

Submission to Development application:

Application number:	OTH/2025/18
Application type:	Other Change
Location:	Lot 23 RP41194, Lot 1 RP85529

Submission date:	11/06/2026
Response type:	Submission - Objection
Response summary:	--- OBJECT --- My Grounds are as per the attached document Surname: Bailey Given Names: Robin Address Line 1: 2/6 Arthur St Suburb: Mermaid Beach State Code: QLD Postcode: 4218 Email Address: rlab001@gmail.com

11 June 2026

Attention:

Assessment Manager
Council of the City of the Gold Coast
Via: mail@goldcoast.qld.gov.au

**RE: Submission Objecting to Development Application OTH/2025/18
37 & 37A Arthur Street, Mermaid Beach**

I formally object to the proposed development application for 37 & 37A Arthur Street, Mermaid Beach.

I note the applicant has amended their application and proposal following Council's Information Request. However, the revised application remains inconsistent with the Gold Coast City Plan and fails to adequately address the key concerns identified by Council in respect of a range of issues including building height, built form, neighbourhood character, landscaping and parking.

For several reasons, including those outlined below, I respectfully request that Council refuse the application.

1. Conflict with the Building Height Overlay and Strategic Framework

The site is mapped under the Building Height Overlay as having a building height of 2 storeys and 9 metres.

The Strategic Framework provides that increases in building height of up to a maximum of 50% above the Building Height Overlay Map may occur only where all specified outcomes are satisfied.

Applying a 50% uplift to the mapped building height results in:

- 3 storeys; and
- 13.5 metres.

Importantly, the Strategic Framework expressly states: "Where the Building height overlay map shows both storeys and metres, the lesser of the two shall apply."

Council's Information Request adopted this interpretation and expressly stated that the applicable uplift for the site is 3 storeys and 13.5 metres. The applicant's response acknowledges that the revised proposal remains 4 storeys and 13.19 metres and further acknowledges that this exceeds the maximum allowable uplift, which permits 3 storeys and 13.5 metres.

Accordingly, the proposal remains in conflict with the Strategic Framework and the Building Height Overlay provisions of the City Plan.

The applicant's contention that the 50% uplift should not be interpreted as restricting the number of storeys, provided the building remains below 13.5 metres, is inconsistent with the wording of the Strategic Framework and Council's stated assessment position.

Further, the Strategic Framework states that increases in building height beyond 50% above the Building Height Overlay Map are not anticipated in urban neighbourhoods and notes that no criteria have been identified for such increases because they are in conflict with the City Plan.

2. Failure to Satisfy the Height Uplift Criteria

The Strategic Framework only contemplates building height increases where all of the prescribed outcomes are satisfied.

Council has already advised that the development does not satisfactorily:

- reinforce local identity and sense of place;
- provide a well-managed interface, relationship to and impact on nearby development, including the reasonable amenity expectations of nearby residents;
- provide a varied, ordered and interesting local skyline; and
- provide deliberate and distinct built form contrast.

These are not minor concerns. They are fundamental design outcomes that must be achieved before any building height uplift can be supported.

The revised proposal does not adequately demonstrate that these concerns have been resolved. The proposed development is a four-storey building within an area mapped for two storeys and remains inconsistent with the built form outcomes contemplated by the City Plan.

Importantly, the architectural drawings themselves demonstrate why the proposal fails to satisfy the uplift criteria. Elevation 3 (page 50 of the Revised Proposal Plans) identifies the Gold Coast City Council Medium Density setback line by a dotted red line. This setback line represents the intended built form envelope and transition expected within the medium-density context.

The proposed building extends beyond this setback line across multiple levels of the building. The setback exceedance is therefore not confined to a minor design element but is characteristic of the overall building form. Rather than stepping back as the building rises, the development presents as a largely continuous vertical built form with limited modulation or recession. The design does not achieve the transition in scale anticipated by the City Plan.

The extent of the encroachment beyond the setback envelope increases the apparent bulk and mass of the building and contributes to a visually dominant outcome when viewed from Arthur Street and neighbouring properties.

This built form outcome directly contradicts the applicant's claim that the proposal delivers a high-quality design response sufficient to justify a height uplift.

Consequently, the proposal fails to demonstrate:

- a well-managed interface with nearby development;
- a varied, ordered and interesting local skyline;
- an excellent standard of appearance of the built form and street edge; and
- deliberate and distinct built form contrast.

The architectural drawings therefore evidence that the proposal does not satisfy the design excellence and neighbourhood character outcomes required to justify a departure from the Building Height Overlay Map.

3. Excessive Building Bulk, Scale and Visual Dominance

The failure to satisfy the height uplift criteria is reflected in the physical appearance of the building. The revised proposal continues to present as a visually dominant and bulky four-storey built form that is inconsistent with the intended scale of development in this location. The additional storey contributes to increased building mass and visual prominence when viewed from Arthur Street, neighbouring properties and the surrounding public realm.

This is particularly relevant given the applicant's reliance on the argument that the building remains below 13.5 metres. While the proposal may comply with the uplifted height limit in metres, the visual impact of the development is determined by its overall form, massing and presentation. The architectural drawings demonstrate that the building presents as a full four-storey structure with substantial visual bulk, reinforcing Council's concerns regarding skyline, neighbourhood character and built form outcomes.

The proposal does not contribute to a varied, ordered and interesting skyline as required by the Strategic Framework. Instead, it introduces a scale and form of development that exceeds the planned built form outcome for the locality and risks setting an undesirable precedent for future departures from the Building Height Overlay.

The City Plan identifies the Building Height Overlay as establishing the desired future appearance and building height pattern for local areas. Approval of a four-storey development on a site mapped for two storeys would undermine the integrity of that planning framework and diminish the effectiveness of the City's carefully planned height transition outcomes.

4. Increased Development Intensity and Yield

The applicant states that, in response to Council's concerns regarding height, the proposal has been amended by reducing the overall building height while increasing the number of apartments from six to seven units. The applicant expressly states that:

"To ensure that the development is able to remain feasible from a delivery perspective with the reduction of height, the number of units has been increased from 6 to 7 units."

This is a significant planning consideration.

While the applicant presents the revised design as a reduction in impact, the proposal simultaneously increases the development yield and residential intensity. The additional dwelling increases population density, visitor demand, parking demand, waste generation, servicing requirements and activity levels on the site. The increase in yield also appears inconsistent with the intent of Council's Information Request, which sought a reduction in the impacts associated with excessive building height and scale. Rather than reducing development intensity, the revised proposal redistributes floor space into an additional dwelling while retaining a four-storey built form outcome.

The increase from six to seven dwellings should not be viewed as a reduction in development impact. Instead, it represents a further intensification of the site and compounds existing concerns relating to parking, built form bulk, neighbourhood character and residential amenity.

5. Visitor Parking Deficiency

The revised proposal contains seven dwellings. The supporting traffic material indicates that three visitor parking spaces are required for a development of this scale. However, only two visitor spaces are proposed.

This results in a parking shortfall.

Council previously identified concerns regarding visitor parking provision and specifically requested additional visitor parking spaces. The revised proposal does not satisfactorily resolve this issue.

Given the proposed development intensity and the acknowledged departures from the Building Height Overlay provisions, it is not appropriate to rely upon surrounding streets to accommodate additional parking demand generated by residents' visitors.

6. Inadequate Swept Paths for Parking

Council's Information Request specifically requests that swept paths on the ramp to the basement parking be widened to fully contain swept path and applicable clearances including for a B99 vehicle.

The proposal does not explicitly confirm that this requirement has been achieved. In addition, Figure 2.6 on page 8 of 15 of the ZekaCorp report at Attachment 4 indicates that this is not achieved. This same ZekaCorp report on Page 6 of 15 refers to a full analysis provided as Attachment D. However, there appears to be no Attachment D.

The swept paths are thus reasonably considered not compliant with Council requirements.

Inadequate swept paths will discourage use of the basement parking and create additional demand for street parking.

7. Inadequate Frontage Landscaping and Deep Planting

Council's Information Request specifically requested that deep planting be reinstated within the frontage to support large canopy tree planting and improve the streetscape outcome. The revised proposal does not adequately address this concern.

Deep planting areas perform an important function in reducing the visual dominance of built form, enhancing neighbourhood character, improving urban cooling outcomes and contributing to a higher quality streetscape. The removal or reduction of deep planting opportunities is particularly concerning in circumstances where the proposal already seeks substantial departures from the City's planned building height outcomes.

The proposal does not achieve the high-quality landscape interface sought by Council and does not adequately satisfy the Strategic Framework objective of achieving an excellent standard of appearance of the built form and street edge.

8. Failure to Adequately Address Council's Information Request

Council's Information Request clearly identified concerns regarding:

- building height;
- built form and neighbourhood character;
- landscaping and deep planting; and
- visitor parking.

While the applicant has reduced the overall building height in metres, the revised proposal remains four storeys, increases the number of dwellings from six to seven, retains parking concerns and does not fully address the landscaping matters identified by Council.

The fundamental planning concerns identified by Council therefore remain unresolved.

9. Internal Inconsistencies Within the Application Material

The application material contains several inconsistencies and inaccuracies which raise concerns regarding the reliability of the documentation relied upon to support the application. Examples include:

- inconsistencies regarding the number of proposed dwellings within the revised proposal documentation;
- inconsistencies between the applicant's planning justification and the City Plan provisions relating to building height and storeys;
- inconsistencies within supporting technical documentation regarding parking and stormwater matters.

While some of these matters may appear minor in isolation, collectively they reduce confidence in the accuracy of the assessment material and reinforce the need for

Council to carefully scrutinise the conclusions reached by the applicant and its consultants.

Conclusion

The proposed development remains inconsistent with the Gold Coast City Plan and continues to exceed the building height uplift contemplated by the Strategic Framework.

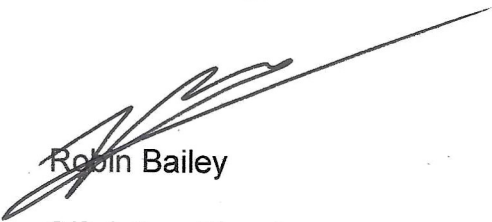
The applicant has acknowledged that the proposal exceeds the allowable uplift in storeys and relies primarily on examples of discretionary approvals elsewhere rather than demonstrating compliance with the planning framework applicable to this site.

Notably, the applicant's response to Council's concerns has not resulted in a genuine reduction in development intensity. While the building height has been reduced, the number of dwellings has increased from six to seven units, resulting in a more intensive form of development that further increases pressure on parking, servicing, infrastructure and neighbourhood amenity.

The revised application does not adequately address Council's concerns regarding height, built form, visual impact, parking and landscaping.

For these reasons, I respectfully request that Council refuse the application or require substantial amendments to achieve compliance with the Building Height Overlay and the intended character outcomes for Mermaid Beach.

Yours faithfully,



Robin Bailey

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