1 BASIS FOR CONFIDENTIALITY

1.1 It is recommended that this report be considered in Closed Session pursuant to section 275 (1) of the Local Government Regulation 2012 for the reason that the matter involves

(h) other business for which a public discussion would be likely to prejudice the interests of the local government or someone else, or enable a person to gain a financial advantage.

1.2 It is recommended that the report/attachment be deemed non-confidential except for those parts deemed by the Chief Executive Officer to remain confidential in accordance with sections 171 (3) and 200 (5) of the Local Government Act 2009.

2 EXECUTIVE SUMMARY

Good built form and urban design can attract residents and visitors, enhance economic opportunities, and generate a community benefit from development. The City has high ambitions for built form and urban design quality, as expressed within the City Plan Strategic framework:

‘Our City’s urban design and architecture is world-class and our iconic skyline is internationally recognised. As we become a world-class city, well designed buildings and places will continue to reinforce local identity and sense of place, and provide places that are attractive, functional, safe and accessible, while supporting social diversity and cultural expression.’

This report presents the findings of the Community Benefit Bonus Elements Policy Review, Setbacks and Site Cover Review, and the Light Rail Built Form Review (Podium Design). These projects have identified that the City Plan is not consistently facilitating well-designed buildings and places, largely due to an absence of clarity regarding built form requirements, amenity considerations and what comprises high quality architecture and urban design. With development progressing across the City, and particularly within the Light rail urban renewal corridor, there is the potential for design outcomes to be delivered that do not achieve our ‘world-class city’ vision.

Community Benefit Bonus Elements Policy Review

To address these concerns, six (6) key design principles are proposed to guide architectural and urban design in the City, as developed through the Community Benefit Bonus Elements Policy Review. These key design principles are:
A review of City Plan has been undertaken to identify where the key design principles are reflected. Where gaps were identified, it is proposed to update City Plan to better reflect these intended design outcomes for the City.

Setbacks and Site Cover Review

An investigation into the design criteria specifically related to building setbacks and site cover has also been undertaken to help to refine the proposed City Plan updates resulting from the Community Benefit Bonus Elements Policy Review. The objective of this work was to revise and refine current controls to better reflect contemporary architecture and promote good built form outcomes for the City. It is proposed to update City Plan setbacks and site cover provisions to reflect the outcomes of this work.

Light Rail Built Form Review (Podium Design)

Running parallel with the above work, the Light Rail Built Form Review (Podium Design) has been undertaken to review the design outcomes specific to the Light rail urban renewal area. Internal stakeholder feedback and recent development applications have highlighted that design requirements, particularly for development outcomes at the ground level, could be improved to facilitate a high quality public realm environment and to better define the design outcomes expected within the different areas within the Light rail urban renewal area. The development of a design guideline, and a review of the Light rail urban renewal area overlay code and associated mapping, has been undertaken to consider where design requirements can be improved. It is proposed to update City Plan to reflect the outcomes from this project, including a revised Light rail urban renewal area overlay code and Strategic framework requirements.

This report provides an overview of the outcomes of these related projects, and is divided into four (4) parts:

- **Part A** – provides the background and justification for codifying design outcomes in City Plan;
- **Part B** – provides a summary of the Community Benefit Bonus Elements Policy Review outcomes and proposed City Plan updates;
- **Part C** – provides a summary of the Light Rail Built Form Review (Podium Design) outcomes and proposed City Plan updates; and
- **Part D** – provides a summary of other recommendations and further considerations to support the proposed City Plan updates.

The key proposed City Plan updates for all parts are as follows:
### Proposed City Plan updates

#### Strategic framework
- Introduce a new theme ‘Fostering a well-designed city’ and element ‘Architecture and urban design’ to consolidate all requirements for architectural and urban design, landscape character and sustainable infrastructure provision;
- Include the six (6) key design principles as the basis for drafting the ‘Architecture and urban design’ element requirements;
- Include the Light rail urban renewal area requirements under ‘Fostering a well-designed city’ – ‘Architecture and urban design’ (currently in ‘Urban neighbourhoods’);
- Reflect updates to the Light rail urban renewal area overlay code (see below) to clearly identify the expected design outcomes for development within the Light rail urban renewal area; and
- Make consequential updates to the structure of the Strategic framework to reflect the revised theme structure.

#### Tables of assessment
- Change the level of assessment for Dwelling houses and Dual occupancies from accepted and accepted subject to requirements to code assessment in the High density residential zone.

#### Zones
- Revise the purpose of the zones to reflect the intended development outcomes expected and better distinguish between zones;
- Revise the overall outcomes to incorporate additional design criteria, improve useability, and ensure consistent application of policy from the Strategic framework through to the relevant codes, including additional and revised overall outcomes for land use, amenity, built form, infrastructure and lot design;
- Include an overall outcome and performance outcome to limit Dwelling houses or Dual occupancies in the High density residential zone;
- Remove ‘housing form, scale and intensity’ overall outcomes (as outcomes are included in revised drafting);
- Revise the structure of required outcomes, performance outcomes and acceptable outcomes to reflect the revised overall outcomes, to improve useability and consistency;
- Revise performance outcomes and acceptable outcomes for land use, amenity, built form and scale, and subtropical design to incorporate key design principles and strengthen desirable built form outcomes; and
- Revise required outcomes, performance outcomes and acceptable outcomes for setbacks and site cover to strengthen desirable built form outcomes and improve useability.

#### Overlays
- Refine the Light rail urban renewal area overlay map to better distinguish areas for applicable design outcomes, to include:
  - Primary focus areas;
  - Secondary focus areas;
  - Frame areas; and
  - Transition areas;
- Update Strategic framework map 3 – Light rail urban renewal area to reflect the revised Light rail urban renewal area overlay map;
- Revise the Light rail urban renewal area overlay code to reflect the key design principles and clarify the design outcomes intended in each area;
Section | Proposed City Plan updates
--- | ---
| | • revise the images in the Light rail urban renewal area overlay code to better reflect the intended built form outcomes expected in each area;  
| | • include new performance outcomes and acceptable outcomes for the key design principles, including requirements for responsiveness, amenity, built form, podium design and height, subtropical design, connectivity, streetscape design and car parking; and  
| | • include setbacks and site cover performance outcomes and acceptable outcomes specific to areas within the Light rail urban renewal area (to prevail over zone code requirements).  

### Development codes

| | • revise the following development codes to incorporate the key design principles and align with the structure of the zone code changes outlined above:  
| | o Commercial design;  
| | o High-rise accommodation design;  
| | o Multiple accommodation; and  
| | o General development provisions.  

### Policies

| | • remove the City Plan policy - Community benefit bonus elements.  

It is proposed that these recommendations be endorsed to be included in the City Plan Major update 3 package to be sent for State interest review in March / April 2018.

It is also proposed that a new City Plan policy – Design and context be prepared to support the proposed City Plan updates. This will be presented to Council for consideration and endorsement at a future meeting. It is expected that the proposed City Plan policy will form part of a Major Schedule 6 City Plan update, and will undergo public consultation and commence at the same time as Major update 3.

### 3 PURPOSE OF REPORT

The purpose of this report is to seek endorsement of the recommended City Plan updates from the following projects:

| | • Community Benefit Bonus Elements Policy Review (Phase 2);  
| | • Setbacks and Site Cover in Medium and High Density Residential Zones Review; and  
| | • Light Rail Built Form Review (Podium Design).  

The final drafted content will be presented to the Economy, Planning and Environment Committee for consideration and endorsement with the entire Major update 3 package, prior to submission for State interest review in March / April 2018.

Additional recommendations resulting from the project will be further investigated to be brought back to Council as part of a future update package.

### 4 PREVIOUS RESOLUTIONS

Council resolved on 1 September 2015 (G15.0901.023) to include the Community Benefit Bonus Elements Policy Review within the scope for City Plan Major update 1.
An updated scope list was resolved at the Council meeting of 4 March 2016 (G16.0304.010), where the review of the policy was deferred to allow more detailed review and stakeholder input.

Council resolved on 15 November 2016 (G16.1115.016) that the Introductory Paper – Community Benefit Bonus Elements Policy Review be noted.

Council resolved on 30 May 2017 to include the Community Benefit Bonus Elements Policy Review and Light Rail Built Form Review (Podium Design) within the scope for Major update 2 to City Plan (G17.0530.018).

Phase 1 of the Community Benefit Bonus Elements Policy Review was presented to Council in June 2017. Council resolved on 13 June 2017 (G17.0613.012):

2 That the following option be endorsed with City Plan changes to be investigated as part of Phase 2 of the project:
   a remove the existing Policy from City Plan;
   b incorporate additional design elements into the relevant City Plan Codes; and
   c include a level of assessment trigger in City Plan for development that exceeds density on the Residential density overlay map.
3 That a Design and Urban Context Policy be prepared and presented to Council at a future meeting.
4 That urban elements mapping be investigated and presented to Council at a future meeting to determine how it could be implemented to guide outcomes for higher density development.

On 17 October 2017, Council resolved to implement a staged approach to the development of the policy direction for building height through the Building Height Study, with Phase 2 to (G17.1017.013):

1) Utilise the findings from the Infill Capacity Assessment to inform potential updates to relevant overlay maps.
2) Retain the 50% exceedance test in the Strategic Framework.
3) Investigate the introduction of the Low-Medium Density Residential Zone.
4) Fix the remaining anomalies between zoning, height and density across the city (excluding the Light Rail Stage 3 corridor and the Spit).
5) Review available existing development data to improve the baseline for relevant overlay maps.
6) Remove the optional Community Benefits Bonus Policy and replace with improved built form provisions that can be applied more broadly.
7) Strengthen the scheme’s existing amenity controls to improve built form outcomes.
8) Consider the introduction of an impact assessment trigger when exceeding the provisions shown on the Residential density overlay map.

Recommendations 6, 7 and 8 are addressed by this body of work.
5 DISCUSSION

Part A – Background and justification

5.1 Background

A number of key projects have led to and informed the review of architectural, built form and urban design outcomes in City Plan, as illustrated in Figure 2 below. Outcomes from these projects are inter-related and are expected to form the basis of updates to be included in the City Plan Major update 3 package.

5.1.1 Building Height Study

As part of the Major update 2 scope of works, Council endorsed a staged approach to implementing a new building height policy direction in City Plan (G17.1017.013).

Phase 1 of the Building Height Study resulted in the development of an updated citywide policy direction on building height to support the future City image and shape. Phase 1 of the Building Height Study was endorsed by Council and is currently undergoing State interest review.

Phase 2 of the Building Height Study recommended the removal of the City Plan policy - Community benefit bonus elements, to be replaced with improved built form outcomes that can be applied more broadly; to strengthen the scheme’s existing amenity controls to
improve built form outcomes; and to consider the introduction of an impact assessment trigger when exceeding the provisions shown on the Residential density overlay map.

5.1.2 Community Benefit Bonus Elements Policy Review (Phase 1)

The current City Plan policy - Community benefit bonus elements identifies opportunities for increased residential density where environmentally sustainable development, community facilities and improvements, site amalgamation and other contributions are proposed in the Medium density residential, High density residential, Centre, Neighbourhood centre, Innovation and Mixed use zones. The intent of the policy is to encourage high quality architectural and urban design outcomes that provide a community benefit for development across the city.

A review of City Plan policy - Community benefit bonus elements was undertaken in response to internal and external stakeholder feedback regarding its application, effectiveness and low take-up rate (only one development application has applied the policy under City Plan). The review included two phases:

- Phase 1 - a critical review of the current policy and its City Plan context, with recommended options for the future application of the policy; and
- Phase 2 - progresses the endorsed option and content for City Plan updates.

Phase 1 identified that the current policy is not delivering the outcomes intended as originally drafted. A number of recommendations were endorsed by Council (G17.0613.012), including investigating City Plan updates to:

- remove the existing policy from City Plan;
- prepare a Design and Context Policy to be incorporated into City Plan;
- include a level of assessment trigger for development exceeding density; and
- incorporate additional design elements into the relevant City Plan codes.

This report delivers Phase 2 and has considered these recommendations, outlining the preferred approach to progress the endorsed policy position through City Plan updates.

5.2 Justification for requiring good design

5.2.1 ShapingSEQ

The South East Queensland Regional Plan 2017 (ShapingSEQ) has placed an increased importance on the value of good design to turn South East Queensland into a ‘globally competitive economic powerhouse’, with people living in ‘better designed communities’.

Element 1 of Goal 5: Live is ‘valuing good design’. This element seeks to ensure good quality design is embedded in the planning system. This element highlights that great subtropical design underpins the success of cities right through to the quality of streets, buildings and public spaces, improving health and wellbeing and increasing quality of life.
The proposed updates to City Plan recommended in this report seek to reflect this State interest by recognising good design as a fundamental requirement for development across the City.

5.2.2 City of Gold Coast vision

The City already has high ambitions and expectations for architectural and urban design quality, as expressed within the City Plan Strategic framework:

‘Our City’s urban design and architecture is world-class and our iconic skyline is internationally recognised. As we become a world-class city, well designed buildings and places will continue to reinforce local identity and sense of place, and provide places that are attractive, functional, safe and accessible, while supporting social diversity and cultural expression.’

People experience the city at ground level. While recent projects such as the Building Height Study have looked holistically at the City in terms of city shape (the top of the buildings), the purpose of this body of work is to look at the city image (the bottom of the buildings), where people engage with development at the street level.

Good design is important to attract residents and visitors, and enhance economic opportunities. Welcoming street experiences create a positive city image and brand. The City has invested in world-class transport infrastructure (such as the light rail) and world-class events (such as the Commonwealth Games). The proposed City Plan updates focus on the need to strengthen the importance of quality design to achieve the ‘world-class city’ vision.

5.2.3 Valuing good urban design

Concurrently with the development of this project, a consultant was engaged to provide advice on valuing good urban design, and how this might be measured. The primary objective of the project was to determine the value of good urban design for the City.

The ‘Valuing Good Urban Design on the Gold Coast’ report (refer to Attachment E) suggests that a cost benefit analysis approach can be used to compare the costs and benefits of good urban design in new developments. This approach considers and compares all impacts, positive and negative, that would be incurred by developers, building users and the broader community, over the longer term. By taking this approach the positive externalities of good design and the negative externalities of poor design can be measured, and taken into consideration in decision-making processes.

To consider both the benefit and the costs of good urban design, the approach was applied to case study developments. A hypothetical ‘better urban design’ version of the development was compared to the existing development.

The likely costs and benefits considered, included:

<table>
<thead>
<tr>
<th>Benefits</th>
<th>Costs</th>
</tr>
</thead>
<tbody>
<tr>
<td>• improved public amenity as a result of the better streetscape interface;</td>
<td>• higher construction costs associated with the positive changes to the design of the streetscape interface, architecture of the</td>
</tr>
<tr>
<td>• enhanced visual coherence and stronger</td>
<td></td>
</tr>
</tbody>
</table>
The hypothetical example found costs would be in the order of $154,000 and benefits would be in the order of $275,000. The resulting benefit cost ratio (BCR), which is the total benefits divided by the total costs, was estimated at 1.79. A BCR of 1 or more suggests the benefits of the design changes outweigh the costs. The results suggest that the higher costs to achieve better urban design outcomes would be justified, in this case, as they would result in net community benefit.

Part B - Community Benefit Bonus Elements Policy Review (Phase 2)

5.3 Overview

As outlined in section 5.1.2 of this report, as part of Phase 1 of the Community Benefit Bonus Elements Policy Review, Council endorsed investigating City Plan updates to:

- remove the existing policy from City Plan;
- prepare a Design and Context Policy to be incorporated into City Plan;
- include a level of assessment trigger for development exceeding density; and
- incorporate additional design elements into the relevant City Plan codes.

Phase 2 (this project) has considered these recommendations, and outlines the preferred approach to progress the endorsed policy position through City Plan updates. The outcomes of Phase 2 include the development of key design principles to inform City Plan updates, and the proposed City Plan updates.

5.4 Key design principles

To progress Phase 2, it is necessary to determine the key design principles that should be addressed by development across the city. These principles can then be applied to development through the proposed City Plan policy - Design and context (see section 5.6.6 below for further information) and codified design elements.

A consultancy team including planning, architecture, urban design and property economics specialists was engaged to develop key design principles to facilitate high quality urban design and architectural outcomes across the Gold Coast, and inform City Plan updates.

The key design principles are derived from a range of sources, including the following:

- City of Gold Coast’s Gold Coast Rapid Transit Corridor Study 2011;
- City of Gold Coast’s 15 Qualities of Successful Urban Places;
- Expert input of consultant project team and Council officers;
- Australian Institute of Architects awards criteria;
- Brisbane City Council’s New World City Design Guide – Buildings that Breathe;
- Brisbane City Council’s City Centre Neighbourhood Plan;
- Sydney City Council’s Local Environment Plan 2012; and
The key design principles have been contemplated for the unique Gold Coast context, which comprises a subtropical environment, a varied character from beachfront to hinterland, an iconic City skyline, and evolving pedestrian environment.

The proposed key design principles are:

**Figure 3: Key design principles**

These principles are summarised below:

<table>
<thead>
<tr>
<th>Principle</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>1: RESPONSIVE</td>
<td>Development should consider the role and function of the area in which it is located, with a design that contributes positively to the planned character, landscape environment, sustainability, health and wellbeing, legibility, local context and city-wide context of the neighbourhood. Siting, orientation and design of buildings should allow light to penetrate into and between buildings, maximise access to natural ventilation, and provide for well separated buildings, with a built form that results in slender, fast moving shadows. Development should achieve a reasonable level of amenity, relevant to its context, contributing to the Gold Coast's enviable lifestyle.</td>
</tr>
<tr>
<td>2: CONNECTED</td>
<td>Urban environments should be well connected, permeable and legible to maximise street life and pedestrian activity. Development in the Light rail urban renewal area should optimise accessibility to light rail services where pedestrians, cyclists and public transport take priority over private cars, with direct, safe, and accessible pedestrian and cycling connections to adjacent routes, streets, open space, and transit stations.</td>
</tr>
<tr>
<td>3: ENGAGED</td>
<td>Development should achieve a human scale interface between buildings and the public realm, where buildings are setback from the street relative to context, and active frontages create street life and contribute to an attractive, accessible, shaded street environment. Development should ensure safety and security within the development and the public realm. Development in the Light rail urban renewal area should transform the corridor into a distinctive and high quality urban environment.</td>
</tr>
</tbody>
</table>

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**NSW SEPP No 65 – Design Quality of Residential Apartment Development.**
Building design should suit the Gold Coast climate to optimise a comfortable and liveable environment and support outdoor living.

Development should incorporate high quality, integrated, horizontal and vertical landscaping to reduce urban heat island effects, improve amenity and create attractive streetscapes.

Development should ensure the City is experienced as a series of varied, distinctly separate neighbourhoods and places, with buildings and public spaces exhibiting design excellence in form, function and detailing.

Development should create high-quality, walkable, contemporary and well-articulated subtropical urban streetscapes.

Development should incorporate design solutions for the ground level and the tower base, where including above ground car parking, to support adaptation and change throughout the life of the building.

These key design principles will assist applicants and decision-makers by providing a single coherent list in determining high quality design.

These key design principles form the basis of the proposed City Plan updates outlined in section 5.6 below.

### 5.5 Setbacks and site cover review

An investigation into the planning provisions and design criteria specifically related to building setbacks and site cover has also been undertaken to help to refine the proposed City Plan updates resulting from the Community Benefit Bonus Elements Policy Review. The objective of this work was to revise and refine current controls to better reflect contemporary architecture and promote good built form outcomes for the City.

The role of setbacks and site cover controls is to manage the form and scale of new development according to the planned context. Building setbacks in particular unlock building amenity by providing access to daylight, visual privacy, outlook, ventilation, and areas for landscaping and open space. They impact the quality of interior and exterior spaces both within a site and to adjoining sites and surrounding public realm. Ultimately, they are fundamental to shaping the scale, bulk and character of a neighbourhood.

A consultancy team was engaged to review the current setbacks and site cover provisions in the Medium and High density residential zones. The key findings of this review were:

- current provisions are outdated and provide for an inefficient building envelope;
- clearer design values are needed; and
- poor ground level outcomes can result due to narrow corridors to side and rear boundaries.
Figure 4: Current setback and site cover requirements in City Plan for a High density and Medium density residential development

The recommendations from this body of work include:

- revised performance outcomes for both setbacks, site cover and floor plate size;
- form based acceptable outcomes included in a table format; and
- improved vertical alignment within the City Plan between acceptable outcomes, performance outcomes and overall outcomes.

It is proposed to update City Plan setbacks and site cover provisions to reflect the outcomes of this work, as outlined in the zone updates identified in section 5.6.3 below.

5.6 Proposed City Plan updates

Many of the key design principles outlined in section 5.4 above are already captured in the City Plan, however the following proposed updates to City Plan are recommended to strengthen the application of the principles throughout the planning scheme.

To implement the endorsed policy positions from Phase 1 and reinforce the key design principles, the following City Plan updates are proposed.

5.6.1 Strategic framework

The Strategic framework has been reviewed and revised to align it with the key design principles. This includes:

- introduce a new theme ‘Fostering a well-designed city’ and element ‘Architecture and urban design’ to consolidate all requirements for architectural and urban design, landscape character and sustainable infrastructure provision; and
- including the six (6) key design principles as the basis for drafting the ‘Architecture and urban design’ element requirements.
The Strategic framework updates are of particular relevance to the assessment of development that is subject to impact assessment.

A draft version of the proposed Strategic framework updates is included in Attachment B.

5.6.2 Tables of assessment

Residential density trigger

As per Council’s resolution in Phase 1, the inclusion of a level of assessment trigger for development that exceeds the mapped residential density has been investigated.

It is proposed that no level of assessment trigger be applied to development that exceeds mapped residential density (except where currently required), for the following reasons:

- development exceeding residential density generally occurs in ‘go zones’ where an increase in the level of assessment is undesirable;
- the State’s How to Draft a Local Planning Scheme guideline indicates impact assessment should only be used where the development impact is unknown or cannot be regulated in a code; and
- the proposed City Plan updates to the overall outcomes and performance outcomes outlined below, and the inclusion of the new policy, are considered sufficient to address potential impacts of development that exceeds mapped residential density.

This is particularly relevant for development in the Light rail urban renewal area overlay, where the highest density developments have been proposed. Given this is intended to be a ‘go zone’ where density would be beneficial to public transport usage and overall vibrancy, it is considered that triggering impact assessment in this area is undesirable.

The exception to this is in the Light Rail Stage 3 corridor. The inclusion of a level of assessment trigger in this area may be warranted until the Light Rail Stage 3A business cases are finalised and greater clarity around desirable building height and residential density is available. This has been investigated as part of the Light Rail Stage 3A project, which is presented in Item 9 of this Agenda.

Dwelling houses and Dual occupancy in the High density residential zone

Following a review of the High density residential zone purpose and land use overall outcomes, it has become evident that the development of Dwelling houses and Dual occupancies in the High density residential zone would not achieve the purpose of the zone to provide for high density residential development. However, these uses are currently Accepted (Dwelling house n.e.i) or Accepted subject to requirements (Dual occupancy and Dwelling houses on small lots). It is proposed to increase the level of assessment for these uses to code assessment, with an overall outcome and corresponding performance outcome to be included in the High density residential zone requiring an applicant to demonstrate that a high density residential use cannot be accommodated on the site.

A draft version of the proposed Tables of assessment updates is included in Attachment B.
5.6.3 Zones

Many of the proposed key design principles are already captured in the City Plan zone codes in some form. However, following a review of the relevant zone codes, it is proposed to strengthen the requirements for urban and architectural design through new and revised overall outcomes, required outcomes, performance outcomes and acceptable outcomes. It is also proposed to revise the purpose and structure of the assessment benchmarks to improve useability and line of sight.

The relevant zone codes are:

- Medium density residential;
- High density residential;
- Centre;
- Neighbourhood centre;
- Innovation; and
- Mixed use.

The current purpose statements in these zones are land use focussed and do not provide clarity around the character or nature of development that should be expected. The revised purpose is intended to better reflect the development outcomes expected in the zone, and help to distinguish between zones.

New and revised overall outcomes, required outcomes, performance outcomes and acceptable outcomes are proposed to incorporate additional design criteria and improve useability and consistency throughout City Plan, including additional and revised outcomes for land use, amenity, built form, infrastructure and lot design. Revised requirements for setbacks and site cover are also proposed to strengthen desirable built form outcomes.

A draft version of the proposed zone codes included in Attachment B.

5.6.4 Development codes

The development codes provide additional requirements for specific development types such as Multiple dwellings, and general provisions that can apply to all development. It is proposed to revise the High-rise accommodation design, Multiple accommodation, Commercial design and General development provisions development codes to align with the design principles and provisions proposed in the zone codes, for consistency.

A draft version of the proposed development codes included in Attachment B.

5.6.5 Policies

It is proposed to remove the existing City Plan policy - Community benefit bonus elements from City Plan consistent with Council’s resolution for Phase 1. The removal of the existing policy requires removal of all references in relevant zone codes.

It is further proposed to include the key design principles in a new City Plan policy – Design and context, as per Council’s resolution in Phase 1.
The purpose of the new policy is to provide guidance for demonstrating the application of the design principles (with formal reporting required through a Design and Context Report).

The format of the proposed City Plan policy – Design and context is as follows:

- Part 1 provides guidance on the required content of a Design and Context Report which is used to demonstrate application of the key design principles and to demonstrate that the development has been contemplated within its context.
- Part 2 provides further guidance on how a development can successfully integrate the key design principles, with consideration of the scale of development and typology proposed.

The preparation of the proposed City Plan policy has significant similarities with the preparation of a Design and context policy as endorsed as part of the Low-Medium Density Residential Zone Planning Investigation. It is recommended that a combined policy be prepared to identify design outcomes expected for all development across the city.

A final draft will be provided to Council at a later date for endorsement. It is expected that the proposed City Plan policy will undergo public consultation and commence at the same time as City Plan Major update 3.

**Part C – Light Rail Built Form Review (Podium Design)**

**5.7 Overview**

Running parallel with the Community Benefit Bonus Elements Policy Review, the Light Rail Built Form Review (Podium Design) has been undertaken to review the design outcomes specific to the Light rail urban renewal area.

This project was initiated following internal and external feedback and recent development applications that highlighted that design requirements, particularly for development outcomes at the urban ground (the lower levels of the development), could be improved to encourage a high quality public realm environment and to better define the design outcomes expected within the different areas within the Light rail urban renewal area.

The purpose of the project was to:

- identify the key issues relating to development at the ground level;
- identify appropriate urban ground design outcomes that should be encouraged having regard to locational characteristics in the Light rail urban renewal area; and
- identify City Plan updates required to strengthen provisions relating to the design and activation of the urban ground within the Light rail urban renewal overlay area.

**5.8 Key issues**

Council has received a number of development applications, particularly within the Light rail urban renewal overlay area, which have proposed various urban ground elements that deliver undesirable outcomes, including:
5.9 **Urban Ground Guideline**

To identify the appropriate urban ground and tower base design outcomes that should be encouraged, a consultancy was engaged to develop an Urban Ground Guideline.

The guideline is proposed to be a non-statutory document that does not have the weight of City Plan requirements, however will provide a clear direction and education about the intent for development outcomes in the City. The guideline also forms the basis of the proposed City Plan updates outlined in the sections below.

The guideline is intended to guide good practice in the design of medium rise and high rise development with a focus on how those forms of development meet the ground and frame the public realm of urban centres within the City, particularly in the Light rail urban renewal area. It is intended as an interim assessment tool for development, and informs the development of City Plan updates.

The ‘urban ground’ refers to the first three or four floors of a building that creates the human scale experience of the city. Podia are just one form of tower base that can contribute to the ‘urban ground’ of a city, and can comprise various elements such as commercial, administrative, recreational and residential uses as well as access foyers and car parking.

- blank walls with service infrastructure that do not contribute to street activity - making the city look ‘dead and unwelcoming’; and
- high-rise development in urban areas at the outer edge of centres where podiums overwhelm the street experience.

The risks to Council if poor outcomes continue to be allowed under City Plan include:

- the City image can be negatively impacted by blank inactive areas in urban centres;
- limited street activity impacts on the liveability and desirability of the City;
- night time amenity and pedestrian safety can be compromised due to poor CPTED outcomes;
- buildings that are not adaptable may become dead spaces in the future (i.e. above ground car parking, ability to convert to home business use); and
- reduced economic opportunity for business in the City.
The guideline identifies the key elements that should be considered in the development of the urban ground, including:

- form and space – how development relates to the spaces between buildings;
- active and engaged - how pedestrians visually relate to buildings;
- connected - the connectivity and legibility between and within the development;
- subtropical and living – how development can take advantage of our climate and natural setting; and
- functional - how efficiently the building is used and how it is serviced.

These key elements align with the key design principles as developed through the Community Benefit Bonus Elements Policy Review, detailed in section 5.4 above.

The proposed ‘Urban Ground Guideline’ included in Attachment D.

5.10 Proposed City Plan updates

City officers have identified that whilst the provisions in City Plan are adequate to appropriately regulate tower forms above the urban ground level; in some instances the provisions are not strong enough to appropriately regulate the urban ground, particularly with regard to location, scale, design and activation in the light rail corridor.

A review of current City Plan requirements has found:

- inconsistent or ambiguous language regarding podium and urban ground design;
- confusion regarding what Council wants in the ‘urban ground’;
- limited direction on the role of the lower 3-4 storeys in the streetscape; and
- limited direction on the built form typologies that are appropriate and where they should be located within the Light rail urban renewal area.

As the Urban Ground Guideline is intended not to be a statutory document, it is proposed to implement the guideline design elements through the City Plan updates to strengthen City Plan provisions in the Light rail urban renewal area overlay code.

The following proposed City Plan updates seek to address these concerns and provide greater clarity regarding design for development in the Light rail urban renewal area.

5.10.1 Light rail urban renewal area overlay

Overlay map

It is proposed to refine the Light rail urban renewal area overlay map to better identify areas and applicable design outcomes. The current overlay map identifies ‘primary focus areas’, ‘frame areas’ and ‘transition areas’, as shown in the map below:
A review of these areas has identified the need to further break down the Light rail urban renewal area to distinguish the design expectations between and within each area. It is proposed to revise the Light rail urban renewal area overlay map to include:

- primary focus areas;
- secondary focus areas;
- frame areas; and
- transition areas.

This is particularly relevant for the large extent of the ‘frame area’, which is proposed to be revised to comprise a ‘secondary focus area’ and ‘frame area’.

It is also proposed to update Strategic framework map 3 – Light rail urban renewal area to reflect the revised Light rail urban renewal area overlay map.

The ‘primary focus area’ generally includes land within the Centre zone, and is anticipated to have the highest development intensity of the corridor. The ‘secondary focus area’ includes land zoned High density residential that is close to the Centre zone and supports the Centre uses, with a high level of connectivity to the ‘primary focus area’. The ‘frame areas’ are generally in the High density residential zone, but expect a lower level of development intensity than the ‘secondary focus area’. The ‘transition area’ is intended to provide a logical transition in built form from the transformative outcomes of the overlay area to adjacent existing neighbourhoods.

The proposed Light rail urban renewal area overlay map is included in Attachment C.

Overlay code

Following on from the revised overlay map, it is also proposed to update the Light rail urban renewal area overlay code to:
better reflect the key design principles identified in the Community Benefit Bonus Elements Policy Review and Urban Ground Guideline and clarify the design outcomes intended in each area;

- revise the images in the Light rail urban renewal area overlay code to better reflect the intended built form outcomes expected in each area;

- include new performance outcomes and acceptable outcomes for each of the key design principles, including requirements for responsiveness, amenity, built form, podium design and height, subtropical design, connectivity, streetscape design and car parking; and

- include setbacks and site cover performance outcomes and acceptable outcomes specific to areas within the Light rail urban renewal area (to prevail over zone code requirements).

A draft version of the proposed Light rail urban renewal area overlay code is included in Attachment B.

5.10.2 Strategic framework

The Strategic framework has been reviewed and revised to align it with the proposed changes to the Light rail urban renewal area overlay code outlined above. This includes:

- moving the Light rail urban renewal area requirements to ‘Fostering a well-designed city’ – ‘Architecture and urban design’ (currently in ‘Urban neighbourhoods’); and

- reflecting updates to the Light rail urban renewal area overlay code to clearly identify the expected design outcomes for development within the urban renewal area.

Consolidating the Light rail urban renewal area Strategic framework requirements with the other design related provisions will help to strengthen these requirements in the assessment of a development, and will help to provide clarity where design outcomes for the corridor vary from other development requirements.

The Strategic framework updates are of particular relevance to the assessment of development that does not achieve compliance with the applicable City Plan codes for development subject to impact assessment.

A draft version of the proposed Strategic framework updates is included in Attachment B.

Part D - Other recommendations and considerations

5.11 Peer review

A peer review has been undertaken of all the proposed draft City Plan updates included in this report. The peer review panel included experts in the fields of planning, law, architecture, urban design and landscape architecture. The review considered whether the proposed drafting was:

- clear and easily understood;

- defensible;

- consistent; and
The peer review strongly supported the intent of the proposed updates to strengthen design elements and improve useability and line of sight within City Plan. The outcomes of this peer review have been incorporated into the proposed drafting, as included in Attachment B.

5.12 Urban element mapping

To support the outcomes of the City Plan updates proposed above, it is further recommended that Council prepare ‘urban elements mapping’ for key precincts, to assist to create positive, coherent public realm and urban design outcomes. This reinforces the Council resolution from Phase 1 of the project (G17.0613.012):

4 That urban elements mapping be investigated and presented to Council at a future meeting to determine how it could be implemented to guide outcomes for higher density development.

This will not form part of the Major update package to be sent for State interest review in March / April 2018 but is planned to be part of the next major update to City Plan.

5.13 Mixed use zoning review

In the high density residential and medium density residential and zones there is currently limited scope for non-residential land uses through code assessment, such as a Food and drink outlet if less than 150m² in size, or a Shop if a neighbourhood store that does not exceed 150m² in size.

As part of the Community Benefit Bonus Elements Policy review, it was recognised that where development was located in close proximity to a light rail transit stop, additional non-residential uses at ground floor level may be appropriate to encourage the activation of streets.

Various mechanisms for delivering this were considered, including through inclusion of additional uses as code assessable in the high density residential and medium density residential zone tables of assessment, however it is preferred to consider expansion of the Mixed use zone into these suitable locations to allow for a greater range of non-residential uses in and around transit stops.

This review will not form part of the Major update package to be sent for State interest review in March / April 2018 and will be investigated to inform a future update.

5.14 Other relevant matters

Where previously the City Plan policy – Community benefit bonus elements outlined specific outcomes that could justify development ‘bonuses’, under the Planning Act 2016 (PA) the ability to justify a development approval despite a conflict with City Plan is more appropriately contained within the ‘other relevant matters’ provisions. These PA provisions have been considered in the development of the above proposed City Plan updates.
Under s45 of PA, a development proposal that does not comply with elements of City Plan may still be approved where ‘other relevant matters’ can justify development outcomes that seek something more than what City Plan nominates. It is these ‘other relevant matters’ where a community benefit provided by a development over and above the requirements of the City Plan can be considered.

While the proposed City Plan updates outlined above require all development to achieve a high quality urban and architectural design outcome, it is acknowledged that not all developments will comply with all City Plan requirements and may seek to vary the City Plan expectations. These inconsistencies need to be identified during development and assessment to allow for ‘other relevant matters’ to be considered in assessing the development proposal.

Therefore, there is a potential for a broader range of matters to be used to justify alternative residential densities and enable broader public benefits be delivered, if necessary, rather than to apply the proposed new policy and City Plan updates.

6 ALIGNMENT TO THE CORPORATE PLAN, CORPORATE STRATEGIES AND OPERATIONAL PLAN

The City Plan is identified as a key deliverable in ensuring the themes of the Corporate Plan are achieved. Accordingly, all the themes (the best place to live and visit, prosperity built on a strong diverse economy and people contribute to a strong community spirit) of the Corporate Plan are applicable. A robust City Plan is essential to achieve the desired outcomes detailed in the Corporate Plan.

The City Plan is an initiative in the Operational Plan.

7 GOLD COAST 2018 COMMONWEALTH GAMES IMPACT

Not applicable.

8 FUNDING AND RESOURCING REQUIREMENTS

Not applicable.

9 RISK MANAGEMENT

This activity supports the mitigation of Planning and Environment Directorate Risk number CO000510:

‘City Plan delivers inadequate and/or ineffective strategic/development policy (e.g. poor planning, built form, growth, social and environmental outcomes - including flood impacts).’

10 STATUTORY MATTERS

The proposed changes to City Plan constitute a major amendment under the Minister’s Guidelines and Rules, July 2017. The proposed updates are recommended for inclusion in the Major update package to be sent for State interest review in March 2018.
The proposed City Plan policy – Design and context, is recommended for inclusion in a future Major Schedule 6 City Plan Policy amendment and a future Minor amendment to City Plan, to be undertaken in conjunction with the Major update package.

11 COUNCIL POLICIES

Not applicable.

12 DELEGATIONS

Not applicable.

13 COORDINATION & CONSULTATION

Internal stakeholders were engaged during the course of the project. The feedback provided from officers has been incorporated in this review.

<table>
<thead>
<tr>
<th>Name and/or Title of the Stakeholder Consulted</th>
<th>Directorate or Organisation</th>
<th>Is the Stakeholder Satisfied With the Recommendations</th>
</tr>
</thead>
<tbody>
<tr>
<td>A/Executive Coordinator Major Assessment</td>
<td>Planning and Environment</td>
<td>Yes</td>
</tr>
<tr>
<td>Executive Coordinator Planning Assessment</td>
<td>Planning and Environment</td>
<td>Yes</td>
</tr>
<tr>
<td>City Architect</td>
<td>Office of the CEO</td>
<td>Yes</td>
</tr>
</tbody>
</table>

14 STAKEHOLDER IMPACTS

The policy improvements to City Plan recommended by this report will form part of the Major update 3 package to be sent for State interest review in March / April 2018.

Internal stakeholders have been and will continue to be consulted as the update progresses through the statutory process.

Under the statutory process, the Major update 3 package to be sent for State interest review will be required to undergo a public consultation period (with all submissions considered) prior to its adoption.

15 TIMING

This matter is proposed to be progressed as part of the City Plan Major update 3 package to be sent for State interest review in March / April 2018.
16 CONCLUSION

This report proposes City Plan updates from the following projects:

- Community Benefit Bonus Elements Policy Review (Phase 2);
- Setbacks and Site Cover in Medium and High Density Residential Zones Review; and
- Light Rail Built Form Review (Podium Design).

The proposed City Plan updates are as follows:

<table>
<thead>
<tr>
<th>Section</th>
<th>Proposed City Plan updates</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Strategic framework</strong></td>
<td>• introduce a new theme ‘Fostering a well-designed city’ and element ‘Architecture and urban design’ to consolidate all requirements for architectural and urban design, landscape character and sustainable infrastructure provision;</td>
</tr>
<tr>
<td></td>
<td>• include the six (6) key design principles as the basis for drafting the ‘Architecture and urban design’ element requirements;</td>
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<tr>
<td></td>
<td>• include the Light rail urban renewal area requirements under ‘Fostering a well-designed city’ – ‘Architecture and urban design’ (currently in ‘Urban neighbourhoods’);</td>
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<tr>
<td></td>
<td>• reflect updates to the Light rail urban renewal area overlay code (see below) to clearly identify the expected design outcomes for development within the Light rail urban renewal area; and</td>
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<tr>
<td></td>
<td>• make consequential updates to the structure of the Strategic framework to reflect the revised theme structure.</td>
</tr>
<tr>
<td><strong>Tables of assessment</strong></td>
<td>• change the level of assessment for Dwelling houses and Dual occupancies from accepted and accepted subject to requirements to code assessment in the High density residential zone.</td>
</tr>
<tr>
<td><strong>Zones</strong></td>
<td></td>
</tr>
<tr>
<td>Medium density residential</td>
<td>• revise the purpose of the zones to reflect the intended development outcomes expected and better distinguish between zones;</td>
</tr>
<tr>
<td>High density residential</td>
<td>• revise the overall outcomes to incorporate additional design criteria, improve useability, and ensure consistent application of policy from the Strategic framework through to the relevant codes, including additional and revised overall outcomes for land use, amenity, built form, infrastructure and lot design;</td>
</tr>
<tr>
<td>Centre</td>
<td>• include an overall outcome and performance outcome to limit Dwelling houses or Dual occupancies in the High density residential zone;</td>
</tr>
<tr>
<td>Neighbourhood centre</td>
<td>• remove ‘housing form, scale and intensity’ overall outcomes (as outcomes are included in revised drafting);</td>
</tr>
<tr>
<td>Innovation</td>
<td>• revise the structure of required outcomes, performance outcomes and acceptable outcomes to reflect the revised overall outcomes, to improve useability and consistency;</td>
</tr>
<tr>
<td>Mixed use</td>
<td>• revise performance outcomes and acceptable outcomes for land use, amenity, built form and scale, and subtropical design to incorporate key design principles and strengthen desirable built form outcomes; and</td>
</tr>
<tr>
<td>Section</td>
<td>Proposed City Plan updates</td>
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<td>--------------------------</td>
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</tr>
<tr>
<td><strong>Overlays</strong></td>
<td></td>
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<tr>
<td>Light rail urban</td>
<td>- refine the Light rail urban renewal area overlay map to better distinguish areas for applicable design outcomes, to include:</td>
</tr>
<tr>
<td>renewal area overlay</td>
<td>- primary focus areas;</td>
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<td></td>
<td>- secondary focus areas;</td>
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<td>- frame areas; and</td>
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<td></td>
<td>- transition areas;</td>
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<td></td>
<td>- update Strategic framework map 3 – Light rail urban renewal area to reflect the revised Light rail urban renewal area overlay map;</td>
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<tr>
<td></td>
<td>- revise the Light rail urban renewal area overlay code to reflect the key design principles and clarify the design outcomes intended in each area;</td>
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<tr>
<td></td>
<td>- revise the images in the Light rail urban renewal area overlay code to better reflect the intended built form outcomes expected in each area;</td>
</tr>
<tr>
<td></td>
<td>- include new performance outcomes and acceptable outcomes for the key design principles, including requirements for responsiveness, amenity, built form,</td>
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<td></td>
<td>podium design and height, subtropical design, connectivity, streetscape design and car parking; and</td>
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<td></td>
<td>- include setbacks and site cover performance outcomes and acceptable outcomes specific to areas within the Light rail urban renewal area (to prevail over zone code requirements).</td>
</tr>
<tr>
<td></td>
<td><strong>Development codes</strong></td>
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<tr>
<td></td>
<td>- revise the following development codes to incorporate the key design principles and align with the structure of the zone code changes outlined above:</td>
</tr>
<tr>
<td></td>
<td>- Commercial design;</td>
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<td></td>
<td>- High-rise accommodation design;</td>
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<td></td>
<td>- Multiple accommodation; and</td>
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<td></td>
<td>- General development provisions.</td>
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<td></td>
<td><strong>Policies</strong></td>
</tr>
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<td></td>
<td>- remove the City Plan policy - Community benefit bonus elements.</td>
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</tbody>
</table>

It is proposed that these recommendations be endorsed to be included in the City Plan Major update 3 package to be sent for State interest review in March / April 2018.

17 RECOMMENDATION

It is recommended that Council resolves as follows:

1. That the report/attachment be deemed non-confidential except for those parts deemed by the Chief Executive Officer to remain confidential in accordance with sections 171 (3) and 200 (5) of the *Local Government Act 2009*.

2. That the proposed updates to City Plan, as identified in Attachment A, be endorsed to be included as part of City Plan Major update 3.

3. That the proposed drafted content, as identified in Attachment B, be endorsed in principle to be included as part of City Plan Major update 3.
4 That the proposed Light rail urban renewal area overlay map and Strategic framework map 3 – Light rail urban renewal area, as identified in Attachment C, be endorsed in principle to be included as part of City Plan Major update 3.

5 That the proposed changes to the City Plan be brought back to Council for endorsement prior to submission for State interest review.

6 That a City Plan policy – Design and context, be prepared to be presented to Council at a future meeting for endorsement prior to being included in a Major Schedule 6 City Plan Policy amendment.

7 That a review of zoning around existing light rail stations be undertaken to allow for a greater range of non-residential uses in and around transit stops.

8 That ‘The Urban Ground Guideline’, as identified in Attachment D, be endorsed.

9 That the report ‘Valuing Good Urban Design on the Gold Coast’, as identified in Attachment E, be noted.