compliance with Performance outcome 3. The corresponding Overall outcome 6.2.2.2(2)(d) outlines that building height does not exceed the requirements of the building height overlay map. Compliance with these specific benchmarks has not been satisfied.

Section 1.4 of the City Plan identifies that the Strategic Framework prevails as a higher order provision when inconsistencies with assessment benchmarks are evident for Impact assessable applications. Specific outcome 3.3.2.1(9) of the Strategic Framework allows for building height increases up to 50% above the Building height overlay map, where this provision is considered to prevail over the Medium density residential zone code. The opportunity for 34.5m height can therefore be sought. A detailed assessment of the Strategic Framework has been undertaken in Section 5.3.1 of this report, where the building height has been considered appropriate.

Density – Medium density residential zone code

The Acceptable outcome and corresponding Performance outcome is provided below:

Performance outcome	Acceptable outcome
PO5 For Dwelling houses density is one Dwelling house per lot. OR Density does not exceed that shown on **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 people, density does not exceed one bedroom per 133m^2.	**AO5** No acceptable outcome provided.

Officer's comment

As no assessment benchmark is provided for Acceptable outcome 5, an assessment against Performance outcome 5 is required. As evident on the Residential density overlay map, the subject site has a density of 1 bed per 50m^2 (RD5 designation). The proposed development has a density of 1 bed per 25.10m^2 and therefore does not comply with the specific Performance outcome.

Assessment against the corresponding Overall outcome(s) of the Medium density residential zone code is required, being Overall outcome 6.2.2.2(b)(i)-(x). Assessment against the specific benchmarks is therefore as follows:

Overall outcome 6.2.2.2(2)(b) states that:

(a) 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;

An orderly and economically settlement pattern is achieved by the development through the following:

- The subject site is located approximately 450m from the Griffith Street which provides high frequency public transport. Dutton Street provides a pedestrian footpath network on both sides of the road, directly to Griffith Street. Goodwin park also provides pedestrian access to the public transport network. It is acknowledged that Overall outcome 6.2.2.2(b)(i) intends for services to be within a 400m walking distance, officers consider the 450m distance to be a technical non-compliance where the site is still within close proximity to public transport infrastructure.
- The site is located within walking distance to the Coolangatta Major Centre. This centre provides a range of employment opportunities and a diverse variety of social and community infrastructure.
- The site directly adjoins Goodwin Park which provides a range of recreational opportunities for future residents. There is additional public recreational locations within close proximity to the site, particularly the Coolangatta foreshore.
- Council officers have undertaken an assessment of the water and sewer capacity networks and have determined that the existing infrastructure is sufficient to cater for the development.
- Council officers have assessed the relevant supporting material (Traffic Impact Assessment) and have determined that the existing road infrastructure is sufficient to service the development.
- The above assessment demonstrates there are sufficient infrastructure and facilities within the local area to cater for the development density and intensity, ensuring an orderly and efficient settlement pattern is achieved.

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)

- The development replaces the existing Dwelling on site with a Multiple dwelling development (permanent accommodation). The 7 units provided will contribute to the availability of housing in the local area.

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;

- As previously discussed, the building form exceeds the Code assessable height requirement, although the proposal is able to integrates with local character. This is discussed further in the assessment against Specific outcome 3.3.2.1(9) of the Strategic Framework which determined the building height to be appropriate.
- The proposal is considered to reflect the evolving neighbourhood character and not significantly increase the surrounding scale and intensity. The proposal provides appropriate site cover and setbacks which are consistent with the emerging character of the Medium density area. There are no cultural heritage factors located on-site.
- The proposed development interfaces residential development for the ground and first floor for both side interfaces. Impacts to privacy has been adequately mitigated through privacy treatment devices and design considerations. Surrounding residential amenity is adequately considered. A detailed assessment of the Uplift provisions of the Strategic Framework demonstrates that a well-managed interface is achieved.
- A high-quality urban design is achieved through quality materials, articulated facades and a contemporary design resulting in an aesthetic overall outcome. The site is conveniently accessible and functional for vehicles and pedestrians.

Environment

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

- The subject site has been assessed to contain assessable vegetation. Notwithstanding arboriculture assessment determined that the vegetation would not be classed as locally significant or contributes to the local area's amenity. The removal of this vegetation forms part of the subject application (OPW component) and is required to be removed to facilitate the development.
- The site is not constrained by natural hazards.

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

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)-(x). The application has not sought community benefits.

It is considered that the proposed density is supported by relevant infrastructure, is fitting with surrounding character and is sufficiently accommodated within the built form.

The proposed development complies with the purpose and overall outcomes of the Medium density residential zone code.

5.3.3.2 Assessment against the overlay codes

Assessment has been undertaken against the applicable Performance outcome or Overall outcome and Purpose for each subject matter as follows:

The proposal has been assessed against the following overlay codes:

- Acid sulfate soils overlay code
- Airport environs overlay code
- Environmental significance overlay code

Officers have undertaken an assessment of all relevant provisions and the proposed development complies with the applicable acceptable outcomes of the code. In accordance with section 5.3.3 of the City Plan, the development therefore complies with the purpose and overall outcomes of the code.

5.3.3.3 Assessment against development codes

Assessment has been undertaken against the applicable Performance outcome or Overall outcome and Purpose for each subject matter as follows:

Amenity protection – General development provisions code
The Acceptable outcomes and corresponding Performance outcome is provided below:

Performance outcome	Acceptable outcome
PO1 Development mitigates any negative effects to	**AO1**

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.	No acceptable outcome provided.
PO2 The proposed development prevents loss of amenity and threats to health and safety, having regard to: a) noise; 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.	**AO2** No acceptable outcome provided.

Officer's comment
Following a detailed assessment of the submitted material, it is considered that the proposed development demonstrates compliance with the requirements of PO1 and PO2 of the General development provisions code. The Multiple dwellings will not impact the amenity of the area due to the surrounding land uses and context. The following assessment is provided:

- **Noise** – An acoustic report prepared by 'Acoustic Works' has been submitted with the application. The report has assessed potential noise impacts from the development to the adjacent existing sensitive receivers. The report is summarised below:
  - Noise sources assessed include car by-pass, car door closure and car start (visitor), as well as car door closure, car start, and car stacker (residents).
  - Environmental Protection (Noise) Policy 2008 Background creep and acoustic quality objectives criteria, as well as the World Health Organisation sleep disturbance criteria was used
  - Results indicate that compliance is predicted, subject to the installation of a 1.8-metre-high acoustic barrier above the finished carpark level on the northern boundary, as well as a full heigh acoustic barrier to the underside of the above soffit (adjacent to the car stackers).
  - Given the close proximity of the car stackers to the adjacent residential receiver, and the fact that the motor location has not been identified, an amended plans condition is recommended to be placed onto the development to ensure that all mechanical noise associated with the car stacker operation is appropriately assessed and mitigated prior to

building approval. This can't be addressed through the development application as the specific locations of all mechanical plant and equipment aren't known at the DA stage.
- Notwithstanding, the acoustic report addresses noise impacts satisfactorily.

- **Hours of operation** – Not applicable to a residential development.

- **Traffic** – Council officers have reviewed the associated supporting material and have determined that the road network is sufficient to cater for the development. The 8 additional units will not significantly increase traffic impacts for the surrounding area.

- **Signage** – Signage specific to advertisement devices will not form part of the development.

- **Visual amenity** – the proposed development will positively contribute to surrounding visual amenity by adopting high quality design principles and incorporating generous landscaping. Adequate setbacks will be established to ensure amenity will be further protected.

- **Wind effects –** The proposed building height will not cause impacts for wind effects.

- **Privacy –** Privacy elements have been appropriately incorporated into the building design to address any privacy concerns. The proposal provides predominantly compliant setbacks to minimise privacy conflicts.

- **Vibration –** A basement is not proposed, and vibration is not expected to adversely impact adjacent properties.

- **Contaminating substances –** The site is not contaminated, and contaminating substances will not be introduced.

- **Hazardous chemicals –** Hazardous chemicals will not be introduced.

- **Odour and emissions –** The development will not create odour or emissions.

- **Safety –** Casual surveillance has been carefully considered and threats to safety will not be increased by the residential development.

Casual surveillance and lighting – General development provisions code

The Acceptable outcome and corresponding Performance outcome is provided below

Performance outcome	Acceptable outcome
PO6 Development facilitates casual surveillance of public areas and incorporates lighting to reduce opportunities for crime.	**AO6** No acceptable outcome provided.

Officers comment
As no acceptable outcome is provided, assessment against the corresponding performance outcome is required. Each level is featured with elevated private open space areas on both the front and rear

elevations. This allows for casual surveillance of Dutton Street and the adjoining public open space of Goodwin Park.

Based on the above assessment it is considered the development complies with Performance outcome 6 of the General development provision code.

Shadow impacts – General development provisions code

The Acceptable outcome and corresponding Performance outcome is provided below:

Performance outcome	Acceptable outcome
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. **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.

Officer's comment

The development does not meet AO8.2 as the shadow cast by the development in a true south direction with a length 0.25 times the building height intrudes into the adjoining site, requiring assessment against the Performance Outcome. The applicant has provided shadow diagrams of the winter and summer solstice which demonstrates that the development will cast shadows that vary throughout the day.

Figure 35: Winter equinox shadow impacts (Source: Lightwave Architecture)

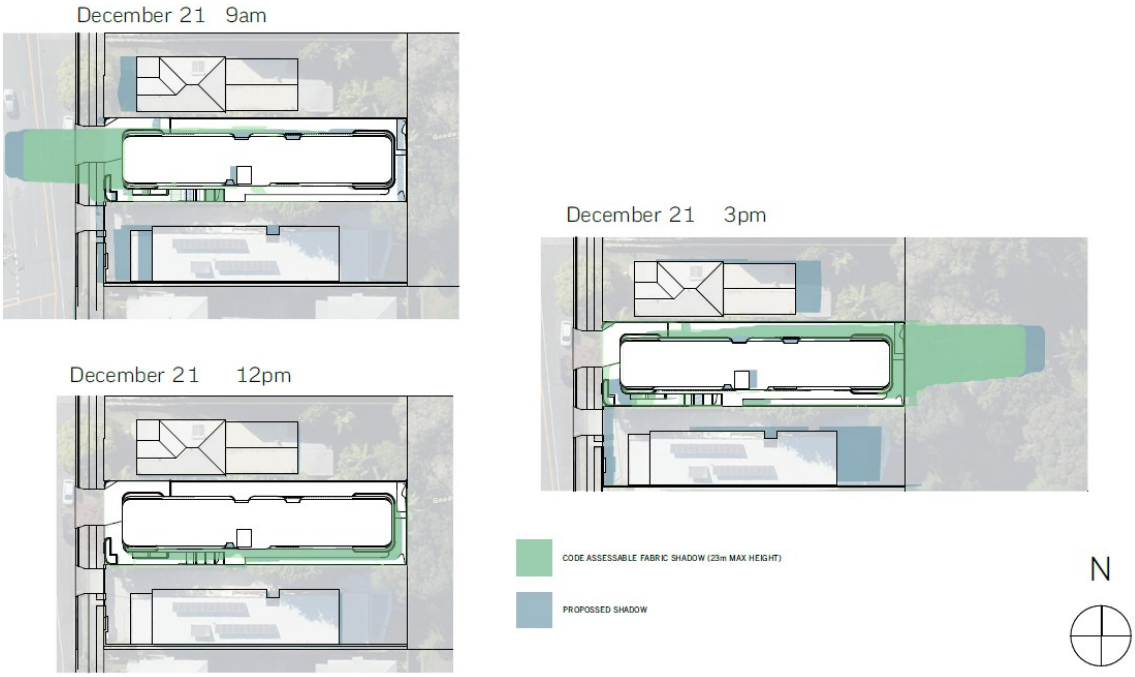


Figure 36: Summer equinox shadow impacts (Source: Lightwave Architecture)

It is considered the proposed development casts shadows that are somewhat anticipated in an urban area with a code assessable height designation of 23m. As depicted in the figures above, the additional shadows cast by portion of building above the code height threshold are not considered to significantly increase the overall shadow impacts. No submissions raised concerns regarding shadow

impacts. Both adjoining sites retain access to natural light for periods throughout the day. Based on the above assessment, it is considered the proposed development complies with Performance outcome PO8 of the General development provisions code.

Road frontage - Multiple accommodation code

The Acceptable outcome and corresponding Performance outcome is provided below:

Performance outcome	Acceptable outcome
PO1 The site has sufficient frontage to ensure that: (a) safe and convenient vehicular and pedestrian access can be provided; and (a) adequate landscaping is provided adjacent to the road frontage.	**AO1** The minimum road frontage is 20m.

Officer's comment

The site has an approximate road frontage of 14m and therefore does not comply with AO1 of the Multiple accommodation code, the following assessment against the corresponding PO is provided. Safe and convenient vehicular and pedestrian access to the site is provided, pedestrian site triangles are incorporated on both sides of the vehicle assess point. The pedestrian entry to the development is clearly identified at the site frontage. Adequate landscaping is provided adjacent to the road frontage, including a deep planting zone that accommodates tree planting with a minimum 3m setback from the building line. Provision of landscaping has been included either side of the hardstand driveway area and incorporated into the first floor front facing elevation of the building.

Based on the above assessment it is considered the development complies with Performance outcome 1 of the Multiple accommodation code.

Design and appearance - Multiple accommodation code

The Acceptable outcome and corresponding Performance outcome is provided below:

Performance outcome	Acceptable outcome
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.

Officer's comment

As no acceptable outcome is provided, assessment against the corresponding performance outcome is required.

The subject site is benefited with a north-eastern rear orientation that overlooks public open space of Goodwin Park. All units feature rear facing private open space balconies that overlooks Goodwin Park and will benefit from the north facing orientation. The inclusion of both rear and front facing balconies is considered appropriate outdoor living space for each unit. The proposal has been designed to optimise articulation and ventilation given the apartment orientation, open space areas and window location. The proposal has been designed to reflect a sub-tropical, modern architectural outcome. Screening, projections and modulation are integrated into the design to promote shading and climate protection.

Based on the above assessment it is considered the development complies with Performance outcome 4 of the Multiple accommodation code.

Ground floor and entry requirements for buildings with 3 or more storeys – Multiple accommodation code

The Acceptable outcome and corresponding Performance outcome is provided below:

Performance outcome	Acceptable outcome
PO6 The ground floor entrance area is easily identifiable and built to a human scale.	**AO6** No acceptable outcome provided

Officers comment

As no acceptable outcome is provided, assessment against the corresponding performance outcome is required. The ground floor entrance is easily identifiable through a contemporary street design that activates the development with the street frontage. The pedestrian entry provides stone features walls, aluminium battens and an elevated planter to positively contribute to the streetscape. The building name '*Darcy'* is clearly identifiable from the street frontage and is positioned above the pedestrian entry point of the site. This provides access to the centrally located foyer.

Based on the above assessment it is considered the development complies with Performance outcome 6 of the Multiple accommodation code.

Car park areas – Multiple accommodation code

The Acceptable outcome and corresponding Performance outcome is provided below:

Performance outcome	Acceptable outcome
PO12 The car parking area and associated structures do not dominate the street frontage of the development.	**AO12** No acceptable outcome provided.

Officer's comment

As no acceptable outcome is provided, assessment against the corresponding performance outcome is required. Car parking areas for the residential units are positioned behind a security gate and will therefore be predominantly screened from the street frontage. Visitor parking is located in front of the security gate for convenience, however will be situated behind the pedestrian entry and deep planting area. Car parking areas therefore do not dominate the street frontage.

Based on the above assessment it is considered the development complies with Performance outcome 12 of the Multiple accommodation code.

Housing needs and choice – Multiple accommodation code

The Acceptable outcome and corresponding Performance outcome is provided below:

Performance outcome	Acceptable outcome
PO15 Development provides a mix of housing sizes and affordability outcomes to meeting housing needs.	**AO15** No acceptable outcome provided.

Officer's comment

As no acceptable outcome is provided, assessment against the corresponding performance outcome is required. The proposed development establishes 7 new dwellings, replacing the existing dwelling on site. This is considered to contribute to the overall housing choice and affordability within Coolangatta.

Based on the above assessment it is considered the development complies with Performance outcome 15 of the Multiple accommodation code.

Waste and recycling storage and bin wash-down facilities – Solid waste management code

The Acceptable outcome and corresponding Performance outcome is provided below:

Performance outcome	Acceptable outcome
PO1 Development provides waste and recycling storage and servicing facilities that are safe, convenient, efficient, appropriately sized for the type and volume of waste generated.	**AO1.1** Development includes waste storage points of sufficient size to accommodate the required number of waste and recyclable bins consistent with SC6.16 City Plan policy – Solid waste management.
	AO1.3 Development with a dwelling above the third storey include appropriate waste removal systems which incorporate: (a) waste chutes; (b) hoppers; and (c) separate waste storage rooms. **Note: Waste removal system design is to be consistent with SC6.16 City Plan policy – Solid waste management.**

Officer's comment:

The development has proposed 3 x 360L wheelie bins and 2 x 360L wheelie bins, all to be serviced once per week. This is sufficient for the development and was confirmed using the Council waste generation spreadsheet. The waste storage room is sufficiently sized for the wheelie bins, with a 2.4m

x 5m internal dimension. A waste chute is not proposed, however given the scale of the development being for 7 residential units, a wheelie bin arrangement is sufficient to cater for the development. The maximum width of the vehicle cross over is approximately 7m. With consideration of the site frontage of 14m width, there is sufficient space at the frontage to cater for the 1m^2 per bin on collection days.

Based on the above assessment it is considered the development complies with Performance outcome 1 of the Solid waste management code.

Car parking and travel demand – Transport Code

The Acceptable outcome and corresponding Performance outcome is provided below:

<table>
<tr><th>Performance outcome</th><th>Acceptable outcome</th></tr>
<tr><td>PO1

Development provides off-street car parking to accommodate the parking demand and allows for various modes of travel to reduce dependency on private vehicle usage.
OR
Where located in the Centre zone or the Southport Priority Development Area, development:
(a) maximises the efficiency of car parking provided;
(b) reduces congestion and car dependency; and
(c) encourages alternative transport options such as walking, cycling and the use of public transport.

Note: For an increase in scale or intensity of an existing lawful use, this PO and AO applies to the extent of the increase, provided existing car parking areas are not reduced or disturbed.</td><td>AO1

Off- street car parking spaces are provided in accordance with the identified relevant table as follows:
<table><tr><th>Location</th><th>Off-street car parking rate</th></tr><tr><td>Centre zone and High density residential zone where nominated in the Transport hub area in Figure 9.4.13-1: Transport hub area</td><td>Table 9.4.13-4: Car parking rates – Centre zone and High density residential zone – Transport hub</td></tr><tr><td>Centre zone not nominated in the Transport hub area in Figure 9.4.13-1: Transport hub area</td><td>Table 9.4.13-5: Car parking rates – Centre zone – outside Transport hub area</td></tr><tr><td>Special purposes zone – Special development area precinct – Southport Priority Development Area</td><td>Table 9.4.13-6: Car parking rates – Southport Priority Development Area</td></tr><tr><td>All other zones</td><td>Table 9.4.13-3: Car parking rates – all zones except Centre zone or Special purpose zone – Special development area precinct – Southport Priority Development Area</td></tr></table></td></tr>
</table>

Officer's comment

To meet Acceptable outcome AO1 of the Transport code, car parking must be provided in accordance with the relevant parking rates outlined in Table 9.4.13-3 of the Transport code. The table below summarises the proposal's minimum car parking requirements:

Component	Car parking required to meet AO1 of the Transport code	Proposed car parking

Resident	**14 spaces**	**20 spaces**
Residential Visitor	**3 spaces**	**3 spaces**
Total	**17 spaces**	**23 spaces**

Per the table above, the proposal is required to provide a minimum of 14 resident and 3 visitor car parking spaces. The submitted drawings show 20 resident and 3 visitor car parking spaces. Compliance with AO1 is therefore achieved.

Servicing – Transport Code

The Acceptable outcome and corresponding Performance outcome is provided below:

Performance outcome	Acceptable outcome
PO3 Development accommodates the required design service vehicle (including waste collection) in accordance with: (a) Table 9.4.13-8: Service vehicle requirements; and (b) Table 9.4.13-9: Minimum class of service vehicle; and (c) AS2890.2: Parking facilities Part 2: Off-street commercial vehicle facilities to allow for: (i) loading and unloading of service vehicles wholly within the site; (ii) pathways from service areas to tenancies at a width and grade that allows for unimpeded manoeuvring of goods (i.e. clear of doors, gates or landscaping); (iii) waste collection vehicles to appropriately service the development; (iv) safe pickup and set-down of passengers on-site; (v) unobstructed access to off-street parking areas; and (vi) an efficient and safe traffic network.	**AO3** No acceptable outcome provided.

Officer's comment

To meet PO3 of the Transport code, the development is required to provide standing area for an MRV on-site. The proposed development does not accommodate for an MRV on-site. Compliance with PO3 is not achieved. Further consideration must therefore be given to the Overall outcomes of the Transport code, specifically Overall outcome OO2(e)(ii) which reads as follows:

'Ensures development impacts on amenity caused by traffic and parking is consistent with the community's reasonable expectations for the intended use'.

The following assessment is provided against the relevant Overall outcome:

- Given the nature of the development being for 7 residential units, the frequency of an MRV attending the site is considered relatively low.
- The site has sufficient road frontage and verge to accommodate an MRV if this servicing vehicle attended the site.
- The architectural plans identify an SRV can service the site formally on the driveway area.
- There are no significant amenity impacts with on street servicing if this was to occur on an irregular basis.

Based on the above the proposal meets OO(2)(e)(ii) of the Transport code.

Active transport network – Transport Code

The Acceptable outcome and corresponding Performance outcome is provided below:

Performance outcome	Acceptable outcome
PO7 Off-street bicycle parking and off-street end-of-trip **facilities are provided to encourage active transport and are:** **(a) designed to meet the needs and volumes of pedestrians and cyclists; and** **(b) located in safe, convenient and highly accessible areas.** **Note: This PO does not apply to the following uses:** · **Dwelling house;** · **Dual occupancy; or** · **Multiple dwelling (where there are 3 dwellings)**	**AO7.1** Development provides off-street bicycle parking and off-street end-of-trip facilities in accordance with **Table 9.4.13-10: Bicycle parking rates** and **Table 9.4.13-11: End-of-trip facilities for active travel users**. **AO7.2** Location of off-street, end-of-trip facilities are: (a) within 50m to off-street bicycle parking; and (b) clearly signed off-street bicycle parking areas. **AO7.3** Signage indicating location of off-street bicycle parking is: (a) clearly identifiable within the site; (b) at ground level, external to buildings; and (c) in accordance with *AS2890.3:Parking facilities Part 3: Bicycle parking*. **AO7.4** Off-street bicycle parking areas are: (a) clear of pedestrian movement paths; (b) visible from the street to allow casual surveillance; (c) located clear of vehicle movement; (d) well lit; (e) protected from the weather; (f) connected from the road via direct pathways/ramps; and (g) in accordance with the cycling aspects of Austroads and *AS2890.3:Parking facilities Part 3: Bicycle parking.*

Officer's comment

Acceptable outcome AO7.1 of the Transport code requires the proposal to provide bicycle parking in accordance with the relevant bicycle parking rates identified in Table 9.4.13-10 of the Transport code. The table below summarises the minimum required and proposed bicycle parking of the proposal:

Component	Bicycle parking required to meet AO7.1 of the Transport code	Proposed bicycle parking
Resident	**7 spaces**	**0 spaces**
Residential Visitor	**1 space**	**1 space**
Total	**8 spaces**	**1 space**

Per the table above, the proposal is required to provide a minimum of 7 resident and 1 visitor bicycle parking spaces. The submitted drawings show only 1 visitor bicycle parking space. Compliance with AO7.1 is not achieved with respect to resident bicycle parking supply. Consideration must be given to PO7 of the Transport code.

The applicant has proposed to accommodate resident bicycles within each unit on an informal basis. Each unit provides for balcony and internal areas that may be utilised for bicycle parking if required. Compliance with PO7 is therefore achieved.

Active transport network – Transport Code

The Acceptable outcome and corresponding Performance outcome is provided below:

Performance outcome	Acceptable outcome
PO9 Public pathways are provided: (a) within the road reserve, adjacent to, and for the full length of, the sites road frontage; and (b) in accordance with **SC6.12 City Plan policy – Land development guidelines**. **Note: This PO does not apply to the following uses:** · **Dwelling house;** · **Dual occupancy; or** · **Multiple dwelling (where there are 3 dwellings).**	**AO9** No acceptable outcome provided.

Officer's comment

To meet PO9 of the Transport code, the proposal is required to provide a public footpath along the full frontage of the site to Dutton Street in accordance with Land development guidelines. An exiting footpath is provided; however, it is only 1.2 metres in width. A condition of approval has therefore been recommended requiring the footpath to be upgraded to a width of 1.5 metres along the frontage of the site to Dutton Street. Compliance with PO9 will therefore be achieved through a condition of approval.

Integrated transport and land use – Transport Code

The Acceptable outcome and corresponding Performance outcome is provided below:

Performance outcome	Acceptable outcome
PO16 Development: (a) does not compromise the function and capacity of the existing and planned road network; and (b) appropriately mitigates impacts on the safety and operation of the existing and planned road network. **Note: A Traffic Impact Assessment is Council's preferred method of addressing the above Performance outcome particularly in the following instances:** **(a) when the development is identified as "any other use not listed in this table" or "any other undefined use" in Part 5 – Tables of assessment;** **(b) freight dependent development; or** **(c) site access is to a road identified on the Functional road hierarchy (indicated on the Zone maps in Schedule 2);** **(d) site access is from a road identified on the Pacific motorway service road types overlay map;** **(e) site access is within 100m of a signalised intersection;** **(f) site access is within 50m of a roundabout; or** **(g) a new intersection is proposed;** **(h) density outcomes in a Zone code are exceeded; or** **(i) development has the potential to increase existing background traffic (peak period or daily traffic movements) ≥ 5 percent.**	**AO16** No acceptable outcome provided.

Officer's comment

To demonstrate compliance with PO16 of the Transport code, the applicant has provided a Traffic Impact Assessment prepared by Bitzios Consulting. The assessment notes the following regarding traffic generation:

"Given the geographical location of the development, all inbound and outbound development generated traffic will use Dutton Street to turn into / out of the development. The total net traffic generation in the AM peak hour is six trips, which equates to one vehicle movement every 10 minutes. For the PM peak hour, the total net traffic generation is four trips, which equates to one external vehicle movement every 15 minutes.

Considering the low volume of traffic expected to be generated by the proposed development it can be concluded that the development will not result in worsening of operating conditions on the external road network"

Transport Assessment concur with this assessment, and compliance with PO16 is therefore achieved.

General – Transport Code

The Acceptable outcome and corresponding Performance outcome is provided below:

Performance outcome	Acceptable outcome
PO20 Off street car parking areas: (a) provide a legible and efficient internal layout; (b) ensure the safety and security of users; (c) are clearly distinguishable from pedestrian paths and entry points; (d) are easily negotiated by vehicles and pedestrians including persons with a disability; (e) ensure that there are no disruptions to or queues onto the public road network; (f) provide sight distances from driveways to ensure visibility between vehicles on the driveway and pedestrians on the verge; (g) are designed, marked and maintained to the current relevant standard; and (h) promote driver expectations consistent with conventional road rules (e.g. keep to the left).	**AO20.1** Off street car parking provided in accordance with *AS 2890.1: Parking facilities – Part 1: Off-street car parking*, *AS 2890.2: Parking facilities – Part 2: Off-street commercial vehicle facilities, AS/NZS 2890.6: Parking facilities Part 6: Off-street parking for people with disabilities* and *AS 1428.1: Design for access and mobility Part 1: General requirements for access – New building work*. **AO20.2** Development does not provide pavement humps or raised platforms in queuing areas. AO20.3 Development is designed so that vehicles do not reverse across marked pedestrian crossings.

Officer's comment

To meet AO20.1 of the Transport code, the proposed off-street parking facilities must be designed in accordance with AS2890.1:2004. Based on a review of the submitted drawings, officers are satisfied that the proposed off-street parking facilities meet the design requirements of AS2890.1:2004. The following is noted from Geleon's TIA:

"The development proposes the use of dependent car stacker systems to maximise the number of resident spaces on the ground floor. A Klaus Single Vario 2061 car stacker is proposed for use by the development. Spatial requirements to accommodate the car stackers will comply with the specifications stipulated by Klaus and generally AS2890.1 requirements. The car parking spaces, car stackers, and parking aisles comply with the design requirements of AS2890.1 and therefore, the proposed car parking layout is considered deemed to comply and a swept path assessment is not required to demonstrate entry and exit manoeuvres.

The width of the platform is 2.5m and can be accommodated within the 2.77m width provided for each parking space. The car stackers have been selected to ensure a floor to ceiling height clearance of at least 2.0m for a B99 in one of the stacker spaces and a clearance of at least 1.8m for a B85 in the other car stacker space"

Transport Assessment concur with this assessment, and compliance with AO20.1 is therefore achieved.

Vegetation management plan – Vegetation management code

The Acceptable outcome and corresponding Performance outcome is provided below:

Performance outcome	Acceptable outcome
PO1 Damage to assessable vegetation does not occur	**AO1** A Vegetation Management Plan, prepared by a suitably

where the vegetation: (a) provides habitats for threatened flora and fauna; (b) is of historical, cultural or visual significance; (c) provides erosion prevention and slope stabilisation; (d) is necessary to maintain the character of the local area; or (e) assists in the conservation of the city's biodiversity. **Note: A Vegetation Management Plan is the Council's preferred method of addressing the above outcome.**	qualified person, is submitted as part of an Operational Work (Vegetation Clearing) application to show compliance with the Performance outcome. This plan includes, but is not limited to: (a) the location of the existing or approved dwellings, building or structures; (b) the location of waterways, ridge tops and steep slopes (greater than 25%) on and adjacent to the site; (c) the location of the assessable vegetation to which the damage is proposed, and reasonable particulars of its vegetation type, including species, height and girth and whether it is: - habitat for threatened flora and fauna; - of historical, cultural, character or visual significance; - essential for erosion prevention and slope stabilisation, including within waterway buffers; - significant to the conservation of the city's biodiversity; - vegetation that contributes to waterway and wetland health. (d) a statement of the reasons for the damage and any relevant factors associated with the purpose of the proposed damage; (e) particulars of how vegetation to be retained will be protected during works in accordance with Australian Standard *AS4970-2009 – Protection of trees* on development sites; (f) particulars of how the vegetation is to be damaged and, if relevant, how the damaged material is to be removed or disposed of; (g) a plan indicating the location, size and species of replacement vegetation to compensate for the loss of damaged vegetation; and (h) a staging plan for clearing greater than 4ha of vegetation. Note: To remove a single tree on residential premises only a basic Vegetation Management Plan is required to be submitted to Council. The Vegetation Management Plan can be prepared by the property owner and may only require limited details about the above elements.

Officer's comment:

An Operational works component for Tree works development forms part of the development application. An inspection carried out at the above address on the 3 June 2025 by Arboriculture Assessment revealed assessable vegetation located within Lot 2 RP86756. The vegetation consisted of several assorted tree and palm species which would not be classed as locally significant or contributes to the local area's amenity. Due to building constraints (built form and civil works), the subject vegetation will need to be removed to accommodate the proposed development. The proposed development has included sufficient information accompanying an operational work (vegetation clearing) application to satisfy requirements outlined in AO1. Conditions have been imposed to endorse the removal of vegetation, identified in the Figure below.

Figure 37: Tree removal plan (Source: TPZ Arborist)

6 INFRASTRUCTURE CHARGES

The estimated infrastructure charge is $155,322.54.

For further information on this matter, refer to the draft notice attached to this report entitled as Attachment: Infrastructure charges notice for the approved development.

Infrastructure Charge Notice

Monday, 17 November 2025

Application	**PN5018/16/-**
Site address	**60 Dutton Street, COOLANGATTA**
Application number & code	**COM/2025/157**
Application description	**MCU COMPONENT OF A COMBINED MCU/OPW - MULTIPLE DWELLING X 7**
Officer name	**Megan Nott**

Charge calculation

Charges Resolution No. 1 of 2025

	Qty		Rate	Gross Charge Amount
Residential uses 3+ bedroom	7 Dwellings	@	$ 37,491.69	$ 262,441.83
				$ 262,441.83

Net Charge Summary

Gross Charge Amount	Applied Credit Amount	Net Charge Amount
$ 262,441.83	$ 107,119.28	$ 155,322.55

Applied credit details *Credit applied for existing/previous Multiple Dwellings (3 x 1 Bedroom & 1 x 2 Bedroom).*

Office Use Only	
$ 86,204.02	DC011
$ 52,188.38	DC013
$ 16,930.14	DC020
$ 155,322.54	

7 REFERRALS

7.1 Technical advisors

This application has been assessed by internal technical advisors who have provided comments and reasonable and relevant conditions. If not previously included, technical advisor comments and an overview of the recommended conditions are provided in the table below:

MCU component:

Technical advisor area	Conditions/Comments (if not included within report)
Office of the City Architect	Conditions: • Screening of visually offensive components • Construction documentation drawings – City Design – Architecture Assessment • Pre-start meeting
Health and Regulatory Services	Conditions: • Approved plans

	• Certification of works – Environmental Health
Hydraulics and Water Quality	Conditions: • Approved plans • Requirement to register easement/s • Private infrastructure • Stormwater infrastructure construction • Overland flow paths and hydraulic alterations • Maintenance of stormwater quality and proprietary treatment devices • Certification of works – Hydraulics and water Quality • Erosion and sediment control Property notifications: • Stormwater
Landscape Assessment	Conditions: • Landscaping works • Maintenance of planter boxes • Existing structures and services • Certification of works – Landscape works Advice notes: • Further development permits (OPW – landscape works)
Operational Works	Conditions: • Rectification of Council's infrastructure • Existing infrastructure, structures and services • Vehicle crossing • Construction of vehicle crossing Advice notes: • Operational works – vehicle access works
Plumbing and Drainage	Conditions: • Plumbing and drainage works
Subdivision Engineering	Conditions: • Electrical reticulation

	• Telecommunications network • Certification of works
Transport Assessment	Conditions: • Approved drawings • Off street vehicle and car parking facilities • Off street bicycle parking and end of trip facilities • Off street mechanical car stackers • Footpaths Advice notes: • Development infrastructure • Further development permits (OPW – infrastructure)
Water and waste	Conditions: • Approved plans • Requirement to register easements – Sewer and water supply • Restrictions regarding Council easements and sewer and water supply infrastructure • Screening of visually offensive components • Rectification of Council's infrastructure • Sewer connection • Water connection • Sub metering • Fire loading • Bin type, storage capacity and storage points • Certification of Works – Water and waste • Certification of works • Pre-start inspection • Hold point inspection – Solid waste Advice notes: • Works in properties other than the development land • Development infrastructure • Council water, sewer and stormwater infrastructure to be

	protected during site works • Connections and disconnections • No open trenching of the road pavement for water connections across / in roadways • Water meter sizing • Further development permits • Connections to, alteration or realignment of Council infrastructure • Operational works meeting prior to lodgement • Design, constructability and Minor change applications

OPW Component:

Technical advisor area	Conditions/Comments (if not included within report)
Arborist	Conditions: • Approved drawings • Approved plans • Supervision of works

7.2 External referrals

There is no concurrence or advice agency(s) triggered by this development application.

8 PUBLIC NOTIFICATION

8.1 Overview

In response to public notification:

- Five (5) properly made submission/s were received, consisting of five (5) objections.
- Nil (0) submission/s were received that were not properly made

8.2 Compliance with public notification requirements

The applicant has submitted a notice of compliance stating public notification has been completed in accordance with the requirements of the Development Assessment Rules under the *Planning Act 2016*.

Council has reviewed the public notification material and considers the applicant has complied with the requirements of the Development Assessment Rules.

8.3 Matters raised in submissions

The matters raised by submitters who made a properly made submission or a submission that has been accepted by the assessment manager are discussed below.

Matters	Officer's comment
Building height	Through the assessment the proposal has reduced the overall height from 33.15m to 27.75m. This has decreased the overall intensity of the proposal significantly. In accordance with the reduction in height, setback provisions, site cover, materiality and landscaping have all improved to achieve an appropriate development outcome for the subject site. The proposals has demonstrated compliance with Specific outcome 3.3.2.1(9) of the Strategic Framework, ensuring the development reinforces local identity and sense of place, provides a well-managed interface to adjoining residents and achieves in excellent standard of appearance, in accordance with the benchmarks of the uplift test criteria.
Setbacks and amenity impacts	Officers consider the setbacks to be appropriate for the proposed development with amenity impacts effectively mitigated in the building design. Currently, the site adjoins a two storey Dwelling house to the side southern elevation and a single storey Dwelling house to side northern elevation. The proposal considers adjacent amenity and avoids privacy conflicts for neighbouring residents. Privacy screening in the form of aluminium louvre blading has been included on both side elevations for the first floor interfaces, this reduces privacy conflicts for neighbouring residents. Sufficient landscaping is also included along the first floor side interfaces to further assist in amenity protection. The solid wall along the fence line with additional landscaping will screen the parking and services areas. An apron extends down from the first floor slab to mitigate potential light spill impacts of the under croft. Sufficient separation (3m for the predominant wall plane) is achieved for the tower form. Further recesses to the setbacks are included for the upper storey. Setbacks are appropriate for the Dutton Street frontage interface. The setbacks have been adequately improved throughout assessment of the application and

	officers are satisfied a well-managed interface is achieved in accordance with Specific outcome 3.3.2.1(9)(c) and potential privacy impacts have been addressed.
Non-compliance with uplift provisions of the Strategic Framework	As per Section 5.3.1 of Officer's report, it is considered that the proposed development is consistent with the relevant assessment benchmarks of the Strategic Framework, specifically the uplift provisions prescribed in the Urban neighbourhoods Element for increases to build height. The proposed development has been amended through the assessment to further ensure compliance with Specific outcome 3.3.2.1(9), specifically it has been demonstrated that the proposal reinforces local identity and sense of place, provides a well managed interface and results in an excellent standard of appearance, as such the increase above the code height threshold is warranted. Officers consider the proposal to maintain compliance with relevant provisions of the Strategic Framework.
Conflicts to neighbourhood character	Officers acknowledge this is the first application of this nature for the street, seeking the uplift provisions sought in the Strategic Framework. Notwithstanding officers consider the proposed development to provide an appropriate development outcome that reflects the transitioning nature of the Medium density residential zone. Importantly, the proposal reinforces local identity and sense of place in accordance with Specific outcome 3.3.3.2.1(9)(b) of the Strategic Framework. It is acknowledged that the current character predominantly consists of 1 – 3 storey dwellings, however the built form development and building parameters afforded for the site demonstrate development of increased scale and intensity is anticipated for the local area through City Plan provisions. The proposed development is consistent with these City Plan assessment benchmarks. The building design provides a high quality architectural outcome with appropriate landscaping included at frontage and elevated into the design. These components will further improve visual amenity and neighbourhood character. The proposal is consistent with the character intended by the City Plan and is an appropriate outcome for the local area.

Waste management	The applicant has provided a waste management report which outlines the waste strategy to service the development. The proposed wheelie bin arrangement is sufficient to cater for the development waste. The ground floor under croft incorporates a storage room for the waste facilities, located centrally for the site. The site has sufficient frontage to cater for kerbside waste collection. Officers are supportive of the waste management strategy proposed.

9 CONCLUSION

Council is in receipt of an application for a combined application seeking a development permit for a material change of use to establish Multiple dwellings (7 units) and Operational works for Vegetation clearing at 60 Dutton Street, Coolangatta.

After a detailed assessment, it has been determined the proposal meets the purpose of the Urban neighbourhoods and Urban design, character and community identity element(s) of the Strategic framework, the Medium density residential zone and the applicable overlay and development codes.

It is recommended the application be approved, subject to conditions, for the following reasons:

- A Multiple dwelling land use is an anticipated development outcome in the Medium density residential zone.
- The proposed development complies with Specific outcome 3.3.2.1(8) of the Strategic Framework which intends for abrupt changes in building height occur. The proposal provides a medium rise building height in an area that contemplates medium rise forms, adjacent to an area of low rise development.
- The proposed development meets Specific outcome 3.3.2.1(9) through the following:
    - The development supports the reinforced local identity of the area and more specifically the defined Goodwin Park Precinct that contemplates increased development intensity around the park as a key focal point.
    - A well managed interface is achieved through appropriate setbacks, site cover, privacy screening and additional design elements.
    - An excellent standard of appearance is achieved through high quality architectural elements, a varied colour and material palette, sufficient landscaping and an activated frontage.
    - The additional units will contribute to housing choice and affordability options for Coolangatta.
    - The proposal contributes to a varied, ordered and interesting skyline.
    - The development will not impact upon elements of local character or scenic amenity.

- The proposed development does not exceed 50% above the designated building height for the subject site. A 27.75m height is achieved where the maximum 50% height uplift available is 34.5m.
- The subject site is in close proximity to the Coolangatta Major Centre.
- The proposed development provides car parking above the AO requirement for residential spaces prescribed by the Transport code. A compliant number of visitor spaces is provided.
- The site does not contain vegetation that is considered locally significant.

10 NOTIFICATIONS

The following property notifications will be applied:

- Stormwater

11 RECOMMENDATION

It is recommended that Council resolves as follows:

That under Delegated Authority, the Manager Planning Assessment approves (with conditions) the issue of a Combined development permit for a material change of use for Multiple dwellings (7 units) operational works work for Vegetation clearing, in accordance with the Attachment entitled: Decision notice – Approval (with conditions).

Author:	*Authorised by:*
Luke Caldwell	Roger Sharpe
Planner	Manager Planning Assessment
October 2025	