

1 APPLICATION SUMMARY

Application information	
Address	54 George Alexander Way, Coomera
Lot and plan	Lot 96 RP187418
Site area	30,100m ² (3.01ha)
Type of development and proposed use	Combined Development permit for Material change of use and Reconfiguring a lot for 1 into 25 lot subdivision (22 residential lots, 1 public open space (drainage) lot, 1 public open space (park) lot and 1 balance lot), access easement, new roads and Dual occupancy (6)
Categories of development and assessment	Code assessment
Properly made date	14 February 2023
Decision due date	27 November 2023
Applicant and Applicant's consultancy team	• Saunders Havill – Planning consultant, surveyor, landscape consultant and ecological consultant; • Eldon Bottcher Pty Ltd – Bushfire consultant; • Arcadis – Civil engineer; • Biome – Civil engineer; • TTM – Traffic engineer; and • Ultra Linea Architecture - Architect
Owner details	Coomera GA Pty Ltd
City Plan version	Version 9
Zone / Precinct	• Medium density residential zone; and • High density residential zone
Overlays	• Airport environs (PANS-OPS contour); • Building height (3 storey (15m) / 26m); • Bushfire (Potential / Medium potential); • Environmental significance (Koala habitat, medium priority vegetation and waterway buffer (30m)); and • Residential density (RD3 (1 dwelling / 250m²) / RD7 (1 bedroom / 50m²))
Key matters raised by submitters	Not applicable as the development is subject to Code assessment. Notwithstanding, 1 letter of concern was received. The letter raised concern that the application

	was not properly made as it required consent from the adjoining owner to the north and Proposed layout does not establish a connected and legible street network
Referral agencies	State Assessment and Referral Agency for removal of koala habitat
Officer's recommendation	Approval, subject to conditions

2 PROPOSAL

The purpose of this report is to assess an application for a Combined Development permit for Reconfiguring a lot for 1 into 25 lot subdivision (22 residential lots, 1 public open space (drainage) lot, 1 public open space (park) lot and 1 balance lot), access easement, new roads and Material change of use for Dual occupancy (6) over future lots 2, 3, 11, 13, 20 and 22 at 54 George Alexander Way, Coomera.

The City Plan defines a Dual occupancy as follows:

- (a) *A residential use of premises for two households involving:*
 - i. *two dwellings (whether attached or detached) on a single lot or two dwellings (whether attached or detached) on separate lots that share a common property; and*
 - ii. *any domestic outbuilding associated with the dwellings; but*
- (b) *does not include a residential use of premises that involves a secondary dwelling.*

The proposed design of the Dual occupancy includes a dwelling on each level. Dwelling 1 (ground level) includes a single car garage (with the second car parking space in the driveway), a kitchen, living, dining room, three bedrooms and two bathrooms. Private open space is provided by way of a alfresco area. Dwelling 2 (Level 1) includes a single car garage (on the ground floor plus second car parking space in the driveway), a kitchen, lounge, two bedrooms and one bathroom. Private open space is provided by way of a balcony.

Table 5.61 of City Plan which categorises the minimum lot size, identified the reconfiguration of lot as Code assessable and table 5.5.2 / 5.5.3 categorises a Dual occupancy as Accepted subject to requirements. As per 5.3.2(6) of City Plan, given there is two categories of assessment, Officers must assess the development against the higher being Code assessment.

2.1 Brief description of proposed development

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

Reconfiguring a lot - 1 into 25 lot subdivision (22 residential lots, 1 public open space (drainage) lot, 1 public open space (park) lot and 1 balance lot), access easement, new roads

Development proposal	
Stages	a. Stage 1 – Establishment of two management lots (Management lot 1 – 1.5ha and Management lot 2 – 1.51ha); b. Stage 2 – 1 into 24 lot subdivision including 22 residential allotments, 2 balance lots, 1 open space lot (recreation), 1 open space lot (drainage) and new roads; and c. Stage 3 – Conversion of 1 balance lot into 2 residential lots (Lots 8 and 9)

**REPORT ON DEVELOPMENT PERMIT FOR MATERIAL CHANGE OF USE AND
RECONFIGURING A LOT (CODE ASSESSMENT) FOR 1 INTO 25 LOT SUBDIVISION, ACCESS
EASEMENT, NEW ROADS AND DUAL OCCUPANCY (6) AT 54 GEORGE ALEXANDER WAY,
COOMERA**

COM/2023/16

DIVISION NO. 3

	Officers have recommended a condition which does not allow Stage 3 to be plan sealed until a through road connection to the south is delivered and the bushfire risk has been appropriately mitigated for Lot 8 and 9
Yield	25 total including 22 residential allotments, 1 Open space (recreational), 1 Open space (drainage) and 1 balance lot
Residential lot sizes	297m ² – 406m ²
Balance lot (management lot)	Proposed Lot 1 – 1.5ha (Stage 1)
Open space lots	• Recreation (park) – 2847m² • Drainage – 789m²
Road access	From Pioneer Street and Mercy Street to the north. To ensure Mercy Street is designed to achieve the full 16.5 metre wide road profile as required by the Land development guidelines, Officers have included an amended plans condition for the road alignment to be altered as part of the ROL. This will reduce the width of Lots 17-22 by 1.5 metres to accommodate the full verge width. Officers do not support a reduction in the width of the park lot.
Lot widths	10 – 14 metres
Environmental	Within Stage 2, the proposal seeks to removal of mapped environmentally significant vegetation including medium priority vegetation and koala habitat. The State Assessment and Referral Agency has issued a referral agency response supporting the removal of the identified juvenile koala habitat.
Bushfire	The proposal seeks to clear all existing vegetation in Management lot 2 and will establish a 6 metre wide bushfire trail along the eastern boundary of Management lot 1 to appropriately respond to the identified bushfire risk. The establishment of Lot 8 and 9 is delayed until Stage 3 when it can be demonstrated that the bushfire risk of these lots has been managed to an appropriate level.
Water and sewer	All sites will be connected to the Council water and sewer network • Sewer – connect to the 150mm gravity sewer main in the adjoining northern lot (66 George Alexander Way). • Water – connect to the 100mm water main in the adjoining northern lot (66 George Alexander Way). Officers note that the infrastructure associated with 66 George Alexander Way (OPW/2021/1162) is not currently accepted on-maintenance yet. A timing condition has been included that Stage 2 cannot be plan sealed until the infrastructure associated with OPW/2021/1162 is on-maintenance. This relates to both the water and sewer infrastructure.
Stormwater	• 432 m³ on-site detention tank proposed for mitigating peak discharge rates equal to or below the pre-development levels. • Bioretention Basin (95 m² of filter media) proposed for satisfying Council's

	Stormwater quality management objectives.
Recreational opportunities	Delivery of a local linkage park (trunk infrastructure) with a total area of 2847m ² along the eastern boundary of the site. The recreation park will support pathways, seats and a variety of landscaping.

Material change of use - Dual occupancy (6) with future Lots 2, 3, 11, 13, 20 and 22

The proposed design of the Dual occupancy includes a dwelling on each level. Dwelling 1 (ground level) includes a single car garage (with the second car parking space in the driveway), a kitchen, living, dining room, three bedrooms and two bathrooms. Private open space is provided by way of a alfresco area. Dwelling 2 (Level 1) includes a single car garage (on the ground floor plus second car parking space in the driveway), a kitchen, lounge, two bedrooms and one bathroom. Private open space is provided by way of a balcony.

The Dual occupancy designs are identified on the plan set as Type 1 and 2. There are two different façade treatment options for both Type 1 and 2.

Development proposal					
Height	2 storeys and 6.95 – 7.41metres				
Density (based on the ROL layout)	1 dwelling / 175m ² – 201.5m ²				
Setbacks Lots 1, 3, 20 and 22		North (side)	South (side)	East (front)	West (rear)
	Ground floor	1.05m to eave 1.55m to wall	1.05m to eave 1.55m to wall	6m to garage	4.7 metres to eaves 5.1 metres to wall
	First floor	1.1m to sunhood 1.55m to wall	2.54m to eave 2.8 metre to wall	3m to balcony	18m to wall
Setbacks Lots 11 and 13 (small lots)		North (side)	South (side)	East (front)	West (rear)
	Ground floor	1.05m to eave 1.55m to wall	1.05m to eave 1.55m to wall	6m to garage	1.11m to eave 1.6m to wall
	First floor	1.1m to sunhood 1.55m to wall	2.54m to eave 2.8 metre to wall	3m to balcony	13.3m to eave 13.8m
Site cover	Lots 1, 3, 20 and 22 – 51-53% Lots 11 and 13 (small lots) – 59%				
Car parking	2 per dwelling				
Private open space	Dwelling 1 – 104m ² ; and Dwelling 2 – 52m ²				

Landscaping	2 x 6m ² garden beds within the frontage of the site. There are opportunities for landscaping within other areas of the site
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The following drawings provide an initial view of the proposed development.

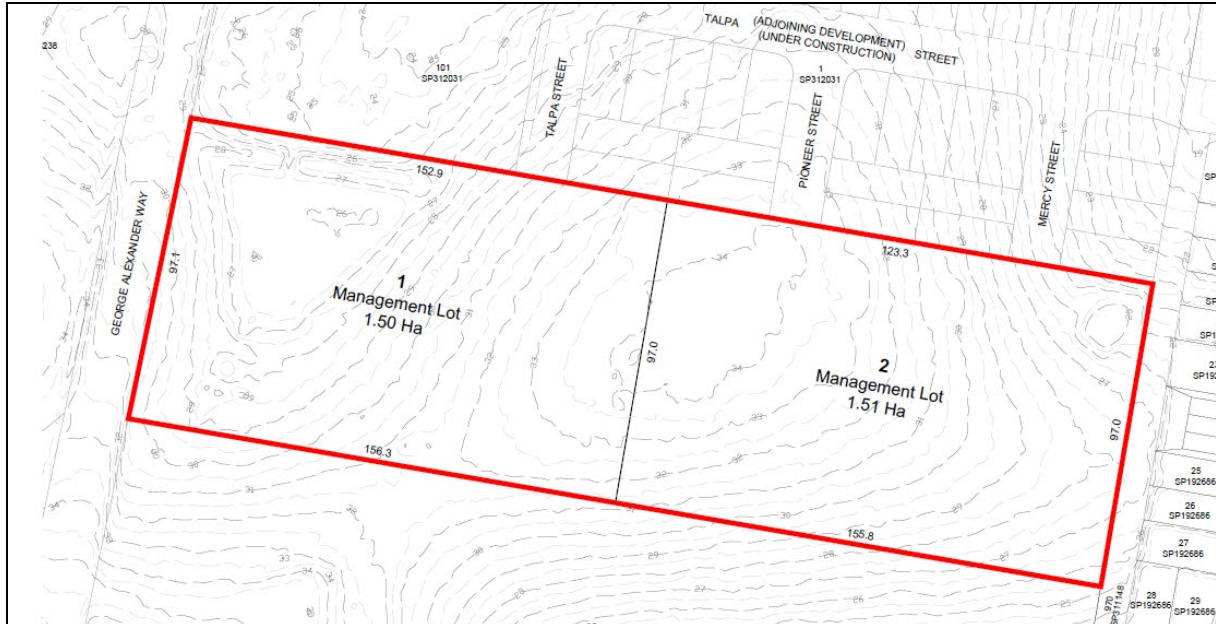


Figure 1 - Proposed Stage 1 of ROL (Source: Saunders Havill Group)

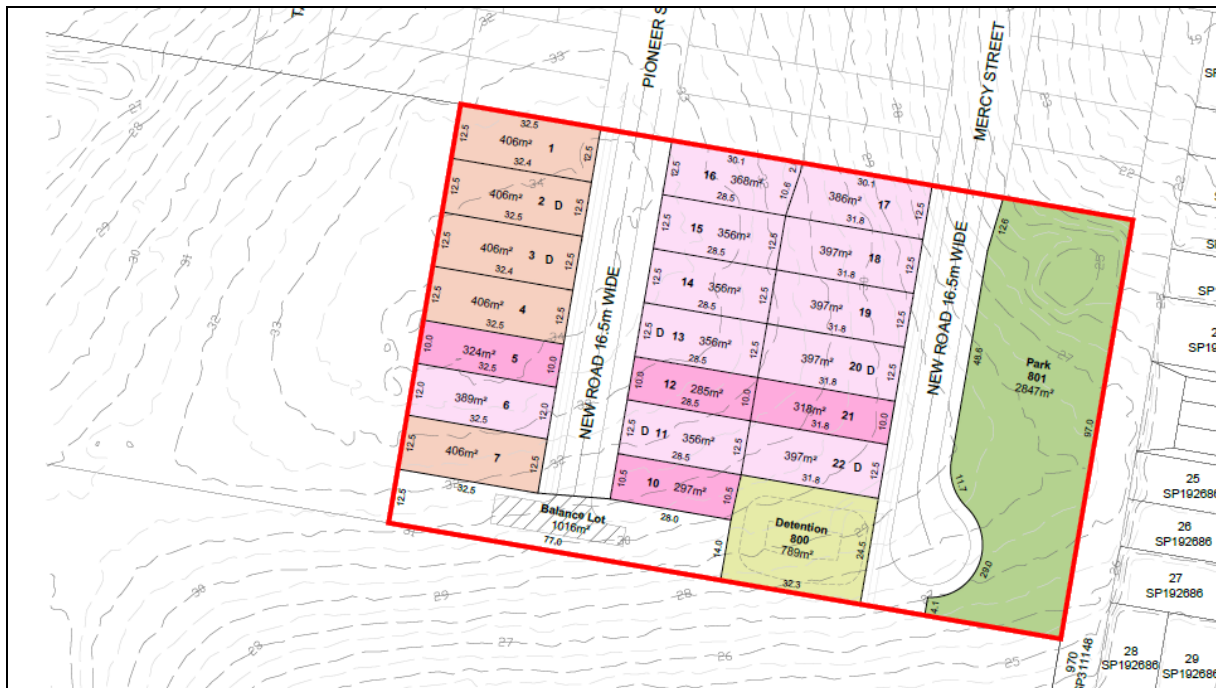


Figure 2 - Proposed Stage 2 of ROL (Source: Saunders Havill Group)

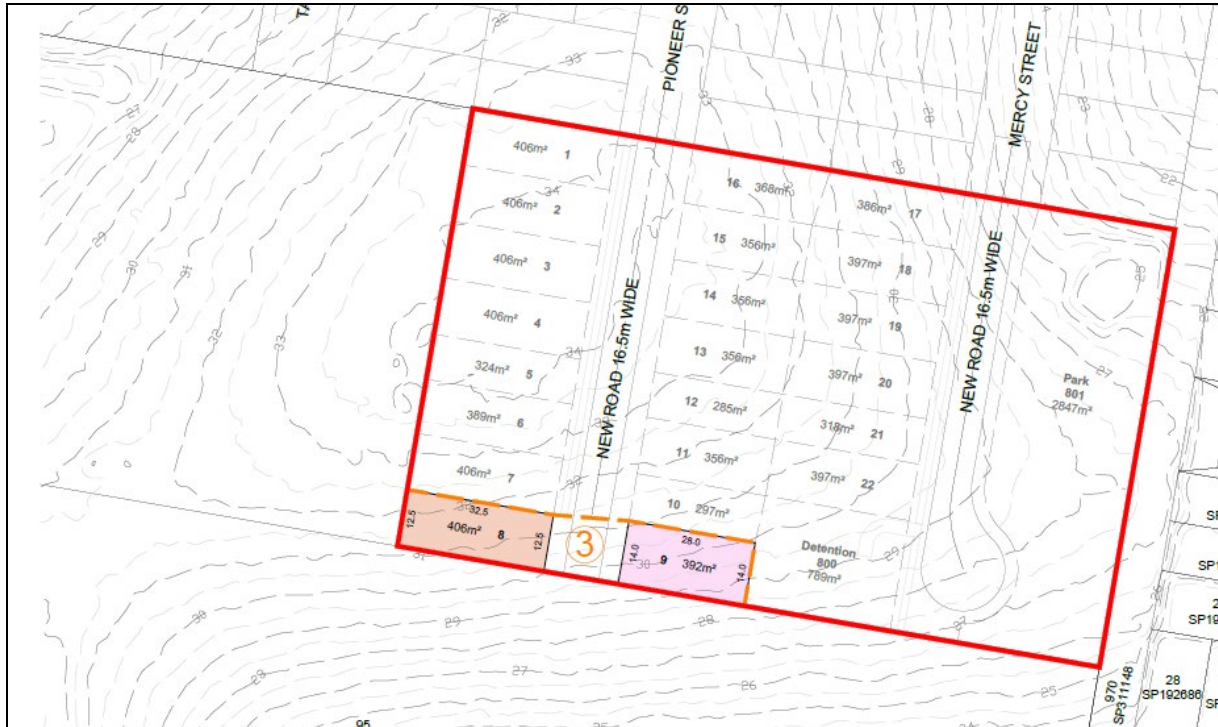
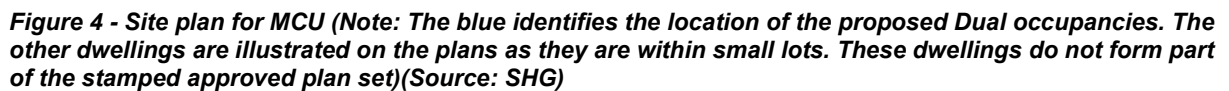


Figure 3 - Proposed Stage 3 of ROL (Source: Saunders Havill Group)



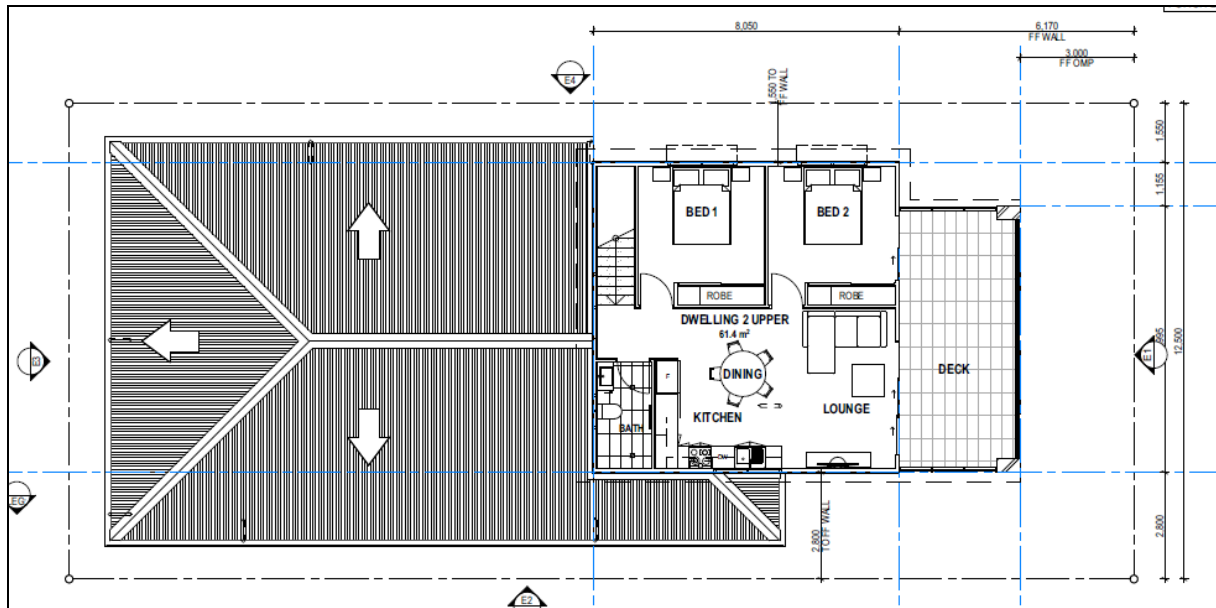


Figure 6 - Type 2 Level 1 floor plan (Source: Ultra Linea Architecture)

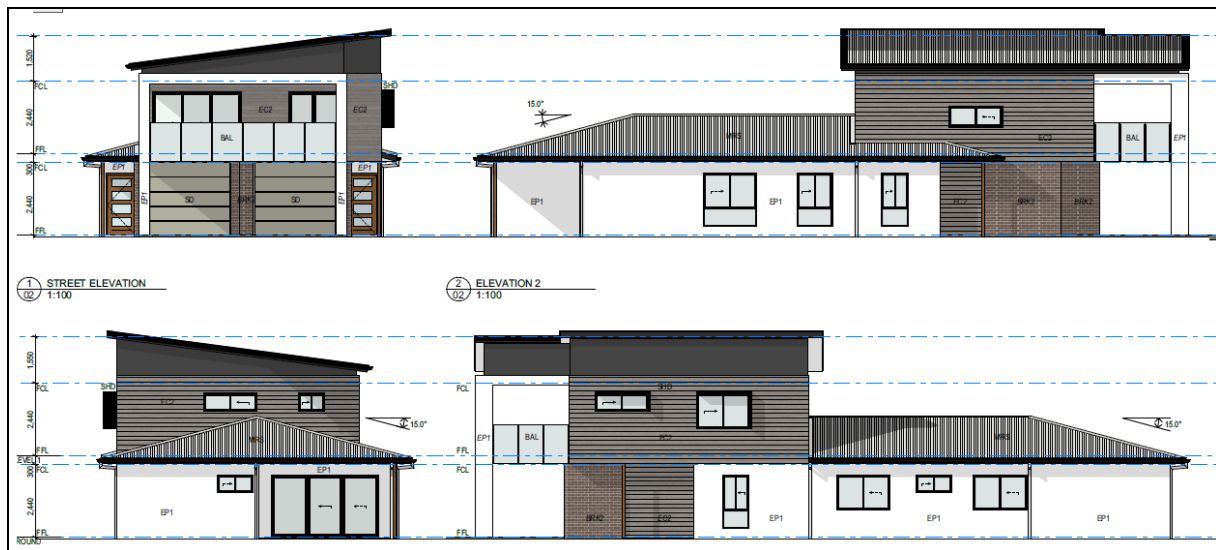


Figure 7 - Type 1 (Option B) elevations (Source: Ultra Linea Architecture)



Figure 8 - Type 1 perspective (Option B)(Source: Ultra Linea Architecture)

3 KEY CONSIDERATIONS

The key considerations of the proposal include:

Staging / timing

The proposed development will be facilitated over three stages. Proposed Management 2 lot is not afforded road frontage rather it is reliant on the establishment of public road connections from the northern site being Lot 1 Talpa Street. As such, Officers will include a specific timing condition which does not allow plan sealing of Stage 2 to occur until such time as the through public road connection of Pioneer Street and Mercy Street from the north is delivered. Stage 2 will establish a turn around area for vehicles (cars and waste collection vehicles) in Pioneer Street along the southern boundary (where Lots 8 and 9 are proposed for Stage 3), consistent with the development approval to the north (Talpa Street).

Plan sealing for Stage 3 cannot occur until such time as the bushfire risk from the south is appropriately mitigated for proposed lots 8 and 9.

Density

The proposed density based on the ROL layout for the Dual occupancies is 1 dwelling / 175m² – 201.5m² which is consistent with the site's residential density designation. Dual occupancies are proposed on small lots to support housing variety and choice.

Appropriate timing restrictions have similarly been included to the MCU component responsive to the requirements of the ROL component.

Environmental outcome

The subject site is identified as including 1.24ha of Medium priority vegetation.

Stage 2 of the development seeks to remove all vegetation within Management lot 2. The removal of vegetation to the extent proposed by the Applicant is in conflict with City Plan (Version 9). Notwithstanding, as further discussed within this report, due to existing development within the immediate locality, the existing fauna corridor is fragmented. As such, the site no longer forms part of a connectivity corridor.

The development provides an appropriate development outcome in the context of the zoning designation (being Medium and High density residential). Offsets will be paid for the removal of the identified vegetation and this outcome is consistent with the Referral agency response from the State Assessment Referral Agency. Officers' recommendation to support the development does not result in a conflict with the Referral agency response.

LGIP

Recreation park:

The Local Government Infrastructure Plan (LGIP) identifies a Recreation Linkage Local Park 19B LL_011 (land and embellishments) within the subject lot (Lot 96 RP187418).

The development footprint secures the public open space linkage park which will connect through to the south. The trunk infrastructure park provides a total area of 2,847m² of land being dedicated to Council for parkland purposes. The recreation park will support pathways, seats and a variety of landscaping.

Road works

The proposed development is located adjacent to RD_0019 (Road H) as identified in the Local Government Infrastructure Plan (LGIP) for trunk transport infrastructure. To achieve the ultimate planned road upgrades for George Alexander Way, the development is required to dedicate 1,683m² of land for future road widening purposes from the western portion of Management lot 1.

Overall, the development is considered to support an outcome which demonstrates compliance with the applicable assessment benchmarks of City Plan (Version 9).

4 SITE CONTEXT

4.1 Subject site and immediate context

The subject site:

- Is described as Lot 96 RP187418;
- Includes a total frontage to George Alexander Way of 95 metres;
- Is currently improved by an existing Dwelling house;
- Includes existing Medium priority vegetation (including koala habitat);
- Includes two existing dams within the site. One in the north-western corner of the site and the second, which is significantly smaller, in the north-eastern corner;
- Currently achieves access from George Alexander Way; and
- Is connected to existing water and sewer infrastructure.

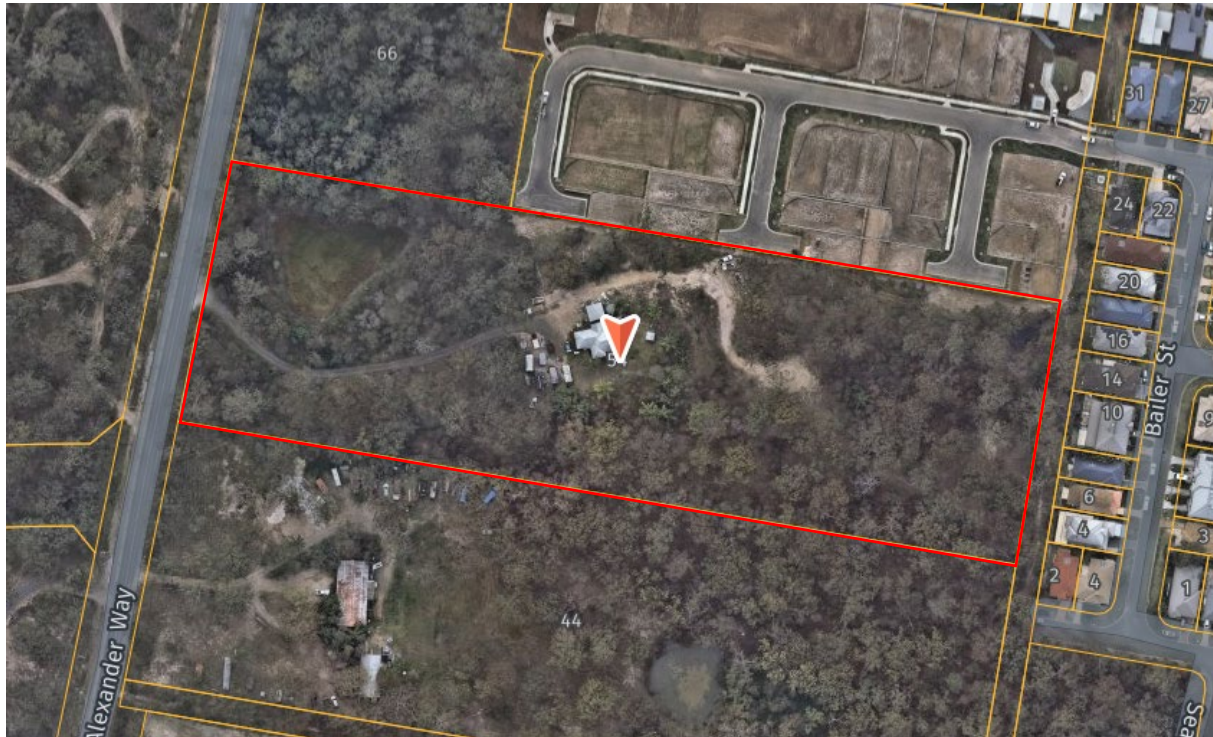


Figure 9 - Aerial of subject site (Source: Nearmaps)



Figure 10 - Within the subject site (Source: Applicant's common material)

4.2 Local context

The site is located within Coomera.

The subject site is within proximity to established vehicular connections; Foxwell Road, south of the development site, provides a strong east-west vehicular connection which links the site to the greater north and south through its connection with the Pacific Motorway. The site is serviced by public transport, with the Coomera train station approximately 1.5 kilometres southwest of the site and two bus stops are located at Finnegan Way, approximately 370m walking distance from the site.

The site is also nearby to Westfield Coomera, the Coomera Rivers State School, Pimpama State Secondary College, TAFE Queensland Coomera Campus, Foxwell State Secondary School, Dreamworld and the Coomera Sports Park.

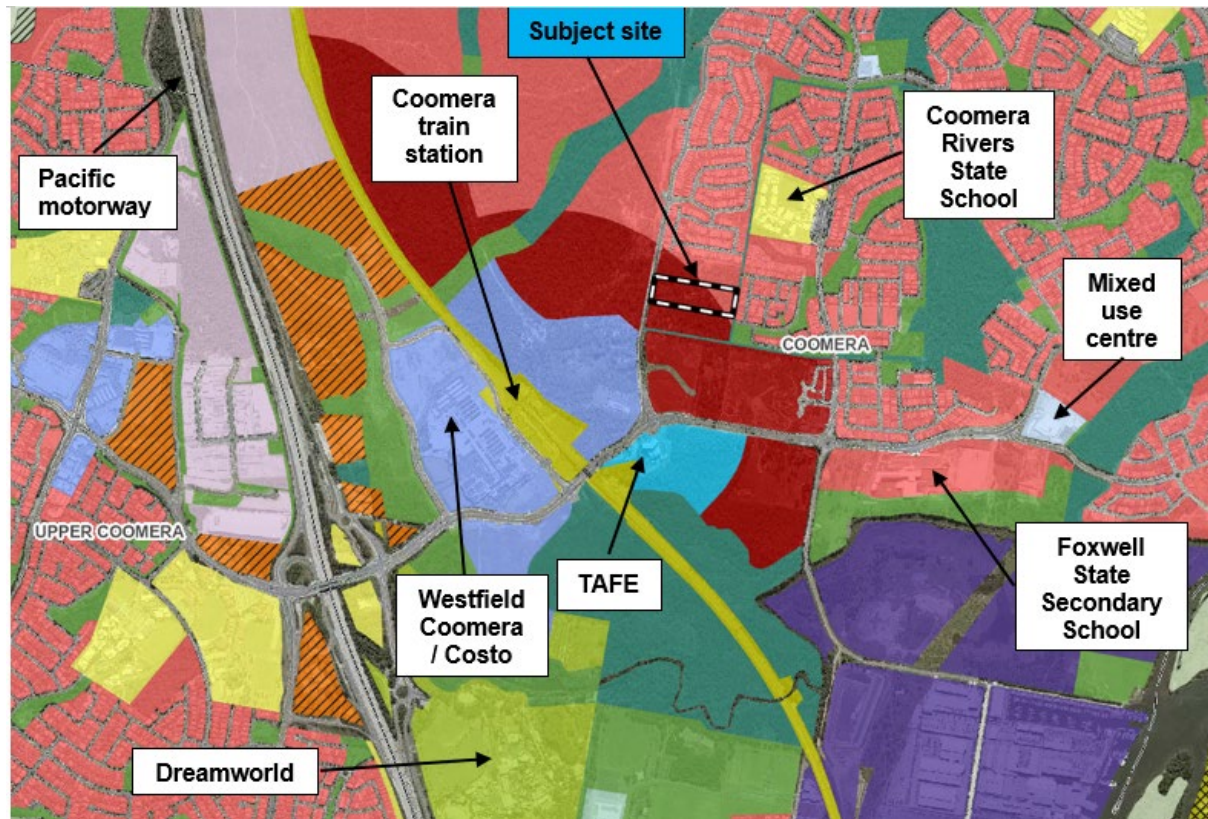


Figure 11 - Surrounding context (Source: Adapted from CoGC)

5 PLANNING ASSESSMENT

Section 45(3) of the *Planning Act 2016* identifies:

- (3) A **code assessment** is an assessment that must be carried out only –
- (a) against the assessment benchmarks in a categorising instrument for the development; and
 - (b) having regard to any matters prescribed by regulation for this paragraph.

The proposed development triggers code assessment and has been assessed in accordance with Section 45(3) 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 2017 (ShapingSEQ).
Planning Regulation 2017	The proposal triggers assessment against the State development assessment provisions relating to the clearing of koala habitat as per Schedule 10, Part 10, Division 3, Subdivision 1, Section 16B of <i>Planning Regulation 2017</i>. This is discussed in section 7.2 of this report.

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 9)	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 (LGIP)</u> The proposal triggers requirement for new trunk recreational park. This is discussed in section 5.2.1 within this planning report.

5.2.1 Assessment against the Local Government Infrastructure Plan

The proposal triggers requirement for new trunk infrastructure to service the development pursuant to LGIP 2 of City Plan (Version 9). This includes the delivery of a recreation park and road works. Conditions have been included in the Officers recommendation in relation to delivery of Trunk infrastructure as outlined below.

Recreation park:

LGIP identifies a Recreation Linkage Local Park 19B LL_011 (land and embellishments) within the subject lot (Lot 96 RP187418) including a total area of 3,395m².

The purpose of this local linkage is to ensure open space areas and linkages are provided for the community for recreation and amenity purposes. This allocated area will provide an important linkage connection to the adjacent Bloom Park as well as the LGIP Local linkage LL_018 to the south, in the adjacent development. In LGIP these areas are identified as trunk local recreation parks and will provide the necessary open space for this area.

The development footprint secures the public open space linkage park which will connect through to the south. The park is approximately 30-35m in width and approximately 90m in length. The park

The estimated cost of the works is \$148,044 (excluding engineering design and QLeave entitlements).





Figure 13 - Proposed design of the recreation park (Source: Saunders Havill Group)

Road works

The proposed development is located adjacent to RD_0019 (Road H) as identified on LGIP for trunk transport infrastructure. To achieve the ultimate planned road upgrades for George Alexander Way, the development is required to dedicate 1,683m² of land for future road widening purposes.

George Alexander Way is identified as RD_027 on Figure 14 below as a 2 lane road by 2026.

The land dedication cost is \$573,300.

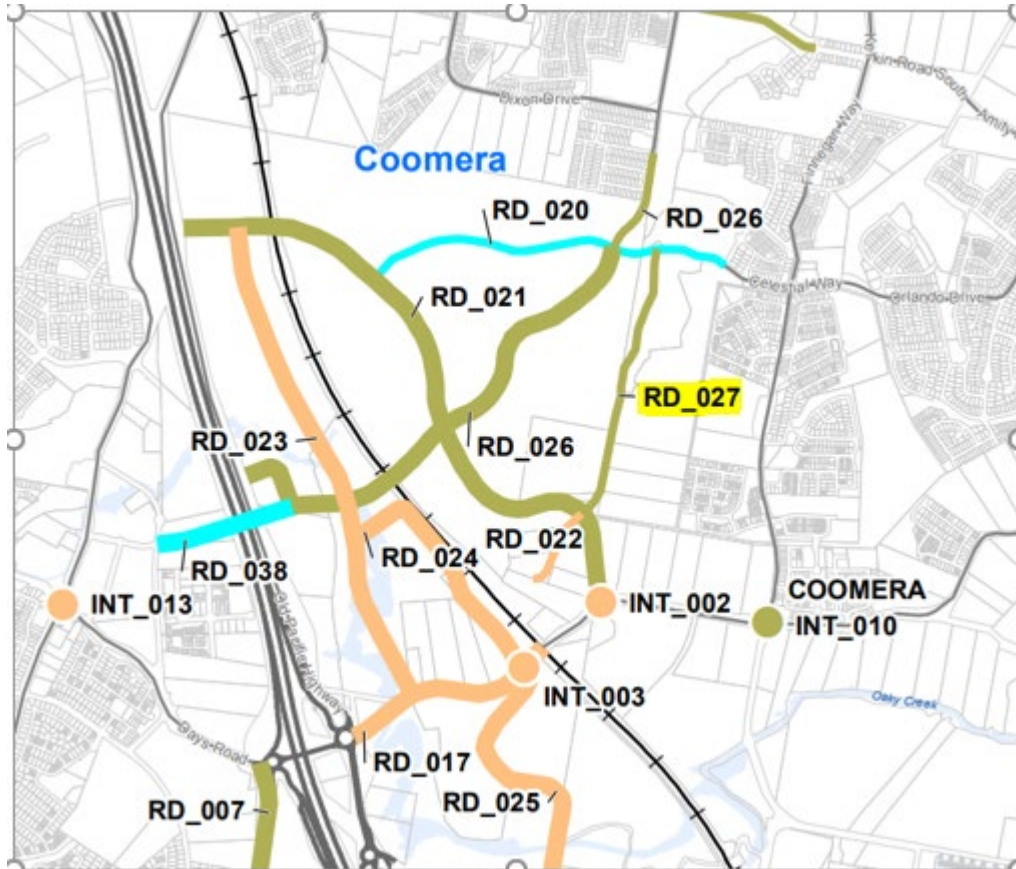


Figure 14 - Local Government Infrastructure Plan Map - Plan for trunk transport infrastructure - map 5
 (Source: CoGC)

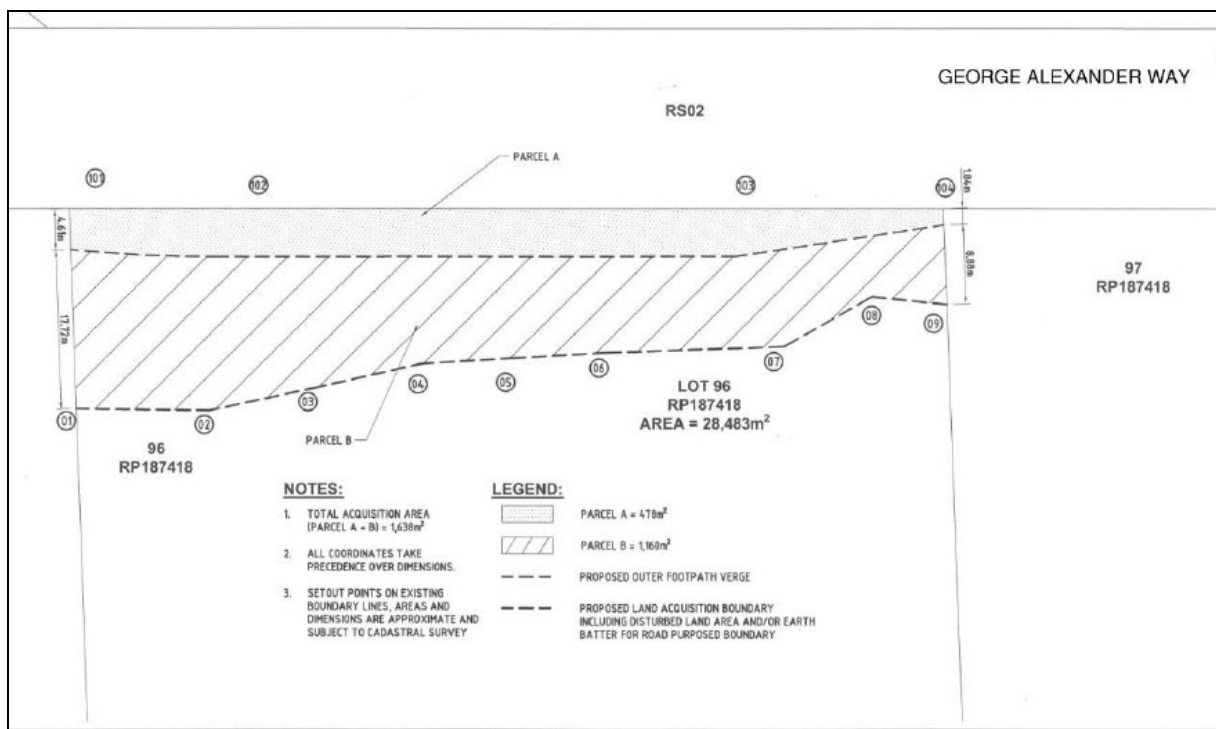


Figure 15 - Roadworks extent plan (Source: Burchills Engineering Solutions)

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 proposal is code assessment and does not trigger assessment against the strategic framework.

The *Planning Act 2016* requires codes assessable development (bounded assessment) to be carried out only against the assessment benchmarks stated in the categorising instrument (City Plan) and have regard to matters prescribed by the regulation.

Section 43 (2) (c) of the *Planning Act 2016* states for code assessment, a strategic outcome (strategic framework) is not an assessment benchmark.

5.3.2 Zone

The site is located within the Medium density residential and High density residential zones.

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."

High density residential zone:

"The purpose of the High density residential zone is to provide for higher density multiple dwellings supported by community uses and small-scale services and facilities that cater for local residents."

The proposal is for a Reconfiguration of lot and Dual occupancies. 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; and - High density residential zone code	- Airport environs overlay code; - Bushfire hazard overlay code; and - Environmental significance overlay code	- Driveways and vehicular crossings code; - Dual occupancy code; - General development provisions code; - Healthy waters code; - Transport code; and - Vegetation management

Zone code	Overlay / Overlay codes	Development codes
		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 / High density residential zone	Performance outcome PO1	Setbacks
	Performance outcome PO2	Site cover
	Performance outcome PO3	Height
	Performance outcome PO5	Density
Environmental significance overlay code	Performance outcome PO1	Ecological site assessment
	Performance outcome PO10	Vegetation management
	Performance outcome PO18	Vegetation management
	Performance outcome PO21	Fauna management
	Performance outcome PO23	Fauna management
	Performance outcome PO26	Rehabilitation
Bushfire hazard overlay code	Performance outcome PO1	Bushfire hazard
	Performance outcome PO3	Development design and lot layout
	Performance outcome PO4	Development design and lot layout
	Performance outcome PO7	Clearing
Reconfiguring a lot code	Performance outcome PO11	Housing diversity – the lot sizes are not sufficient to facilitate potential multiple dwelling
	Performance outcome PO12	Housing diversity
	Performance outcome PO13	Housing diversity

5.3.3.1 Assessment against the Medium and High density residential zone codes

Given the consistency between the assessment benchmarks of the Medium and High density residential zone codes, Officers have combined the zone code assessment.

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

Setbacks – MCU component only

Performance outcome	Acceptable outcome		
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.	AO1 Setbacks are as follows:		
	Setback	Minimum distances measured in metres (m)	
		Height	Setback
	Front for covered car parking (excluding a basement)	all	6m
	Front (excluding covered car parking)	up to 23m	4m
		for that part exceeding 23m	6m
	Side and rear	up to 4.5m	1.5m
		for that part between 4.5m – 7.5m	2m
		for that part exceeding 7.5m	an extra 0.5m is added for every 3m in height or part thereof over 7.5m.

Officer's comment

The setbacks for the Dual occupancies vary dependent upon the lot size and lot length. Generally, the proposal seeks alternative setbacks for the eaves on both side boundaries of the with a 1 metre setback, to the main building line on the upper floor with a 1.6 metre setback and to the front boundary of the upper floor with a 3 metre setback.

The following provides an assessment against Performance outcome PO1 in relation to the alternative setbacks.

(a) assist in the protection of adjacent amenity;

The proposed alternative setbacks on the ground floor are considered to maintain appropriate separation from adjoining boundaries and supports the projection of the adjacent amenity.

The main building line on the upper floor is supported by sunhoods which are considered to reduce the ability to overlook into the adjoining property. Officers consider the setback maintains sufficient separation.

(b) allow for access around the building;

The proposed alternative setbacks on the ground floor maintain access around the building.

(c) contribute to the streetscape character; and

The alternative setback to the site's frontage is by way of a deck. This is considered to facilitate variation in the built form of the dwelling and as such, contributes to the streetscape character.

(d) allow for on-site car parking.

The proposed development provides two on-site car parking spaces per dwelling (including one within the single car garage and one within the driveway) and therefore achieves compliance with Acceptable outcome AO1 of the Transport code.

Based on the information above, Officers consider the proposed development to demonstrate compliance with Performance outcome PO1.

Note: Officers have included an amended drawings condition for the MCU component to ensure built form is response to any changes to the lot configuration (as a result of the ROL conditions for an increased width to the road corridor width).

Site cover - MCU component only

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.	AO2 Site cover does not exceed 50% for Dwelling houses on lots with areas equal to or greater than 400m ² and Dual occupancies. OR Site cover does not exceed 60% for Dwelling houses on lots less than 400m ²

Officer's comment

The proposal seeks to support a total site cover of up to 53% for Lots 2, 20 and 22 which are all lots greater than 400m². Assessment against Performance outcome PO2.

The proposed development is considered to achieve compliance with the Performance outcome, based on the following:

- The proposed development provides a site cover allowing for a balance of built form and landscape areas at the ground floor of the development.
- The proposed development will contribute to the urban environment and is consistent with development proposed for the area. Therefore, it is considered to contribute to the neighbourhood character and amenity applicable to the site;
- The design, colours and materials facilitate slender built form;
- The development includes two storeys and is not considered to impact on the skyline;
- The development is considered to facilitate small, fast moving shadows as it maintains a two storey outcome

Based on the assessment provided above, the proposed development achieves compliance with Performance outcome PO2 of the High density residential zone code.

Height - MCU component only

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

As no Acceptable outcome is provided, assessment against Performance outcome PO3 is required.

The subject site includes a nominated building height of 2 storeys and 9 metres. The proposed outcome supports a total building height of 2 storeys and 6.95 – 7.41metres. The proposal therefore complies with Performance outcome PO3.

Density – ROL and MCU component

Performance outcome	Acceptable outcome
PO5 Density does not exceed that shown on Residential density overlay map .	AO5 No acceptable outcome provided.

Officer's comment

As no Acceptable outcome is provided, assessment against Performance outcome PO4 is required.

ROL

The proposed lot configuration does not exceed that shown on the Residential density overlay map.

MCU

The subject site is identified on the Residential density overlay map with both RD3 (1 dwelling / 250m²) and RD7 (1 bedroom / 50m²). Within Stage 2 (which is facilitated on 1.5ha's of the total site area), 7,620m² is identified in the RD7 designation and the 7,380m² identified in the RD3 designation. As such, the site could accommodate 30 residential dwellings and 152 additional bedrooms.

The proposed density based on the ROL layout for the Dual occupancies is 1 dwelling / 175m² – 201.5m². This does not exceed the residential density designation for the subject site.

The proposal therefore complies with Performance outcome PO5.

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:

Environmental significance overlay code

Ecological site assessment

Performance outcome	Acceptable outcome
PO1 All matters of environmental significance on and adjacent to the development site are identified and protected. Note - An Ecological Site Assessment prepared in accordance with SC6.7 City Plan policy – Ecological site assessments, is Council's preferred method for addressing this performance outcome.	AO1 Proposed works do not impact on: (a) areas identified on Environmental significance – vegetation management overlay map; (b) buffers to wetlands and waterways being: (i) 100m from the mapped boundary of a State significant aquatic area, as identified on Environmental significance – wetlands and waterways overlay map; (ii) 100m from the outer landward boundary of a State significant wetland, as identified on Environmental significance – wetlands and waterways overlay map; (iii) 100m from the outer landward boundary of a Local significant wetland, as identified on Environmental significance – wetlands and waterways overlay map; (iv) 60m from the outer bank of a Major Waterway identified on Environmental significance – wetlands and waterways overlay map; or (v) 30m from the outer bank of a Waterway identified on Environmental significance – wetlands and waterways overlay map; and (c) individual trees within areas mapped on the Environmental significance – priority species overlay map.

Officer's comment

The proposal results in works which impact on mapped Medium priority vegetation as well as individual trees within areas mapped on the state priority species overlay map. Assessment against Performance outcome PO1 is required.

In support of the application, the Applicant submitted an Ecological Site Assessment, prepared by Saunders Havill Group. The plan identifies all matters of Environmental significance and outlines the level of protection that is proposed. The proposal therefore complies with Performance outcome PO1.

Vegetation management

Performance outcome	Acceptable outcome
PO10 Vegetation is protected when it is: (a) identified as medium priority vegetation on the Environmental significance – vegetation	AO10 Vegetation is not damaged when it is: (a) identified as medium priority vegetation on the Environmental significance – vegetation

management overlay map; and (b) located outside the biodiversity areas identified on the Environmental significance – biodiversity areas overlay map.	management overlay map; and (b) located outside the Environmental significance –biodiversity areas overlay map. OR Where all attempts have been made to avoid and minimise damage to vegetation as stated above, any significant residual impact is offset consistent with the <i>Environmental Offsets Act 2014</i>, at a ratio of 3:1 (area) in accordance with SC6.9 City Plan policy – Environmental offsets. OR Damage to medium priority vegetation identified on the Environmental significance – vegetation management overlay map and located outside the biodiversity areas identified on the Environmental significance – biodiversity areas overlay map is for committed development.
PO18 Development protects state significant species, and their habitat or is designed to minimise and mitigate impacts on habitat values when it is: (a) identified on the Environmental significance – priority species overlay map; and (b) outside of biodiversity areas as identified on the Environmental significance – biodiversity areas overlay map.	AO18.1 Development avoids impacts on state significant species, and their habitat. AO18.2 Where development impacts on state significant species and their habitat, the following occurs: (a) flora species are propagated and used in rehabilitation and landscaping onsite; and (b) fauna species are safely relocated by a qualified fauna spotter catcher.

Officer's comment

The proposal results in damage to 1.24ha Medium priority vegetation as well as the removal of state significant species within Stage 2. All attempts have not been made to avoid and minimise damage to this vegetation within Management lot 2. Assessment against Performance outcome PO10 is required.



Figure 16 - Area of Medium priority vegetation within the subject site (Source: CoGC)

The vegetation is identified as Medium priority on the Environmental significance – vegetation management overlay map and is located outside the biodiversity areas identified on the Environmental significance – biodiversity areas overlay map. The proposal is therefore unable to comply with Performance outcome PO10. Assessment against the applicable Overall outcomes is required.

Overall outcome 2(d)(ii) reads as follows:

“Impacts on medium priority vegetation are managed, in order of priority, by:

- (a) avoiding significant adverse impacts;*
- (b) mitigating significant adverse impacts where these cannot be avoided; and*
- (c) offsetting any significant residual impacts.”*

Overall outcome 2(d)(iii)

“State and local significant species and their habitat are identified and protected.”

By way of the establishment of Management lot 1, the proposal seeks to retain 0.84ha of Medium priority vegetation within the western portion of the site. Notwithstanding, the proposal is not considered to avoid significant adverse impacts within Management lot 2 as per Overall outcome 2(d)(ii)(a) and Overall outcome 2(d)(iii).

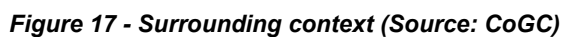
As identified in the LGIP, the site is identified for the establishment of a recreation park (recreation linkage). This is necessary infrastructure which is to be delivered by the development. Earthworks will be required in the LGIP park to achieve necessary grades for pathways etc resulting in impacts to the vegetation. The proposal supports the establishment of a through road connection consistent with the existing development to the north. While these impacts are considered that they cannot be avoided, the establishment of 300-400m² sized allotments does not mitigate significant adverse impacts which could be avoided as per Overall outcome 2(d)(ii)(b).

The proposal will offset any significant residual impacts with a value of \$310,407.96 achieving compliance with Overall outcome 2(d)(ii)(c).

Overall, the proposal is unable to comply with Overall outcome 2(d)(ii)(a) and (b) and Overall outcome 2(d)(iii).

Despite non-compliance with the code, Council as assessment manager has a discretion at law as to whether or not it approves this application under Section 60(2) of the Planning Act 2016.

As identified within Figure 17 below, due to existing development within the immediate locality, the existing fauna corridor is fragmented. As such, the site no longer forms part of a connectivity corridor. There is no existing connection from the Finnegan Way Reserve to the east and there are existing development approvals on the expanse of vegetation to the west.



Overall, despite the identified conflict with the Overall outcome 2(d)(ii)(a) and (b) and Overall outcome 2(d)(iii), the development provides an appropriate development outcome in the context of the zoning designation (being Medium and High density residential). Offsets will be paid for the removal of the identified vegetation and this outcome is consistent with the Referral agency response from the State Assessment Referral Agency. Officers' recommendation to support the development does not result in a conflict with the Referral agency response.

Performance outcome	Acceptable outcome
PO21 Development design and location provides for the safe movement of native fauna through the site.	AO21 Where infrastructure crosses native fauna movement paths, the design of new development incorporates fauna friendly movement solutions. Note: Fauna friendly movement solutions developed in accordance with the <i>Queensland Government Fauna Sensitive Road Design Manual Volume 2: Preferred Practices</i>; and the <i>QLD Government Koala-Sensitive Design Guidelines</i> is Council's preferred method for addressing this outcome.

Officer's comment

The establishment of roads and residential dwellings within the eastern portion of the subject site does not support native fauna movement paths pursuant to Acceptable outcome AO21. As such, assessment is required against Performance outcome PO21.

Management lot 1 includes a total area of 1.5ha which will provide an appropriate environment for fauna to move through the site. The proposal is therefore considered to demonstrate compliance with Performance outcome PO21.

Tenure, ownership and management arrangements

Performance outcome	Acceptable outcome
PO23 Matters of environmental significance and associated buffers, mapped areas as identified on the Environmental significance – vegetation management overlay map proposed for retention and areas requiring rehabilitation are suitably protected in perpetuity and will: (a) enable necessary fire management in accordance with an approved fire management plan and any adopted bushfire management plan; (b) allow unimpeded movement of native fauna through matters of environmental significance and associated buffers; (c) enable maintenance access and regular management; (d) enable auditing and reporting of maintenance and management activities; (e) provide for public access along major waterways, where such access is consistent with the ecological functions; (f) allow for linkages and buffers to adjacent areas of ecological significance; and (g) allow for a coordinated approach to the management of adjacent areas of conservation estate.	AO23 Matters of environmental significance and associated buffers, mapped areas as identified on the Environmental significance – vegetation management overlay map proposed for retention and areas requiring rehabilitation are transferred to Council ownership as Public Open Space. OR Where not required for public access, matters of environmental significance and associated buffers, and mapped areas as identified on the Environmental significance – vegetation management overlay map proposed for retention and areas requiring rehabilitation are retained in private ownership and protected under a statutory covenant (under the <i>Land Title Act 1994</i>). Note: Where the area is adjacent to existing public open space, or is a buffer to a major waterway, Council's preference is for the land to be dedicated as Public Open Space.

Officer's comment

The retention of vegetation within Management lot 1 is not proposed to be transferred to Council ownership as Public Open Space / protected in a statutory covenant pursuant to Acceptable outcome AO23. In this instance, no formal encumbrance is being sought to protect matters of environmental significant pursuant to Acceptable outcome AO23 however,

- Management lot 1 will include a fire trail as identified within the submitted Bushfire management plan;
- Allow unimpeded movement of native fauna throughout Management lot 1; and
- Enable maintenance access and regular management as prescribed within the submitted Rehabilitation management plan

The submitted specialist reports are considered to support the retention and rehabilitation of vegetation within Management lot 1. The proposal is therefore considered to comply with Performance outcome PO23.

Rehabilitation

Performance outcome	Acceptable outcome
PO26 Disturbed, cleared or modified areas are rehabilitated where they form part of: (a) an ecological corridor; or (b) matters of environmental significance and associated buffers; or (c) areas identified within an Ecological Site Assessment as requiring rehabilitation. Note: A Rehabilitation Management Plan prepared in accordance with the <i>South East Queensland Ecological Restoration Framework</i> and SC6.8 City Plan policy – Environmental management plans is Council's preferred method for addressing this outcome.	AO26 No acceptable outcome provided.

Officer's comment

As no Acceptable outcome is provided, assessment against Performance outcome PO26 is required.

In support of the application, a Rehabilitation management plan has been submitted demonstrating rehabilitation of Management lot 1. The Rehabilitation Management Plan supports areas of the site identified in the Ecological Site Assessment requiring rehabilitation.

The proposal is therefore considered to demonstrate compliance with Performance outcome PO26.

Bushfire hazard overlay code

Bushfire hazard

Performance outcome	Acceptable outcome
PO1 In a bushfire hazard area, the fire mitigation methods used at the site are adequate for the bushfire hazard of the individual site, having regard to: (a) vegetation type; (b) slope; (c) aspect; (d) bushfire history; (e) conservation values of the site; (f) ecological restoration, including forest succession; (g) ongoing maintenance; (h) climate change; and (i) on site and off-site¹ fire hazard implications. Note1: This includes potential hazard from land up to 10kms away from the site. For example, how	AO1 A written assessment by a suitably qualified and experienced bushfire management consultant confirms that the site is not in a bushfire hazard area. OR The development complies with an approved Bushfire management plan prepared in accordance with SC6.3 City Plan policy – Bushfire management plans. OR The development complies with an existing approved Bushfire management plan as referenced within the approved reconfiguration of a lot. Note Prior to: (a) plan sealing for a Reconfiguration of a lot; or (b) the issue of a Building final or Certificate of classification for Building work; or

*might large tracts of forest away from the site
 impact on the bushland that surrounds the site.*

Officer's comment

The subject site is identified within a bushfire hazard area. There is no existing Bushfire management plan for the subject site. Assessment against Performance outcome PO1 is required.

In support of the application, the Applicant has submitted a Bushfire management plan. The Bushfire management plan identifies mitigation requirements from Management lot 1 and to the south.

The submitted plan demonstrates compliance with Performance outcome PO1. To appropriately mitigate the bushfire risk from the south, Officers have included a specific timing condition that does not allow for plan sealing of Lots 8 and 9 until such time as the bushfire risk from the south has been appropriately mitigated.

Development design and lot layout

Performance outcome	Acceptable outcome
PO3 In a bushfire hazard area, developments, including lot layout are designed to avoid bushfire hazard and provide safe sites for people, property and buildings. <i>Editor's note – The development should be located:</i> <i>(a) away from the most likely direction of a fire front (refer Figure 8.2.3-1: Preferred house site location in bushfire hazard areas); and</i> <i>(b) so that elements of the development least susceptible to fire are sited closest to the bushfire hazard.</i>	AO3.2 The development design incorporates bushfire radiation zone/s that: (a) use existing or natural fire breaks & minimise the need to clear native vegetation; (b) do not impact matters of environmental significance; are located entirely within the boundaries of the private property of the development site; and incorporates landscaping species that are less likely to exacerbate a bushfire event.

Officer's comment

The development design does impact on matters of environmental significance to reduce the bushfire risk. Assessment against Performance outcome PO3 is required.

The proposed lot layout has been designed to avoid bushfire hazard and provides safe sites for people, property and buildings. This includes a 6 metre wide bushfire trail along the southern boundary of Management lot 1. To appropriately mitigate the bushfire risk from the south, Officers have included a specific timing condition that does not allow for plan sealing of Lots 8 and 9 until such time as the bushfire risk from the south has been appropriately mitigated.

Through specific conditions, the proposal is considered to comply with Performance outcome PO3.

Development design and lot layout

Performance outcome	Acceptable outcome
PO4 In a bushfire hazard area, when designing for bushfire hazard mitigation the lot layout must avoid impacts on matters of environmental significance	AO4 Development design, Lot size, and layout avoids impact on matters of environmental significance and minimises impacts such as fragmentation, habitat loss and edge effects for any matters of environmental significance.

PO7 In a bushfire hazard area, the development layout is designed to avoid the requirement to clear vegetation to achieve risk reduction.	AO7 The Bushfire management plan details the required extent of vegetation clearing and landscaping and where required modify development design and/or lot layout to minimise clearing of vegetation. Note: For guidance on how to prepare a Bushfire management plan refer to SC6.3 City Plan Policy – Bushfire management plans.
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Officer's comment

The development design and layout does not avoid impact on matters of environmental significance or minimises fragmentation, habitat loss and edge effects for matters of environmental significance. Assessment against Performance outcome PO4 and PO7 is required.

The lot layout has not avoided impacts on matters of environmental significance. The development layout has not been designed to avoid the requirement to clear vegetation to achieve risk reduction. Assessment against the applicable Overall outcomes is required.

Overall outcome 3(e) reads as follows:

"Development in bushfire hazard areas is avoided where conservation and landscape protection constraints preclude necessary risk-reduction measures, including clearing and provision of adequate access. Bushfire hazard and risk mitigation treatments associated with new development does not have a significant negative impact on the biodiversity and health of the city's ecosystems."

The site is improved by Medium priority vegetation. As per Officer's assessment of the Environmental significance code above, the development results in the clearing of Medium priority vegetation within Management lot 2. The proposal therefore achieves compliance with Overall outcome 3(e) as clearing proposed as part of the development footprint supports achieving an appropriate bushfire outcome.

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:

General development provisions code – ROL/MCU

Amenity

Performance outcome	Acceptable outcome
PO2 The proposed development prevents loss of amenity and threats to health and safety, having regard to: (c) noise; (d) hours of operation; (e) traffic; (f) signage; (g) visual amenity; (h) wind effects; (i) privacy; (j) vibration; (k) contaminating substances;	AO2 No acceptable outcome provided.

REPORT ON DEVELOPMENT PERMIT FOR MATERIAL CHANGE OF USE AND RECONFIGURING A LOT (CODE ASSESSMENT) FOR 1 INTO 25 LOT SUBDIVISION, ACCESS EASEMENT, NEW ROADS AND DUAL OCCUPANCY (6) AT 54 GEORGE ALEXANDER WAY, COOMERA**COM/2023/16****DIVISION NO. 3**

(l) hazardous chemicals; (m) odour and emissions; and (n) safety.	
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Officer's comment:

As no Acceptable outcome is provided, assessment against Performance outcome PO2 is required.

The proposed development seeks a residential subdivision. As such, the following assessment focuses on the elements of Performance outcome PO2 that relate to residential subdivision / Dual occupancy design. This includes traffic, visual amenity and safety.

(c) Traffic

As per the submitted Traffic impact assessment by TTM, the proposal development (ROL and MCU) is anticipated to generate 24 additional peak hour trips. This equates to an additional vehicle every 2 minutes at the Seagreen Drive / Finnegan Way intersection. This is considered a negligible impact on the local road network.

(e) visual amenity

As demonstrated within the assessment of Performance outcome PO4 of the Dual occupancy code, the proposal is considered to support the visual amenity of the streetscape.

The proposal requires two tiered retaining walls internal to the subject site between the boundary of Lot 9-16 and 17-22. Officers have included specific conditions which require the retaining walls to be concrete with landscaping on the bench between the tiers. The landscaping is to include screening shrubs. Overall, this is considered to support an appropriate visual amenity outcome.

(l) safety

Given the topography of the site, to achieve safe sight distances, two speed humps are required in Pioneer Street (as demonstrated in Figure 18 below).

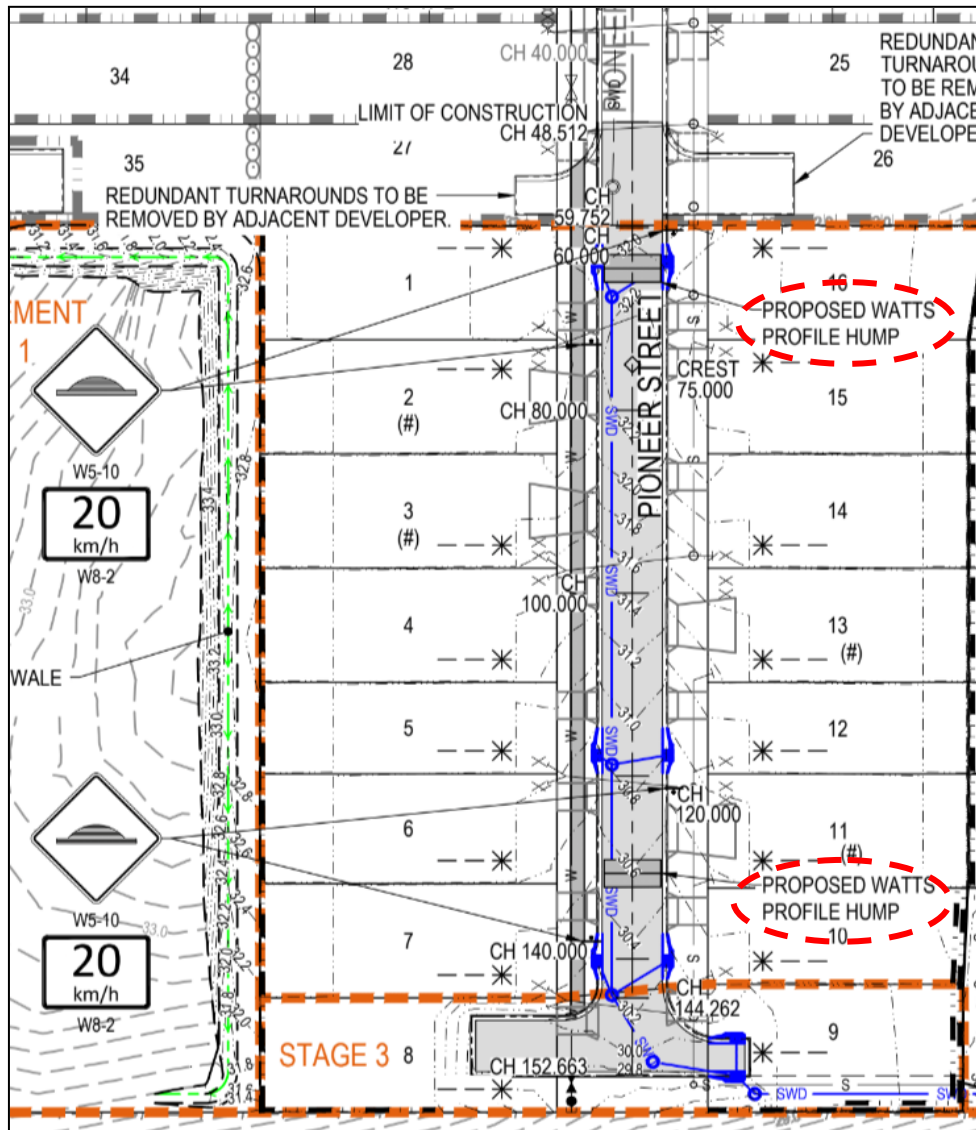


Figure 19 - Civil drawings (Source: Burchills Engineering Group)

Officers have included a specific condition to ensure the VXO's for proposed lots 1, 2, 3, 4, 13, 14, 15 and 16 are constructed prior to plan sealing. This ensures safe sight distances are achieved in accordance with must meet the safe sight distance requirements of 3.2.4 of AS/NZS 2890.1:2004.

Casual surveillance and lighting

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.

Officer's comment:

As no Acceptable outcome is provided, assessment against Performance outcome PO6 is required.

It is anticipated that future built form established through the creation of 22 residential allotments will facilitate casual surveillance of public areas and will incorporate lighting to reduce opportunities for crime through street lighting. The proposal therefore complies with Performance outcome PO6.

Reconfiguring a lot code

Housing diversity

Performance outcome	Acceptable outcome
PO11 Residential subdivisions creating 10 or more lots vary lot sizes to accommodate potential multiple dwelling development where the zone allows.	AO11 No acceptable outcome provided.

Officer's comment

As no Acceptable outcome is provided, assessment against Performance outcome PO11 is required.

The proposal seeks to create 22 residential lots which range in size from 297m² – 406m². The proposed lot sizes are suitable to accommodate both Dwelling houses and Dual occupancies. The overall lot layout supports a 1.5ha balance lot which could accommodate Multiple dwellings in the future. The proposal therefore complies with Performance outcome PO11.

Housing diversity

Performance outcome	Acceptable outcome
PO12 Small lots in residential subdivisions are distributed amongst larger lots to facilitate variation in dwelling form and to meet the purpose of the zone.	AO12 No acceptable outcome provided.

Officer's comment

As no Acceptable outcome is provided, assessment against Performance outcome PO12 is required.

The proposed lot layout supports small lots distributed amongst larger lots to facilitate variation in dwelling form and to meet the purpose of the zone.

The proposal therefore complies with Performance outcome PO12.

Housing diversity

Performance outcome	Acceptable outcome
PO13 Narrow lots are distributed amongst wider lots to provide: (a) variation in dwelling form; (b) space for public utilities and street trees; and (c) on-street parking. Note: Rear lane layout is required for a series of lots with frontages less than 10m.	AO13 No acceptable outcome provided.

Officer's comment

As no Acceptable outcome is provided, assessment against Performance outcome PO13 is required.

The proposal supports a range of lot widths from 10m – 12.5 metres. The narrow lots (10m wide) are distributed amongst wider lots. This supports variation in dwelling form (as demonstrated by the MCU component for Dual occupancies which are proposed on some narrow lots), space for public utilities and street trees. On-street parking has been demonstrated through the submission of an on-street parking plan.

The proposal therefore complies with Performance outcome PO13.

Creation of small lots

Performance outcome	Acceptable outcome
PO14 Reconfiguring a lot where creating small lots demonstrates a Dwelling house can be accommodated, where it meets the relevant zone code and the Small lot housing (infill focus) code , through: (a) a site plan for all lots with an area 250m ² to 400m ² ; and (b) site, floor plans, and elevations for all lots with an area less than 250m ² . Notes: (a) PO14 does not apply to the creation of small lots where associated with an existing residential building. (b) House plans provided as part of a Reconfiguring a lot application will not be conditioned as part of an approval.	AO14 No acceptable outcome provided.

Officer's comment

As no Acceptable outcome is provided, assessment against Performance outcome PO14 is required.

In support of the proposed small lots, the Applicant provided floor plans and elevations. The submitted plans demonstrate that the proposed small lots can support the intended outcomes of the Medium / High density residential zone code as well as the Small lot housing code.

The proposal therefore complies with Performance outcome PO14.

Neighbourhood design, character and integration

Performance outcome	Acceptable outcome
PO17 Development provides a neighbourhood with a strong and positive identity, through: (a) clearly readable streets and useable open space networks; (b) an appropriate response to site characteristics and settings (including landmarks and views); (c) development of a scale consistent with the surrounding urban area, with open space and roads interconnecting to adjoining networks; (d) allowing for increased densities in close proximity	AO17 No acceptable outcome provided.

REPORT ON DEVELOPMENT PERMIT FOR MATERIAL CHANGE OF USE AND RECONFIGURING A LOT (CODE ASSESSMENT) FOR 1 INTO 25 LOT SUBDIVISION, ACCESS EASEMENT, NEW ROADS AND DUAL OCCUPANCY (6) AT 54 GEORGE ALEXANDER WAY, COOMERA

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to public transport and local services; (e) location of community, retail and commercial facilities at walkable focal points; and (f) providing for a safer community by maximising opportunities for casual surveillance, minimising opportunities for crime and vandalism. Note: a Comprehensive Plan of Development submitted as part of a material change of use application, prepared in accordance with SC6.6 City Plan policy – Comprehensive plans of development, is Council's preferred method of addressing the above outcomes.	
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Officer's comment

As no Acceptable outcome is provided, assessment against Performance outcome PO17 is required.

- The development layout supports readable streets which facilitate an extension to the road network established to the north;
- The development delivers a recreational park on the eastern boundary (pursuant to LGIP requirements) which contributes to the useable open space network. This linkage is intended to extend further to the south;
- The proposed development is consistent with the surrounding urban area and facilitates a layout which supports connection to the north and ultimately, to the south as well;
- There are existing public transport and local services within proximity to the site which supports the proposed density;
- As identified in Section 4, there are existing community, retail and commercial facilities within proximity of the subject site; and
- The development increases opportunities for casual surveillance through the lot design and orientation.

The proposal therefore complies with Performance outcome PO14.

Public transport integration

Performance outcome	Acceptable outcome
PO19 Subdivision design supports public transport integration.	AO19 At least 60% of lots are within 400m walking distance of roads which have a minimum carriageway width of 10m and are capable of supporting a bus route.

Officer's comment

60% of the lots are not within 400 metres walking distance of road capable of supporting a bus route. Assessment against Performance outcome PO19 is required.

The proposed road layout continues the existing road layout. Officers acknowledge that the road layout supports a clear path to achieve access to existing public transport services on Finnegan Way.



Staging of subdivision

Officer's comment

The proposal supports three stages. The staging is considered to support convenient access to public transport (as demonstrated within the assessment of Performance outcome PO19 above), access to open space / community facilities as delivered within Stage 2 and supports access to shopping / local employment opportunities through the ultimate road design which will provide a through road connection to the southern lot.

Overall, the proposal is considered to demonstrate compliance with Performance outcome PO24.

Dual occupancy code

Minimum road frontage

Performance outcome	Acceptable outcome
PO1 The site has sufficient frontage to ensure that: (a) safe and convenient vehicular and pedestrian access can be provided; (b) adequate landscaping is provided adjacent to the road frontage; and (c) the crossover or driveway and covered car parking spaces do not dominate the property frontage.	AO1 Road frontages are at least 20m.

Officer's comment

The proposed development does not comply with Required outcome RO1 as the proposed lots forming the ROL component include road frontages ranging of 12.5 metres. The following assessment demonstrates that the proposed development complies with Performance outcome PO1.

The proposed built form supports safe and convenient vehicular and pedestrian access. The design and setback of the proposed covered car parking spaces (in accordance with Required outcome RO1 of the Medium density residential zone code) is not considered to dominate the property frontage. In addition, the frontage is supported by 2 x 6m² garden beds which are sufficient to support tree planting. Officers have recommended conditions which require a tree within each garden bed to a minimum size of 100L's at time of planting to ensure an immediate contribution to streetscape character.

In addition, the proposed Dual occupancies have been designed in accordance with Performance outcome PO1 – Setbacks (with only one minor alternative outcomes) and PO2 - Site cover. Therefore, Officers consider the road frontages are sufficient to accommodate the proposed development and consider the proposed development to demonstrate compliance with Performance outcome PO1.

Building appearance

Performance outcome	Acceptable outcome
PO4 Building design: (a) adds visual interest to the streetscape through building articulation and openings; and (b) provides differentiation between dwellings and buildings.	AO4 No acceptable outcome provided.

Officer's comment

As no Acceptable outcome is provided, assessment against Performance outcome PO4 is required.

The building design presents as a single house to the street, and have different materials and finishes, varying window sizes, screens, and roof forms which in conjunction with staggered setbacks contribute positively to a visually interesting streetscape. Both dwelling types support different façade options to further support visual interest.

The proposal is therefore considered to comply with Performance outcome PO4.

Private open space

Performance outcome	Acceptable outcome
PO5 Each dwelling is provided with sufficiently sized and suitably located outdoor private open space to meet the recreational needs of the residents.	AO5 The private open space for each dwelling has: (a) minimum dimensions of 5m x 5m; and (b) a maximum gradient not exceeding one in ten.

Officer's comment

For the upper dwelling, the private open space ranges from 12.4m²-13.2m² and does not provide minimum dimensions of 5m x 5m. The following provides assessment to demonstrate compliance with Performance outcome PO5.

Proposed Dwelling 2 includes a balcony for each dwelling type that is adjacent to the lounge room and bedroom 2 and is therefore suitably located. The balcony includes a length 7 metres and a width of 3.2 metres. This is considered sufficient to facilitate the recreational needs of the residents. It is also noted that residents have access to the ground floor (adjacent to the entry of the dwelling) which could provide access for private open space needs and also the approved parks within the subdivision.

Overall, on balance, Officers consider the proposed development to demonstrate compliance with Performance outcome PO5.

6 INFRASTRUCTURE CHARGES

The final estimated infrastructure charge is \$749,173.92 for the ROL component and \$343,318 for the MCU.

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.

ROL:

Charge calculation				
Charges Resolution No. 1 of 2023				
	Qty		Rate	Gross Charge Amount
Reconfiguring a lot	23 Lots	@	\$ 33,378.21	\$ 767,698.83
				\$ 767,698.83
Net Charge Summary				
Gross Charge Amount	Applied Credit Amount		Net Charge Amount	
\$ 767,698.83	\$ 18,524.91		\$ 749,173.92	
Applied credit details	Credit applied for existing/previous Dwelling House (Less Water and Sewer Network).			

MCU:

Charge calculation				
Charges Resolution No. 1 of 2023				
	Qty		Rate	Gross Charge Amount
Residential uses 2 bedroom	6 Dwellings	@	\$ 23,841.58	\$ 143,049.48
Residential uses 3+ bedroom	6 Dwellings	@	\$ 33,378.21	\$ 200,269.26
				\$ 343,318.74
Net Charge Summary				
Gross Charge Amount		Applied Credit Amount		Net Charge Amount
\$ 343,318.74		\$ 0.00		\$ 343,318.74
Applied credit details		Credits for existing lawfully established uses and/or existing lot credits currently reside on the ROL component of COM/2023/16. Once the ROL component of COM/2023/16 has been fully paid, credits will be available to offset a portion of the charges on the MCU component of COM/2023/16.		

7 REFERRALS

7.1 Internal referrals

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

Internal referral area	Conditions/Comments (if not included within report)
Office of Architecture and Heritage	Office of Architecture and Heritage reviewed the proposed development and recommended the following conditions: <u>MCU</u> - Approved drawings; - Screening of visually offensive components
City Infrastructure	City Infrastructure reviewed the proposed development and recommended the following conditions:
Environmental / Bushfire Assessment	Environmental Assessment reviewed the proposed development and recommended refusal of the application.
Hydraulics and Water Quality	Hydraulics and Water Quality reviewed the proposed development and recommended the following conditions: <u>ROL</u> - Approved plans; - Private infrastructure; - Legal point of discharge; - Overland flow paths and hydraulic alterations; - Bioretention basin maintenance management plan;

	• Certification of works; • Erosion and sediment control plan; and • Advice notes
Geotechnical engineering	Geotechnical engineering reviewed the proposed development and recommended the following conditions: <u>ROL</u> • Certification of works
Landscape Assessment	Landscape Assessment reviewed the proposed development and recommended the following conditions: <u>MCU</u> • Landscaping works; • Existing structures and services; and • Advice note
Open space Assessment	Open space Assessment reviewed the proposed development and recommended the following conditions: <u>ROL</u> • Land transfer; • Landscaping works within public open spaces; and • Advice notes
Parks and Recreational services	Parks and Recreational services reviewed the proposed development and recommended the following conditions: <u>ROL</u> • Necessary trunk infrastructure; and • Land transfer
Plumbing and Drainage	Plumbing and Drainage reviewed the proposed development and recommended the following advice note: <u>MCU</u> • Compliance with Plumbing and drainage permit
Subdivision Engineering	Subdivision Engineering reviewed the proposed development and recommended the following conditions: <u>ROL</u> • Staging;

	• Amended drawings; • New roads; • Road humps; • Provision of temporary turning area; • Footpaths; • Street lighting; • Electrical reticulation; • Telecommunications network; • Connection to Permanent survey marks; • Vehicle access; • Certification for safe sight distance; • Certification of works; and • Road names to be submitted <u>MCU</u> • Electrical reticulation; • Telecommunications network; and • Certification of works
Traffic and Transport	Traffic and Transport reviewed the proposed development and recommended the following condition: • Necessary trunk infrastructure
Transport Assessment	Transport Assessment reviewed the proposed development and did not recommend conditions
Water and Waste	Water and Waste reviewed the proposed development and recommended the following conditions: <u>ROL</u> • Timing; • Staging; • Approved drawings; • Requirement to register easements; • Restrictions regarding Council sewer and water supply infrastructure; • Rectification of Council's infrastructure;

	• Sewer reticulation; • Water reticulation; • Cul-des-sac head; • Temporary turn around at dead ends; and • Various advice notes <u>MCU:</u> • Timing; • Approved drawings; • Restrictions regarding Council easements and sewer and water supply infrastructure; • Rectification of Council's infrastructure; • Sewer connection; • Water connection; and • Advice notes
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7.2 External referrals

The application was referred to the following external agency(s):

7.2.1 Concurrence agency(s)

On 23 February 2023, the Application was referred to the State Assessment and Referral Agency (SARA) pursuant to Schedule 10, Part 10, Division 3, Subdivision 3, Table 1, Item 1 of the *Planning Regulation* for development interfering with koala habitat in koala habitat areas outside koala priority areas.

On 21 September 2023, SARA provided a referral agency response with a number of conditions. This includes support for the clearing of 128 non-juvenile koala habitat trees, the requirement for a Rehabilitation management plan and requirement to pay offsets.

8 PUBLIC NOTIFICATION

No part of this application required public notification. Notwithstanding, Council is in receipt of correspondence raising concern with the proposed development. Whilst Appeal rights are not afforded to the authors of this correspondence the matters raised are addressed as follows:

Matters	Officer's comment
That the application was not properly made as it required consent from the adjoining owner to the north to establish the road connection	The development to the north establishes the delivery of public infrastructure by way of a residential collector standard road. Conditions have been included within the Officer recommendation ensuring that plan sealing of this development cannot occur until such time as

	the public road connection from the south is delivered. Given that this is public infrastructure, consent from the adjoining owner to the north is not required for this development. It will be a civil arrangement between developers.
Proposed layout does not establish a connected and legible street network	Officers consider the road layout as proposed by the subject application does demonstrate an outcome consistent with PO15(b) and PO17(c) of the Reconfiguring a lot development code. The proposal supports an appropriate extension of Mercy Street and will facilitate a through road connection of Pioneer Street. Management Lot 1 will be afforded access to George Alexander Way. Through road connection from Talpa Street through Management Lot 1 to George Alexander Way is not an outcome supported by the City.

9 CONCLUSION

Council is in receipt of an application for a Combined Development permit for Material change of use and Reconfiguring a lot for 1 into 25 lot subdivision (22 residential lots, 1 public open space (drainage) lot, 1 public open space (park) lot and 1 balance lot), access easement, new roads and Dual occupancy (6) at 54 George Alexander Way, Coomera.

Officers have completed a detailed assessment against the applicable assessment benchmarks of City Plan (Version 9).

Officers acknowledge that the proposal is unable to comply with Overall outcome 2(d)(ii)(a) and (b) and Overall outcome 2(d)(iii) of the Environmental significance overlay code. Despite non-compliance with the code, Council as assessment manager has a discretion at law as to whether or not it approves this application under Section 60(2) of the *Planning Act 2016*.

The proposal supports the provision of housing as well as the delivery of necessary trunk infrastructure. Officers have recommended approval of the proposal subject to specific conditions.

10 NOTIFICATIONS

The following property notifications will be applied:

A	Bushfire management There are development approval conditions applicable in relation to bushfire management on this lot. All property owner(s) must ensure compliance with these conditions. Refer to Council of the City of Gold Coast's Decision Notice COM/2023/16. A copy of Council's Decision Notice is available for viewing on Council's website www.goldcoastcity.com.au/pdonline
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11 RECOMMENDATION

It is recommended that Council resolves as follows:

That under Delegated authority, the Executive Coordinator Planning Assessment approves (with conditions) the issue of a Combined Development permit for Material change of use and Reconfiguring a lot for 1 into 25 lot subdivision (22 residential lots, 1 public open space (drainage) lot, 1 public open space (park) lot and 1 balance lot), access easement, new roads and Dual occupancy (6), in accordance with the Attachment entitled: Decision notice - approval

Author:

Authorised by:

Emily Walsh

Roger Sharpe

Senior Planner

Executive Coordinator Planning Assessment

November 2023