

Our reference: OTH/2024/19

Your reference: EDS 423

Decision notice—approval (with conditions)

(Given under section 63(2) of the *Planning Act 2016*)

Date of decision notice: 22 August 2024

Applicant details

Applicant name: Natalie and Scott Barrett

Applicant contact details: C/- Elevate Development Solutions Pty Ltd
Level 2 / Suite 5 / 21 Crombie Avenue
BUNDALL QLD 4217

Application details

Application number: OTH/2024/19

Approval sought: Other change to a Development permit for Material change of use for Multiple dwelling (3 units)

Details of proposed development:

- Change of use from Dual occupancy to Multiple dwelling
- Decrease of building height from two storeys and a partial third storey (8.74m) to two storeys (8.5m).
- Decrease site cover from approved 52% to 49%.
- Increases to road and side boundary setbacks.
- Decrease to internal separation distance at ground level; level 2 remains the same.
- Overall improvement to the building design.
- Removal of the carport along Villa Court.
- Inclusion of stormwater quality measures in the form of combined bio retention basins.
- Additional frontage landscaping

Location details

Street address: 15 Tannah Court, Broadbeach Waters

Real property description: Lot 33 RP216472

Decision

Date of decision: 15 August 2024

Decision details: Under Delegated Authority, the Manager of Major Assessment of the City Development Branch of Council has resolved to approve the development application in full, with conditions.

Referral agency(s) for the application

The referral agencies for this application are:

For an application involving	Name of referral agency	Advice agency or concurrence agency	Address
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<i>Material change of use of premises near a State transport corridor or that is a future State transport corridor - Schedule 10, Part 9, division 4 Subdivision 2, Table 4, Item 1</i>	<i>Department of State Development, Infrastructure, Local Government and Planning</i>	<i>Concurrence agency</i>	<i>PO Box 3290, Australia Fair SOUTHPORT QLD 4215</i>
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Details of the approval

Development approval Other change to a Development permit for Multiple dwelling (3 units)

Conditions

The conditions that have been imposed by Council, as Assessment manager, are enclosed.

The conditions and/or advice that have been imposed/ provided by referral agency(s) are attached.

Further development permits

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

- Operational works - landscape works
- Operational works - vehicle access works

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

Properly made submissions

Properly made submissions were received. A list identifying the details of each principal submitter is attached.

Currency period for the approval

This change 'Other' approval has no effect on and does not change the currency period applicable at the time of the original approval.

Approved plans and drawings

Approved plans and drawings are attached and are identified in the conditions imposed by Council as the Assessment manager.

Appeal rights

Applicant	<p>You have appeal rights in relation to this decision. An appeal may be made against, as applicable:</p> <ul style="list-style-type: none"> • the refusal of part of the development application; or • a provision of the development approval; or • if a development permit was applied for, the decision to give a preliminary approval. <p>An appeal must be started within 20 business days after this notice is given to you.</p> <p>An appeal may be made to the Planning and Environment Court or, for certain matters which are identified in section 1(2) of Schedule 1 of the <i>Planning Act 2016</i>, to a development tribunal.</p> <p>An appeal is started by lodging a notice of appeal with the registrar</p>
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	<p>of the Planning and Environment Court or a development tribunal, as applicable. The notice of appeal must be in the approved form, succinctly state the grounds of the appeal and be accompanied by the required fee.</p> <p>An appellant to the Planning and Environment Court must give a copy of the notice of appeal, within 10 business days after the appeal is started, to the persons identified in section 230(3) of the <i>Planning Act 2016</i>. A person who is appealing to the Planning and Environment Court must comply with the rules of the court that apply to the appeal.</p> <p>An extract of Chapter 6, Part 1 and Schedule 1 of the <i>Planning Act 2016</i> is attached to this notice, which sets out further information about the appeal rights.</p>
Referral Agency	You do not have appeal rights in relation to this decision
Submitter (properly made)	<p>You have appeal rights in relation to this decision. An appeal may be made against, as applicable:</p> <ul style="list-style-type: none"> • the decision to give a development approval; or • the decision to give an approval for a change application; or • a provision of a development approval; or • a failure to include a provision in the development approval. <p>An appeal may be made to the extent that the decision or matter relates to, as applicable:</p> <ul style="list-style-type: none"> • any part of the development application or change application that required impact assessment; or • a variation request. <p>An appeal must be started within 20 business days after this notice is given to you.</p> <p>An appeal may be made to the Planning and Environment Court.</p> <p>An appeal is started by lodging a notice of appeal with the registrar of the Planning and Environment Court. The notice of appeal must be in the approved form, succinctly state the grounds of the appeal and be accompanied by the required fee.</p> <p>An appellant to the Planning and Environment Court must give a copy of the notice of appeal, within 2 business days after the appeal is started, to the persons identified in section 230(3) of the <i>Planning Act 2016</i>. A person who is appealing to the Planning and Environment Court must comply with the rules of the court that apply to the appeal.</p> <p>An extract of Chapter 6, Part 1 and Schedule 1 of the <i>Planning Act 2016</i> is attached to this notice, which sets out further information about the appeal rights.</p>

For further information please contact Eli Stevenson, Senior Planner on p: 07 5582 9142 or via email mail@goldcoast.qld.gov.au who will be pleased to assist.

AUTHORISED BY



Katelyn Eccles
Supervising Planner (Central)
For the Chief Executive Officer
Council of the City of Gold Coast

Enc:

Conditions imposed by Council as Assessment Manager
Statement of reasons (given under section 63(4) of *Planning Act 2016*)

Attach:

Referral agency conditions and/or advice
Stamped approved plans and drawings
Infrastructure charges notice for the approved development
List of principal submitters for properly made submissions
Appeal rights extracts

Development Conditions imposed by Council as Assessment Manager																																																																																														
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1	<p>Timing</p> <p>a All conditions of this development approval must be complied with at no cost to Council at all times unless otherwise stated in another condition.</p> <p>b Where the timing in a condition is prior to commencement of the use and a Building Format Plan is lodged for approval, the timing in the condition changes from being prior to commencement of the use to being prior to the earlier of the commencement of the use and approval of the plan of subdivision. This timing requirement prevails despite any inconsistency with the timing requirement in another condition.</p>																																																																																													
2	<p>Approved drawings</p> <p>Undertake and maintain the development generally in accordance with the following drawings including as amended in red by the Council:</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;">Drawing Title</th> <th style="text-align: left;">Author</th> <th style="text-align: left;">Date</th> <th style="text-align: left;">Drawing No.</th> <th style="text-align: left;">Ver</th> </tr> </thead> <tbody> <tr><td>Site Plan – Level 1 (Ground)</td><td>Impact Design</td><td>4/06/2024</td><td>Sheet 4.1</td><td>I</td></tr> <tr><td>Site Plan – Level 2</td><td>Impact Design</td><td>4/06/2024</td><td>Sheet 4.2</td><td>I</td></tr> <tr><td>Site Plan – Roof</td><td>Impact Design</td><td>4/06/2024</td><td>Sheet 4.3</td><td>I</td></tr> <tr><td>Floor Plan – Level 1 (Ground)</td><td>Impact Design</td><td>4/06/2024</td><td>Sheet 4.4</td><td>I</td></tr> <tr><td>Floor Plan – Level 2</td><td>Impact Design</td><td>4/06/2024</td><td>Sheet 4.5</td><td>I</td></tr> <tr><td>Floor Plan – Roof</td><td>Impact Design</td><td>4/06/2024</td><td>Sheet 4.6</td><td>I</td></tr> <tr><td>Elevation 1 – Dwellings A + B</td><td>Impact Design</td><td>4/06/2024</td><td>Sheet 4.7</td><td>I</td></tr> <tr><td>Elevation 2 – Dwellings A + B</td><td>Impact Design</td><td>4/06/2024</td><td>Sheet 4.8</td><td>I</td></tr> <tr><td>Elevation 3 – Dwellings A + B</td><td>Impact Design</td><td>4/06/2024</td><td>Sheet 4.9</td><td>I</td></tr> <tr><td>Elevation 4 – Dwellings A + B</td><td>Impact Design</td><td>4/06/2024</td><td>Sheet 4.10</td><td>I</td></tr> <tr><td>Elevation 5 – Dwelling C</td><td>Impact Design</td><td>4/06/2024</td><td>Sheet 4.11</td><td>I</td></tr> <tr><td>Elevation 6 – Dwelling C</td><td>Impact Design</td><td>4/06/2024</td><td>Sheet 4.12</td><td>I</td></tr> <tr><td>Elevation 7 – Dwelling C</td><td>Impact Design</td><td>4/06/2024</td><td>Sheet 4.13</td><td>I</td></tr> <tr><td>Elevation 8 – Dwelling C</td><td>Impact Design</td><td>4/06/2024</td><td>Sheet 4.14</td><td>I</td></tr> <tr><td>Section A</td><td>Impact Design</td><td>4/06/2024</td><td>Sheet 4.15</td><td>I</td></tr> <tr><td>Section B</td><td>Impact Design</td><td>4/06/2024</td><td>Sheet 4.15</td><td>I</td></tr> <tr><td>Colours & Materials</td><td>Impact Design</td><td>4/06/2024</td><td>Sheet 5.7</td><td>I</td></tr> </tbody> </table> <p>The conditions of this approval are to be read in conjunction with the attached stamped approved drawings. Where a conflict occurs between the conditions of this approval and the stamped approved drawings, the conditions of this approval shall take precedence.</p>				Drawing Title	Author	Date	Drawing No.	Ver	Site Plan – Level 1 (Ground)	Impact Design	4/06/2024	Sheet 4.1	I	Site Plan – Level 2	Impact Design	4/06/2024	Sheet 4.2	I	Site Plan – Roof	Impact Design	4/06/2024	Sheet 4.3	I	Floor Plan – Level 1 (Ground)	Impact Design	4/06/2024	Sheet 4.4	I	Floor Plan – Level 2	Impact Design	4/06/2024	Sheet 4.5	I	Floor Plan – Roof	Impact Design	4/06/2024	Sheet 4.6	I	Elevation 1 – Dwellings A + B	Impact Design	4/06/2024	Sheet 4.7	I	Elevation 2 – Dwellings A + B	Impact Design	4/06/2024	Sheet 4.8	I	Elevation 3 – Dwellings A + B	Impact Design	4/06/2024	Sheet 4.9	I	Elevation 4 – Dwellings A + B	Impact Design	4/06/2024	Sheet 4.10	I	Elevation 5 – Dwelling C	Impact Design	4/06/2024	Sheet 4.11	I	Elevation 6 – Dwelling C	Impact Design	4/06/2024	Sheet 4.12	I	Elevation 7 – Dwelling C	Impact Design	4/06/2024	Sheet 4.13	I	Elevation 8 – Dwelling C	Impact Design	4/06/2024	Sheet 4.14	I	Section A	Impact Design	4/06/2024	Sheet 4.15	I	Section B	Impact Design	4/06/2024	Sheet 4.15	I	Colours & Materials	Impact Design	4/06/2024	Sheet 5.7	I
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	Stormwater Management Plan, 15 Tannah Court, Broadbeach Waters	Friends Civil Engineering	05 June 2024	FE24015	Rev - 2
Property					
4	<p>Private infrastructure</p> <p>a Ownership, operation and maintenance of the following private infrastructure is to vest at all times with legal authority ensuring functional for its intended purpose.</p> <p style="padding-left: 40px;">i Stormwater management devices and infrastructure monitored and managed in accordance with the approved maintenance management plan (MMP), as conditioned elsewhere within this Decision Notice.</p> <p>b At any time, the Council's corresponding infrastructure network is altered, the private infrastructure must be altered to be commensurate with Council's network, at no cost to Council.</p>				
5	<p>Requirement to register easements – Sewerage</p> <p>a Register the following easements in favour of Council for the purpose stated below in accordance with the WSAA Gravity Sewerage Code of Australia – SEQ Edition.</p> <p style="padding-left: 40px;">i “Sewerage” easement minimum 3m wide over all existing gravity sewerage infrastructure within the development site.</p> <p>b The terms of the easement must include:</p> <p style="padding-left: 40px;">i Standard terms document 707918364 must be referenced on Form 9 – easement document.</p> <p style="padding-left: 40px;">ii Easement plans and associated documents (i.e.: Form 9 – easement document and general consent form 18) must be fully completed and signed by the owner of the burdened land (and any mortgagees, if necessary) and benefitting land before they are submitted to council for endorsement.</p> <p>c Registration of the easement must occur at the same time as registering the survey plan or prior to commencement of use whichever is the sooner.</p> <p>d Ensure sewer infrastructure is positioned in the centre of the easement.</p> <p>e This condition attaches to the land the subject of the development approval and binds the owner(s) of the land and the owners' successors in title (even after the time when the easement is required to be registered). Therefore, if this condition is not complied with at the time required by this condition, the owner(s) of the land and the owners' successors in title continue to be obligated to register the easement in accordance with this condition and must do so within 40 business days of becoming aware of the non-compliance with this condition.</p>				
Amenity					
6	<p>Screening of visually offensive components</p> <p>Locate and screen the following components of the development so that they are not visible from any road to which the site has frontage, adjoining premises or otherwise on display from any public thoroughfare or vantage point:</p> <p>a Refuse storage areas.</p> <p>b Service equipment.</p> <p>c Mechanical ventilation.</p> <p>d Refrigeration units.</p> <p>e Storage areas for machinery, materials, vehicles or the like.</p>				
Environmental and Landscaping					
7	Landscaping works				

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

Drawing Title	Author	Date	Drawing No.	Ver
Landscape Intent Plan	Impact Design	04/06/2024	Sheet 3.7	I

and include in particular:

- i Demonstrate that all structures and service infrastructure (including, but not limited, to electrical connections, water/sub meters, stormwater infrastructure, gas infrastructure, fire boosters, mailboxes) are located to ensure the successful health and mature morphology of the required species.
 - ii Unless otherwise specified within these conditions, tree species must be a minimum bag size of 100L.
 - iii Palm species must be a minimum 3 metres in height at the time of planting.
 - iv Shrub species must be a minimum 200mm pot size at the time of planting.
 - v Screening shrubs must be able to achieve a minimum height of 3 metres at maturity.
 - vi Tree species planted with root zones adjacent to structures must have root control barriers and/or structure strengthening systems installed. Full demonstration of these systems is required.
 - vii Pandanus species must be ex-ground, a minimum 3 metres in height and multi headed at the time of planting.
 - viii Install a minimum of three 200L canopy trees within the frontage planting areas.
 - ix Install screening shrubs along the 600mm recessed frontage fencing at 1 metre centres.
 - x Install screening shrubs along the extent of all shared boundaries.
 - xi Include frontage fencing as shown on the approved stamped drawings as amended in red, the subject of this application.
 - xii Frontage planting to be located in front of fencing as identified on the approved stamped drawings amended in red.
 - xiii All road reserve turf must be repaired and replaced if damaged.
 - xiv Install street trees within the public road reserve fronting the subject site generally in accordance with standard drawing 05-102 and 05-103 within SC6.12.10 City Plan Policy – Land development guidelines.
- b Construct and maintain the private landscaping identified above at no cost to Council at all times.

Transport

8 Off street vehicle and car parking facilities

- a Design and construct off street vehicle facilities at no cost to Council prior to the commencement of the use, generally in accordance with the Transport code of the City Plan and include in particular:
- i The off-street vehicle and car parking facilities (including all access driveways, circulation roadways, parking aisles and parking spaces) must be in accordance with the approved drawings.
 - ii All spaces are drained and sealed.
- b Undertake and maintain the off street vehicle and parking facilities at no cost to Council at all times.
- c The off-street parking facilities must only be used for vehicle parking.

Engineering

9 Existing structures and services

	<p>a Prior to commencement of works, identify all structures and services (i.e. electrical pillars, water metres/hydrants, telecommunication infrastructure) within pedestrian infrastructure areas (i.e. footpaths, outdoor dining, bike racks) that impede pedestrian accessibility, and where required, obtain the necessary approvals from the relevant public utility authority to have these structures and services removed/relocated at no cost to Council.</p> <p>b Ensure removal/relocation of these structures and services occurs prior to commencement of the use at no cost to Council.</p>
10	<p>Electrical reticulation</p> <p>a Enter into a contractual agreement to design, construct and connect an electrical reticulation system at no cost to Council and include in particular:</p> <ul style="list-style-type: none"> i Provide electricity to all proposed dwellings. ii No additional poles and pole-mounted transformers are to be erected within public roads. iii Meet the requirements of the electricity supplier (e.g., Energex).
11	<p>Telecommunications network</p> <p>a Enter into a contractual agreement to design, construct and connect a telecommunications services network at no cost to Council and include in particular:</p> <ul style="list-style-type: none"> i Provide underground telecommunications to all proposed dwellings, lead-in conduits and equipment space/s in a suitable location within the building/s, to suit the carrier of choice. ii All new pit and pipe infrastructure required to be installed along public road(s), must be suitably sized to cater for future installation of fibre optic cables. iii Meet the telecommunications industry standards (e.g., Telstra/NBN Co standards).
12	<p>Rectification of Council's infrastructure</p> <p>a Rectify any damage caused to Council infrastructure (including kerb, channelling, service pits, footpaths and water and sewer reticulation networks) prior to commencement of the use at no cost to Council.</p> <p>b Construct and maintain the rectified Council infrastructure at no cost to Council prior to commencement of the use.</p>
13	<p>Existing infrastructure, structures and services</p> <p>a Remove / relocate existing infrastructure, structures and services listed below prior to commencement of the use at no cost to Council:</p> <ul style="list-style-type: none"> i Remove redundant vehicle crossing/s. ii Remove any redundant stormwater kerb adaptors and disused service pits from the kerb and channel (including any associated pipework across the footpath). iii Remove/seal/cap any redundant sewer property service.
14	<p>Driveways and vehicle crossings</p> <p>a Obtain an operational works / licence approval as necessary for the design and construction of the driveway and vehicle crossing, prior to commencement of the use at no cost to Council and ensure the vehicle crossing is:</p> <ul style="list-style-type: none"> i Constructed and positioned to enable the maintenance of a public road and road verge, and not cause any obstruction to pedestrians or vehicle traffic. ii Designed generally in accordance with IPWEA standard drawings RSD-100 & RSD-101. iii Designed not cause damage to vehicles or road infrastructure. iv Providing effective access between the road and the property. v Providing hydraulic capacity to allow stormwater to flow towards the closest stormwater infrastructure.
Stormwater Drainage	

15	<p>Overland flow paths and hydraulic alterations</p> <p>a Leave unaltered the overland flow paths on the site, such that the characteristics of existing overland flows on other properties remain uninhibited and unchanged.</p> <p>b The development must not:</p> <ul style="list-style-type: none"> i Increase peak flow rates downstream from the site. ii Increase flood levels external to the site. iii Increase duration of inundation external to the site that could cause loss or damage.
16	<p>Bioretention basin maintenance management plan (<i>specific condition</i>)</p> <p>a Obtain an approval from Council for bioretention basin maintenance management plan (MMP) prior to the commencement of the use. The MMP must be prepared by a Registered Professional Engineer of Queensland (RPEQ) specialising in stormwater management in accordance with City Plan Policy SC6.12 Land Development Guidelines and with reference to the Water by Design document Maintaining Vegetated Stormwater Assets, Version 1 February 2012.</p> <p>b The MMP must include, but not necessarily be limited to, the following key information:</p> <ul style="list-style-type: none"> i Design intent and description of the device(s). ii The location and specific dimensions of the device(s). iii Approved / designed water quality objectives. iv Water quality monitoring procedures. v Monitoring frequency. vi Specifications and procedures for device(s) maintenance. vii Plant and equipment access details for maintenance activities. viii Maintenance activity schedule defining frequency, area (m²) per maintenance zone, hours, staff, plant and equipment, approximate costs per rotation, and per annum. ix Performance indicators / intervention levels / triggers for reactive maintenance. x Any necessary preventative maintenance measures. xi Undertake inspection and certification of effective operation by RPEQ every 4-years. xii Acceptable solutions for specific items, i.e., acceptable plant species substitutions based on availability, hydraulic conductivity, water quality objectives, etc. xiii Approximate lifecycle maintenance costs. xiv A sign to be permanently installed in or adjacent to the bioretention stating "THIS IS A BIORETENTION BASIN THAT MUST BE MAINTAINED AS PER THE APPROVED MANAGEMENT PLAN".
Sewer and Water Works	
17	<p>Sewer connection - reuse existing sewer connection</p> <p>a Obtain approval from Council to reuse the existing sewer property connection and connect the proposal to Council's sewer network, prior to a commencement of the use at no cost to Council and include in particular:</p> <ul style="list-style-type: none"> i The development is permitted with a single sewer connection to Council's sewerage network. ii Be in accordance with the Water and Sewerage Connections Policy iii A closed circuit television (CCTV) and condition report. iv An "Application to Work on the City's infrastructure" form. v Should the material of the existing sewer property connection be asbestos cement, vitrified clay, concrete or masonry, the connection must be relined by use of a "cured in place pipe" (CIPP) relining methodology. vi Where an inspection opening (IO) is to be located in a hardstand area, the

	<p>inspection opening shall be brought to surface and provided with a trafficable screwtrap lid.</p> <p>vii Ensure all proposed buildings, deep landscaping, structures and footings are a minimum 1 metre clear of the property sewer connection.</p> <p>viii Remove / seal / cap redundant sewer property services.</p> <p>ix Alternatively, installing a new property connection and capping the existing connection is an acceptable outcome – Approval from Council is required for these works.</p> <p><i>Note:</i> An “Application Work on the City’s infrastructure” form is required for the above works.</p>
18	<p>Water connection</p> <p>a Design, construct and connect the proposal to Council’s water network, prior to commencement of the use at no cost to Council and include in particular:</p> <p>i The proposed development is permitted to connect to Council’s water network through a singular connection as outlined below:</p> <ul style="list-style-type: none"> • This connection will supply a single master meter for potable water; and • If required, a single fire meter. <p>ii Be in accordance with the Water Supply Code of Australia – SEQ Service Providers Edition, and the Water and Sewerage Connections Policy.</p> <p>iii The property service, water meter box and water meter must be provided at the boundary of the development site. A connection application is required for these works.</p> <p>iv Water meters must be in accordance with the Metering Technical Specifications and Council’s standard water meter drawings.</p> <p>v Remove redundant water meters / connections.</p> <p><i>Notes:</i> An “Application Work on the City’s infrastructure” form is required for the above works.</p>
19	<p>Sub-metering</p> <p>Provide individual sub-metering for each lot / unit including common property generally in accordance with the Metering Technical Specifications and the Water and Sewerage Connections Policy.</p>
20	<p>Fire loading</p> <p>a Ensure the fire loading does not exceed 15 L/s for 4 hours duration.</p> <p>b Provide certification from a suitably qualified building certifier that fire loading does not exceed the fire loading above, prior to the commencement of the use, at no cost to Council. Refer to ‘Certification of works’ condition contained within this decision notice.</p>
Solid Waste Management	
21	<p>Bin type, storage capacity and storage points</p> <p>Provide the following equipment to service the development prior to commencement of the use at no cost to Council:</p> <p>a 1x240L general waste wheelie bin and 1x240L recycling wheelie bin for each approved dwelling.</p>
22	<p>Storage point – Wheelie bins</p> <p>Design each bin storage point prior to use commencing and in accordance with City Plan policy SC.16 – Solid waste management at no cost to Council:</p> <p>a Grassed area for washing of bins (near each bin storage point)</p> <p>b No steps or lips on bin-carting route (between each storage point and collection point)</p>
Construction Management	

<p>23</p>	<p>Certification of works - Hydraulics and Water Quality</p> <p>Provide Council with certificates prepared by qualified expert(s) from the discipline(s) listed below, confirming as follows:</p> <table border="1" data-bbox="349 220 1399 814"> <thead> <tr> <th colspan="5">Hydraulics and Water Quality</th> </tr> <tr> <th>Certified document</th> <th>Certification date</th> <th>Plan/ Drawing</th> <th>Expert discipline</th> <th>Requesting Council Section</th> </tr> </thead> <tbody> <tr> <td>Post construction certification</td> <td>Prior to commencement of the use</td> <td>Stormwater Management Plan, 15 Tannah Court, Broadbeach Waters, Revision 2" dated 05 June 2024 prepared by Friends Civil Engineering, as approved by this determination.</td> <td>Registered Professional Engineer Queensland (RPEQ)</td> <td>Hydraulics & Water Quality</td> </tr> </tbody> </table> <p>The certification is to confirm:</p> <p>a All stormwater devices (quantity and quality) shown in the approved stormwater management plan and associated design drawings have been installed on-site and are functioning as designed.</p>	Hydraulics and Water Quality					Certified document	Certification date	Plan/ Drawing	Expert discipline	Requesting Council Section	Post construction certification	Prior to commencement of the use	Stormwater Management Plan, 15 Tannah Court, Broadbeach Waters, Revision 2" dated 05 June 2024 prepared by Friends Civil Engineering, as approved by this determination.	Registered Professional Engineer Queensland (RPEQ)	Hydraulics & Water Quality
Hydraulics and Water Quality																
Certified document	Certification date	Plan/ Drawing	Expert discipline	Requesting Council Section												
Post construction certification	Prior to commencement of the use	Stormwater Management Plan, 15 Tannah Court, Broadbeach Waters, Revision 2" dated 05 June 2024 prepared by Friends Civil Engineering, as approved by this determination.	Registered Professional Engineer Queensland (RPEQ)	Hydraulics & Water Quality												
<p>24</p>	<p>Erosion and sediment control</p> <p>a Undertake works generally in accordance with the Healthy Waters code of the City Plan and include in particular:</p> <ul style="list-style-type: none"> i Sediment control structures e.g., sediment fence must be placed at the base of all materials on site to mitigate sediment run-off. ii A perimeter bund and/or diversion drain must be constructed around the disturbed areas to prevent any outside clean stormwater from mixing with polluted / contaminated stormwater. iii All polluted / contaminated water from the site, including dewatering discharge, must be treated to achieve the water quality objectives in Table 8.2.1 of the Queensland Water Quality Guidelines (DEHP September 2009) prior to discharging from the site. iv Inspections for erosion and sediment control measures are to occur in accordance with the compliance procedures in City Planning Policy SC6.12 – Land development guidelines, section 4.5.17.1.2 – Compliance. 															
<p>25</p>	<p>Certification of works - Subdivision Engineering</p> <p>Provide Council with certificates prepared by qualified experts from the disciplines listed below, confirming as follows:</p> <table border="1" data-bbox="349 1585 1399 1831"> <thead> <tr> <th colspan="5">Subdivision Engineering</th> </tr> <tr> <th>Certified document</th> <th>Certification date</th> <th>Plan/ Drawing</th> <th>Expert discipline</th> <th>Requesting Council Section</th> </tr> </thead> <tbody> <tr> <td>Certificate for electricity supply</td> <td>Prior to commencement of the use</td> <td>-</td> <td>An authorised supplier</td> <td>Development Compliance</td> </tr> </tbody> </table>	Subdivision Engineering					Certified document	Certification date	Plan/ Drawing	Expert discipline	Requesting Council Section	Certificate for electricity supply	Prior to commencement of the use	-	An authorised supplier	Development Compliance
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Certificate for electricity supply	Prior to commencement of the use	-	An authorised supplier	Development Compliance												

			(e.g., Energex)	
<p>The certification is to confirm: Electricity supply is available to the development site and all proposed dwellings.</p>				
Subdivision Engineering				
Certified document	Certification date	Plan/ Drawing	Expert discipline	Requesting Council Section
Contractual agreement (e.g., Agreement Advice or Completion Letter from Telstra. Alternatively, a copy of Master Development Agreement or Small Development Agreement from NBN Co).	Prior to commencement of the use	-	The authorised telecommunication carrier (e.g., Telstra, NBN Co)	Development Compliance
<p>The certification is to confirm: Underground telecommunication infrastructure will be installed in accordance with telecommunications industry standards (e.g., Telstra / NBN Co standards).</p>				
26	Certification of works - Water and Waste			
	Provide Council with a certificate prepared by qualified experts from the discipline listed below, confirming as follows:			
	Certified document	Certification date	Expert discipline	Requesting Council Section
	Fire loading certification	Prior to a commencement of the use	Registered Professional Engineer of Queensland (RPEQ) or a suitably qualified Licensed Building Certifier	Water and Waste
27	Hold point inspection – Solid Waste			
	Arrange a hold point inspection to complete the requirements identified in City Plan Policy SC6.12 – Land development guidelines the City Plan for the following: <i>Please note: Inspections for multiple items is preferred.</i>			
	Purpose	Hold Point	Council contact	
A	Bin storage points	Within 5 business days of	Contributed Assets	

			the bin storage point being completed.	inspections@goldcoast.qld.gov.au
	B	Bin carting route between storage point and servicing point	Within 5 business days of the entire bin carting route area being completed - including any doorways, ramps and speed control devices. The VXO must also be completed.	Contributed Assets inspections@goldcoast.qld.gov.au
28	<p>Construction management plan</p> <p>a Prepare and submit for approval a Construction management plan prior to any works commencing.</p> <p>b The Construction management plan must be prepared by a suitably qualified professional and include in particular:</p> <ul style="list-style-type: none"> i Provide details of any gantries or overhead protective awnings proposed over the road or footpath. ii Specify the type and height of perimeter security fencing and lockable gates to be used by vehicular or and pedestrian traffic. iii Provide details for the parking of site workers vehicles. iv Provide details on the location of street lights, fire hydrants, sewer and stormwater pipes and manholes and footpaths around/across the perimeter of the site. Include details of any proposed service protection measures to be installed during works. v Location and size of work zones for the loading and unloading of materials and deliveries and any construction zones or occupied space on the external verge or pavement within the road reserve. vi Location and details of public information signs with contact name/s and phone numbers. vii Provide details of proposed sediment and erosion control measures including any rubble grids or shakers. viii Provide specific details for the storage of any hazardous or dangerous material on site and the particulars and location of any required signage as applicable. ix Location of buildings and structures on adjacent properties. x Provide hours of construction. xi Details on the presentation of hoarding to the street. xii Demonstrate how the general public will be protected from construction activities. xiii Provide details on how the building site will be kept clean and tidy to maintain public safety and amenity including collection, storage and disposal of all waste materials. xiv Address the provision of vehicle barrier(s) along the frontages of the land to ensure vehicles use approved crossovers. xv Address nuisance from dust, noise, vibration, smoke and material tracked onto public roads as a result of hauling and filling operations and how complaints will be addressed. xvi Identify measures and work practices to ensure non-recyclable debris transported from the site is disposed of at an approved waste facility. xvii Identify measures and work procedures to ensure gravel access areas to the site, transport dust covers and shake (hose) down areas are in place to control both on-site dust nuisance and contamination of external properties, roadways and receiving waterways. <p>c Implement the Construction management plan during all construction works at no cost to Council.</p>			
29	Availability of approved plans, drawings and reports			

	Retain a copy of this decision notice and stamped approved plans, drawings and reports on site at all times during construction. Any contractors undertaking approved work (including tree removal or relocations) must be directly provided with a copy of these conditions and instructed as to the need to comply with them.									
30	<p>Notice of works timetable</p> <p>Provide a Notice of works timetable for Commencement of work to Council's Development Compliance section prior to commencement of any works.</p> <p>A copy of Council's Notice of works timetable is available on Council website.</p>									
Plumbing and Drainage Act 2018										
31	<p>Plumbing and drainage works</p> <p>Obtain a permit for all plumbing and drainage work prior to any compliance assessable work commencing.</p> <p><i>Note:</i></p> <p><i>A permit for plumbing and drainage works does not approve the discharge of trade waste to Council's sewerage system. The generator of trade waste must complete an application for approval to discharge trade waste to Council's Sewerage System (available on Council's website).</i></p>									
Advice Notes										
A	<p>Development infrastructure</p> <p>Development infrastructure required to be provided in implementing this development approval is non-trunk development infrastructure unless otherwise stated in a condition of the approval.</p>									
B	<p>Further development permits / compliance permits</p> <p>Further development permits and/or compliance permits from Council are required to facilitate the development of the approved works identified in this decision notice. These include:</p> <table border="1" data-bbox="350 1079 1398 1167"> <tr> <td>Landscape Assessment</td> </tr> <tr> <td>- Operational works - landscape works</td> </tr> </table> <table border="1" data-bbox="350 1203 1398 1291"> <tr> <td>Operational works</td> </tr> <tr> <td>- Operational works - vehicle access works</td> </tr> </table> <table border="1" data-bbox="350 1327 1398 1415"> <tr> <td>Plumbing and Drainage</td> </tr> <tr> <td>- Permit for plumbing and drainage work</td> </tr> </table> <table border="1" data-bbox="350 1465 1398 1598"> <tr> <td>Water and Waste</td> </tr> <tr> <td>- Application to work on the City's infrastructure</td> </tr> <tr> <td>- Referral agency assessment</td> </tr> </table> <p>A copy of this decision notice and accompanying stamped drawings / plans must be submitted with any subsequent application identified above.</p> <p>Subsequent development applications (i.e.: Operational works) will be assessed in accordance with the City Plan Version at the time of lodgement (excluding instances where Variation / Preliminary approval exists).</p>	Landscape Assessment	- Operational works - landscape works	Operational works	- Operational works - vehicle access works	Plumbing and Drainage	- Permit for plumbing and drainage work	Water and Waste	- Application to work on the City's infrastructure	- Referral agency assessment
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C	<p>Compliance with conditions</p>									

	<p>Once this development approval takes effect, the conditions attach to the land and are applicable in perpetuity. It is a development offence to contravene a development approval, including any of its conditions.</p>
D	<p>Indigenous cultural heritage legislation and duty of care requirement</p> <p>The <i>Aboriginal Cultural Heritage Act 2003</i> ('ACHA') is administered by the Department of Seniors, Disability Services and Aboriginal and Torres Strait Islander Partnerships (DSDSATSIP). The ACHA establishes a duty of care to take all reasonable and practicable measures to ensure any activity does not harm Aboriginal cultural heritage. This duty of care:</p> <ul style="list-style-type: none"> a Is not negated by the issuing of this development approval; b Applies on all land and water, including freehold land; c Lies with the person or entity conducting an activity; and d If breached, is subject to criminal offence penalties. <p>Those proposing an activity involving surface disturbance beyond that which has already occurred at the proposed site must observe this duty of care.</p> <p>Details of how to fulfil this duty of care are outlined in the duty of care guidelines gazetted with the ACHA.</p> <p>The applicant should contact DSDSATSIP's Cultural Heritage Coordination Unit on 1300 378 401 for further information on the responsibilities of developers under the ACHA.</p>
E	<p>Infrastructure charges</p> <p>Infrastructure charges are now levied under a Charges Resolution by way of an Infrastructure Charges Notice, which accompanies this decision notice.</p>
F	<p>Properly made submissions</p> <p>There were properly made submissions about the application. The name and address of the principal submitter for each properly made submission is attached to the decision notice.</p>
G	<p>Applicant responsibilities</p> <p>The applicant is responsible for securing all necessary approvals and tenure, providing statutory notifications and complying with all relevant laws.</p> <p>Nothing in this decision notice alleviates the need for the applicant to comply with all relevant local, State and Commonwealth laws and to ensure appropriate tenure arrangements have been made where the use of/reliance upon land other than that owned by the applicant is involved. Without liming this obligation, the applicant is responsible for:</p> <ul style="list-style-type: none"> a Obtaining all other/further necessary approvals, licences, permits, resource entitlements etc by whatever name called required by law before the development the subject of this approval can be lawfully commenced and to carry out the activity for its duration. b Providing any notifications required by law (by way of example only, to notify the administering authority pursuant to the <i>Environment Protection Act 1994</i> of environmental harm being caused/threatened by the activity, and upon becoming aware the premises is being used for a 'notifiable activity'). c Securing tenure/permission from the relevant owner to use private or public land not owned by the applicant (including for access required by conditions of approval). d Ensuring existing survey marks, including cadastral marks at property corners, i.e., pegs or cadastral reference marks in the road reserve (permanent surveys marks, buried iron pins, and various marks in concrete or bitumen structure) are not interfered with. A Consulting Cadastral Surveyor must be contacted if survey marks are disturbed or destroyed during any works in relation to this or related approvals, to investigate and determine if any further action is required. More information on interference with survey marks is available under Section 42 of the <i>Survey and Mapping Infrastructure Act 2003</i>. e Ensuring the correct siting of structures on the land. An identification survey demonstrating correct siting and setbacks of structures may be requested of the applicant to ensure compliance with this decision notice and applicable codes. f Providing Council with proof of payment of the Portable Long Service Leave building

	<p>construction levy (or proof of appropriate exemption) where the total value of the building and construction works exceeds \$150,000 (excluding GST). Acceptable proof of payment is a Q. Leave –Notification and Payment Form approved by the Authority. Proof of payment must be provided before Council can issue a development permit for the Operational works. This is a requirement of section 77(1) of the Building and Construction Industry (Portable Long Service Leave) Act 1991.</p> <p>g Making payment of any outstanding Council rates and charges applicable to the development site prior to the lodgement of subdivision plans.</p> <p>h Obtaining any necessary local government/state approvals where works require the installation of temporary ground anchoring into adjacent Road Reserves. Where ground anchoring is proposed into an adjacent private property, approval from the relevant property owners(s) is required.</p>
H	<p>Weeds, pest animals and ants</p> <p>Biosecurity Queensland of the Department of Agriculture and Fisheries leads the Government's efforts to prevent, respond to and recover from pests and diseases threatening agricultural prosperity, the environment, social amenity and human health.</p> <p>All landscape materials, including but not limited to, soils, mulch, grass, gravel, potted or ex-ground plants, pavers and timber used in landscape treatments must be free from weeds, pest animals and ants.</p>
I	<p>Fire ant control</p> <p>A significant portion of the Gold Coast is within Fire Ant Biosecurity zone 2 and must remain vigilant for the presence of fire ants. Under the <i>Biosecurity Act 2014</i> individuals and organisations whose activities involve the movement or storage of fire ant carriers have a general biosecurity obligation to take all reasonable steps to ensure they do not spread fire ants. Movement of a fire ant carrier from within the fire ant biosecurity zone may need a biosecurity instrument permit. More information is available on the Department of Agriculture and Fisheries website Fire Ants Portal (daf.qld.gov.au).</p>
J	<p>Incorporation of Equitable Access at the Detailed Design Stage</p> <p>All public spaces and facilities within the development must provide equitable access, including continuous accessible paths of travel, in compliance with the <i>Commonwealth Disability Discrimination Act (1992)</i> and the Disability (Access to Premises – Buildings) Standards 2010.</p>
K	<p>Connections to, alteration or realignment of Council infrastructure</p> <p>Where development works require the connection to, alteration, removal or realignment of Council infrastructure or impact on other public utility infrastructure (e.g., telecommunications, electricity and gas), the applicant must obtain the necessary approvals from the relevant public utility authority prior to works commencing.</p> <p>Connection to, alteration, removal or realignment of Council infrastructure includes (but is not limited to) fire hydrants, water service meters, sewer maintenance hole covers, stormwater drainage infrastructure, reinstatement of maintenance hole covers, stormwater drainage infrastructure, crossovers, footpaths, road pavement, kerb and channel, kerb ramps, medians, traffic islands, road furniture, signage and line-marking.</p>
L	<p>Stormwater</p> <p>A property notification will be applied to the lot / subsequent lots stating a stormwater management plan exists for the site and must be complied with at all times.</p>
M	<p>Works in properties other than the development land</p> <p>Where development works or works required to service the development require access, works or otherwise on land that is not part of the development approval, the applicant is solely responsible for obtaining consent and providing such with the "Application to work on City's infrastructure".</p> <p>Council will not become involved in any disputes arising from attempts to obtain neighbouring</p>

	landowners' consent and assumes no responsibility for any impacts this has on the development. Council shall not be held responsible for any delays, complications or otherwise related to obtaining consent from neighbouring landowners as this is a civil matter to be resolved between the relevant parties.
N	<p>Council water and sewer mains to be protected during site works</p> <p>The developer is responsible at all times for ensuring that Council's water and sewerage infrastructure is protected during construction activities on site. This may require physical protection measures to be put in place during works such as deliveries, moving heavy equipment into and out of the site, or when doing works in close proximity to water and sewer assets.</p> <p>Where Council water and sewer infrastructure is damaged during construction, Council will undertake immediate repairs and any costs associated with these repairs will be charged to the landowner, principal contractor or other relevant party. If further, more permanent repairs are required, such as replacement of water and sewer mains, the landowner, principal contractor or other relevant party will first be given an opportunity to complete these works (other approvals may be required), or Council will undertake these works and pass the costs on to the landowner, principal contractor or other relevant party.</p>
O	<p>Connections and disconnections</p> <p>Any connection / disconnection to the existing water and sewerage networks will be at the applicant's cost. Prior to the connection / disconnection taking place, the applicant must obtain written approval from Water and Waste.</p> <p>Refer to Water and Sewerage Connections Policy, available on Council's website http://www.cityofgoldcoast.com.au</p>
P	<p>Connections to, alteration or realignment of Council infrastructure</p> <p>Where development works require the connection to, alteration, removal or realignment of Council infrastructure or impact on other public utility infrastructure (e.g., telecommunications, electricity and gas), the applicant must obtain the necessary approvals from the relevant public utility authority prior to works commencing.</p> <p>Connection to, alteration, removal or realignment of Council infrastructure includes (but is not limited to) fire hydrants, water service meters, sewer maintenance hole covers, stormwater drainage infrastructure, reinstatement of maintenance hole covers, stormwater drainage infrastructure, crossovers, footpaths, road pavement, kerb and channel, kerb ramps, medians, traffic islands, road furniture, signage and line-marking.</p>
Q	<p>Design, Constructability and Minor change applications</p> <p>The application has been approved based on the information provided by the consultant. Water and Waste are not liable for any design or constructability issues experienced on-site. All necessary steps must be taken prior to construction to validate the information in the designs, including locating services. Should any changes be required to the design to ensure it can be constructed in compliance with relevant engineering standards; a Minor Change application (Section 78 of the <i>Planning Act 2016</i>) must be submitted and approved by Council prior to lodging a request for a Pre-Start meeting.</p>
Property Notifications	
A	<p>Stormwater</p> <p>There are development approval conditions applicable in relation to stormwater management on this lot / subsequent lots. All property owner(s) must ensure compliance with these conditions. Refer to Council of the City of Gold Coast's Decision Notice OTH/2024/19. A copy of Council's Decision Notice is available for viewing on Council's website www.goldcoastcity.com.au/pdonline</p>

Statement of reasons (given under section 63(5) of the *Planning Act 2016*)

Details of proposed development	The proposed development is for Material change of use (Code assessment) for Multiple dwelling (3 units)
Assessment benchmarks	<p>The following assessment benchmarks applied to the proposed development:</p> <ul style="list-style-type: none"> • Strategic framework • Low density residential zone code • Acid sulfate soils overlay code • Airport environs overlay code • Flood overlay code • Regional infrastructure overlay code • Multiple accommodation code • Driveways and vehicular crossings code • General development provisions code • Healthy waters code • Solid waste management code • Transport code
Relevant matters	The proposed development did not have regard to any relevant matters.

Matters raised in submissions	<i>Issue</i>	<i>How matter was dealt with</i>
	Density and character	<p>Submissions objecting to the proposed development have raised concern that the Multiple dwelling is not appropriate as it does not comply with the prescribed density applicable in the Low density residential zone.</p> <p>Pursuant to Specific outcome 3.3.3.1(4) of the Suburban neighbourhoods element, Multiple dwellings are contemplated in suburban neighbourhoods where they:</p> <ul style="list-style-type: none"> • are low intensity and low rise; • occur in low concentrations where they achieve a dispersed or gentle scattering; and • are limited to lots with dual frontage. <p>An analysis of this neighbourhood has found that the proposal is able to meet these benchmarks as follows:</p> <ul style="list-style-type: none"> • The site is a corner block benefiting from two (2) frontages being Villa Court and

Tannah Court.

- In this Low density residential zone pocket, there are no other Multiple dwellings in close proximity to the subject site – thus achieving a dispersed and gentle scattering effect.
- The built form is low rise as it is under the maximum 2 storey 9m height limit. The proposal has also lowered the originally approved building height to reinforce its low rise nature.
- In the context of the original approval, the proposed development has improved setbacks and site cover, the frontage landscaping has been generally maintained and the increased density is accommodated within two (2) separated building forms. It is considered that the proposal achieves the low-intensity aspirations of the Suburban neighbourhoods.

Despite exceeding the prescribed density of 1 dwelling per 400m², officers consider the proposal to promote the intent of suburban neighbourhoods as intended by the Strategic framework.

Parking, traffic and pedestrian safety

The submissions objecting to the proposal have raised concern that the development will increase traffic and on-street car parking in this area.

As the development proposes three (3) units, it is not anticipated to have a significant impact upon traffic. The increase traffic results from one (1) additional dwelling is considered to have a negligible impact on the surrounding pedestrian network. Officers from Transport Assessment have confirmed the positioning of the driveways will not impact upon sight lines from Tannah Court and Villa Court.

In addition, officers consider the provision of two (2) spaces per unit and

no visitor spaces to be within the reasonable expectations of the community. In taking into consideration that a Dwelling house and a Dual occupancy with the same number of beds, or more, are required to provide two (2) resident spaces and no visitor spaces, the inclusion of one (1) additional unit will not substantially impact upon the demand for visitor spaces. In addition, it is noted that the driveway for Villas A + B can accommodate two (2) informal visitor spaces for any visitors.

Housing affordability

The submissions objecting to the proposal have raised concern that the development does not provide an affordable housing product.

It is noted that PO16 of the Multiple accommodation code specifies '*a mix of housing sizes and affordability outcomes to meet housing needs.*'

PO16 does not require that affordable housing is delivered, but that a range of affordability options are provided. In this regard, the proposed development increases the on-site yield and will provide a mixture of housing options beyond the typical single dwelling houses within the locality, assisting with achieving a different price point.

Reasons for decision

An assessment of the development application was carried out against the assessment benchmarks listed above and was determined to comply. A summary of the main reasons for the decision are as follows:

- The site is identified by City Plan to provide smaller and more affordable housing options; the proposal delivers upon this.
- The site benefits from having dual frontage and there are no other Multiple dwellings in this Low density residential zoned pocket, thus achieving a gentle scattering effect.
- The proposal appropriately accommodates the increased density within an improved built form outcome, ensuring the low-rise, low-intensity character of the locality is maintained.
- The proposal provides a well-managed interface to surrounding properties, improving upon the setbacks and site cover from the previous approval.
- The proposed development has been treated with high quality materials and landscaping treatments to enhance the visual appearance of the proposal.

- The proposed development provides housing choice and variety to the local housing market.
- No undue traffic impacts as a result of the proposed development are anticipated.
- The proposal provides an appropriate amount residential of car parking.
- The shortfall of visitor car parking is considered appropriate when considering the surrounding context and specifics of the development.
- Appropriate private open space facilities have been provided for future residents.
- The development appropriately manages stormwater from external catchments and within the site.
- No adverse amenity impacts are considered to eventuate from the proposed development in relation to privacy, safety, traffic or noise.

Matters prescribed by a regulation

Not applicable