Adopted Report

of the

Economy, Planning & Environment Committee Meeting

held

Wednesday 7 February 2018

at

9am

City of Gold Coast Council Chambers
135 Bundall Road, Surfers Paradise
<table>
<thead>
<tr>
<th>Item</th>
<th>Direct Div:</th>
<th>File</th>
<th>Page</th>
<th>Subject</th>
</tr>
</thead>
<tbody>
<tr>
<td>1#</td>
<td>Div 1</td>
<td>PN342224/02/DA9</td>
<td>5</td>
<td>Development Permit for Reconfiguring of a Lot (Code assessment) for one (1) into 136 Lot Subdivision, public open space and roads at Fountain Street, Pimpama. ROL201700399</td>
</tr>
<tr>
<td>2</td>
<td>Div 10</td>
<td>PN76722/01/DA2</td>
<td>77</td>
<td>Development Permit for Material Change of Use (Code assessment) for a Multiple Dwelling (99 units) at 272-274 Hedges Avenue, Mermaid Beach. MCU201701602</td>
</tr>
<tr>
<td>3#</td>
<td>Div 2</td>
<td>PN127253/01/DA6</td>
<td>207</td>
<td>Development Permit for making a Material Change of Use (Code assessment) for a Residential Care Facility (112 Beds) at 439 Tamborine Oxenford Road, Upper Coomera. MCU201700814</td>
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<td>4#</td>
<td>Div 11</td>
<td>PN151018/01/DA1</td>
<td>323</td>
<td>Development Permit for a Material Change of Use (Impact assessable) to establish a Child Care Centre at 81 Mattocks Road, Burleigh Waters. MCU201700061</td>
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<td>5</td>
<td>Div 7</td>
<td>PN258979/01/DA3</td>
<td>369</td>
<td>Request to change an existing approval in accordance with Section 369 of the Sustainable Planning Act 2009 for a Material Change of Use (Code assessment) for Multiple Dwelling (479 dwellings), food and drink outlet and shop - Lot 2 on RP104902, Lot 1 on SP211927 - 3 Trickett Street and Trickett Street, Surfers Paradise. MCU201700694</td>
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<td>#</td>
<td>Branch</td>
<td>Reference</td>
<td>Title</td>
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<td>6</td>
<td>Div 7</td>
<td>PN71606/01/DA8</td>
<td>Development Permit for Material Change of Use (Code assessment) for Multiple Dwellings (508 units), Short-term accommodation (280 units), food and drink outlets and shops (neighbourhood stores) - Lot 226 on RP21845, Lot 227 on RP21845, Lot 228 on RP21845, Lot 229 on RP21845, Lot 230 on RP21845, Lot 231 on RP21845, Lot 225 on CP849713, Lot 3 on SP164189, Lot 1 on SP164188, Lot 2 on SP164188 - 2, 10, 12, 14, 16, 18, 20 River Terrace, 42, 44, 46 Enderley Avenue, Surfers Paradise MCU201700981.</td>
<td></td>
</tr>
<tr>
<td>7</td>
<td>EP&amp;E</td>
<td>PD113/1306(P1)</td>
<td>Draft Local Government Infrastructure Plan Amendment 1 – Approval to proceed to Ministerial Approval and Adoption.</td>
<td></td>
</tr>
</tbody>
</table>

# Officer’s Recommendation changed at Committee

**KEY:**

- OCEO - Office of the Chief Executive Officer
- OCOO - Office of the Chief Operation Officer
- OS - Organisational Services
- EDMP - Economic Development and Major Projects
- EPE - Economy, Planning and Environment
- LC - Lifestyle and Community
- TI - Transport and Infrastructure
- WW - Water and Waste
ADOPTION BY COUNCIL 13 2018

RESOLUTION  G18.0213.015  moved Cr Caldwell  seconded Cr Gates

That the Report of the Economy, Planning and Environment Committee’s Recommendations of Wednesday, 7 February 2018, numbered EPE18.0207.001 to EPE18.0207.008, be adopted with the exception of:-

Recommendation Numbers  EPE18.0207.001  EPE18.0207.002  EPE18.0207.004  EPE18.0207.005 and EPE18.0207.007 which were specifically resolved.

CARRIED UNANIMOUSLY

ATTENDANCE

Cr C M Caldwell  Chairperson
Cr D Gates
Cr W M A Owen-Jones
Cr G Baildon AM
Cr P A Taylor
Cr H Vorster
Cr G O’Neill
Cr K Boulton  Visitor
Cr PC Young  Visitor
Ms A Tzannes  A/Director Economy, Planning & Environment
Mr M Moran  Manager City Development
Ms K Adair  A/Manager City Planning
Ms Z Meha  Manager Business Support
Mr B Madden  Manager Property Services
Mr S Watson  Senior Planner
Mr S Monaghan  A/Senior Planner Major Assessment
Mr H Moscrop-Allison  A/Senior Planner Major Assessment
Ms A Dorocinska  Planner
Mr S Brett  A/Executive Coordinator Major Assessment
Mr A Powell  Supervising Planner (Central)
Mr L Chean  Special Co-ordinator Strategic Infrastructure
Mr B Smith  A/Supervising Planner North
Mr C Levers  Senior Transport Engineer
Ms N Bennett  A/Executive Co-ordinator City and Regional Planning

APOLOGY/LEAVE OF ABSENCE

PROCEDURAL MOTION

moved Cr Gates  seconded Cr Owen-Jones

That the apology of Cr PJ Young be noted.

CARRIED

PRESENTATIONS

Development Activity Report – December 2017 – Amanda Tzannes
Refer 17 page attachment

1 APPLICATION SUMMARY

<table>
<thead>
<tr>
<th>Application information</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Address</strong></td>
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<tr>
<td><strong>Lot and plan</strong></td>
</tr>
<tr>
<td><strong>Site area</strong></td>
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<tr>
<td><strong>Zone</strong></td>
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<tr>
<td><strong>Overlays</strong></td>
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<tr>
<td><strong>Proposed use</strong></td>
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<tr>
<td><strong>Level of assessment</strong></td>
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<tr>
<td><strong>Applicant and Applicant’s consultancy team</strong></td>
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<tr>
<td><strong>Land owner</strong></td>
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<tr>
<td><strong>Submissions</strong></td>
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<tr>
<td></td>
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<tr>
<td><strong>Key matters raised by submitters</strong></td>
</tr>
<tr>
<td><strong>Decision due date</strong></td>
</tr>
<tr>
<td><strong>Referral agencies</strong></td>
</tr>
<tr>
<td><strong>Officer’s recommendation</strong></td>
</tr>
</tbody>
</table>

2 PROPOSAL

Council is in receipt of an application for a Development Permit for Reconfiguring a Lot to subdivide one (1) lot into 136 freehold lots, public open space and roads over four (4) stages. The proposed subdivision has been designed to integrate with approved Stages A-G of the Pimpama Village Residential development area and the existing Pimpama Village Estate.
The proposed stages will be developed as follows:

- Stage H will involve the development of 23 lots;
- Stage I will involve the development of 26 lots and public open space;
- Stage J will involve the creation of 39 lots and a management lot; and
- Stage K will involve the development of 48 lots;

Lot widths proposed vary from 9.0 metres up to 42.5 metres and a variety of lot sizes ranging from 303m² to 914m² will be supplied across the development.

The table below illustrates the proposed lot sizes.

<table>
<thead>
<tr>
<th>STAGE</th>
<th>MIN 303m²</th>
<th>375-599m²</th>
<th>400-449m²</th>
<th>450m²+</th>
<th>MGANT</th>
<th>TOTAL</th>
</tr>
</thead>
<tbody>
<tr>
<td>H</td>
<td>6</td>
<td>3</td>
<td>5</td>
<td>7</td>
<td>0</td>
<td>23</td>
</tr>
<tr>
<td>I</td>
<td>7</td>
<td>6</td>
<td>6</td>
<td>11</td>
<td>0</td>
<td>26</td>
</tr>
<tr>
<td>J</td>
<td>12</td>
<td>15</td>
<td>6</td>
<td>3</td>
<td>1</td>
<td>33</td>
</tr>
<tr>
<td>K</td>
<td>20</td>
<td>3</td>
<td>10</td>
<td>15</td>
<td>0</td>
<td>48</td>
</tr>
<tr>
<td>TOTAL</td>
<td>47</td>
<td>21</td>
<td>31</td>
<td>39</td>
<td>0</td>
<td>136</td>
</tr>
</tbody>
</table>

Lot sizes as a percentage: 35% 18% 23% 27%
RECONFIGURING OF A LOT FOR ONE (1) INTO 136 LOT SUBDIVISION, PUBLIC OPEN SPACE AND ROADS AT FOUNTAIN STREET, PIMPAMA – DIVISION 1
PN342224/02/DA9

Access to the development will be gained from an internal road intersecting with Pimpama Jacobs Well Road, this road is to be constructed as part of stages D-G. Additional access to Pimpama Estate Village is available from Creek Street.

Public open space is proposed to be located within Stage I of the proposal, the space has a total area 7,190m² and has been identified as a non-trunk local recreation park.

The subject site, and all future allotments, will be connected to all necessary infrastructure, including the sewer and water network.

The proposal does not meet the following acceptable outcomes:

- Amenity protection; and
- Earthworks and treatment of retaining walls.

These are discussed within the ‘planning assessment’ section of this report.

3 SITE DESCRIPTION AND SURROUNDING AREA

3.1 Characteristics of site

The site:

- Comprises of one (1) allotment;
- Has a total site area of 372,900m²;
- Is irregular in shape;
- Is currently vacant;
- Is accessed internally from the Pimpama Village Estate which gains access externally from Creek Street;
- Has a frontage to Pimpama Jacobs Well Road of approximately 337 metres;
- Has a topography which slopes down toward Pimpama Jacobs Well Road; and
- Is relatively cleared of any vegetation.
ITEM 1 (Continued)
RECONFIGURING OF A LOT FOR ONE (1) INTO 136 LOT SUBDIVISION, PUBLIC OPEN SPACE AND ROADS AT FOUNTAIN STREET, PIMPAMA – DIVISION 1
PN342224/02/DA9

Figure 3: Aerial photograph of subject site (Source: Dekho 2017)

Figure 4: Subject site as viewed from Fountain Street (Source: A.Dorocinska 2017)
3.2 Characteristics of surrounding area
The subject lot is positioned in a location with a large mix of various zonings and land uses.

**North:** The site adjoins Hotham Creek to the north. Further north are lots included within the Rural zone.

**South:** Allotments to the south of the subject application are also within the Pimpama Village Estate and are included within the Emerging communities zone. The development of these sites will also be in accordance with the Pimpama Village Residential Code;

**East:** The site fronts Pimpama Jacobs Well Road to the east. Further east is the heavy rail line and land contained within the Mixed use zone, Special purpose zone, Community facilities zone and Centre zone.

**West:** Allotments to the west of the site form part of the Pimpama Village Estate

Under the City Plan many of the residential areas to the south have been included within the Medium Density Residential Zone. A large portion of land to the east of the site is located within the Centre Zone to facilitate the development of the Pimpama District Centre.
ITEM 1 (Continued)
RECONFIGURING OF A LOT FOR ONE (1) INTO 136 LOT SUBDIVISION, PUBLIC OPEN SPACE AND ROADS AT FOUNTAIN STREET, PIMPAMA – DIVISION 1
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Figure 6: Aerial photograph of subject site and surrounding environment (Source: Dekho 2017)
4 LEVEL OF ASSESSMENT

The subject allotment forms part of an approved Preliminary Approval which varied the effect of the Gold Coast Planning Scheme 2003 made pursuant to section 242 of the Sustainable Planning Act 2009 and can be identified within the Pimpama Village Residential Zone of the Pimpama Village Residential Code. It is noted that the Preliminary Approval also varies the effect of the current City Plan.

Figure 7: Zoning of subject site and surrounding environment (Source: City Plan 2017)
ITEM 1 (Continued)
RECONFIGURING OF A LOT FOR ONE (1) INTO 136 LOT SUBDIVISION, PUBLIC OPEN SPACE AND ROADS AT FOUNTAIN STREET, PIMPAMA – DIVISION 1
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In accordance with Table of Assessment 2.3.1 of the Pimpama Village Residential Code, the proposed subdivision triggers Code Assessment, as the proposal is designated a residential density of RD5 which allows for a minimum lot size of 125m², please refer to Figure 8. Therefore, as the proposal does not propose allotments with an area less than the minimum lot size of 125m² the application is subject to code assessment.

Figure 8: Village density plan (Source: Planit 2016)

5 OTHER DEVELOPMENT APPROVALS/EXISTING LAWFUL USES
5.1 Subject site and neighbouring premises

Previous applications which are relevant to the subject site are listed chronologically below.

<table>
<thead>
<tr>
<th>Application</th>
<th>Approval date</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Preliminary approval to override the Planning Scheme</td>
<td></td>
<td></td>
</tr>
<tr>
<td>MCU201000605</td>
<td>30 May 2011</td>
<td>Council resolved to approve the following applications:</td>
</tr>
<tr>
<td></td>
<td></td>
<td>- Preliminary Approval in Accordance with section 242 of the Sustainable Planning Act 2009 varying the effect of the planning scheme for Development in Accordance with the Pimpama Village Precinct Development Codes;</td>
</tr>
<tr>
<td></td>
<td></td>
<td>- Development permit for Reconfiguring a Lot to create 104</td>
</tr>
</tbody>
</table>
## ITEM 1 (Continued)
**RECONFIGURING OF A LOT FOR ONE (1) INTO 136 LOT SUBDIVISION, PUBLIC OPEN SPACE AND ROADS AT FOUNTAIN STREET, PIMPAMA – DIVISION 1**
PN342224/02/DA9

<table>
<thead>
<tr>
<th>lots; and</th>
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<tbody>
<tr>
<td>• Development Permit for Operational Works for Change to Ground Level and Vegetation Clearing.</td>
</tr>
<tr>
<td>This approval related specifically to a triangle of area to the south of the subject site. This area was included in the Urban Footprint of the South East Queensland Regional Plan.</td>
</tr>
</tbody>
</table>

| Court Consent Order – No. 2334 of 2011 | 6 October 2011 | The applicant appealed Council’s decision in relation to an advice note which was included in the conditions of approval. The advice note was in relation to a 250m buffer from Hotham Creek. The Court approved the appeal and the advice note was removed. |

<table>
<thead>
<tr>
<th>Pre-request response – Court Consent Order - No. 2334 of 2011</th>
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<tbody>
<tr>
<td>MCU201401278</td>
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| Court Consent Order – No. 1505 of 2015 | 1 May 2015 | The Court allowed the change to the development approval given by the Judgement of the Court on 6 Order 2011 in the Planning and Environment Appeal Number 2334 of 2011 |

<table>
<thead>
<tr>
<th>Boundary realignment</th>
</tr>
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<tbody>
<tr>
<td>ROL201500029</td>
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</table>

| Court Consent Order – No. 3281 – 2015 | 15 July 2016 | The previous approval was appealed by the applicant and it was requested that any conditions which ties the lots were removed. The Court Judgement allowed the requested changes and it was instead conditioned that an easement would be registered over the area 60 metres east of Hotham Creek. |

<table>
<thead>
<tr>
<th>Preliminary approval to override the Planning Scheme</th>
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<tbody>
<tr>
<td>MCU201500641</td>
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</table>
the Pimpama Village Residential Code;
- Development Permit for Reconfiguring a Lot to create 234 residential lots, a Balance Lot, Roads and Public Open Space;
- Development Permit for Operational Works for Change to Ground Level and Vegetation Clearing.

The approval established the Pimpama Village Residential Code to which all future development applications will be assessed against on this site.
This approval also forms Stages A to C of the Pimpama Village Residential Estate.

<table>
<thead>
<tr>
<th>Management Lot Subdivision</th>
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<tbody>
<tr>
<td>ROL201700232 6 November 2017</td>
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<table>
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<tr>
<th>Combined Development Permit</th>
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<tbody>
<tr>
<td>ROL201700205 14 November 2017</td>
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</table>

## 6 PLANNING ASSESSMENT

### 6.1 Assessment against a variation approval

The Pimpama Village Residential Code which was given under a preliminary approval in 2016 varies and overrides many parts of the former Gold Coast Planning Scheme. This includes the assessment criteria, levels of assessment and land use definitions.

The Pimpama Village Residential Code is the primary planning instrument in which future development will be assessed against. The Code removed all relevant overlay codes as these were considered as part of the overarching preliminary approval. The Code also makes references to certain codes of the City Plan which are to be considered as part of the assessment of future development applications.

The proposed development will be assessed against the codes listed below:

- **Pimpama Village Residential Code**
  - Pimpama Village Residential Zone Code

- **City Plan**
  - General development provisions code; and
  - Reconfiguring a lot code.

The application is subject to the Pimpama Village Residential Code where an assessment
against the relevant zone code and development codes has been provided in section 6.3 of
this report.

6.2 Assessment against the Strategic framework
The proposal does not trigger assessment against the strategic framework.

6.3 Assessment against the codes
The following is an assessment of the application against the applicable codes of the City
Plan identified in the table below:

<table>
<thead>
<tr>
<th>Zone code</th>
<th>Overlay codes</th>
<th>Development codes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pimpama Village Residential Zone Code</td>
<td>Bushfire Hazard Overlay Code*</td>
<td>General development provisions code; and</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Reconfiguring a lot code.</td>
</tr>
</tbody>
</table>

*Although the overarching preliminary approval considered overlay codes in its assessment,
officers consider that an assessment against the Bushfire Hazard Overlay Code is applicable
as the adjoining site to the north is mapped as containing High potential bushfire hazard.
Please refer to section 6.3.3 for further discussion.

6.3.1 Assessment against the zone code
The proposal has been assessed against the Pimpama Village Residential Zone Code.

**Pimpama Village Residential Zone Code**

(1) *The purpose of the Pimpama Village Residential zone code is designed to support the
 provision of a range of housing choices which responds to the precincts geographical setting
 and natural constraints. The Pimpama Village Residential zone shall include a mix of
 residential housing as a means to delivering an efficient land use pattern within the precinct.

(2) The purpose of the code will be achieved through the following overall outcomes:

a) Land uses –
   (i) residential uses are to be the preferred land use;
   (ii) include a range of medium density residential uses, predominantly
        permanent accommodation,
   (iii) such as Multiple dwellings, Dual occupancies and Dwelling houses on
        small lots are included in the zone to provide a mix of dwelling types
        and increase residential density;
   (iv) which carry higher potential for impacts on amenity such as Childcare
        centres, may be considered if appropriately designed and
        located and not detract from the residential amenity of the area

b) Housing is provided at a form, scale and intensity that is appropriate for the zone and
each particular locality it is in where the following outcomes are satisfied:

**Orderly and economically efficient settlement pattern**

(i) degree of public transport service within a 400 metre walking distance,
    being the most desirable distance for pedestrian access, and the ease
    and safety of pedestrian access to that service;
(ii) proximity to major employment concentrations, centres, social and
     community infrastructure facilities and important amenity features,
     including the coast, recreational waterways and parkland;
(iii) capacity of available infrastructure to support the development,
     including water, sewer, transport and social and community facilities;

**Housing needs**
RECONFIGURING OF A LOT FOR ONE (1) INTO 136 LOT SUBDIVISION, PUBLIC OPEN SPACE AND ROADS AT FOUNTAIN STREET, PIMPAMA – DIVISION 1
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(iv) delivery of a generous mix of housing form, sizes and affordability outcomes that meet housing needs (including housing needs of the future) for the locality;

Design and amenity

(v) whether intended outcomes for building form/city form and desirable building height patterns are negatively impacted, including the likelihood of undesirable local development patterns to arise if the cumulative effects of the development are considered;

(vi) retention of important elements of neighbourhood character and amenity, and cultural heritage;

(vii) whether adjoining residential amenity is unreasonably impacted; and

(viii) achievement of a high quality urban design.

c) Character consists of –

(i) urban neighbourhoods that vary from pockets of detached housing on smaller lots to medium or higher intensity places containing medium rise buildings;

(ii) well serviced and compact urban neighbourhoods that offer a level of amenity appropriate to the intensity of the area; and

(iii) walking and cycling paths, street trees and local streets for shared car and bike use.

d) Built form –

(i) has a building height that does not exceed that indicated on the Pimpama Village Residential height plan;

(ii) contributes to a transitioning density from lower intensity areas to higher intensity areas near centres and areas well serviced by public transport;

(iii) is setback from road frontages to promote an urban setting and interface with the street;

(iv) is setback from side and rear boundaries to protect the amenity of adjoining residences; and

(v) has varying site cover to reduce building dominance and provide areas for landscaping.

e) Lot design –

(i) supports a mix and variety of housing forms envisaged in the zone; and

(ii) promotes a passive, highly accessible and well connected development."

Land uses

The proposal is for a residential subdivision that will cater for a range of residential land uses envisaged by the code, and as such any future development on the created lots supports these uses to be established.

Form, scale and intensity

The site is situated in a locality that will be provided with employment opportunities, particularly within the Pimpama District Centre which is located to the east of the site. This District Centre is currently under construction.

In addition, the site is located within close proximity to public transport, specifically the bus network. Bus route 721 and 722 are located along Depot Road near Pimpama Jacobs Well Road which travel to Coomera and Ormeau, this bus network connects up to the heavy rail network at Ormeau Station. As such, due to the sites locality and connectivity to road infrastructure, the bus network and consequently heavy rail residents of the proposed development will have access to services, employment and social infrastructure.
ITEM 1 (Continued)
RECONFIGURING OF A LOT FOR ONE (1) INTO 136 LOT SUBDIVISION, PUBLIC OPEN SPACE AND ROADS AT FOUNTAIN STREET, PIMPAMA – DIVISION 1
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The Pimpama Village Estate contains walkways and parks within the existing, approved and the proposed stages of the estate which will meet the recreational needs of the future residents.

Water and Waste have assessed the capacity of available infrastructure in support for the proposed development. Confirmation has been provided that the local water and sewer network has capacity to facilitate the development.

Character
As Pimpama Village Estate has been developed as a staged development, it is considered that the introduction of the 136 lots through the proposed configuration and lot design will be consistent with the other approved stages of the Estate.

Built form
The subject application is for the subdivision of the allotment, any future development on the created lots will be subject to the Pimpama Village Residential Code.

Lot design
The proposed development seeks to introduce a residential subdivision. The lot configurations proposed range from 303m² to 914m² and lot frontages ranging from 9 metres to 42.5 metres.

The subject site is located in close proximity to the Pimpama District Centre; and as such, the preliminary approval has nominated the eastern portion of the Pimpama Village development area within the RD5 (1 bedroom per 50m² of site area) and a minimum lot size of 125m² in accordance with the Pimpama Village Residential code. The Pimpama Village Residential code is akin to the Medium density residential zone of the City Plan where medium to higher intensity built form outcomes are encouraged where in close proximity to centres, community infrastructure and major employment concentrations.

Although the proposal includes lots with frontages of less than twelve metres, officers consider that the lot design and configuration have the ability to efficiently facilitate future residential development on the proposed lots. As detailed above, the code seeks to facilitate development similar to that sought within the Medium density residential zone with the site’s close proximity to the existing centre, where higher intensity built form outcomes are envisaged. Therefore it is considered appropriate to include lots inclusive of narrow frontages to encourage a generous mix of housing forms. Furthermore, the code is silent on lot frontages, however, with the configurations proposed, the lot frontages are considered adequate to facilitate a medium density development and maintain consistency within the estate.

Furthermore, any future development on the proposed lots would be subject to assessment against the Pimpama Village Residential Zone Code and if applicable, the Pimpama Village Residential small lot housing code. These codes prescribe parameters for future development, relating to setbacks, site cover, height, density, private open space, etc. Considering the lot designs sought and the assessable criteria of the codes, officers consider future dwelling houses as well as a mix of other higher intensity housing forms can be accommodated on these sites as envisaged by the Pimpama Village code whilst still promoting a passive, highly accessible and well connected development. As such, the lot design and configuration of the proposal achieves the intent of the Pimpama Village Residential code.
Overall, it is considered that the proposal demonstrates compliance with the purpose of the Pimpama Village Residential Zone Code. Furthermore, the proposal demonstrates compliance with all relevant Acceptable Outcomes of the Zone Code.

6.3.2 Assessment against design based overlay codes

There are no design based overlay codes relevant to the application.

6.3.3 Assessment against overlay codes

No overlay codes are applicable to the proposal in accordance with the Table of Assessment that forms part of the Pimpama Village Residential Zone code, however, the proposal has been assessed against the Bushfire hazard overlay code due to the adjoining site to the north being identified as an area containing High potential bushfire hazard within the Overlay Mapping of the City Plan. As there is a high degree of risk associated with the proposed development with the hazard area adjoining the site, officers have considered the overlay code to ensure the proposed development can mitigate any associated hazards from the adjoining site. Subsequently, a bushfire management plan was prepared by the applicant and submitted with the application. It has been determined that the proposal achieves compliance with the overlay code.

6.3.4 Assessment against development codes

The proposal has been assessed against the following development codes:

- General development provisions code; and
- Reconfiguring a lot code.

General Development Provisions Code

“(1) The purpose of the General development provisions code is to provide a consistent approach to city wide issues and avoid duplication of regulation throughout the City Plan.

(2) The purpose of the code will be achieved through the following overall outcomes:

(a) Development is designed to maintain the expected level of amenity for the area.

(b) Development promotes a safe environment and reduces the potential for crime.

(c) Development is designed to respect the natural values of the land, including vegetation, natural topography and development on steep slopes to minimise impacts on the landscape character of the city's rural, urban and hinterland areas.

(d) Development does not result in unsightly retaining walls.

(e) Building services and storage areas are designed and located to avoid nuisance to adjoining premises and avoid an unattractive appearance when viewed from the street.

(f) Development does not cause adverse stormwater drainage impacts on or off the site.

(g) Development is connected to essential services and public utilities in accordance with infrastructure provider requirements.”

The proposed development generally complies with the purpose of the General development provisions code in that the proposal is designed to maintain the expected level of amenity for the area, is designed to respect the natural values of the land, including vegetation, and natural topography, with the exception of the proposed design of retaining walls/structures. The proposed retaining walls/structures do not maintain the expected visual amenity when facing
Pimpama Jacobs Well Road. As such, officers recommend a condition to require a redesign of the proposed walls/structures fronting Pimpama Jacobs Well Road.

Further discussion is provided, as follows:

<table>
<thead>
<tr>
<th>Performance outcome</th>
<th>Acceptable outcome</th>
</tr>
</thead>
</table>
| **Performance Outcome 2**  
Amenity Protection  
The proposed development prevents loss of amenity and threats to health and safety, having regard to:  
(a) noise;  
(b) hours of operation;  
(c) traffic;  
(d) signage;  
(e) visual amenity;  
(f) wind effects;  
(g) privacy;  
(h) vibration;  
(i) contaminating substances;  
(j) hazardous chemicals;  
(k) odour and emissions; and  
(l) safety. | **Acceptable Outcome 2**  
No acceptable outcome provided. |

**Noise**

The proposed development will not result in a loss of amenity relating to noise associated with the development and surrounding sites. The proposed development does not require any specific noise attenuation measures to mitigate any impacts of noise.

**Hours of operation**

There is no commercial use proposed as part of this application.

**Traffic**

The accumulated number of lots (521) including the 136 proposed lots is within the scope of the approved Traffic Impact Assessment that was assessed as part of the preliminary approval. As such, the proposed development is not considered to have any adverse traffic impacts on the amenity of the area.

**Signage**

There is no signage proposed as part of this application.

**Visual amenity**

Due to topographical changes in the landform, the proposed development requires the inclusion of retaining walls along the property boundary of lots fronting Pimpama Jacobs Well Road. Generally the height of the retaining walls will be between 1.0m to 1.5m. 11 lots fronting Pimpama Jacobs Well Road (proposed lots 510-521) will however require walls of a height up to 3.0m. Although they are proposed to be tiered, the combination of retaining walls and fencing along the road frontage is considered to adversely impact on the visual amenity and the streetscape character of the existing locale. Please refer to Figure 9 which shows the proposed retaining wall/structure arrangement.
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RECONFIGURING OF A LOT FOR ONE (1) INTO 136 LOT SUBDIVISION, PUBLIC OPEN SPACE AND ROADS AT FOUNTAIN STREET, PIMPAMA – DIVISION 1
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Figure 9: Proposed retaining wall sections (Source: Sedgman 2017)

Officers have concerns with the design and aesthetic appearance of the proposed retaining walls and the ability to adequately screen/buffer the walls with landscaping. It is considered that the potential visual amenity concern can be resolved through conditioning the requirement to include a 1.5 metre setback for the retaining walls and any fencing to allow for adequate space to achieve landscaping between the property boundary and the walls/fencing to buffer and screen the visual impacts of the development.

A subsequent Operational Works application for Landscape Work will be required to be submitted to Council, where officers can review the landscaping proposed in more detail. The outcome sought by officers is demonstrated in Figure 10 and Figure 11, which are both example developments that have required retaining walls with a 1.5 metre landscaping buffer. The landscaping included within the buffers consists of Syzygium (Lilly Pilly) and Lomandra (Spiny-head Mat-rush or Basket Grass).
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Figure 10: Existing development at 335 Foxwell Road, Coomera (Source: Google Maps 2017)

Figure 11: Existing development at ‘Boambilee Estate’ Foxwell Road, Coomera (Source: Google Maps 2017)

The outcome officers seek to achieve through the recommended amended plans condition and associated landscape work conditions is shown in Figure 12 below, which demonstrates a 1.5 metre setback from the property boundary where landscaping would be planted within the property and in front of the required retaining wall and fencing. In addition to the landscaping sought within the property boundary, the existing road verge between the subject site and Pimpama Jacobs Well Road is approximately 8.0m, providing additional mitigation relating to
any amenity concerns the proposed retaining wall/fencing may generate. It is important to note that the retaining walls will not be visible from any residential property and will only be viewed from Pimpama Jacobs Well Road itself. The large road reserve, on both sides of Pimpama Jacobs Well Road, with associated vegetation, will serve to screen the retaining walls from the proposed Pimpama City commercial development to the east.

Figure 12: Intended retaining wall and landscape section (Source: D.Price 2018)
Wind effects
It is not considered that the proposed development will result in any wind effects.

Privacy
It is not considered that the proposed development will result in any impacts on privacy.

Vibration
It is not considered that the proposed development will result in any vibration impacts.

Contaminated substances
It is not considered that the proposed development will result in any contaminated substances to be present on the site.

Hazardous Chemicals
It is not considered that the proposed development will result in any hazardous chemicals to be present on the site.

Odour and emissions
It is not considered that the proposed development will result in any odour or emissions.

Safety
It is not considered that the proposed development will result in any safety impacts.

<table>
<thead>
<tr>
<th>Performance outcome</th>
<th>Acceptable outcome</th>
</tr>
</thead>
<tbody>
<tr>
<td>Performance Outcome 9</td>
<td>Acceptable Outcome 9</td>
</tr>
<tr>
<td>Earthworks and treatment of retaining walls</td>
<td>Retaining walls and batters comply with the requirements of SC6.9 City Plan policy – Land</td>
</tr>
<tr>
<td>Earthworks and retaining walls associated with the</td>
<td></td>
</tr>
<tr>
<td>development do not create a negative visual</td>
<td></td>
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</tbody>
</table>
ITEM 1 (Continued)
RECONFIGURING OF A LOT FOR ONE (1) INTO 136 LOT SUBDIVISION, PUBLIC OPEN SPACE AND ROADS AT FOUNTAIN STREET, PIMPAMA – DIVISION 1
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The proposed retaining walls associated with this development result in tiered walls between 1.5m and 3m fronting Pimpama Jacobs Well Road, although they generally comply with the specific design standards contained within Table SC6.9.2-13 of the policy, the walls are not considered to comply with all the provisions sought by SC6.9 City Plan Policy – Land Development Guidelines, specifically point (d) of the policy which states “retaining structures must be designed to give a neat architectural and aesthetic appearance.”

To demonstrate compliance with the performance outcome, Council officers have recommended an amended plan condition requiring the retaining walls to be setback a minimum of 1.5m from Pimpama Jacobs Well Road to allow adequate landscaping to grow and buffer the proposed height and impact of the retaining walls.

It should be noted that a similar condition was attached to the development permit for Stages D-G of the Pimpama Village Estate, specifically retaining walls adjoining the Depot Road frontage. This condition will ensure a consistent streetscape appearance to the external frontage of the development.

With the inclusion of the amended plan condition above, the subject application is considered to comply with the performance outcomes and overall outcomes of the General development provisions code.

Reconfiguring a Lot Code

“(1) The purpose of the Reconfiguring a lot code is to ensure that the reconfiguring a lot lays the foundations for high-quality urban design that supports the outcomes for the zone and is sensitive to the environment, topography and landscape features.

(2) The purpose of the code will be achieved through the following overall outcomes:

a) Large subdivisions provide a range of lot sizes to accommodate for different development expected in the zone.

b) Reconfiguring a lot allows for increased yields in close proximity to public transport, retail, commercial, community, and recreation facilities.

c) The size and configuration of a small lot is able to accommodate a dwelling house that is compliant with the Small lot housing (infill focus) code and the applicable zone code.

d) Reconfiguring a lot results in safe and interconnected streets that promote the use of public transport, walking and cycling.

e) Reconfiguring a lot within the Coomera Town Centre area provides an integrated network of predominantly public streets to ensure efficient movement of pedestrians, cyclists, vehicles and strong public transport connections.

Note: Indicative access and mobility outcomes for the Coomera Town Centre area are identified on Strategic framework map 8 in Schedule 2 Mapping.

f) Reconfiguring a lot results in lot configuration and orientation to facilitate climatically responsive site design.

g) Reconfiguring a lot takes into account the physical, environmental and infrastructure constraints, creating lots that respond to the natural topography of the land by minimising the extent of earthworks required.

h) Reconfiguring a lot contributes to the provision of a safe, accessible, convenient and useable network of open space for local communities.

i) Reconfiguring a lot provides for community infrastructure and other non-residential
ITEM 1 (Continued)
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activities to support the local neighbourhood, commensurate with the stages
of development.

j) Reconfiguring a lot ensures that new lots are connected to essential services and public
utilities to meet the demand of end users whilst minimising risk of failure or environmental
harm.

k) Where necessary, new lots are provided with on-site sewerage facilities that are
appropriately sited to respond to on and off site constraints.”

The proposed reconfiguration of a lot generally complies with the purpose of the
Reconfiguring a Lot Code in that the proposal provides a range of lot sizes which can
accommodate a mix of housing form and is sensitive to the character, environment,
topography and the sites connectivity to nearby public transport, commercial, community
and recreational facilities. The application complies with all the acceptable and performance
outcomes and overall outcomes of the Reconfiguring a Lot Code.

7 ASSESSMENT AGAINST TEMPORARY LOCAL PLANNING INSTRUMENTS
The proposal does not trigger assessment against any temporary local planning instruments.

8 ASSESSMENT AGAINST SCHEDULE 10 OF THE REGULATION
The proposal does not trigger assessment against any assessment benchmarks in Schedule
10 (Development assessment) of the Planning Regulation 2017.

9 ASSESSMENT AGAINST SCHEDULE 14 OF THE REGULATION
The proposal does not trigger assessment against any assessment benchmarks in Schedule
14 (Particular reconfiguring a lot requiring code assessment) of the Planning Regulation
2017.

10 ASSESSMENT AGAINST 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).

11 ASSESSMENT AGAINST THE 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).

12 DEVELOPMENT INFRASTRUCTURE (TRUNK)
The proposal does not include any trunk development infrastructure.

13 INFRASTRUCTURE CHARGES
The final estimated infrastructure charge is $3,850,323.20.

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.
14 LOCAL PLANNING INSTRUMENTS THAT MAY BE MATERIALLY AFFECTED BY THE DEVELOPMENT

The proposal does not trigger assessment against any assessment benchmarks for another local government area materially affected by the development.

15 REFERRALS

15.1 Internal referrals

This application has been assessed by internal referral officers who have provided reasonable and relevant conditions. An overview of the recommended conditions is provided in the table below:

<table>
<thead>
<tr>
<th>Internal city expert</th>
<th>Comments and Conditions</th>
</tr>
</thead>
<tbody>
<tr>
<td>Water and Waste</td>
<td>Recommended conditions:</td>
</tr>
<tr>
<td></td>
<td>• Sewer reticulation;</td>
</tr>
<tr>
<td></td>
<td>• Water reticulation;</td>
</tr>
<tr>
<td></td>
<td>• Sub-metering;</td>
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<tr>
<td></td>
<td>• Fire loading;</td>
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<tr>
<td></td>
<td>• Requirement to register easement/s; and</td>
</tr>
<tr>
<td></td>
<td>• Certification of works.</td>
</tr>
<tr>
<td>Hydraulics and Water Quality</td>
<td>Recommended conditions:</td>
</tr>
<tr>
<td></td>
<td>• Endorsement of Stormwater management plan;</td>
</tr>
<tr>
<td></td>
<td>• Requirement to register easement/s;</td>
</tr>
<tr>
<td></td>
<td>• Overland flow paths and hydraulic alterations;</td>
</tr>
<tr>
<td></td>
<td>• Bioretention basin maintenance management plan;</td>
</tr>
<tr>
<td></td>
<td>• Certification of works;</td>
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<td></td>
<td>• On Maintenance for bioretention basin; and</td>
</tr>
<tr>
<td></td>
<td>• Erosion and sediment control.</td>
</tr>
<tr>
<td>Landscape Assessment</td>
<td>Recommended conditions:</td>
</tr>
<tr>
<td></td>
<td>• Amended plans to demonstrate 1.5 metre setback between retaining structures and property boundary for lots fronting Pimpama Jacobs Well Road;</td>
</tr>
<tr>
<td></td>
<td>• Landscaping works on private land;</td>
</tr>
<tr>
<td></td>
<td>• Fencing setback from Pimpama Jacobs Well Road; and</td>
</tr>
<tr>
<td></td>
<td>• Establishment period for landscape planting.</td>
</tr>
</tbody>
</table>
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RECONFIGURING OF A LOT FOR ONE (1) INTO 136 LOT SUBDIVISION, PUBLIC OPEN SPACE AND ROADS AT FOUNTAIN STREET, PIMPAMA – DIVISION 1
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<table>
<thead>
<tr>
<th>Open Space Assessment</th>
<th>Recommended conditions:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>• Land transfer;</td>
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<tr>
<td></td>
<td>• Landscaping works within public open spaces; and</td>
</tr>
<tr>
<td></td>
<td>• Boundary fences.</td>
</tr>
<tr>
<td>Queensland Fire Rescue</td>
<td>Recommended conditions:</td>
</tr>
<tr>
<td></td>
<td>• Endorsement of Bushfire management plan.</td>
</tr>
<tr>
<td>Subdivision Engineering</td>
<td>Recommended conditions:</td>
</tr>
<tr>
<td></td>
<td>• New roads/intersections;</td>
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<tr>
<td></td>
<td>• Footpaths;</td>
</tr>
<tr>
<td></td>
<td>• Street lighting;</td>
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<tr>
<td></td>
<td>• Electrical reticulation;</td>
</tr>
<tr>
<td></td>
<td>• Telecommunication network;</td>
</tr>
<tr>
<td></td>
<td>• Connection to permanent survey marks;</td>
</tr>
<tr>
<td></td>
<td>• Certification of works; and</td>
</tr>
<tr>
<td></td>
<td>• Road names to be submitted.</td>
</tr>
</tbody>
</table>

15.2 External referrals
There are no concurrence or advice agencies triggered by this development application.

16 PUBLIC NOTIFICATION
Not applicable – No part of the application required public notification.

17 OTHER RELEVANT MATTERS
Not applicable

18 CONCLUSION
The proposed development has been assessed against the Pimpama Village Residential Zone Code, the Bushfire Hazard Overlay Code, the General Development Provisions Code and the Reconfiguring a Lot Code.

It has been determined that the proposal meets the purpose of all the applicable codes, therefore following a thorough assessment it is recommended that the application be approved, subject to the conditions of approval provided in the officer’s recommendation.

19 NOTIFICATIONS
The following property notifications are applicable:

Bushfire management
There are development approval conditions applicable in relation to bushfire management on this lot/subsequent lots. All property owner(s) must ensure compliance with these conditions. Refer to Council of the City of Gold Coast’s Decision Notice (ROL201700399). A copy of Council’s Decision Notice is available for viewing on Council’s website www.goldcoastcity.com.au/pdonline
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Stormwater (Management Plan)

There is a Stormwater Management Plan in regard to this lot. All property owner(s) must ensure compliance with the Stormwater Management Plan. Please refer to Gold Coast City Council’s PN file and Decision Notice for further information. A copy of Council’s Decision Notice is available for viewing via Gold Coast City Council Planning and Development Online website www.goldcoastcity.com.au/pdonline.

20 RECOMMENDATION

It is recommended that Council resolves as follows:

That Council approves (with conditions) the issue of a Development Permit for Reconfiguring of a Lot for 136 Lot Subdivision, Public Open Space and Road at Fountain Street, Pimpama, subject to conditions.

<table>
<thead>
<tr>
<th>General</th>
</tr>
</thead>
</table>
| **1. Timing**

All conditions of this development approval must be complied with at no cost to Council at all times unless otherwise stated in another condition.

| **2. Amended drawings**

Prepare and submit amendments to the drawings for confirmation they constitute the approved drawings for the purposes of this development approval. All amended drawings must be submitted (and confirmed by Council) prior to commencement of any works on site.

<table>
<thead>
<tr>
<th><strong>Planning</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Drawing Title</strong></td>
</tr>
<tr>
<td>COULTERS FARM STAGE H, I, J, K</td>
</tr>
<tr>
<td>COULTERS FARM STAGE H</td>
</tr>
<tr>
<td>COULTERS FARM STAGE I</td>
</tr>
<tr>
<td>COULTERS FARM STAGE J</td>
</tr>
<tr>
<td>COULTERS FARM STAGE K</td>
</tr>
<tr>
<td>Stage 5 Indicative Earthworks &amp; Retaining Wall Plan Sheet 1 of 3</td>
</tr>
<tr>
<td>Stage 5 Indicative Earthworks &amp; Retaining Wall Plan Sheet 2 of 3</td>
</tr>
</tbody>
</table>
ITEM 1 (Continued)
RECONFIGURING OF A LOT FOR ONE (1) INTO 136 LOT SUBDIVISION, PUBLIC OPEN SPACE AND ROADS AT FOUNTAIN STREET, PIMPAMA – DIVISION 1
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<table>
<thead>
<tr>
<th>Plan Title</th>
<th>Author</th>
<th>Date</th>
<th>Plan Reference No.</th>
<th>Ver</th>
</tr>
</thead>
<tbody>
<tr>
<td>Stage 5 Indicative Earthworks &amp; Retaining Wall Plan Sheet 3 of 3</td>
<td>Sedgman</td>
<td>07/12/2017</td>
<td>17C044-C5-SK012</td>
<td>0</td>
</tr>
<tr>
<td>Stage 5 Indicative Earthworks &amp; Retaining Wall Sections</td>
<td>Sedgman</td>
<td>07/12/2017</td>
<td>17C044-C5-SK013</td>
<td>0</td>
</tr>
</tbody>
</table>

The following amendments must be included:

a. Clearly identify on the plans that fencing and retaining structures adjoining Pimpama Jacobs Well Road (i.e. for Lots 510-521 & 473) must be set back a minimum 1.5 metres within the private allotments to allow for landscape planting.

3. Approved Plans

Undertake and maintain the development generally in accordance with the following plans:

<table>
<thead>
<tr>
<th>Hydraulics and Water Quality</th>
</tr>
</thead>
<tbody>
<tr>
<td>Plan Title</td>
</tr>
<tr>
<td>-----------------------------</td>
</tr>
<tr>
<td>Pimpama Village Residential Development, Stage 5 and Balanced Land, Site Based Stormwater Management Plan, Creek Street, Pimpama</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Bushfire Management</th>
</tr>
</thead>
<tbody>
<tr>
<td>Plan Title</td>
</tr>
<tr>
<td>---------------------</td>
</tr>
<tr>
<td>Queensland Fire and Emergency Services (QFES) cover sheet including endorsed Bushfire Management Plan for ‘Pimpama Village’ Estate Stages H, I, J &amp; K Part Lot 901 on SP281110</td>
</tr>
</tbody>
</table>

4. Requirement to register easement/s

a. Register an easement for the purposes of access, maintenance and construction of services, in favour of and at no cost to Council, over Council stormwater infrastructure located in private land including any inter-allotment drainage system (if any) in favour of and at no cost to Council and ensure:

i. Easement widths comply with the requirements specified in SC6.9 City Plan policy – Land Development Guidelines, Standard Specifications and Drawings for stormwater infrastructure.

ii. Notwithstanding the easement width requirements specified in SC6.9 City Plan policy – Land Development Guidelines, Standard Specifications and Drawings, a 400 mm minimum horizontal clearance must be provided between infrastructures of differing types.

b. The terms of the easement must include:

i. When registering the easements, the Form 9 document shall refer to the Registered Document No. 707918364.
ii. Easement plans and associated documents (ie: Form 9 – easement document and general consent form 18) must be fully completed and signed by the owner of the burdened land (and any mortgagees, if necessary) and benefitting land before they are submitted to council for endorsement.

c. Registration of the easement must occur at the same time as registering the plan of subdivision.

d. This condition attaches to the land the subject of the development approval and binds the owner(s) of the land and the owners’ successors in title (even after the time when the easement is required to be registered). Therefore if this condition is not complied with at the time required by this condition, the owner(s) of the land and the owners’ successors in title continue to be obligated to register the easement in accordance with this condition and must do so within 40 business days of becoming aware on the non-compliance with this condition.

5. Requirement to register easement/s

a. Register easements for sewer infrastructure in favour of Council at proposed sewers in private properties as marked on the drawings listed below:

<table>
<thead>
<tr>
<th>Drawing Title</th>
<th>Author</th>
<th>Date</th>
<th>Drawing No.</th>
<th>Ver</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sewer Reticulation</td>
<td>Sedgman</td>
<td>17/10/2017</td>
<td>17C044-C5-SK004</td>
<td>1</td>
</tr>
<tr>
<td>Schematic Plan</td>
<td></td>
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<td></td>
<td></td>
</tr>
</tbody>
</table>

b. The terms of the easement must include:

   iii. The responsibilities of the Grantor/Grantee for ongoing maintenance
   iv. Standard terms document 707918364 must be referenced on Form 9 – easement document.
   v. Easement plans and associated documents (ie: Form 9 – easement document and general consent form 18) must be fully completed and signed by the owner of the burdened land (and any mortgagees, if necessary) and benefitting land before they are submitted to council for endorsement.

c. Registration of the easement must occur prior to commencement of the use.

d. Easement widths must comply with the requirements specified in South East Queensland Water Supply and Sewerage Design and Construction Code (SEQ WS&S D&C Code) for sewerage infrastructure.

e. Ensure infrastructure is positioned in the centre of the easement.

This condition attaches to the land the subject of the development approval and binds the owner(s) of the land and the owners’ successors in title (even after the time when the easement is required to be registered). Therefore if this condition is not complied with at the time required by this condition, the owner(s) of the land and the owners’ successors in title continue to be obligated to register the easement in accordance with this condition and must do so within 40 business days of becoming aware on the non-compliance with this condition.

Environmental and Landscaping

6. Landscaping works on private land (relating to fencing and landscaping within private property along Pimpama Jacobs Well Road)

a. Obtain an operational works approval to landscape the site prior to sealing of survey plans at no cost to Council, and include in particular:

   i. Demonstrate a high quality fence design such as stained timber with hardwood battens; and
   ii. Clearly demonstrate the installation of dense screening vegetation within the 1.5 metre setback area between the property boundary and the retaining walls &
fence.

iii. Within the 1.5 metre setback area, between the rear property boundary and the retaining wall, install a row of *Syzygium ‘Hinterland Gold’* species at 45 Litre bag size in 1.5 metre centres and a row of *Lomandra sp.* at 140mm pot size in 300mm centres.

b. Construct and maintain the private landscaping identified above at no cost to Council at all times.

### 7. Fencing setback from Pimpama Jacobs Well Road *(specific condition)*

a. Fencing and retaining structures to Pimpama Jacobs Well Road must be set back a minimum 1.5 metres within the private allotments to allow for landscape planting; and

b. Following construction by the developer at subdivision stage, fencing and landscaping to this frontage must be retained and maintained by the property owners in accordance with Council’s Operational Work (landscape work) approval.

### 8. Establishment period for landscape planting *(specific condition)*

The landscape planting between the fence and property boundary facing Pimpama Jacobs Well Road must be subject to a 6 month establishment period. During this period, the development must be responsible for the maintenance of the planting. The establishment period begins at the time when the final inspection for the aforementioned landscaping operational work application has been passed. The establishment period will end following a successful re-inspection by Council officers.

**Timing** – Unless the works are covered by a maintenance bond, the establishment period must be completed prior to the submission of an application for compliance assessment of subdivision survey plans.

### 9. Land transfer

a. Transfer at no cost to Council, the land identified below:

<table>
<thead>
<tr>
<th>Land to be dedicated</th>
<th>Purpose</th>
<th>Drawing Title &amp; Drawing No.</th>
<th>Author</th>
<th>Date</th>
<th>Ver</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lot 915 (7,190m²)</td>
<td>Local Recreation Park (non-trunk)</td>
<td>Coulters Farm Stage H,I,J,K</td>
<td>Planit Consulting</td>
<td>19/12/2017</td>
<td>D</td>
</tr>
</tbody>
</table>

b. Transfer the land identified above (at the same time as registering the plan of subdivision/prior to commencement of the use).

c. This condition attaches to the land the subject of the development approval and binds the owner(s) of the land and the owners’ successors in title (even after the time when the land transfer is required to be registered). Therefore if this condition is not complied with at the time required by this condition, the owner(s) of the land and other owners’ successors in title continue to be obligated to transfer the land in accordance with this condition and must do so within 40 business days of becoming aware on the non-compliance with this condition.

### 10. Landscaping works within public open spaces

a. Obtain an operational works approval to landscape all public open space generally in accordance with the Statement of Landscape Intent (SLI) listed below, prior to (a request is made to Council to approve the plan of subdivision/commencement of the use/commencement of any works) at no cost to Council:
and include in particular:

i. Ensure street trees are planted within the road reserves for each of the relevant stages of the development in accordance with the SLI.

ii. Where trees are located near side boundaries or underground services, root containment systems must be utilised.

iii. Trees must be a single-trunked canopy shade species able to attain a clear trunk height of 1800mm on maturity.

iv. Trees must be kept a minimum distance of two (2) metres laterally from inlet gullies.

v. All built structures and planting associated with an entry statement must be located within private property.

vi. Minimal recreation embellishments only to be provided within non-trunk local recreation park including: bollards, signage, shade trees and Council maintenance access gates.

b. Construct and maintain the public open space identified above until the asset is accepted “off maintenance” by the City in accordance with the procedures in City Planning Policy SC6.9 – Land development guidelines, section 6.9.6.

c. Minimal recreation embellishments only to be provided within non-trunk local recreation park including: bollards, shade trees, signage and maintenance gates.

d. Maintenance management requirements and costs

i. The applicant must maintain all components of public landscape in accordance with specifications applicable for the development. In accordance with activity Specifications for Generic Open Space Management Plan (http://www.goldcoast.qld.gov.au/documents/bf/geotechnical_open_space_guidelines.pdf)

ii. The applicant must provide as part of the public landscape OPW, annual maintenance costings and for all landscape items relevant to the development for the duration of the establishment and on maintenance periods.

11. Boundary fences

a. Construct a boundary fence between public open space/private land generally in accordance with SC6.9 City Plan Policy – Land development guidelines (SC6.9.4.4.10 Fencing).

b. The boundary fence must be constructed prior to plan sealing.

c. The boundary fence must be:

   i. a maximum height of 1.8 metres, a minimum height of 1.2 metres, and be of an open style with a minimum 50% transparency.

Engineering

12. New roads/ intersections

a. Obtain an operational works approval for the design and construction of new roads 1, 18, 23, 25, 27, 28, 29, 30, 31 and 32, marked on the drawings listed below prior to a request is made to Council to approve the plan of subdivision at no cost to Council:
and include in particular:

i. Road geometry (cross-section profile) and depth for Road 1 to a Residential Collector Street – Designated Bus Route classification. The road must have a 13m wide carriageway (comprising 2 x 2.5m wide parking lanes, 2 x 0.5m separations and 2 x 3.5m wide traffic lanes) and 4.5m verges on 22m (minimum) wide road. If a central median is proposed then the overall width of the road needs to be widened accordingly.

ii. Road geometry (cross-section profile) and depth for Roads 18, 23, 25, 27, 28, 29, 30, 31 and 32 to a Residential Access Street classification.

iii. All roads are required to have ‘barrier’ kerb and channel.

iv. Kerb returns at all standard residential Access and Collector Street intersections are required to have a 6 metre maximum radius.

b. Construct and maintain the road(s)/intersection(s) identified above at no cost to Council until the asset is accepted “off maintenance” by the City in accordance with the procedures in City Planning Policy SC6.9 – Land development guidelines, section 6.9.6.

13. Footpaths
a. Obtain an operational works approval for the design and construction of all footpaths, prior to a request is made to Council to approve the plan of subdivision at no cost to Council:
and include in particular:

i. Required along southern side of Road 1.

ii. Required along northern side of Road 23.

iii. Required along eastern side of Road 30.

b. Construct and maintain the footpaths identified above at no cost to Council until the asset is accepted “off maintenance” by the City in accordance with the procedures in City Planning Policy SC6.9 – Land development guidelines, section 6.9.6

14. Street lighting
a. Install a street lighting system, including connections and energising to all new roads within the subdivision, at no cost to Council prior to a request is made to Council to approve the plan of subdivision.

b. Obtain an operational works approval for the location of the street lights and include in particular:

i. Achieve a minimum level of lighting in accordance with SC6.9 City Plan Policy – Land development guidelines, section SC6.9.2.1.4.

ii. Associated wiring must be installed underground.

iii. Be acceptable to the electricity supplier (e.g. Energex) as ‘Rate 2 Public Lighting’.

iv. Meet the relevant requirements of the electricity supplier (e.g. Energex).

c. Install and maintain the street lighting system at no cost to Council until the asset is accepted “off maintenance” by the City in accordance with the procedures in City Planning Policy SC6.9 – Land development guidelines, section 6.9.6.

15. Electrical reticulation
Design, construct and connect an electrical reticulation system at no cost to Council and include in particular:

a. Provide underground electricity to all proposed lots and pit and pipe infrastructure along new/existing roads.

b. Meet the relevant requirements of the electricity supplier (e.g. Energex).
### 16. Telecommunications network
Design, construct and connect a telecommunications services network at no cost to Council and include in particular:

- **a.** Provide underground telecommunications to all proposed lots and pit and pipe infrastructure along new/existing roads.
- **b.** All new pit and pipe infrastructure required to be installed within the roads, must be suitably sized to cater for future installation of fibre optic cables.
- **c.** Meet the relevant telecommunications industry standards (e.g. Telstra/NBN Co standards).

### 17. Connection to permanent survey marks
- **a.** Connect all proposed lots to permanent survey marks (PSM’s) in accordance with SC6.9 City Plan Policy – Land Development Guidelines and Guidelines for Creation and Submission of ADAC.xml Files. All proposed lots must be connected to at least 2 permanent survey marks for inclusion in the City of Gold Coast Contributed Assets register.
- **b.** New permanent survey marks must comply with the requirements of SC6.9 City Plan Policy – Land Development Guidelines and include in particular:
  - i. Be placed in locations to provide good coverage over the extent of the survey.
  - ii. Be levelled on the Australian Height Datum and fixed with horizontal coordinates to the Map Grid of Australia (MGA 94) to a suitable Horizontal Positional Uncertainty (PU) < 30mm or better, Conventional 4TH order for vertical accuracy in accordance with Department of Natural Resources and Mines guidelines.
- **c.** Connect lots to permanent survey marks prior to a request is made to Council to approve the plan of subdivision.

### Stormwater Drainage

#### 18. Overland flow paths and hydraulic alterations
- **a.** Leave unaltered the overland flow paths on the site, such that the characteristics of existing overland flows on other properties remain uninhibited and unchanged.
- **b.** The development must not:
  - i. Increase peak flow rates downstream from the site
  - ii. Increase flood levels external to the site
  - iii. Increase duration of inundation external to the site that could cause loss or damage

#### 19. Bioretention basin maintenance management plan (specific condition)
- **a.** Prepare and submit a bioretention basin maintenance management plan (MMP) prior to the commencement of “On Maintenance”. The MMP must be prepared by a Registered Professional Engineer Queensland (RPEQ) specialising in stormwater management in accordance with City Plan Policy – SC6.9 Land Development Guidelines and with reference to the Water by Design document Maintaining Vegetated Stormwater Assets, Version 1 February 2012.
- **b.** The MMP must include, but not necessarily be limited to, the following key information:
  - i. Design intent and description of the device(s).
  - ii. The location and specific dimensions of the device(s).
  - iii. Approved / designed water quality objectives.
  - iv. Water quality monitoring procedures.
  - v. Monitoring frequency.
  - vi. Specifications and procedures for device(s) maintenance.
ITEM 1 (Continued)
RECONFIGURING OF A LOT FOR ONE (1) INTO 136 LOT SUBDIVISION, PUBLIC OPEN SPACE AND ROADS AT FOUNTAIN STREET, PIMPAMA – DIVISION 1
PN342224/02/DA9

<p>| | |</p>
<table>
<thead>
<tr>
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<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>vii.</td>
<td>Plant and equipment access details for maintenance activities.</td>
</tr>
<tr>
<td>viii.</td>
<td>Maintenance activity schedule defining frequency, area (m²) per maintenance zone, hours, staff, plant and equipment, approximate costs per rotation, and per annum.</td>
</tr>
<tr>
<td>ix.</td>
<td>Performance indicators / intervention levels / triggers for reactive maintenance.</td>
</tr>
<tr>
<td>x.</td>
<td>Any necessary preventative maintenance measures.</td>
</tr>
<tr>
<td>xi.</td>
<td>Acceptable solutions for specific items, i.e. acceptable plant species substitutions based on availability, hydraulic conductivity, water quality objectives, etc.</td>
</tr>
<tr>
<td>xii.</td>
<td>Approximate lifecycle maintenance costs.</td>
</tr>
</tbody>
</table>

**Sewer and Water Works**

20. **Sewer reticulation**
   a. Obtain an operational works approval for the design, construction and connection of a sewer reticulation system for the connection of each lot to the proposed sewer pump station 17 on Pimpama Jacobs Well Road, prior to commencement of the use at no cost to Council and include in particular:
      i. Be in accordance with the SEQ Water Supply & Sewerage Design and Construction Code (SEQ WS&S D&C Code), and the Gold Coast Water Network Modifications, Extension and Connections Policy Procedures.
      ii. The size of the sewer property service connection must be a minimum of 150 mm in accordance with Section 4.5.4 of the SEQ Water Supply & Sewerage Design & Construction Code (SEQ WS&S D&C Code).
   b. Construct and maintain the sewer reticulation system at no cost to Council at all times.

21. **Water reticulation**
   a. Obtain an operational works approval for the design, construction and connection of a water reticulation system for the connection of each lot to Council’s potable water supply network at the existing 150 mm main in Pimpama Jacobs Well Road in accordance with the approved water network analysis for the overall development, prior to commencement of the use at no cost to Council and include in particular:
      i. Be in accordance with the SEQ Water Supply & Sewerage Design and Construction Code (SEQ WS&S D&C Code), and the Gold Coast Water Network Modifications, Extension and Connections Policy Procedures.
      ii. The property service, water meter box and water meter must be provided at the boundary of the development site.
      iii. Conduits are required to be installed to service the proposed development by thrust boring the road (open cutting of the road is not permitted) to connect to Councils potable water supply network.

22. **Sub-metering**
   Provide individual sub-metering for each lot/unit including common property generally in accordance with the Metering Technical Specifications and the Gold Coast Water Network Modifications, Extension and Connections Policy Procedures.

23. **Fire loading**
   Fire loading must not exceed 15 L/s for 2 hour duration.

**Construction Management**
ITEM 1 (Continued)
RECONFIGURING OF A LOT FOR ONE (1) INTO 136 LOT SUBDIVISION, PUBLIC OPEN SPACE AND ROADS AT FOUNTAIN STREET, PIMPAMA – DIVISION 1
PN342224/02/DA9

24. Certification of works
Provide Council with certificates prepared by qualified experts from the disciplines listed below, confirming as follows:

<table>
<thead>
<tr>
<th>Hydraulics and Water Quality</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Certified document</strong></td>
</tr>
<tr>
<td>Post construction certification</td>
</tr>
</tbody>
</table>

The certification is to confirm:
All stormwater devices (quantity and quality) shown in the approved stormwater management plan and associated design drawings have been installed on-site in accordance with Council’s approved stormwater management plan and are functioning as designed.

<table>
<thead>
<tr>
<th>Water and Waste</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Certified document</strong></td>
</tr>
<tr>
<td>A Survey Plan with the required easements shown on over the existing infrastructure on the listed plan</td>
</tr>
</tbody>
</table>

The certification is to confirm:
Easements are correctly located over the infrastructure and meet the requirements specified in the SEQ Water Supply and Sewerage Design and Construction Code for sewerage infrastructure.
### Subdivision Engineering

<table>
<thead>
<tr>
<th>Certified document</th>
<th>Certification date</th>
<th>Plan/Drawing</th>
<th>Expert discipline</th>
<th>Requesting Council Section</th>
</tr>
</thead>
<tbody>
<tr>
<td>Contractual agreement (e.g. Agreement Advice or Completion Letter from Telstra. Alternatively, a copy of Master Development Agreement or Small Development Agreement from NBN Co).</td>
<td>Prior to a request is made to Council to approve the plan of subdivision</td>
<td>-</td>
<td>The authorised telecommunication carrier (e.g. Telstra, NBN Co)</td>
<td>Contributed Assets</td>
</tr>
</tbody>
</table>

The certification is to confirm:

The provision of underground telecommunication infrastructure has been undertaken and installed in accordance with telecommunications industry standards (e.g. Telstra / NBN Co standards).

<table>
<thead>
<tr>
<th>Certified document</th>
<th>Certification date</th>
<th>Plan/Drawing</th>
<th>Expert discipline</th>
<th>Requesting Council Section</th>
</tr>
</thead>
<tbody>
<tr>
<td>Certificate for electricity supply</td>
<td>Prior to a request is made to Council to approve the plan of subdivision</td>
<td>-</td>
<td>An authorised supplier (e.g. Energex)</td>
<td>Contributed Assets</td>
</tr>
</tbody>
</table>

The certification is to confirm:

Underground electricity supply is available to all proposed lots.

<table>
<thead>
<tr>
<th>Certified document</th>
<th>Certification date</th>
<th>Plan/Drawing</th>
<th>Expert discipline</th>
<th>Requesting Council Section</th>
</tr>
</thead>
<tbody>
<tr>
<td>Written confirmation for Permanent Survey Marks works</td>
<td>Prior to a request is made to Council to approve the plan of subdivision</td>
<td>-</td>
<td>Registered Cadastral Surveyor</td>
<td>Contributed Assets</td>
</tr>
</tbody>
</table>

The certification is to confirm:
ITEM 1 (Continued)
RECONFIGURING OF A LOT FOR ONE (1) INTO 136 LOT SUBDIVISION, PUBLIC OPEN SPACE AND ROADS AT FOUNTAIN STREET, PIMPAMA – DIVISION 1
PN342224/02/DA9

That all lots are connected to permanent survey marks in accordance with the requirements contained within the permanent survey marks condition.

25. On Maintenance

Arrange an on maintenance meeting to complete the requirements identified in SC.6.9 City Plan Policy – Land development guidelines for the following:

<table>
<thead>
<tr>
<th>Purpose</th>
<th>Hold Point</th>
<th>Council contact</th>
</tr>
</thead>
<tbody>
<tr>
<td>a. The applicant is responsible for a 24-month ‘On Maintenance’ period for the bioretention basin. During the ‘On Maintenance’ period, the applicant, and not Council, is responsible and liable for:</td>
<td>Prior to commencement of the on maintenance period</td>
<td>Development Compliance</td>
</tr>
<tr>
<td>i. Maintaining stormwater treatment devices;</td>
<td></td>
<td></td>
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<tr>
<td>ii. Rectifying any defects and any damage that occurs, unless the damage is directly attributable to Council activities; and</td>
<td></td>
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<tr>
<td>iii. Undertaking water quality monitoring and submitting the results to Council, monthly, for assessment.</td>
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<tr>
<td>b. Bioretention devices will not be accepted as ‘On Maintenance’ until at least 80% of the contributing internal catchments have been completed and stabilised.</td>
<td></td>
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</tbody>
</table>

Copies of applicable material including this decision notice and stamped approved plans, drawings and reports are to be available for the meeting and kept on site during construction.

26. Erosion and sediment control

a. Undertake Erosion and sediment control measures generally in accordance with the Healthy waters code of the City Plan and include in particular:

   i. Provide adequate sediment control measures to achieve 80% hydrological effectiveness (e.g., at least 80% of the average annual runoff volume of the contributing catchment treated).
   ii. Sediment control structures e.g.: sediment fence must be placed at the base of all materials on site to mitigate sediment run-off.
   iii. A perimeter bund and/or diversion drain must be constructed around the disturbed areas to prevent any outside clean stormwater from mixing with polluted polluted/contaminated stormwater.
   iv. All polluted/contaminated water from the site, including dewatering discharge, must be treated to achieve the water quality objectives in Table 8.2.1 of the Queensland Water Quality Guidelines (DERM September 2009) prior to discharging from the
ITEM 1 (Continued)
RECONFIGURING OF A LOT FOR ONE (1) INTO 136 LOT SUBDIVISION, PUBLIC OPEN SPACE AND ROADS AT FOUNTAIN STREET, PIMPAMA – DIVISION 1
PN342224/02/DA9

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<tr>
<td>v.</td>
<td>Inspections for erosion and sediment control measures are to occur in accordance with the compliance procedures in City Planning Policy SC6.9 – Land development guidelines, section 6.9.3.6.1.2 – Compliance.</td>
</tr>
</tbody>
</table>

27. Road names to be submitted
Provide to Council for approval, specific road names and designation for all proposed roads, generally in accordance with the Street Naming and Renaming of Existing Streets Policy, prior to a request is made to Council for any operational works at no cost to Council.

28. Haulage access/site management plan
   a. Prepare and submit for approval a Haulage access/site management plan generally in accordance with the Change to ground level and creation of new waterways code of the City Plan prior to any works commencing.
   b. The Haulage access/site management plan must be prepared by a suitably qualified professional and include in particular.
      i. Address the provision of vehicle barrier(s) along the frontages of the land to ensure vehicles use approved crossovers
      ii. Provide Loading/unloading operations.
      iii. Address nuisance from dust, noise, vibration, smoke and material tracked onto public roads as a result of hauling and filling operations and how complaints will be addressed.
      iv. Identify measures and work practices to ensure the site will be maintained in a clean and tidy state at all times including collection, storage and disposal of all waste materials.
      v. Identify measures and work practices to ensure non-recyclable debris transported from the site is disposed of at an approved waste facility. Combustion of any material is not permitted on the subject site without prior approval of Council.
      vi. Identify measures and work procedures to ensure gravel access areas to the site, transport dust covers and shake (hose) down areas are in place to control both on-site dust nuisance and contamination of external properties, roadways and receiving waterways.
   Implement the Haulage access/site management plan during all construction works at no cost to Council.

29. Transport of soil/fill/excavated material
   During the transportation of soil and other fill/excavated material:
   a. All trucks hauling soil, or fill/excavated material must have their loads secure and covered.
   b. Any spillage that falls from the trucks or their wheels must be collected and removed from the site and streets along which the trucks travel on a daily basis.
   c. Prior to vehicles exiting the site, measures must be taken to remove the soil from the wheels of the vehicles to prevent soil and mud being deposited on public roads.

Advice Notes

A. Development infrastructure
   Development infrastructure required to be provided in implementing this development approval is non-trunk development infrastructure unless otherwise stated in a condition of the approval.

B. Connections and disconnections
   Any connection/disconnection to the existing water and sewerage networks will be at the applicant’s cost. Prior to the connection/disconnection taking place, the applicant must obtain written approval from Water and Waste.
ITEM 1 (Continued)
RECONFIGURING OF A LOT FOR ONE (1) INTO 136 LOT SUBDIVISION, PUBLIC OPEN SPACE AND ROADS AT FOUNTAIN STREET, PIMPAMA – DIVISION 1
PN342224/02/DA9

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<tbody>
<tr>
<td>C. No open trenching of the road pavement for water connections across/in roadways</td>
</tr>
<tr>
<td>Conduits must be installed to service the proposed development by thrust boring the road (open cutting of the road is not permitted) to connect to Council’s potable water supply network. In certain circumstances approval of open trenching of the road may be allowed, subject to Council approval.</td>
</tr>
<tr>
<td>D. Water meter sizing</td>
</tr>
<tr>
<td>All water meters 100 mm in diameter or larger require an operation works approval.</td>
</tr>
<tr>
<td>E. Connections to, alteration or realignment of Council infrastructure</td>
</tr>
<tr>
<td>Where development works require the connection to, alteration, removal or realignment of Council infrastructure or impact on other public utility infrastructure (e.g. telecommunications, electricity and gas), the applicant must obtain the necessary approvals from the relevant public utility authority prior to works commencing.</td>
</tr>
<tr>
<td>Connection to, alteration, removal or realignment of Council infrastructure includes (but is not limited to) fire hydrants, water service meters, sewer maintenance hole covers, stormwater drainage infrastructure, reinstatement of maintenance hole covers, stormwater drainage infrastructure, crossovers, footpaths, road pavement, kerb and channel, kerb ramps, medians, traffic islands, road furniture, signage and line-marking.</td>
</tr>
<tr>
<td>F. Further development permits/compliance permits</td>
</tr>
<tr>
<td>Further development permits and/or compliance permits from Council are required to facilitate the development of the approved works identified in this decision notice. These include:</td>
</tr>
</tbody>
</table>

**Hydraulics and Water Quality**
- Operational works - change to ground level

**Landscape Assessment**
- Operational works - landscape works

**Open Space Assessment**
- Operational works - landscape works

**Water and Waste**
- Operational works - infrastructure
- Application to work on the City’s Infrastructure

A copy of this decision notice and accompanying stamped drawings/plans must be submitted with any subsequent application identified above.
G. Compliance with conditions
Once this development approval takes effect, the conditions attach to the land and are applicable in perpetuity. It is a development offence to contravene a development approval, including any of its conditions.

H. Indigenous cultural heritage legislation and duty of care requirement
The *Aboriginal Cultural Heritage Act 2003* (‘ACHA’) is administered by the Department of Aboriginal and Torres Strait Islander and Multicultural Affairs (DATSIMA). The ACHA establishes a duty of care to take all reasonable and practicable measures to ensure any activity does not harm Aboriginal cultural heritage. This duty of care:

a. Is not negated by the issuing of this development approval;
b. Applies on all land and water, including freehold land;
c. Lies with the person or entity conducting an activity; and
d. If breached, is subject to criminal offence penalties.

Those proposing an activity involving surface disturbance beyond that which has already occurred at the proposed site must observe this duty of care.

Details of how to fulfil this duty of care are outlined in the duty of care guidelines gazetted with the ACHA.

The applicant should contact DATSIMA’s Cultural Heritage Coordination Unit on (07) 3405 3050 for further information on the responsibilities of developers under the ACHA.

I. Applicant responsibilities
The applicant is responsible for securing all necessary approvals and tenure, providing statutory notifications and complying with all relevant laws.

Nothing in this decision notice alleviates the need for the applicant to comply with all relevant local, State and Commonwealth laws and to ensure appropriate tenure arrangements have been made where the use or reliance upon land other than that owned by the applicant is involved. Without limiting this obligation, the applicant is responsible for:

a. Obtaining all other/further necessary approvals, licences, permits, resource entitlements etc by whatever name called required by law before the development the subject of this approval can be lawfully commenced and to carry out the activity for its duration;
b. Providing any notifications required by law (by way of example only, to notify the administering authority pursuant to the *Environment Protection Act 1994* of environmental harm being caused/threatened by the activity, and upon becoming aware the premises is being used for a ‘notifiable activity’);
c. Securing tenure/permission from the relevant owner to use private or public land not owned by the applicant (including for access required by conditions of approval);
d. Ensuring the correct siting of structures on the land. An identification survey demonstrating correct siting and setbacks of structures may be requested of the applicant to ensure compliance with this decision notice and applicable codes;
e. Providing Council with proof of payment of the Portable Long Service Leave building construction levy (or proof of appropriate exemption) where the value of the Operational Works exceed $150,000. Acceptable proof of payment is a Q.Leave –Notification and Payment Form approved by the Authority. Proof of payment must be provided before Council can issue a development permit for the Operational works. This is a requirement of section 77(1) of the Building and Construction Industry (Portable Long Service Leave) Act 1991; and
f. Making payment of any outstanding Council rates and charges applicable to the development site prior to the lodgement of subdivision plans.
g. Obtaining any necessary local government/state approvals where works require the installation of temporary ground anchoring into adjacent Road Reserves. Where ground anchoring is proposed into an adjacent private property, approval from the relevant...
ITEM 1 (Continued)
RECONFIGURING OF A LOT FOR ONE (1) INTO 136 LOT SUBDIVISION, PUBLIC OPEN SPACE AND ROADS AT FOUNTAIN STREET, PIMPAMA – DIVISION 1
PN342224/02/DA9

property owner(s) is required

J. Weeds, pest animals and ants
Biosecurity Queensland of the Department of Agriculture and Fisheries leads the Government’s efforts to prevent, respond to and recover from pests and diseases threatening agricultural prosperity, the environment, social amenity and human health.
All landscape materials, including but not limited to, soils, mulch, grass, gravel, potted or ex-ground plants, pavers and timber used in landscape treatments must be free from weeds, pest animals and ants.

K. Fire ant control
Northern suburbs of the Gold Coast are within Fire Ant Biosecurity zone 2 and must remain vigilant for the presence of fire ants. Under the Biosecurity Act 2014 individuals and organisations whose activities involve the movement or storage of fire ant carriers have a general biosecurity obligation to take all reasonable steps to ensure they do not spread fire ants. Movement of a fire ant carrier from within the fire ant biosecurity zone may need a biosecurity instrument permit. More information is available on the Department of Agriculture and Fisheries website www.daf.qld.gov.au/plants/weeds-pest-animals-ants/invasive-ants/fire-ants.

L. Infrastructure charges
Infrastructure charges are now levied under a Charges Resolution by way of an Infrastructure Charges Notice, which accompanies this decision notice.

Property Notifications

A. Bushfire management
There are development approval conditions applicable in relation to bushfire management on this lot/subsequent lots. All property owner(s) must ensure compliance with these conditions. Refer to Council of the City of Gold Coast’s Decision Notice (ROL201700399). A copy of Council’s Decision Notice is available for viewing on Council’s website www.goldcoastcity.com.au/pdonline

B. Stormwater (Management Plan)
There is a Stormwater Management Plan in regard to this lot. All property owner(s) must ensure compliance with the Stormwater Management Plan. Please refer to Gold Coast City Council’s PN file and Decision Notice for further information. A copy of Council’s Decision Notice is available for viewing via Gold Coast City Council Planning and Development Online website www.goldcoastcity.com.au/pdonline.

Author: Authorised by:
Ania Dorocinska Michael Moran
Planner A/Director Economy, Planning and Environment
January 2018
ITEM 1 (Continued)
RECONFIGURING OF A LOT FOR ONE (1) INTO 136 LOT SUBDIVISION, PUBLIC OPEN SPACE AND ROADS AT FOUNTAIN STREET, PIMPAMA – DIVISION 1
PN342224/02/DA9

Committee Recommendation Adopted At Council 13 February 2018

Changed recommendation
New Condition 2

Cr Gates declared that a real (or perceived) conflict of interest in this matter could exist (as per section 173 of the Local Government Act 2009) due to parties associated with this application through receipt of donations to previous election campaigns, but that she had considered her position and was firmly of the opinion she could participate in debate and vote on this matter in the public interest.

Cr Gates remained in the room

COMMITTEE RECOMMENDATION EPE18.0207.001 moved Cr Caldwell seconded Cr Vorster

That Council approves (with conditions) the issue of a Development Permit for Reconfiguring of a Lot for 136 Lot Subdivision, Public Open Space and Road at Fountain Street, Pimpama, subject to conditions.

<table>
<thead>
<tr>
<th>General</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>1</strong></td>
</tr>
<tr>
<td>All conditions of this development approval must be complied with at no cost to Council at all times unless otherwise stated in another condition.</td>
</tr>
</tbody>
</table>

| 2 | Amended drawings |
| Amended drawings must be submitted (and confirmed by Council) prior to commencement of any works on site. |

<table>
<thead>
<tr>
<th>Planning</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Drawing Title</strong></td>
</tr>
<tr>
<td>COULTERS FARM STAGE H, I, J, K</td>
</tr>
<tr>
<td>COULTERS FARM STAGE H</td>
</tr>
<tr>
<td>COULTERS FARM STAGE I</td>
</tr>
<tr>
<td>COULTERS FARM STAGE J</td>
</tr>
</tbody>
</table>
The following amendments must be included:

a. Clearly identify on the plans that fencing and retaining structures adjoining Pimpama Jacobs Well Road (i.e. for Lots 510-521 & 473) must be set back a minimum 1.5 metres within the private allotments to allow for landscape planting;

b. Removal of one (1) allotment between lots 474-483, ensuring redesign of the remaining allotments can demonstrate minimum lot frontages greater than 11 metres;

c. Redesign of lots 386-392 to demonstrate minimum lot frontages greater than 11 metres to road 25; and

d. Provide indented kerbside parallel parking adjacent to lot 915 ‘Park’ and lot 473.

3 Approved Plans

 Undertake and maintain the development generally in accordance with the following plans:

### Hydraulics and Water Quality

<table>
<thead>
<tr>
<th>Plan Title</th>
<th>Author</th>
<th>Date</th>
<th>Plan Reference No.</th>
<th>Ver</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pimpama Village Residential Development, Stage 5 and Balanced Land, Site Based Stormwater Management Plan, Creek Street, Pimpama</td>
<td>SEDGMAN Pty Ltd</td>
<td>04 January 2018</td>
<td>(Document No: 17C044-SBSMP)*</td>
<td>03</td>
</tr>
</tbody>
</table>

### Bushfire Management
### Property

#### 4 Requirement to register easement/s

a. Register an easement for the purposes of access, maintenance and construction of services, in favour of and at no cost to Council, over Council stormwater infrastructure located in private land including any inter-allotment drainage system (if any) in favour of and at no cost to Council and ensure:

i. Easement widths comply with the requirements specified in SC6.9 City Plan policy – Land Development Guidelines, Standard Specifications and Drawings for stormwater infrastructure.

ii. Notwithstanding the easement width requirements specified in SC6.9 City Plan policy – Land Development Guidelines, Standard Specifications and Drawings, a 400 mm minimum horizontal clearance must be provided between infrastructures of differing types.

b. The terms of the easement must include:

i. When registering the easements, the Form 9 document shall refer to the Registered Document No. 707918364.

ii. Easement plans and associated documents (ie: Form 9 – easement document and general consent form 18) must be fully completed and signed by the owner of the burdened land (and any mortgagees, if necessary) and benefitting land before they are submitted to council for endorsement.

c. Registration of the easement must occur at the same time as registering the plan of subdivision.

d. This condition attaches to the land the subject of the development approval and binds the owner(s) of the land and the owners’ successors in title (even after the time when the easement is required to be registered). Therefore if this condition is not complied with at the time required by this condition, the owner(s) of the land and the owners’ successors in title continue to be obligated to register the easement in accordance with this condition and must do so within 40 business days of becoming aware on the non-compliance with this condition.

#### 5 Requirement to register easement/s

a. Register a easements for sewer infrastructure in favour of Council at proposed sewers in private properties as marked on the drawings listed below:

<table>
<thead>
<tr>
<th>Drawing Title</th>
<th>Author</th>
<th>Date</th>
<th>Drawing No.</th>
<th>Ver</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sewer Reticulation Schematic Plan</td>
<td>Sedgman</td>
<td>17/10/2017</td>
<td>17C044-C5-SK004</td>
<td>1</td>
</tr>
</tbody>
</table>

b. The terms of the easement must include:
ITEM 1 (Continued)
RECONFIGURING OF A LOT FOR ONE (1) INTO 136 LOT SUBDIVISION, PUBLIC OPEN SPACE AND ROADS AT FOUNTAIN STREET, PIMPAMA – DIVISION 1
PN342224/02/DA9

i The responsibilities of the Grantor/Grantee for ongoing maintenance

ii Standard terms document 707918364 must be referenced on Form 9 – easement document.

iii Easement plans and associated documents (ie: Form 9 – easement document and general consent form 18) must be fully completed and signed by the owner of the burdened land (and any mortgagees, if necessary) and benefitting land before they are submitted to council for endorsement.

c Registration of the easement must occur prior to commencement of the use.

d Easement widths must comply with the requirements specified in South East Queensland Water Supply and Sewerage Design and Construction Code (SEQ WS&S D&C Code) for sewerage infrastructure.

e Ensure infrastructure is positioned in the centre of the easement.

This condition attaches to the land the subject of the development approval and binds the owner(s) of the land and the owners’ successors in title (even after the time when the easement is required to be registered). Therefore if this condition is not complied with at the time required by this condition, the owner(s) of the land and the owners’ successors in title continue to be obligated to register the easement in accordance with this condition and must do so within 40 business days of becoming aware on the non-compliance with this condition.

Environmental and Landscaping

6 Landscaping works on private land (relating to fencing and landscaping within private property along Pimpama Jacobs Well Road)

a Obtain an operational works approval to landscape the site prior to sealing of survey plans at no cost to Council, and include in particular:

i Demonstrate a high quality fence design such as stained timber with hardwood battens; and

ii Clearly demonstrate the installation of dense screening vegetation within the 1.5 metre setback area between the property boundary and the retaining walls & fence.

iii Within the 1.5 metre setback area, between the rear property boundary and the retaining wall, install a row of Syzygium ‘Hinterland Gold’ species at 45 Litre bag size in 1.5 metre centres and a row of Lomandra sp. at 140mm pot size in 300mm centres.

b Construct and maintain the private landscaping identified above at no cost to Council at all times.

7 Fencing setback from Pimpama Jacobs Well Road (specific condition)

a Fencing and retaining structures to Pimpama Jacobs Well Road must be set back a minimum 1.5 metres within the private allotments to allow for landscape planting; and

b Following construction by the developer at subdivision stage, fencing and landscaping to this frontage must be retained and maintained by the property owners in accordance with Council’s Operational Work (landscape work) approval.

8 Establishment period for landscape planting (specific condition)

The landscape planting between the fence and property boundary facing Pimpama Jacobs Well Road must be subject to a 6 month establishment period. During this period, the development must be responsible for the maintenance of the planting. The establishment
period begins at the time when the final inspection for the aforementioned landscaping operational work application has been passed. The establishment period will end following a successful re-inspection by Council officers.

Timing – Unless the works are covered by a maintenance bond, the establishment period must be completed prior to the submission of an application for compliance assessment of subdivision survey plans.

9 Land transfer

a Transfer at no cost to Council, the land identified below:

<table>
<thead>
<tr>
<th>Land to be dedicated</th>
<th>Purpose</th>
<th>Drawing Title &amp; Drawing No.</th>
<th>Author</th>
<th>Date</th>
<th>Ver</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lot 915 (7,190m²)</td>
<td>Local Recreation Park (non-trunk)</td>
<td>Coulters Farm Stage H,I,J,K</td>
<td>Planit Consulting</td>
<td>19/12/2017</td>
<td>D</td>
</tr>
</tbody>
</table>

b Transfer the land identified above (at the same time as registering the plan of subdivision/ prior to commencement of the use).

c This condition attaches to the land the subject of the development approval and binds the owner(s) of the land and the owners’ successors in title (even after the time when the land transfer is required to be registered). Therefore if this condition is not complied with at the time required by this condition, the owner(s) of the land and other owners’ successors in title continue to be obligated to transfer the land in accordance with this condition and must do so within 40 business days of becoming aware of the non-compliance with this condition.

10 Landscaping works within public open spaces

a Obtain an operational works approval to landscape all public open space generally in accordance with the Statement of Landscape Intent (SLI) listed below, prior to (a request is made to Council to approve the plan of subdivision/commencement of the use/commencement of any works) at no cost to Council:

<table>
<thead>
<tr>
<th>Drawing Title</th>
<th>Author</th>
<th>Date</th>
<th>Drawing No.</th>
<th>Ver</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pimpama Village Stage H,I,J, &amp; K</td>
<td>Planit Consulting</td>
<td>October 2017</td>
<td>-</td>
<td>00</td>
</tr>
</tbody>
</table>

and include in particular:

i Ensure street trees are planted within the road reserves for each of the relevant stages of the development in accordance with the SLI.

ii Where trees are located near side boundaries or underground services, root containment systems must be utilised.

iii Trees must be a single-trunked canopy shade species able to attain a clear trunk height of 1800mm on maturity.

iv Trees must be kept a minimum distance of two (2) metres laterally from inlet gullies.

v All built structures and planting associated with an entry statement must be located within private property.

vi Minimal recreation embellishments only to be provided within non-trunk local
recreation park being bollards, signage, shade trees and Council maintenance access gates.

b Construct and maintain the public open space identified above until the asset is accepted “off maintenance” by the City in accordance with the procedures in City Planning Policy SC6.9 – Land development guidelines, section 6.9.6.

c Minimal recreation embellishments only to be provided within non-trunk local recreation park including: bollards, shade trees, signage and maintenance gates

d Maintenance management requirements and costs
  i The applicant must maintain all components of public landscape in accordance with specifications applicable for the development. In accordance with activity Specifications for Generic Open Space Management Plan (http://www.goldcoast.qld.gov.au/documents/bf/geotechnical_open_space_guidelines.pdf)
  ii The applicant must provide as part of the public landscape OPW, annual maintenance costings and for all landscape items relevant to the development for the duration of the establishment and on maintenance periods.

11 Boundary fences
  a Construct a boundary fence between public open space/private land generally in accordance with SC6.9 City Plan Policy – Land development guidelines (SC6.9.4.4.10 Fencing).
  b The boundary fence must be constructed prior to plan sealing.
  c The boundary fence must be:
     i a maximum height of 1.8 metres, a minimum height of 1.2 metres, and be of an open style with a minimum 50% transparency.

Engineering

12 New roads/intersections
  a Obtain an operational works approval for the design and construction of new roads 1, 18, 23, 25, 27, 28, 29, 30, 31 and 32, marked on the drawings listed below prior to a request is made to Council to approve the plan of subdivision at no cost to Council:

<table>
<thead>
<tr>
<th>Drawing Title</th>
<th>Author</th>
<th>Date</th>
<th>Drawing No.</th>
<th>Ver</th>
</tr>
</thead>
<tbody>
<tr>
<td>COULTERS FARM STAGE</td>
<td>Planit</td>
<td>16/10/2017</td>
<td>COULTERS-05-ROL-01</td>
<td>C</td>
</tr>
<tr>
<td>H, I, J, K</td>
<td>Consulting</td>
<td></td>
<td>(sheet 1 of 5)</td>
<td></td>
</tr>
</tbody>
</table>

and include in particular:

i Road geometry (cross-section profile) and depth for Road 1 to a Residential Collector Street – Designated Bus Route classification. The road must have a 13m wide carriageway (comprising 2 x 2.5m wide parking lanes, 2 x 0.5m separations and 2 x 3.5m wide traffic lanes) and 4.5m verges on 22m (minimum) wide road. If a central median is proposed then the overall width of the road needs to be widened accordingly.

ii Road geometry (cross-section profile) and depth for Roads 18, 23, 25, 27, 28, 29, 30, 31 and 32 to a Residential Access Street classification.

iii All roads are required to have ‘barrier’ kerb and channel.

iv Kerb returns at all standard residential Access and Collector Street intersections
are required to have a 6 metre maximum radius.

b Construct and maintain the road(s)/intersection(s) identified above at no cost to Council until the asset is accepted “off maintenance” by the City in accordance with the procedures in City Planning Policy SC6.9 – Land development guidelines, section 6.9.6.

### 13 Footpaths

a Obtain an operational works approval for the design and construction of all footpaths, prior to a request is made to Council to approve the plan of subdivision at no cost to Council:

and include in particular:

i Required along southern side of Road 1.

ii Required along northern side of Road 23.

iii Required along eastern side of Road 30.

b Construct and maintain the footpaths identified above at no cost to Council until the asset is accepted “off maintenance” by the City in accordance with the procedures in City Planning Policy SC6.9 – Land development guidelines, section 6.9.6.

### 14 Street lighting

a Install a street lighting system, including connections and energising to all new roads within the subdivision, at no cost to Council prior to a request is made to Council to approve the plan of subdivision.

b Obtain an operational works approval for the location of the street lights and include in particular:

i Achieve a minimum level of lighting in accordance with SC6.9 City Plan Policy – Land development guidelines, section SC6.9.2.1.4.

ii Associated wiring must be installed underground.

iii Be acceptable to the electricity supplier (e.g. Energex) as ‘Rate 2 Public Lighting’.

iv Meet the relevant requirements of the electricity supplier (e.g. Energex).

c Install and maintain the street lighting system at no cost to Council until the asset is accepted “off maintenance” by the City in accordance with the procedures in City Planning Policy SC6.9 – Land development guidelines, section 6.9.6.

### 15 Electrical reticulation

Design, construct and connect an electrical reticulation system at no cost to Council and include in particular:

a Provide underground electricity to all proposed lots and pit and pipe infrastructure along new/existing roads.

b Meet the relevant requirements of the electricity supplier (e.g. Energex).

### 16 Telecommunications network

Design, construct and connect a telecommunications services network at no cost to Council and include in particular:

a Provide underground telecommunications to all proposed lots and pit and pipe infrastructure along new/existing roads.

b All new pit and pipe infrastructure required to be installed within the roads, must be suitably sized to cater for future installation of fibre optic cables.

c Meet the relevant telecommunications industry standards (e.g. Telstra/NBN Co
## RECONFIGURING OF A LOT FOR ONE (1) INTO 136 LOT SUBDIVISION, PUBLIC OPEN SPACE AND ROADS AT FOUNTAIN STREET, PIMPAMA – DIVISION 1

PN342224/02/DA9

### 17 Connection to permanent survey marks

- **a** Connect all proposed lots to permanent survey marks (PSM’s) in accordance with SC6.9 City Plan Policy – Land Development Guidelines and Guidelines for Creation and Submission of ADAC.xml Files. All proposed lots must be connected to at least 2 permanent survey marks for inclusion in the City of Gold Coast Contributed Assets register.

- **b** New permanent survey marks must comply with the requirements of SC6.9 City Plan Policy – Land Development Guidelines and include in particular:
  - i Be placed in locations to provide good coverage over the extent of the survey.
  - ii Be levelled on the Australian Height Datum and fixed with horizontal coordinates to the Map Grid of Australia (MGA 94) to a suitable Horizontal Positional Uncertainty (PU) < 30mm or better, Conventional 4TH order for vertical accuracy in accordance with Department of Natural Resources and Mines guidelines.

- **c** Connect lots to permanent survey marks prior to a request is made to Council to approve the plan of subdivision.

### Stormwater Drainage

#### 18 Overland flow paths and hydraulic alterations

- **a** Leave unaltered the overland flow paths on the site, such that the characteristics of existing overland flows on other properties remain uninhibited and unchanged.

- **b** The development must not:
  - i Increase peak flow rates downstream from the site
  - ii Increase flood levels external to the site
  - iii Increase duration of inundation external to the site that could cause loss or damage

### 19 Bioretention basin maintenance management plan (specific condition)

- **a** Prepare and submit a bioretention basin maintenance management plan (MMP) prior to the commencement of “On Maintenance”. The MMP must be prepared by a Registered Professional Engineer Queensland (RPEQ) specialising in stormwater management in accordance with City Plan Policy – SC6.9 Land Development Guidelines and with reference to the Water by Design document Maintaining Vegetated Stormwater Assets, Version 1 February 2012.

- **b** The MMP must include, but not necessarily be limited to, the following key information:
  - i Design intent and description of the device(s).
  - ii The location and specific dimensions of the device(s).
  - iii Approved / designed water quality objectives.
  - iv Water quality monitoring procedures.
  - v Monitoring frequency.
  - vi Specifications and procedures for device(s) maintenance.
  - vii Plant and equipment access details for maintenance activities.
  - viii Maintenance activity schedule defining frequency, area (m2) per maintenance zone, hours, staff, plant and equipment, approximate costs per rotation, and per annum.
  - ix Performance indicators / intervention levels / triggers for reactive maintenance.
ITEM 1 (Continued)
RECONFIGURING OF A LOT FOR ONE (1) INTO 136 LOT SUBDIVISION, PUBLIC OPEN SPACE AND ROADS AT FOUNTAIN STREET, PIMPAMA – DIVISION 1
PN342224/02/DA9

- Any necessary preventative maintenance measures.
- Acceptable solutions for specific items, i.e. acceptable plant species substitutions based on availability, hydraulic conductivity, water quality objectives, etc.
- Approximate lifecycle maintenance costs.

**Sewer and Water Works**

**20 Sewer reticulation**
- a Obtain an operational works approval for the design, construction and connection of a sewer reticulation system for the connection of each lot to the proposed sewer pump station 17 on Pimpama Jacobs Well Road, prior to commencement of the use at no cost to Council and include in particular:
  - i Be in accordance with the SEQ Water Supply & Sewerage Design and Construction Code (SEQ WS&S D&C Code), and the Gold Coast Water Network Modifications, Extension and Connections Policy Procedures.
  - ii The size of the sewer property service connection must be a minimum of 150 mm in accordance with Section 4.5.4 of the SEQ Water Supply & Sewerage Design & Construction Code (SEQ WS&S D&C Code).
- b Construct and maintain the sewer reticulation system at no cost to Council at all times.

**21 Water reticulation**
- a Obtain an operational works approval for the design, construction and connection of a water reticulation system for the connection of each lot to Council’s potable water supply network at the existing 150 mm main in Pimpama Jacobs Well Road in accordance with the approved water network analysis for the overall development, prior to commencement of the use at no cost to Council and include in particular:
  - i Be in accordance with the SEQ Water Supply & Sewerage Design and Construction Code (SEQ WS&S D&C Code), and the Gold Coast Water Network Modifications, Extension and Connections Policy Procedures.
  - ii The property service, water meter box and water meter must be provided at the boundary of the development site.
  - iii Conduits are required to be installed to service the proposed development by thrust boring the road (open cutting of the road is not permitted) to connect to Council's potable water supply network.

**22 Sub-metering**
- Provide individual sub-metering for each lot/unit including common property generally in accordance with the Metering Technical Specifications and the Gold Coast Water Network Modifications, Extension and Connections Policy Procedures.

**23 Fire loading**
- Fire loading must not exceed 15 L/s for 2 hour duration.

**Construction Management**
24 Certification of works

Provide Council with certificates prepared by qualified experts from the disciplines listed below, confirming as follows:

<table>
<thead>
<tr>
<th>Hydraulics and Water Quality</th>
</tr>
</thead>
<tbody>
<tr>
<td>Certified document</td>
</tr>
<tr>
<td>Post construction certification</td>
</tr>
</tbody>
</table>

The certification is to confirm:

All stormwater devices (quantity and quality) shown in the approved stormwater management plan and associated design drawings have been installed on-site in accordance with Council’s approved stormwater management plan and are functioning as designed.
### Water and Waste

<table>
<thead>
<tr>
<th>Certified document</th>
<th>Certification date</th>
<th>Plan/Drawing</th>
<th>Expert discipline</th>
<th>Requesting Council Section</th>
</tr>
</thead>
<tbody>
<tr>
<td>A Survey Plan with the required easements shown on over the existing infrastructure on the listed plan</td>
<td>Prior to commencement of the use</td>
<td>Sewer Reticulation Schematic Plan, prepared by Sedgman, dated 17/10/2017, drawing no. 17C044-C5-SK004, version 1</td>
<td>Registered Surveyor</td>
<td>Compliance Section</td>
</tr>
</tbody>
</table>

**The certification is to confirm:**

Easements are correctly located over the infrastructure and meet the requirements specified in the SEQ Water Supply and Sewerage Design and Construction Code for sewerage infrastructure.

### Subdivision Engineering

<table>
<thead>
<tr>
<th>Certified document</th>
<th>Certification date</th>
<th>Plan/Drawing</th>
<th>Expert discipline</th>
<th>Requesting Council Section</th>
</tr>
</thead>
<tbody>
<tr>
<td>Contractual agreement (e.g. Agreement Advice or Completion Letter from Telstra. Alternatively, a copy of Master Development Agreement or Small Development Agreement from NBN Co.)</td>
<td>Prior to a request is made to Council to approve the plan of subdivision</td>
<td>-</td>
<td>The authorised telecommunication carrier (e.g. Telstra, NBN Co)</td>
<td>Contributed Assets</td>
</tr>
</tbody>
</table>

**The certification is to confirm:**

The provision of underground telecommunication infrastructure has been undertaken and installed in accordance with telecommunications industry standards (e.g. Telstra / NBN Co standards).
ITEM 1 (Continued)
RECONFIGURING OF A LOT FOR ONE (1) INTO 136 LOT SUBDIVISION, PUBLIC OPEN SPACE AND ROADS AT FOUNTAIN STREET, PIMPAMA – DIVISION 1
PN342224/02/DA9

<table>
<thead>
<tr>
<th>Certified document</th>
<th>Certification date</th>
<th>Plan/ Drawing</th>
<th>Expert discipline</th>
<th>Requesting Council Section</th>
</tr>
</thead>
<tbody>
<tr>
<td>Certificate for electricity supply</td>
<td>Prior to a request is made to Council to approve the plan of subdivision</td>
<td>-</td>
<td>An authorised supplier (e.g. Energex)</td>
<td>Contributed Assets</td>
</tr>
</tbody>
</table>

The certification is to confirm:
Underground electricity supply is available to all proposed lots.

Subdivision Engineering

<table>
<thead>
<tr>
<th>Certified document</th>
<th>Certification date</th>
<th>Plan/ Drawing</th>
<th>Expert discipline</th>
<th>Requesting Council Section</th>
</tr>
</thead>
<tbody>
<tr>
<td>Written confirmation for Permanent Survey Marks works</td>
<td>Prior to a request is made to Council to approve the plan of subdivision</td>
<td>-</td>
<td>Registered Cadastral Surveyor</td>
<td>Contributed Assets</td>
</tr>
</tbody>
</table>

The certification is to confirm:
That all lots are connected to permanent survey marks in accordance with the requirements contained within the permanent survey marks condition.

25 On Maintenance

Arrange an on maintenance meeting to complete the requirements identified in SC.6.9 City Plan Policy – Land development guidelines for the following:

<table>
<thead>
<tr>
<th>Purpose</th>
<th>Hold Point</th>
<th>Council contact</th>
</tr>
</thead>
<tbody>
<tr>
<td>a The applicant is responsible for a 24-month ‘On Maintenance’ period for the bioretention basin. During the ‘On Maintenance’ period, the applicant, and not Council, is responsible and liable for:</td>
<td>Prior to commencement of the on maintenance period</td>
<td>Development Compliance</td>
</tr>
<tr>
<td>i Maintaining stormwater treatment devices;</td>
<td></td>
<td></td>
</tr>
<tr>
<td>ii Rectifying any defects and any damage that occurs, unless the damage is directly attributable to Council activities; and</td>
<td></td>
<td></td>
</tr>
<tr>
<td>iii Undertaking water quality monitoring and submitting the results to Council, monthly, for assessment.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>b Bioretention devices will not be accepted as ‘On Maintenance’ until at least 80% of the contributing internal catchments have been</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Reconfiguring of a Lot for One (1) into 136 Lot Subdivision, Public Open Space and Roads at Fountain Street, Pimpama – Division 1
PN342224/02/DA9

Completed and stabilised.

Copies of applicable material including this decision notice and stamped approved plans, drawings and reports are to be available for the meeting and kept on site during construction.

26 Erosion and sediment control

a Undertake Erosion and sediment control measures generally in accordance with the Healthy waters code of the City Plan and include in particular:

i Provide adequate sediment control measures to achieve 80% hydrological effectiveness (e.g., at least 80% of the average annual runoff volume of the contributing catchment treated).

ii Sediment control structures e.g.: sediment fence must be placed at the base of all materials on site to mitigate sediment run-off.

iii A perimeter bund and/or diversion drain must be constructed around the disturbed areas to prevent any outside clean stormwater from mixing with polluted/contaminated stormwater.

iv All polluted/contaminated water from the site, including dewatering discharge, must be treated to achieve the water quality objectives in Table 8.2.1 of the Queensland Water Quality Guidelines (DERM September 2009) prior to discharging from the site.

v Inspections for erosion and sediment control measures are to occur in accordance with the compliance procedures in City Planning Policy SC6.9 – Land development guidelines, section 6.9.3.6.1.2 – Compliance.

27 Road names to be submitted

Provide to Council for approval, specific road names and designation for all proposed roads, generally in accordance with the Street Naming and Renaming of Existing Streets Policy, prior to a request is made to Council for any operational works at no cost to Council.

28 Haulage access/site management plan

a Prepare and submit for approval a Haulage access/site management plan generally in accordance with the Change to ground level and creation of new waterways code of the City Plan prior to any works commencing.

b The Haulage access/site management plan must be prepared by a suitably qualified professional and include in particular:

i Address the provision of vehicle barrier(s) along the frontages of the land to ensure vehicles use approved crossovers.

ii Provide Loading/unloading operations.

iii Address nuisance from dust, noise, vibration, smoke and material tracked onto public roads as a result of hauling and filling operations and how complaints will be addressed.

iv Identify measures and work practices to ensure the site will be maintained in a clean and tidy state at all times including collection, storage and disposal of all waste materials.

v Identify measures and work practices to ensure non-recyclable debris transported from the site is disposed of at an approved waste facility. Combustion of any material is not permitted on the subject site without prior approval of Council.

vi Identify measures and work procedures to ensure gravel access areas to the
site, transport dust covers and shake (hose) down areas are in place to control both on-site dust nuisance and contamination of external properties, roadways and receiving waterways. Implement the Haulage access/site management plan during all construction works at no cost to Council.

29 Transport of soil/fill/excavated material
During the transportation of soil and other fill/excavated material:
   a All trucks hauling soil, or fill/excavated material must have their loads secure and covered.
   b Any spillage that falls from the trucks or their wheels must be collected and removed from the site and streets along which the trucks travel on a daily basis.
   c Prior to vehicles exiting the site, measures must be taken to remove the soil from the wheels of the vehicles to prevent soil and mud being deposited on public roads.

Advice Notes

A Development infrastructure
Development infrastructure required to be provided in implementing this development approval is non-trunk development infrastructure unless otherwise stated in a condition of the approval.

B Connections and disconnections
Any connection/disconnection to the existing water and sewerage networks will be at the applicant’s cost. Prior to the connection/disconnection taking place, the applicant must obtain written approval from Water and Waste. Refer to Gold Coast Water and Waste Network Modifications, Extension and Connections Policy Procedures, available on Council’s website http://www.cityofgoldcoast.com.au

C No open trenching of the road pavement for water connections across/in roadways
Conduits must be installed to service the proposed development by thrust boring the road (open cutting of the road is not permitted) to connect to Council’s potable water supply network. In certain circumstances approval of open trenching of the road may be allowed, subject to Council approval. Refer to Gold Coast Water and Waste Network Modifications, Extension and Connections Policy Procedures, available on Council’s website: http://www.cityofgoldcoast.com.au

D Water meter sizing
All water meters 100 mm in diameter or larger require an operation works approval. Refer to Gold Coast Water and Waste Network Modifications, Extension and Connections Policy Procedures, available on Council’s website: http://www.cityofgoldcoast.com.au

E Connections to, alteration or realignment of Council infrastructure
Where development works require the connection to, alteration, removal or realignment of Council infrastructure or impact on other public utility infrastructure (e.g. telecommunications, electricity and gas), the applicant must obtain the necessary approvals from the relevant public utility authority prior to works commencing. Connection to, alteration, removal or realignment of Council infrastructure includes (but is not limited to) fire hydrants, water service meters, sewer maintenance hole covers, stormwater drainage infrastructure, reinstatement of maintenance hole covers, stormwater drainage infrastructure.
ITEM 1 (Continued)
RECONFIGURING OF A LOT FOR ONE (1) INTO 136 LOT SUBDIVISION, PUBLIC OPEN SPACE AND ROADS AT FOUNTAIN STREET, PIMPAMA – DIVISION 1
PN342224/02/DA9

<table>
<thead>
<tr>
<th><strong>drainage infrastructure, crossovers, footpaths, road pavement, kerb and channel, kerb ramps, medians, traffic islands, road furniture, signage and line-marking.</strong></th>
</tr>
</thead>
</table>

**F Further development permits/compliance permits**
Further development permits and/or compliance permits from Council are required to facilitate the development of the approved works identified in this decision notice. These include:

<table>
<thead>
<tr>
<th><strong>Hydraulics and Water Quality</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>- Operational works - change to ground level</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>Landscape Assessment</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>- Operational works - landscape works</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>Open Space Assessment</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>- Operational works - landscape works</td>
</tr>
</tbody>
</table>

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<thead>
<tr>
<th><strong>Water and Waste</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>- Operational works - infrastructure</td>
</tr>
<tr>
<td>- Application to work on the City’s Infrastructure</td>
</tr>
</tbody>
</table>

A copy of this decision notice and accompanying stamped drawings/plans must be submitted with any subsequent application identified above.

**G Compliance with conditions**
Once this development approval takes effect, the conditions attach to the land and are applicable in perpetuity. It is a development offence to contravene a development approval, including any of its conditions.

**H Indigenous cultural heritage legislation and duty of care requirement**
The *Aboriginal Cultural Heritage Act 2003* (‘ACHA’) is administered by the Department of Aboriginal and Torres Strait Islander and Multicultural Affairs (DATSIMA). The ACHA establishes a duty of care to take all reasonable and practicable measures to ensure any activity does not harm Aboriginal cultural heritage. This duty of care:

a. Is not negated by the issuing of this development approval;
b. Applies on all land and water, including freehold land;
c. Lies with the person or entity conducting an activity; and
d. If breached, is subject to criminal offence penalties.

Those proposing an activity involving surface disturbance beyond that which has already occurred at the proposed site must observe this duty of care.

Details of how to fulfil this duty of care are outlined in the duty of care guidelines gazetted with the ACHA.

The applicant should contact DATSIMA’s Cultural Heritage Coordination Unit on (07) 3405 3050 for further information on the responsibilities of developers under the ACHA.

**I Applicant responsibilities**
The applicant is responsible for securing all necessary approvals and tenure, providing
ITEM 1 (Continued)
RECONFIGURING OF A LOT FOR ONE (1) INTO 136 LOT SUBDIVISION, PUBLIC OPEN SPACE AND ROADS AT FOUNTAIN STREET, PIMPAMA – DIVISION 1
PN342224/02/DA9

<table>
<thead>
<tr>
<th></th>
<th>statutory notifications and complying with all relevant laws. Nothing in this decision notice alleviates the need for the applicant to comply with all relevant local, State and Commonwealth laws and to ensure appropriate tenure arrangements have been made where the use of/reliance upon land other than that owned by the applicant is involved. Without limiting this obligation, the applicant is responsible for:</th>
</tr>
</thead>
<tbody>
<tr>
<td>a</td>
<td>Obtaining all other/further necessary approvals, licences, permits, resource entitlements etc by whatever name called required by law before the development the subject of this approval can be lawfully commenced and to carry out the activity for its duration;</td>
</tr>
<tr>
<td>b</td>
<td>Providing any notifications required by law (by way of example only, to notify the administering authority pursuant to the Environment Protection Act 1994 of environmental harm being caused/threatened by the activity, and upon becoming aware the premises is being used for a ‘notifiable activity’);</td>
</tr>
<tr>
<td>c</td>
<td>Securing tenure/permission from the relevant owner to use private or public land not owned by the applicant (including for access required by conditions of approval);</td>
</tr>
<tr>
<td>d</td>
<td>Ensuring the correct siting of structures on the land. An identification survey demonstrating correct siting and setbacks of structures may be requested of the applicant to ensure compliance with this decision notice and applicable codes;</td>
</tr>
<tr>
<td>e</td>
<td>Providing Council with proof of payment of the Portable Long Service Leave building construction levy (or proof of appropriate exemption) where the value of the Operational Works exceed $150,000. Acceptable proof of payment is a Q.Leave – Notification and Payment Form approved by the Authority. Proof of payment must be provided before Council can issue a development permit for the Operational works. This is a requirement of section 77(1) of the Building and Construction Industry (Portable Long Service Leave) Act 1991; and</td>
</tr>
<tr>
<td>f</td>
<td>Making payment of any outstanding Council rates and charges applicable to the development site prior to the lodgement of subdivision plans.</td>
</tr>
<tr>
<td>g</td>
<td>Obtaining any necessary local government/state approvals where works require the installation of temporary ground anchoring into adjacent Road Reserves. Where ground anchoring is proposed into an adjacent private property, approval from the relevant property owners(s) is required.</td>
</tr>
</tbody>
</table>

J  **Weeds, pest animals and ants**

Biosecurity Queensland of the Department of Agriculture and Fisheries leads the Government’s efforts to prevent, respond to and recover from pests and diseases threatening agricultural prosperity, the environment, social amenity and human health.

All landscape materials, including but not limited to, soils, mulch, grass, gravel, potted or ex-ground plants, pavers and timber used in landscape treatments must be free from weeds, pest animals and ants.

K  **Fire ant control**

Northern suburbs of the Gold Coast are within Fire Ant Biosecurity zone 2 and must remain vigilant for the presence of fire ants. Under the Biosecurity Act 2014 individuals and organisations whose activities involve the movement or storage of fire ant carriers have a general biosecurity obligation to take all reasonable steps to ensure they do not spread fire ants. Movement of a fire ant carrier from within the fire ant biosecurity zone may need a biosecurity instrument permit. More information is available on the Department of Agriculture and Fisheries website [www.daf.qld.gov.au/plants/weeds-pest-animals-ants/invasive-ants/fire-ants](http://www.daf.qld.gov.au/plants/weeds-pest-animals-ants/invasive-ants/fire-ants).
ITEM 1 (Continued)
RECONFIGURING OF A LOT FOR ONE (1) INTO 136 LOT SUBDIVISION, PUBLIC OPEN SPACE AND ROADS AT FOUNTAIN STREET, PIMPAMA – DIVISION 1
PN342224/02/DA9

L  Infrastructure charges
Infrastructure charges are now levied under a Charges Resolution by way of an Infrastructure Charges Notice, which accompanies this decision notice.

Property Notifications

A  Bushfire management
There are development approval conditions applicable in relation to bushfire management on this lot/subsequent lots. All property owner(s) must ensure compliance with these conditions. Refer to Council of the City of Gold Coast’s Decision Notice (ROL201700399). A copy of Council’s Decision Notice is available for viewing on Council’s website www.goldcoastcity.com.au/pdonline

B  Stormwater (Management Plan)
There is a Stormwater Management Plan in regard to this lot. All property owner(s) must ensure compliance with the Stormwater Management Plan. Please refer to Gold Coast City Council’s PN file and Decision Notice for further information. A copy of Council’s Decision Notice is available for viewing via Gold Coast City Council Planning and Development Online website www.goldcoastcity.com.au/pdonline.

CARRIED

Cr Gates voted in the negative

ADOPTED AT COUNCIL 13 FEBRUARY 2018

RESOLUTION  G18.0213.012 moved Cr Caldwell seconded Cr PC Young

That Committee Recommendation EPE18.0207.001 be adopted as printed in the Economy Planning and Environment Committee Meeting Report.

CARRIED BY SUPER MAJORITY

Cr Gates requested that her vote in the negative be recorded
FOR INFORMATION

NOTES

STAGE 5 INDICATIVE EARTHWORKS & RETAINING WALL PLAN SHEET 3 OF 3

STAGE 5

STAGE 4G

STAGE 4E

STAGE 4F

STAGE 4D

STAGE 4C

STAGE 4B

STAGE 4A

EAGLE STREET FINANCE

SEDMAN
Infrastructure Charge Notice

To: EAGLE STREET FINANCE PTY LTD  
C/- PLANIT CONSULTING PTY LTD  
PO BOX 206  
NOBBY BEACH QLD 4218

Cc: EAGLE STREET FINANCE PTY LTD  
PO BOX 1914  
SURFERS PARADISE QLD 4217

<table>
<thead>
<tr>
<th>Land to which charges apply</th>
<th>The land to which the charges in this notice apply is.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Property description</td>
<td>LOT901 SP281110</td>
</tr>
<tr>
<td>Property address</td>
<td>FOUNTAIN STREET PIMPAMA</td>
</tr>
</tbody>
</table>

| Total levied charge payable | $3,850,323.20 + ADJUSTMENTS |

| Due date for payment        | Total payable prior to the local government that levied the charge approving the plan of subdivision for the reconfiguration. |

| Payment details             | Payment of the charges must be made in accordance with the “How to pay methods” section of this notice. |

| Adjustments to charge       | The levied charge will automatically increase by the lesser of the following: |

- (a) The difference between the levied charge and the maximum adopted charge the local government could have levied for the development when the charge is paid; and

- (b) The increase worked out using the PPI, adjusted according to the 3-yearly PPI average, for the period starting on the day the levied charge is levied and ending on the day the charge is paid.

'3-yearly PPI average' and 'PPI' have the meanings given in the Planning Act 2016.

As the charge amount stated above is current at the date the notice was generated, the total charges due at the date of payment may be greater.

| Offsets and/or Refunds      | Offsets (if applicable) will be provided consistent with the provisions of the Planning Act 2016 and Council’s Charges Resolution. If applicable, details of the offset are provided on this Infrastructure Charge Notice. |

<p>| Failure to pay charge       | A levied charge is, for the purposes of recovery, taken to be rates of the local government that levied it. |</p>
<table>
<thead>
<tr>
<th>Authority for charge</th>
<th>The charges in this notice are payable in accordance with the <em>Planning Act 2016</em>.</th>
</tr>
</thead>
<tbody>
<tr>
<td>GST</td>
<td>GST does not apply to payments or contributions made by developers to Government which relate to, or relates to, an application for the provision, retention, or amendment of a permission, exemption, authority or licence (however described) under the <em>Planning Act 2016</em>.</td>
</tr>
<tr>
<td>Enquiries</td>
<td>Enquiries regarding this Infrastructure Charge Notice should be directed to the Developer Contribution Group on Ph: (07) 5582 8300, during office hours, 9.00am to 5.00pm, Monday to Friday or e-mail <a href="mailto:dcg@goldcoast.qld.gov.au">dcg@goldcoast.qld.gov.au</a>.</td>
</tr>
</tbody>
</table>
Infrastructure Charge Notice

Tuesday, 14 November 2017

Application PN342224/02/DA9
Site address FOUNTAIN STREET, PIMPAMA
Application number & code 201700399 ROL
Application description 1 INTO 136 LOT SUBDIVISION
Officer name Rachael Sullivan

Charge calculation

Charges Resolution No.2 of 2016

<table>
<thead>
<tr>
<th>Qty</th>
<th>Rate</th>
<th>Gross Charge Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>ROL Proposed Lot</td>
<td>136 Lots</td>
<td>@ $28,311.20</td>
</tr>
</tbody>
</table>

Net Charge Summary

<table>
<thead>
<tr>
<th>Gross Charge Amount</th>
<th>Applied Credit Amount</th>
<th>Net Charge Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>$3,850,323.20</td>
<td>$0.00</td>
<td>$3,850,323.20</td>
</tr>
</tbody>
</table>

Advice Note
Credits for existing lawfully established uses and/or existing lot credits currently reside on ROL 201500164. This credit can be transferred to this application upon formal written request from the owner/s of the property. The value of the credit will be assessed according to the current charging regime Charges Resolution No.2 of 2016. Correspondence in this regard should be directed to Council’s Developer Contribution Group via email at dcg@goldcoast.qld.gov.au.

Office Use Only

<table>
<thead>
<tr>
<th>Gross Amount</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>$2,136,929.92</td>
<td>OTHINF</td>
</tr>
<tr>
<td>$1,293,708.16</td>
<td>SEWINF</td>
</tr>
<tr>
<td>$419,685.12</td>
<td>WTRINF</td>
</tr>
<tr>
<td><strong>$3,850,323.20</strong></td>
<td><strong>Total</strong></td>
</tr>
</tbody>
</table>
DECISION NOTICE

DECISION TO GIVE AN INFRASTRUCTURE CHARGES NOTICE

Pursuant to section 119 of the Planning Act 2016, on the insert date, the City decided to give this infrastructure charges notice. The date the development application was approved is set out on the first page of the decision notice approving the development application.

Appeal rights

You have appeal rights in relation to this notice. An appeal may be made against an infrastructure charges notice on 1 or more of the following grounds:

(a) the notice involved an error relating to:

   (i) the application of the relevant adopted charge; or

Examples of errors in applying an adopted charge:

   • the incorrect application of gross floor area for a non-residential development
   • applying an incorrect ‘use category’, under a regulation, to the development

   (ii) the working out of extra demand, for section 120 of the Planning Act 2016; or

   (iii) an offset or refund; or

(b) there was no decision about an offset or refund; or

(c) if the infrastructure charges notice states a refund will be given – the timing for giving the refund; or

(d) for an appeal to the Planning and Environment Court – the amount of the charge is so unreasonable that no reasonable relevant local government could have imposed the amount.

To remove any doubt, the Planning Act 2016 declares that an appeal against an infrastructure charges notice must not be about:

(a) the adopted charge itself; or

(b) for a decision about an offset or refund:

   (i) the establishment cost of trunk infrastructure identified in a local government infrastructure plan; or

   (ii) the cost of infrastructure decided using the method included in the local government’s charges resolution.

An appeal must be started within 20 business days after the infrastructure charges notice is given to you.

An appeal may be made to the Planning and Environment Court or to a development tribunal.

An appeal is started by lodging a notice of appeal with the registrar of the Planning and Environment Court or a development tribunal, as applicable. The notice of appeal must be in the approved form, succinctly state the grounds of the appeal and be accompanied by the required
An appellant to the Planning and Environment Court must give a copy of the notice of appeal, within 10 business days after the appeal is started, to the persons identified in section 230(3) of the Planning Act 2016. A person who is appealing to the Planning and Environment Court must comply with the rules of the court that apply to the appeal.

Chapter 6, Part 1 and Schedule 1 of the Planning Act 2016 sets out further information about appeal rights.
How to pay methods

Pay by mail
Ordinary mail
Simply enclose this Notice and your cheque or money order made payable to Gold Coast City Council in an envelope and post it to this address:
Council of the City of Gold Coast
PO Box 5042  GCMC  QLD 9729

Customer Service Centre in person
Pay at any Customer Service Centre with cash, cheque, or debit card (no surcharge), MasterCard or Visa (maximum $50,000 using credit card)
Payment by credit card will incur a surcharge.

Customer Service Centres
Monday to Friday 8.15am to 4.30pm
Broadbeach  61 Sunshine Boulevard, Mermaid Waters
Bundall  8 Karp Court, Bundall
Burleigh Heads  Park Avenue, Burleigh Heads
Coolangatta  The Strand, Marina Parade, Coolangatta
Helensvale  Cnr Lindfield Road and Sir John Overall Drive, Helensvale
Nerang  833 Southport Nerang Road, Nerang
Palm Beach  26 11th Avenue, Palm Beach
Southport  47 Nerang Street, Southport
Upper Coomera  Cnr Abraham Road and Reserve Road, Upper Coomera

How to contact us

07 5582 8866 or 1300 69 4222
(7am to 6pm, Monday to Friday), or from outside of Australia call +61 7 5582 8866
Visit us at any Customer Service Centre
Open hours; cityofgoldcoast.com.au

Council of the City of Gold Coast
PO Box 5042, GOLD COAST MC QLD 9729
goldcoast.qld.gov.au
## 1 APPLICATION SUMMARY

<table>
<thead>
<tr>
<th>Application information</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Address</strong></td>
<td>272-274 Hedges Avenue, Mermaid Beach.</td>
</tr>
<tr>
<td><strong>Lot and plan</strong></td>
<td>Lots 0-5 BUP665, Lots 0-9 BUP1182 and Easement A and B on RP131113.</td>
</tr>
<tr>
<td><strong>Site area</strong></td>
<td>1,821 m² (combined site area).</td>
</tr>
<tr>
<td><strong>Zone / Precinct</strong></td>
<td>High density residential zone.</td>
</tr>
</tbody>
</table>
| **Overlays**            | - Acid sulfate soils;  
                          | - Airport environs;  
                          | - Building height (HX - unrestricted);  
                          | - Coastal erosion hazard;  
                          | - Light rail urban renewal area (Frame area); and  
                          | - Residential density (RD8 – 1 bed per 13m²). |
| **Proposed use**        | Multiple dwellings (99 units). |
| **Level of assessment** | Code assessment. |

<table>
<thead>
<tr>
<th><strong>Applicant and Applicant’s consultancy team</strong></th>
<th></th>
</tr>
</thead>
</table>
| **Applicant and Applicant’s consultancy team** | Sunland No. 36 Pty. Ltd. C/- Zone Planning Group (Planning consultants);  
                              | BDA Architecture (Architects);  
                              | Civil 360 Engineering (Engineering services and Water and sewer capacity assessments);  
                              | Bitzios Consulting (Traffic Engineer);  
                              | Form Landscaping Architects (Statement of Landscape Intent);  
                              | Elephants foot recycling solutions (Waste management); and  
                              | Jensen Bowers (Surveyor). |

<table>
<thead>
<tr>
<th><strong>Land owner</strong></th>
<th></th>
</tr>
</thead>
</table>
| **Land owner** | Sunland No. 36 Pty. Ltd.;  
                              | Body corporate for Majestic Court CTS 14; and  
                              | Body corporate for Sussex mansions CTS 1. |

<table>
<thead>
<tr>
<th><strong>Submissions</strong></th>
<th><strong>Objections</strong></th>
<th><strong>Support</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Submissions</strong></td>
<td>Not applicable.</td>
<td>Not applicable.</td>
</tr>
</tbody>
</table>

| **Key matters raised by submitters** | Not applicable. |
| **Decision due date** | 19 February 2018. |
ITEM 2 (Continued)
MATERIAL CHANGE OF USE (CODE ASSESSMENT) FOR A MULTIPLE DWELLING (99 UNITS) AT 272-274 HEDGES AVENUE, MERMAID BEACH – DIVISION 10
PN76722/01/DA2

<table>
<thead>
<tr>
<th>Referral agencies</th>
<th>Not applicable.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Officer’s recommendation</td>
<td>Approval.</td>
</tr>
</tbody>
</table>

2 PROPOSAL
Council is in receipt of an application for a Development permit for a Material change of use (Code assessment) to establish a Multiple dwelling (99 units) at 272 to 274 Hedges Avenue, Mermaid Beach.

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

<table>
<thead>
<tr>
<th>Key development parameters</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Setbacks</strong></td>
</tr>
<tr>
<td>Level</td>
</tr>
<tr>
<td>-------</td>
</tr>
<tr>
<td>Tower setbacks</td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td>Site cover</td>
</tr>
<tr>
<td>Height</td>
</tr>
<tr>
<td>Density</td>
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<tr>
<td>Car parking and access</td>
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<tr>
<td></td>
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<tr>
<td>Bicycle parking</td>
</tr>
</tbody>
</table>
Key development parameters

- 10 security level C spaces for visitors.

Communal open space

- 960 m² of useable communal open space is provided at Ground level (Figure 1) and Level 2 (Figure 2).
- Ground level:
  - High quality landscape is proposed, which includes seating, pockets of lawn areas, pathway network and interactive art sculpture.

Figure 1: Ground level communal open space.

- Level 2:
  - Variety of active and passive recreation including lap pool, yoga studio, treatment room, gym, meeting room, library, spa, resident’s lounge and terrace.

Figure 2: Level 2 communal open space.
### Key development parameters

<table>
<thead>
<tr>
<th>Description</th>
<th>Details</th>
</tr>
</thead>
<tbody>
<tr>
<td>Private open space</td>
<td>- Ranging between 13m² to 316m².</td>
</tr>
<tr>
<td>Public open space</td>
<td>- Embellished ‘pocket park’ within the road reserve area (Figure 6).</td>
</tr>
<tr>
<td></td>
<td>- Approximately 1000m².</td>
</tr>
<tr>
<td></td>
<td>- Maintenance of this area to be managed by the Body Corporate (established through a Maintenance Management Agreement).</td>
</tr>
<tr>
<td>Acoustic attenuation</td>
<td>- Communal open space area on Level 2 is proposing suitable material treatment to achieve suitable noise levels (Figure 3).</td>
</tr>
<tr>
<td>Waste storage and servicing</td>
<td>- Refuse bins are to be located and stored in a dedicated bin storage room, which is located at Ground level in the south-west corner of the building;</td>
</tr>
<tr>
<td></td>
<td>- A temporary bin collection area is proposed at Ground level and in front of the building in the north-east area of the site, adjoining the transformer and driveway;</td>
</tr>
<tr>
<td></td>
<td>- On collection days bins will be relocated to the temporary storage point of which a waste collection vehicle will collect the waste off-street. Due to the dual crossovers proposed, the waste collection vehicle will be able to navigate the site entering and exiting in forward gear;</td>
</tr>
<tr>
<td></td>
<td>- The development proposes a waste chute to each level through the provision of a dual waste system enabling both general and recyclable waste to be deposited in the same chute.</td>
</tr>
</tbody>
</table>

*Figure 3: Acoustic attenuation on Level 2 – communal open space.*
ITEM 2 (Continued)
MATERIAL CHANGE OF USE (CODE ASSESSMENT) FOR A MULTIPLE DWELLING (99 UNITS) AT 272-274 HEDGES AVENUE, MERMAID BEACH – DIVISION 10
PN76722/01/DA2

<table>
<thead>
<tr>
<th>Key development parameters</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hydraulics and Stormwater</td>
</tr>
<tr>
<td>• Bioretention basin (16m² of filter area) for stormwater treatment purposes located along the northern property boundary to ensure water quality, all stormwater runoff generated by the development will be treated onsite via a bio-basin.</td>
</tr>
</tbody>
</table>

The following drawings show what the proposed development will look like:

**Figure 4:** Perspective view of proposed tower.

**Figure 5:** Perspective view of proposed tower base.
The proposal does not meet the following acceptable outcomes:

High density residential zone code:
ITEM 2 (Continued)
MATERIAL CHANGE OF USE (CODE ASSESSMENT) FOR A MULTIPLE DWELLING (99 UNITS) AT 272-274 HEDGES AVENUE, MERMAID BEACH – DIVISION 10
PN76722/01/DA2

- Setbacks;
- Site cover; and
- Density.

High-rise accommodation design code:
- Tower base;
- Tower form design;
- Communal and private space areas; and
- Services.

General development provisions code:
- Amenity protection; and
- Shadow.

Transport code:
- Bicycle parking supply;
- Ingress and egress; and
- Design of car parking areas.

It is considered that the proposed alternative outcomes listed above have demonstrated compliance to the relevant Overall outcomes and Performance outcomes.

These are discussed within the ‘planning assessment’ section of this report.

3 SITE DESCRIPTION AND SURROUNDING AREA

3.1 Characteristics of site
The subject site comprises of two (2) allotments, being Lots 0-5 BUP665, Lots 0-9 BUP1182 and Easement A and B on RP131113.

- 272 Hedges Avenue: Was improved by a two (2) storey building comprising of five (5) units, which has been recently demolished; and
- 274 Hedges Avenue: Was improved by a four (4) storey building (garage exceeding 1m above ground level) and comprised of nine (9) units, which has been recently demolished.

The site:
- Is 1,821m² (combined) in site area;
- Is irregular in shape and generally flat due to recent demolition of residential buildings;
- Has a frontage to Hedges Avenue of approximately 50m and a depth of approximately 40m;
- Combined, currently has two (2) separate vehicular crossovers with a car park area.
located within the road reserve, servicing the development located at 274 Hedges Avenue;

- Has an existing road reserve with a frontage of approximately 50m to Hedges Avenue and a depth of approximately 22m extending from Hedges Avenue to the subject site (Figure 7);
- Is not encumbered by any easements; and
- Has telecommunication, water, sewerage and electrical connections readily available.

![Figure 7: Subject site indicated in blue (road reserve indicated in red).](image)

### 3.2 Characteristics of surrounding area

The immediate surrounding area of the site is characterised by low-rise to medium-rise residential uses.

The broader characteristics and context of the surrounding area is described below:

**North:** Immediately north of the subject site is six (6) storey residential building with the Broadbeach State School situated approximately 100m to the north of the site, on the northern side of Alexandra Avenue. Further north is the Broadbeach Principle Centre located approximately 700m walking distance from the subject site, predominantly comprising of a mix of high density residential developments, restaurants and shops.

**East:** The site adjoins a wide area of road reserve directly to the east that has a frontage to Hedges Avenue of approximately 50m. On the eastern side of the road reserve is the Broadbeach beach and associated parklands. This public recreational space forms part of the city’s extensive pedestrian/cycle network and provides opportunities for active and passive recreational amenity in the
ITEM 2 (Continued)
MATERIAL CHANGE OF USE (CODE ASSESSMENT) FOR A MULTIPLE DWELLING (99 UNITS) AT 272-274 HEDGES AVENUE, MERMAID BEACH – DIVISION 10
PN76722/01/DA2

form of children’s playgrounds, picnic and barbeque shelters and grassed lawn areas.

South: A newly constructed church adjoins the site to the south with a seven (7) storey residential building located further to the south on the corner of Peerless Avenue. The area further south transitions to the Medium density residential zone at the southern side of Peerless Avenue.

West: To the immediate west is the Diamond Beach resort comprising of a two (2) storey townhouse development. The area further west comprises of a mix of low-rise to medium-rise development. The Gold Coast Highway is located approximately 300m to the west with Pacific Fair Shopping Centre being approximately 550m west of the site. The site has access to public transport with the Broadbeach South light rail station located approximately 650m walking distance to the west of the site.
4 LEVEL OF ASSESSMENT

Table 5.5.3: High density residential zone of the City Plan categorises a Multiple dwelling within the Residential activity group as subject to code assessment. A higher level of assessment is not triggered through the Overlays.

5 OTHER DEVELOPMENT APPROVALS/EXISTING LAWFUL USES

5.1 Subject site
- 272 Hedges Avenue: Consent 720142 for the erection of a three (3) storey building, containing 11 units and basement car parking; and
- 274 Hedges Avenue: Building permit 720823 for a Multiple unit dwelling.

5.2 Neighbouring premises
- 254 to 270 Hedges Avenue: Development Permit for Material Change of Use (Impact Assessment) for a Place of Worship (PN24293/01/DA1 // MCU201500295).
- 280 Hedges Avenue: Building permit 811592 for additions to a Multiple unit dwelling.

6 PLANNING ASSESSMENT

6.1 Assessment against a variation approval
The proposal does not trigger assessment against any variation approvals.

6.2 Assessment against the Strategic framework
The proposal does not trigger assessment against the strategic framework.

6.3 Assessment against the codes
The following is an assessment of the application against the applicable codes of the City Plan identified in the table below:

<table>
<thead>
<tr>
<th>Zone code</th>
<th>Overlay codes</th>
<th>Development codes</th>
</tr>
</thead>
<tbody>
<tr>
<td>High density residential zone code.</td>
<td>Acid sulfate soils overlay code;</td>
<td>Driveways and vehicular crossings code;</td>
</tr>
<tr>
<td></td>
<td>Airport environs overlay code;</td>
<td>General development provisions code;</td>
</tr>
<tr>
<td></td>
<td>Coastal erosion hazard;</td>
<td>Healthy waters code;</td>
</tr>
<tr>
<td></td>
<td>Light rail urban renewal area overlay code.</td>
<td>High-rise accommodation design code;</td>
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<td></td>
<td></td>
<td>Transport code;</td>
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<td></td>
<td></td>
<td>Solid waste management code;</td>
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<tr>
<td></td>
<td></td>
<td>Vegetation management code.</td>
</tr>
</tbody>
</table>
6.3.1 Assessment against the zone code
The proposal has been assessed against the High density residential zone code.

High density residential zone code

The purpose of the High density residential zone code is to:

“Provide for higher density multiple dwellings supported by community uses and small-scale services and facilities that cater for local residents.”

The proposed development is considered to achieve the Purpose of the High density residential zone code through demonstrated compliance with the Overall outcomes, as follows:

2(a) – Land use

“(2) The purpose of the code will be achieved through the following overall outcomes:

(a) Land uses –

(i) include a range of high density residential uses;
(ii) such as Multiple dwellings, Dwelling houses on small lots, Residential care facilities and Retirement facilities are included in the zone to provide a mix of dwelling types and increase residential density;
(iii) such as Relocatable home parks and Rooming accommodation may be included to deliver housing choice, providing they do not reduce the potential to supply a sufficient number of high density residential dwellings and do not detract from the residential amenity of the area;
(iv) include neighbourhood centres and standalone small scale non-residential development consistent with the Strategic framework;
(v) which carry higher potential for impacts on amenity such as Car washes, large Food and drink outlets, Service stations, Shops, Veterinary services, Community care centres, Educational establishments, Emergency services, Places of worship, Indoor sport and recreation and Parking stations may be considered if appropriately designed and located and not detract from the residential amenity of the area; and
(vi) involving Tourist-related development such as Short-term accommodation and Tourist parks and attractions may be considered where they can be supported by City services and do not compromise the amenity or character of the zone and local area.
(vii) do not detract from the residential amenity of the area.”

Officer’s comments
The proposed land use being Multiple dwellings, is listed within points 2(a)(i) and (ii) and is therefore considered intended development for the High density residential zone. The development is a high density residential use that provides a range of residential unit types including, 24 x two (2) bedroom + study units, 68 x three (3) bedroom + media units and 7 x
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four (4) bedroom + media units, all of which provide permanent accommodation. The proposal provides a high density residential development within an appropriate built form, thereby achieving efficient and sustainable infill development, consistent with the intended high density residential nature of the area.

The proposed Multiple dwelling is not considered to detract from the residential amenity of the area given appropriate site cover, setbacks and landscaping to all boundaries is achieved. Furthermore, the curvilinear building design and incorporation of the double-void skyhomes provided at Levels 27 and 28, creates visual interest and decreases the perceived bulk of the built form.

2(b) – Form, scale and intensity

“(b) Housing is provided at a form, scale and intensity that is appropriate for the zone and each particular locality it is in where the following outcomes are satisfied:

Orderly and economically efficient settlement pattern

(i) degree of public transport service within a 400 metre walking distance, being the most desirable distance for pedestrian access, and the ease and safety of pedestrian access to that service;

(ii) proximity to major employment concentrations, centres, social and community infrastructure facilities and important amenity features, including the coast, recreational waterways and parkland;

(iii) capacity of available infrastructure to support the development, including water, sewer, transport and social and community facilities.”

Officer’s comments

Officers acknowledge that the subject site is not located within a 400 metre walking distance of public transport, however in accordance with Overall outcome 2(b)(i), this is the “most desirable distance for pedestrian access”. Officers consider the subject site still achieves a suitable walking distance to public transport along the Gold Coast Highway that provides frequent light-rail and bus services, with the Broadbeach South station within 650m walking distance, allowing for convenient access to major employment generating areas (Surfers Paradise/Southport).

The subject site is located 700m south of the Broadbeach centre, Broadbeach Mall, Oasis Shopping Centre and Oracle development. This area provides considerable employment concentrations and various restaurants, bars, cafes and shops to meet the social needs of future residents. Directly opposite the subject site is the Broadbeach parkland and beach providing community infrastructure for recreational opportunities to the residents of the proposed development.

Council’s Transport Impact Assessment and Water and Waste sections have assessed the relevant supporting material and have determined that the existing infrastructure will adequately service the development. The following comments were provided in relation to capacity assessment:

Transport Impact Assessment
A Traffic Impact Assessment was submitted as part of the development application. Transport Impact Assessment officers have reviewed this report. The findings showed that the proposed development is estimated to generate in the order of 21 additional trips in the AM peak hour and 30 additional trips in the PM peak hour.

Under uniform flow, this equates to an additional one (1) vehicle generated by the development every two (2) – three (3) minutes during the peak hours. This increase in traffic is considered low and is not expected to result in any adverse capacity impacts to the external network that would require mitigation measures to be imposed at surrounding intersections.

It is noted that Broadbeach has a grid-style road network, allowing the traffic to distribute via numerous routes and intersections.

An indicative estimation of traffic distribution through the surrounding roads and intersections was assessed for the AM and PM peak hours. This showed that the development will generate no more than 11 additional vehicle trips through any one intersection, which equates to an average of 1 additional vehicle trip every 5 minutes.

The additional development trips impacting the surrounding road network are low and are not concentrated on a particular movement or intersection to a level that would result in adverse operations or mitigation measures to be imposed. The proposed development can therefore be adequately supported by the existing transport infrastructure network.

Water and Waste

“Gold Coast Water and Waste has assessed the applicant’s water network capacity assessment report and in general has no issue with the proposed development because the existing network is still adequate to service the proposed development until 2066.”

Housing needs

“(iv) delivery of a generous mix of housing form, sizes and affordability outcomes that meet housing needs (including housing needs of the future) for the locality.”

Officer’s comments

The development provides a mix of unit sizes ranging from 71m² to 418m² in size. The unit types include 24 x two (2) bedroom + study units, 68 x three (3) bedroom + media units and 7 x four (4) bedroom + media units, to accommodate different housing needs and price points within the development.

Design and amenity

“(v) whether intended outcomes for building form/ city form and desirable building height patterns are negatively impacted, including the likelihood of undesirable local development patterns to arise if the cumulative effects of the development are considered;
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(vi) retention of important elements of neighbourhood character and amenity, and cultural heritage;
(vii) whether adjoining residential amenity is unreasonably impacted;
(viii) achievement of a high quality urban design.”

Officer’s comments
The proposal aligns with the intended building height, being within the HX (no height limit) designation. Therefore, the proposal is considered to appropriately reflect a desirable building height.

The site is located in a predominately residential area comprising of an existing low to medium-rise character (Figure 9).

The proposed development has a distinct tower base and tower form, which is not currently present within southern Broadbeach. Officers acknowledge that the tower base form would result in a dramatic shift in the established character compared to adjacent developments, however Officers consider the proposed tower base height at two (2) storeys (12m) is reflective of the established low-rise character of the area and reflects the future intent of the area. Furthermore, the applicant has incorporated landscape planter boxes to the communal open space balcony on Level 2, which assists in softening the appearance of the tower base at the ground plane and integrates the tower form with the landscaped grounds surrounding the building.

The site is located in a ‘Frame Area’ of the Light rail urban renewal area overlay code, which is identified as a catalyst to transform the City and provide an intensive urban environment. The Light rail urban renewal area overlay code states that building form within ‘Frame areas’ is characterised by “high density neighbourhoods which allow for a range of intense built form outcomes and activity and commerce of a scale that services the local neighbourhood requirements and supports the light rail station” and “encourage innovative high rise towers that advance the Gold Coast's iconic skyline and are free from a height designation. Appropriate height will be determined by design criteria and site context”.

The development proposes a unique tower design that achieves a sculptural tower form that is not perceived as overly dominant. At ground level, the proposed tower base is a...
continuation of the tower form above and is wrapped in a curving sculptural feature element that frames the building entrance. The design of the tower base provides areas of landscaping and activation of the street front. Officers consider the proposed development is of an appropriate scale of development for the existing and emerging character of the area as sought by the High density residential zone code, Building height overlay map and the Light rail urban renewal area overlay code.

The proposed tower setbacks to the southern (9.57m) and western (8.83m) property boundaries are considered appropriate in protecting the adjoining amenity due to adequate building separation being proposed to preserve view corridors and provide sunlight access and natural ventilation. However, the proposal provides reduced setbacks ranging between 3.4m (balcony) to 5.83m (wall) along the northern property boundary and therefore requires further discussion in regards to the protection of adjoining amenity to the north.

The proposed minimal setback of 3.4m is provided at a pinch-point of the building only and in the north-western corner of the development (Figure 10). The proposed tower achieves an average building setback to the northern property boundary of 5.2m (Figure 11).
The existing building follows the diagonal nature of the shared boundary and splay out towards the north and east, creating a six (6) metre boundary setback. The northern boundary setback of 5.2m (average) is considered to offer an appropriate separation distance to the existing building to the north in order to maintain view corridors and sunlight access. Additionally, the proposed development appropriately incorporates acoustic attenuation within communal open space area on Level 2 to reduce amenity impacts to the adjoining properties.

It is important to acknowledge that the existing building to the north has balconies and primary views that are orientated to the east, with windows on the southern side of the building closest to the proposed development. This is considered to assist in reducing the ability to overlook into adjoining habitable rooms.

In considering redevelopment potential of the adjoining site, Officers consider the nature of the allotment and orientation of the subject site to the north will encourage any future redevelopment on the site to be predominantly orientated towards the north and east, to take full advantage of the views of the beach. For these reasons the proposed development is not considered to unreasonably impact upon the residential amenity of people residing in the development to the north.

The proposal was referred to the Office of the City Architect who has provided the following comments in regards to urban design:

“The proposal achieves a high quality architecture and urban design that includes an engaging and attractive design solution for the tower base that responds to the local setting and activates the street front.”

Therefore, the proposal is considered to fit within the desired scale and height for this precinct, where higher density and building height is encouraged within the Frame area of the Light rail urban renewal area overlay code.
Officers consider the development to comply with the Design and amenity Overall outcome of the High density residential zone code.

Environment
“(ix) the impacts of any site constraints, including natural hazard and environmental-based constraints.”

Officer’s comments
The impacts of the site constraints have been appropriately incorporated into the proposed built form.

Community Benefit
“(x) where the development:

(A) is appropriate having regard to overall outcome (b) (i) to (ix);

(B) meets all other overall outcomes for the zone; and

(C) incorporates community benefits in addition to those that could be lawfully conditioned to be provided (i.e. that are required to be provided by this City Plan or reasonably required in relation to the development or use of premises as a consequence of the development),

development bonuses are applied in accordance with the SC6.5 City Plan policy – Community benefit bonus elements.

Note: SC6.5 City Plan policy – Community benefit bonus elements provides guidance on what might constitute additional community benefits and the supporting material that may be required to demonstrate the degree of benefit.

Note: Development is not required to incorporate community benefits in order to demonstrate that housing has been provided at a form, scale and intensity that is appropriate having regard to overall outcome (b) (i) to (ix).”

Officer’s comments
The applicant has not proposed any community benefits for assessment against SC6.5 City Plan policy. The development is not required to incorporate community benefits in order to demonstrate that housing has been provided at a form, scale and intensity that are appropriate having regard to Overall Outcomes (b)(i) to (ix).

2(c) – Character
“(c) Character consists of –

(i) urban neighbourhoods that consist of primarily higher intensity places containing medium to high-rise buildings;

(ii) a building height that provides a hard and distinct edge to clearly define the higher density locations within the city; and

(iii) walking and cycling paths, street trees and local streets for shared car and bike use.”
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Officer’s comments

The proposed development incorporates a high density development contained within a high-rise built form and therefore is considered to contribute to an urban neighbourhood, which is transitioning in form from low to medium-rise to high-rise and high intensity development.

The area north of the subject site is included within the High density residential zone, with a building height limit of HX (unrestricted) and contains multiple high-rise, high-intensity residential and commercial developments, which has building heights of up to 50 storeys established 700m north of the site. The area south of Peerless Avenue is captured within the Medium density residential zone, with a building height limit of three (3) storeys (15m) and a residential density of RD5 (1 bed per 50m²). Therefore, Officers consider the proposed development at 44 storeys provides for an appropriate transition in form from the taller buildings located within the Broadbeach Centre to the north, to the low to medium-rise development located to the south (Figure 10).

Council officers consider the proposed building height will provide for a distinct skyline that clearly defines the higher density locations within the city.

Officers are recommending a condition requiring the applicant to construct a sealed footpath along the frontage of the site, encouraging pedestrian movements and creating an enhanced pedestrian environment at the site’s frontage.

2(d) – Built form

“(d) Built form –

(i) has a building height that does not exceed that indicated on the Building height overlay map;
(ii) is setback from side and rear boundaries to protect the amenity of adjoining uses;
(iii) is setback from road frontages to promote an urban setting and interface with the street; and
(iv) has varying site cover to reduce building dominance and provide areas for landscaping.”

Officer’s comments

The proposal does not exceed the building height indicated on the Building height overlay map, being HX (unrestricted).

As previously discussed when addressing Overall Outcome 2(b)(vi-viii), the proposed tower setbacks to the side and rear boundaries are considered appropriate in protecting the adjacent amenity. This is achieved through the orientation of the adjacent dwelling to the north and the proposed curvilinear building design, which provides for recesses and articulation to the built form, reducing the building mass presented to adjoining sites. Officers consider the reduced setbacks are consistent with the surrounding area and are considered to be an efficient use of the site as infill development.

It is noted that the subject site has a very wide road reserve comprising of approximately 22m. Whilst the development proposes a reduced setback to the front boundary (2.7m), when taking the full extent of the road reserve into consideration, the development is setback
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approximately 24.7m to the road kerb. Officers consider the siting of the building within the allotment enables a larger setback to the rear (western) boundary creating a greater separation between the proposed building and the existing development to the west.

The proposed tower setbacks to the road frontage are considered to provide a positive interface to the street from varying heights and vantage points of the development including the communal open space area at Level 2 and the embellished road reserve area, which includes seating and high quality landscaping. This is considered to activate the streetscape, offering opportunity for engagement with the development between the private and public realm. Additionally, the built form outcomes of the internal and external spaces are appropriately orientated to the street to promote casual surveillance of the public realm.

Furthermore, the development has varying site cover to reduce building dominance, which is evident between the decrease in site cover between the ground level and tower form.

2(e) – Lot design

(e) Lot design –

(i) supports a mix and variety of housing forms envisaged in the zone.”

Officer’s comments

No new lots will be created as part of this application.

Assessment against the Performance outcomes

Assessment has determined the proposal generally meets the Acceptable outcome of the zone code with the exception of:

- Setbacks;
- Site cover;
- Building height; and
- Density.

These aspects of the proposal are discussed in more detail below.

Setbacks

<table>
<thead>
<tr>
<th>Performance outcome</th>
<th>Acceptable outcome</th>
</tr>
</thead>
<tbody>
<tr>
<td>Setbacks:</td>
<td>A01 Setbacks are as follows:</td>
</tr>
<tr>
<td>a) assist in the protection of adjacent amenity;</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Performance outcome</th>
<th>Acceptable outcome</th>
</tr>
</thead>
<tbody>
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<td></td>
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</tbody>
</table>
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Officer’s comment

The proposal provides setbacks as follows:

<table>
<thead>
<tr>
<th>Level</th>
<th>Front setback (Road reserve)</th>
<th>Side setback (north)</th>
<th>Side setback (south)</th>
<th>Rear (west)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tower setbacks</td>
<td>2.65m (balcony) 6.25m (wall)</td>
<td>3.4m (balcony) 5.83m (wall)</td>
<td>9.57m (balcony) 11.65m (wall)</td>
<td>8.83m (balcony) 11.6m (wall)</td>
</tr>
</tbody>
</table>

The applicant seeks an alternative outcome in relation to setbacks for the tower.

Protection of adjacent amenity

The design of the development is well articulated through a series of concave curves to each elevation to create visual interest to the building façade. This design feature results in the corners of the building being positioned closest to the site boundaries with the central areas of the elevations setback further into the site.

The proposed tower setbacks to the southern (9.57m) and western (8.83m) property boundaries are considered appropriate in protecting the adjoining amenity due to adequate building separation being proposed to preserve view corridors and provide sunlight access and natural ventilation. However, the proposal provides reduced setbacks ranging between 3.4m (balcony) to 5.83m (wall) along the northern property boundary and therefore requires further discussion in regards to the protection of adjoining amenity to the north.

The proposed minimal setback of 3.4m is provided at a pinch-point of the building only and in the north-western corner of the development (Figure 14).
The northern elevation provides articulated and recessed building form, with the setbacks fewer than 4m being to balcony areas only. The majority of the building itself (bedrooms and living areas) is setback in excess of 5m. Additionally, the existing building is predominantly orientated to the east and follows the diagonal nature of the shared boundary, which results in the development splaying towards the north and east, creating a six (6) metre boundary setback (Figure 14). Therefore, Officers consider the amenity of the adjoining building to the north is protected as an adequate separation distance of approximately 11.2m is provided between the existing development to the north and the proposed development.

The proposed development appropriately incorporates acoustic attenuation within communal open space area on Level 2 to reduce amenity impacts to the adjoining properties.

For these reasons the proposed development is not considered to unreasonably impact upon the residential amenity of people residing in the development to the north.

**Allow access around the building**

Officers consider the proposed tower setbacks allow for access around the building.

**Contribute to streetscape character**

As previously discussed, the design of the tower is well articulated through a series of concave curves to each elevation to create visual interest to the building façade. The tower base includes a curving sculptural feature element that frames the building entrance. Officers, consider the design presents a desirable outcome that responds to the local neighbourhood scale and achieves a high quality and engaging street front design for the building.

The road reserve has been embellished with high quality landscaping at the entrances, which assists in softening the edges of built form when viewed from the ground plane. The existing
road reserve has allowed vehicle access to be inset into the site and provided in a one-way driveway to ensure vehicular movement and parking does not dominate the streetscape.

Furthermore, the incorporation of the communal open space area at Level 2 is considered to activate and engage with the streetscape, offering opportunity for engagement with the development between the private and public realm. Additionally, the built form outcomes of the internal and external spaces are appropriately orientated to the pocket park (road reserve) to promote casual surveillance of the public realm.

![Figure 15: Surveillance over pocket park (Form – Landscape Design Intent, dated December 2017).](image)

Officers consider the design of the building to Hedges Avenue will enhance the existing streetscape character.

**Provide separation between buildings to maintain view corridor**

The neighbouring building to the north and south (Church) provide generous side setbacks ranging between 6m (north) and 16m (south). These setbacks in combination with the proposed development’s average side setbacks of 5.2m (north) and 10.6m (south), provides greater separation to the proposed development and therefore is considered to maintain view corridors.

Therefore, Officers consider the setbacks achieve compliance with Performance outcome 1 of the High density residential zone code.

**Site cover**

<table>
<thead>
<tr>
<th>Performance outcome</th>
<th>Acceptable outcome</th>
</tr>
</thead>
<tbody>
<tr>
<td>PO2</td>
<td>PO2</td>
</tr>
<tr>
<td>a) is balanced between built form and green areas for landscaped public 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.</td>
<td>A02 For all other uses, site cover does not exceed a cumulative total of: a) 50% of net site area up to 8 storeys; b) 40% of net site area from 9 to 15 storeys; and c) 30% of net site area or 750m² per building, whichever is the lesser, above 15 storeys.</td>
</tr>
</tbody>
</table>
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Officer’s comment

The proposed tower offers a site cover of 42.1%, while the tower floorplate is 767m² (including balconies) in size, therefore provides an alternative outcome to Acceptable outcome AO2.

The proposed development has been segmented into different components, which has allowed the proposal to incorporate a lower landscaping break in the built form (Level 2), providing for a balance between built form and green areas (Figure 16). The proposal provides adequate areas for landscaping within the subject site (Figure 16).

![Figure 16: Planting within the subject site (Form – Landscape Design Intent, dated December 2017).](image)

Furthermore, the proposal provides frontage planting within the 22m wide road reserve adjoining the subject site to the east, which is considered to provide substantial green areas for landscaped public open space that is visually appealing and contributes to a positive pedestrianised environment (Figure 17).
The site is located in the ‘Light rail urban renewal area’. In this respect, the Light rail urban renewal area overlay code is the prevailing code to guide the City Plan’s intended built form and related outcomes for the site. This code “…supports development opportunity as a catalyst for transforming the city into a highly-connected, compact city with vibrant centres…” and seeks development that will “efficiently use land”. The subject site is located within a ‘Frame area’ where the code “encourages innovative high rise towers that advance the Gold Coast’s iconic skyline [which] are free from a height designation”. The proposed tower setbacks are considered to be an outcome that achieves the intent of a ‘high intensity urban environment’ as intended by the City Plan for this area of the city. Therefore, the scale of the proposed tower is considered to comply with the relevant City Plan provisions.

Officers consider the tower base has been designed to positively contribute to the neighbourhood character and amenity of the area. The proposed tower base is a continuation of the tower form above and is wrapped in a curving sculptural feature element that frames the building entrance. The design of the tower base provides areas of landscaping and activation of the street front.

The reduced frontage setbacks for the proposed tower allows for the development to engage with the streetscape through the terrace seating and integrated landscaping on Level 2 and the embellished pocket park (road reserve area), which supports a pedestrianised environment and adds visual appeal to the streetscape. Officers have conditioned the integrated landscaping to ensure on-going maintenance into the future.

To comply with AO2(c), the proposal is to be 30% of net site area or 750m², whichever is lesser. The lesser of the two (2) would be 30%, which equates to a floor plate size of 546.3m². Therefore, the applicant is proposing an alternative solution ranging of 42.1% and 767m². The bulk of the tower is considered to be consistent with the bulk of towers expected within this area of the city.

Considering the high density, high-rise context, the proposed development is considered to contribute to an open, attractive and distinct skyline. The segmented building design is
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considered to reduce the dominance of the perceived building mass, as visual breaks in the built form are provided (Levels 2 and 28/19).

The proposed tower incorporates appropriate separation distances to side (3.4m to 11.65m) and rear boundaries (8.83m to 11.6m) to retain an open and attractive skyline, if the adjoining sites were to be redeveloped. Furthermore, the architectural recess provided to all balconies instils variation to all building setbacks, which creates visual interest within the city skyline and positively contributes to the city’s iconic skyline.

The applicant provided a shadow analysis which demonstrates that the surrounding properties will have solar access at various periods throughout the day and year. Please refer to section 6.4.4 within this report for further detail.

Building height

<table>
<thead>
<tr>
<th>Performance outcome</th>
<th>Acceptable outcome</th>
</tr>
</thead>
<tbody>
<tr>
<td>PO3</td>
<td>AO3</td>
</tr>
<tr>
<td>Building height and structure height does not exceed 9m or that shown on the Building height overlay map.</td>
<td>No acceptable outcome provided.</td>
</tr>
</tbody>
</table>

Officer’s comment

As there is no acceptable outcome provided, the proposed development must demonstrate compliance with Performance outcome PO3.

The subject site is identified on the Building height overlay map, as having a building height that is unrestricted (HX), therefore the proposed building height of 152.7m complies with Performance outcome PO3.

Density
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<table>
<thead>
<tr>
<th>Performance outcome</th>
<th>Acceptable outcome</th>
</tr>
</thead>
<tbody>
<tr>
<td>PO4</td>
<td>AO4</td>
</tr>
<tr>
<td>For Dwelling houses density is one Dwelling house per lot.</td>
<td>No acceptable outcome provided.</td>
</tr>
<tr>
<td>OR</td>
<td></td>
</tr>
<tr>
<td>Density does not exceed that shown on Residential density overlay map.</td>
<td></td>
</tr>
<tr>
<td>OR</td>
<td></td>
</tr>
<tr>
<td>Where not identified on the overlay map, density does not exceed one dwelling per 400m².</td>
<td></td>
</tr>
<tr>
<td>OR</td>
<td></td>
</tr>
<tr>
<td>For Residential care facilities and Retirement facilities there is no performance outcome provided.</td>
<td></td>
</tr>
<tr>
<td>OR</td>
<td></td>
</tr>
<tr>
<td>For Rooming accommodation, accommodating more than four unrelated people, density does not exceed one bedroom per 13m².</td>
<td></td>
</tr>
</tbody>
</table>

Officer’s comment

As there is no acceptable outcome provided, the proposed development must demonstrate compliance with PO4.

The subject is identified on the Residential Density Overlay Map, with a residential density of RD8, being one (1) bedroom per 13m². As the development proposes a residential density of one (1) bedroom per 6.5m², the development cannot achieve compliance with PO4 for residential density.

Notwithstanding, the development demonstrates compliance with the Overall outcomes of the High density residential zone code, including provisions that relate to residential density, including, but not limited to Overall outcomes (2)(a)(i) – (2)(a)(iii).

In accordance with section 5.3.3(4) of the City Plan, compliance with a code can be achieved by demonstrating compliance with the Purpose statement and Overall outcomes of the code or with the Performance outcomes or Acceptable outcomes. Therefore, as detailed within this report, the development complies with the Purpose statement and Overall outcomes of the zone code, the development complies with the code and the proposal is not required to demonstrate compliance with the Performance outcome.

6.3.2 Assessment against design based overlay codes

The proposal has been assessed against the following design based overlay code:

- Light rail urban renewal area overlay code.

Light rail urban renewal area overlay code

The purpose of the Light rail urban renewal overlay code is to:
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“The purpose of this overlay code is to ensure development provides high quality urban environments that optimises the pedestrian environment and accessibility to light rail services and economic development opportunities.

This overlay code supports development opportunity as a catalyst for transforming the city into a highly-connected, compact city with vibrant centres, specialist precincts and urban renewal corridors that will efficiently use land and offer an interesting and unique street life.

The purpose of the code will be achieved through the following overall outcomes:

Create genuine communities
(a) Place making helps development contribute to strengthening genuine communities local character through:
   (i) neighbourhood analysis that evaluates the distinct local character patterns, opportunities, and challenges and how the proposed development enhances them;
   (ii) master planning for larger sites to coordinate the staged development of multiple buildings, new internal streets, or parks across larger sites;
   (iii) locating and designing development to respect and complement the scale, character, form and setting of on-site and adjacent properties;
   (iv) public art opportunities or similar for high-rise sites and sites that interface with public open space to enhance the quality of the development, the public realm and the city; and
   (v) direct, safe, and accessible pedestrian and cycling connections that connect through to adjacent routes, streets, parks, open space, and transit stations.

Streets and spaces for people
(b) Built form interfaces with the street to create strong defined building edges and provides opportunities to engage with street life by:
   (i) integrating balconies, building overhangs and canopies into the built form that are carefully designed and scaled to support the street and positioned to maximise function and pedestrian comfort;
   (ii) protecting sunlight and sky views within the surrounding network of streets, parks, public and private open space, and other shadow sensitive areas;
   (iii) providing pedestrian paths that are adequately spaced between the built form and kerb to safely and comfortably accommodate movement, streetscape elements, and at-grade active uses;
   (iv) the inclusion of streetscape and landscape design that are high-quality, sustainable and positively engage the built form with adjacent streets, parks, and open space;
   (v) providing entrances that are well-defined, clearly visible from pedestrian paths and orientated to front new or existing streets; and
   (vi) highly visible and accessible public open space provided at-grade to complement, connect, and extend the existing network of public streets, parks and open space.

Design buildings to foster ‘street life’
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(c) Quality building form at the street-level interacts and enhances street life by:

(i) identifying and framing viewpoints from the public realm to prominent visual man-made areas like major intersections, transit nodes, street corridor terminuses, or natural features like the ocean, rivers, and parklands;

(ii) setbacks and street level design that promotes positive public to private realm transition and appropriate level of access and surveillance based on the nature of the uses;

(iii) locating low-rise buildings or podiums to frame active edges of streets, parks, open space, and to reinforce street corners; and

(iv) walkable catchments to light rail stations activating the street edges with animated frontages sleeved by small, well-glazed, individually accessed, and grade-related tenancies.

Design buildings to foster distinct Gold Coast character

(d) Local character reflects a combination of built form and mix of uses, and is characterised by the following areas and their outcomes:

(i) building form is characterised by either:

(A) medium rise buildings that have a ‘perimeter form’ with buildings generally built to street edges, interspersed or ‘fractured’ by public spaces, landscaped areas or pedestrian access ways; and

(B) high rise buildings with a clearly defined ‘tower and podium form’, where podiums are built to the street edge and may be interspersed or ‘fractured’ by public spaces, landscaped areas or pedestrian access ways.

(ii) mix of uses are characterised by:

(A) ‘Primary focus areas’ encompass the established centres of Surfers Paradise and Broadbeach and allow for the highest concentrations of activity, commerce and intensity of buildings utilising tower and podium form;

(B) ‘Frame areas’ are high density neighbourhoods and allow for a vast range of intense built form outcomes along side locally supported activity and commerce; and

(C) ‘Transition areas’ are medium density neighbourhoods and ensure the logical tapering of built form intensity down to adjacent lower intensity neighbourhoods.

(iii) ‘Primary focus areas’ and ‘Frame areas’ encourage innovative high rise towers that advance the Gold Coast’s iconic skyline and are free from a height designation;

(iv) ‘Transition areas’ are purposely low-to-medium rise ensuring a definitive shift in built form and the delivery of buildings that provide more affordable housing choices;

(v) public transport hubs and centres supports a mix of uses and activities with non-residential uses concentrated at the street edge and lower levels or where fronting meeting places including squares, open spaces and urban parks; and

(vi) mixed use neighbourhood centre level activity is intended to grow around public transport hubs that are not already established within the network of centres.”
Officer’s comments
When considering the above Overall outcomes, the proposed development is considered to meet the provisions of this code.

The proposed setbacks of tower form are considered to be appropriate to the side and rear boundaries to protect the amenity of adjoining uses due to the incorporation of landscaping, acoustic attenuation and architectural articulation that achieves a sculptural tower form with varying building setbacks. As previously acknowledged the site is located in a Frame Area of the ‘Light rail urban renewal area overlay code’ and therefore, the proposed tower form is considered to be an outcome that achieves the intent of a ‘high intensity urban environment’ as intended by the City Plan for this area.

The application complies with the Purpose and the Overall outcomes of the Light rail urban renewal area overlay code.

6.3.3 Assessment against other overlay codes
The proposal has been assessed against the following overlay codes:

- Acid sulfate soils overlay code;
- Airport environs overlay code; and
- Coastal erosion hazard overlay code.

Acid sulfate soils overlay code
The purpose of the Acid sulfate soils overlay code is to:

“Protect the natural environment, built environment and infrastructure from impacts of acid sulfate soils.”

The application complies with the Purpose and the Overall outcomes of the Acid sulfate soils overlay code.

Airport environs overlay code
The purpose of the Airport environs overlay code is to:

“(a) recognise Gold Coast Airport as essential economic infrastructure and protect and assure its ongoing operation and continued development;
(b) regulate development that may affect the operational efficiency of Gold Coast Airport at Coolangatta and the Airservices Australia Aviation Facilities related to the operation of the airport;
(c) minimise incompatible development within the public safety area adjacent to the airport;
(d) minimise the adverse impacts of airport noise on residential and other noise sensitive land uses in the vicinity of the airport.”

The application complies with the Purpose and the Overall outcomes of the Airport environs overlay code.
Coastal erosion hazard overlay code

The purpose of the Coastal erosion hazard overlay code is to:

“Outline the minimum requirement to reduce the exposure of development within close
proximity to the ocean or waterways from the threat of erosion and provide for the
maintenance of natural and engineered protection measures. Note that developers of
coastal hazard zones are encouraged to consider coastal hazard reduction measures
that exceed those required by this code.”

The application complies with the Purpose and the Overall outcomes of the Coastal erosion
hazard overlay code.

6.3.4 Assessment against development codes

The proposal has been assessed against the following development codes:

- High-rise accommodation design code;
- Driveways and vehicular crossings code;
- General development provisions code;
- Transport code;
- Solid waste management code;
- Healthy waters code; and
- Vegetation management code.

Assessment has determined the proposal complies with all the identified Acceptable
outcomes of the development codes except for the following:

- High-rise accommodation design code; and
- General development provisions code; and
- Transport code.

These are discussed in more detail below.

Assessment has determined the proposal complies with all the identified Acceptable outcomes
of the development codes except for the following:

- High-rise accommodation design code; and
- General development provisions code; and
- Transport code.

These are discussed in more detail below.
High-rise accommodation design code

The Purpose of the High-rise accommodation design code is to:

“Responsibly encourage diverse, innovative and engaging sub-tropical high-rise forms that enhance the city skyline.”

The proposal generally meets the Acceptable outcomes of the High-rise accommodation design code except as follows:

- Tower base;
- Tower form design;
- Communal and private space areas; and
- Services.

Tower base

<table>
<thead>
<tr>
<th>Performance outcome</th>
<th>Acceptable outcome</th>
</tr>
</thead>
<tbody>
<tr>
<td>PO1</td>
<td>AO1</td>
</tr>
</tbody>
</table>
| Where podiums are envisaged by the zone, tower base form respects the framework of established built form, adjacent streets, parks and public or private open spaces. | Tower base heights:  
(a) are well-proportioned to frame adjacent park land and on-site open space;  
(b) match neighbouring low-set built form; or  
(c) are no greater than 10.5 metres in height where no neighbouring low-set built form exists. |

Officer’s comment

Tower base heights

The tower base has the same site cover as the levels above, as such, the base integrates with the tower above, and presents to the street and adjoining properties as a tower to ground. The tower base has a perceived total height of approximately 10m to the top of the design features associated with the ground floor (including lobby) and second storey terrace associated with the recreational area.

Figure 18: Proposed tower base section.
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Officers consider the tower base to be appropriate in respecting the adjoining amenity, as it incorporates a curving sculptural feature element that frames the building entrance. The design outcome of the tower base is considered to reduce the building dominance within the neighbourhood and respects the established built form and public open spaces adjoining the site.

Tower form design

<table>
<thead>
<tr>
<th>Performance outcome</th>
<th>Acceptable outcome</th>
</tr>
</thead>
<tbody>
<tr>
<td>P05</td>
<td>AO5.1</td>
</tr>
<tr>
<td>Tower form mitigates negative visual and physical impacts, including impacts on privacy, by setting back from streets, parks, open space and adjacent properties and tower forms.</td>
<td>Tower form (including balconies) along:</td>
</tr>
<tr>
<td></td>
<td>(a) single frontages step in at least 3m from the base (podium); or</td>
</tr>
<tr>
<td></td>
<td>(b) corner frontages can have up to 1/3 tower width extend straight down at the corner point to reinforce the intersection if negative ground level wind effects are mitigated.</td>
</tr>
<tr>
<td></td>
<td>AO5.2</td>
</tr>
<tr>
<td></td>
<td>New towers are separated a minimum distance of 25m from any existing or approved adjacent and on-site tower(s).</td>
</tr>
</tbody>
</table>

Officer’s comment

Acceptable outcome 5.1

The entire tower form is setback between 2.65m (balcony) and 6.25m (wall) from the frontage boundary and therefore the applicant seeks an alternative outcome to Acceptable outcome AO5.1.

The tower form setbacks are considered to mitigate negative visual and physical impacts, as the site does not directly adjoin any dwellings to the east. Furthermore, the eastern façade comprises of balconies that have a sculptural form, which reduces the visual dominance of the tower from the street.

Acceptable outcome 5.2

Acceptable outcome AO5.2 makes provision for a 25m separation between any existing or approved building adjacent to the site. It is noted that a nine (9) storey building is located on the adjoining site to the north of which a separation of approximately 11.2m (average) is proposed between the two buildings.

As illustrated in Figures 19 and 20, the adjoining development to the north is designed to
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orientate to the north-east with balconies and large windows located on the building’s northern and eastern elevations. The southern elevation, which will interface with the proposed building, comprises largely of a long blank wall containing small windows.

![Figure 19: Adjoining property to the north – southern elevation.](image)

![Figure 20: Adjoining development to the north – northern elevation (Source: Zone Town Planning Report, dated 1 November 2017).](image)

The proposed 11.2m (average) separation between the two (2) buildings is not considered to impact the visual, acoustical or privacy of the adjoining development.

Therefore, the proposed development is considered to achieve an appropriate outcome with respect to Performance outcome PO5 of the High-rise accommodation design code.

<table>
<thead>
<tr>
<th>Performance outcome</th>
<th>Acceptable outcome</th>
</tr>
</thead>
<tbody>
<tr>
<td>PO6</td>
<td>AO6.1</td>
</tr>
<tr>
<td>Tower form orientation and articulation promotes sub-tropical design excellence and innovation.</td>
<td>Tower form is orientated to: (a) reduce the perceived mass of the building; and (b) provide privacy for both communal and private open space amenity areas.</td>
</tr>
</tbody>
</table>

**Officer’s comment**

The Office of the City Architect has provided the following comments in regards to Performance outcome PO6 of the High-rise accommodation design code:

“The proposed built form of the tower includes architectural articulation that achieves a sculptural tower form with varying building setbacks and framed by continuous balconies around the perimeter of the building, which is effective in reducing the perceived mass of the building and providing visual interest.”

The applicant has incorporated landscape planter boxes to the communal open space balcony on Level 2, which assists in softening the appearance of the tower base at the ground plane and integrates the tower form with the landscaped grounds surrounding the building in order to
promote sub-tropical design excellence.

Therefore, the proposed development is considered to comply with Performance outcome PO6 of the High-rise accommodation design code.

<table>
<thead>
<tr>
<th>Performance outcome</th>
<th>Acceptable outcome</th>
</tr>
</thead>
<tbody>
<tr>
<td>PO7</td>
<td>AO7.1</td>
</tr>
<tr>
<td>Balconies maximise building performance while minimising negative impacts on the building mass and public realm.</td>
<td>Balconies:</td>
</tr>
<tr>
<td></td>
<td>(a) are not made with materials susceptible to solar gain;</td>
</tr>
<tr>
<td></td>
<td>(b) are not made with transparent materials that spill light from the dwellings; and</td>
</tr>
<tr>
<td></td>
<td>(c) integrate into the building profile.</td>
</tr>
</tbody>
</table>

**Officer’s comment**

The Office of the City Architect has provided the following comments in regards to Performance outcome PO7 of the High-rise accommodation design code:

“The building perimeter is predominantly clad with glazing and all balconies have glazed balustrades. The solar reflectivity of the cladding and balustrade materials as well as the curved form of the tower requires a solar reflectivity study.”

Therefore, Officers are recommending a condition of approval requiring the applicant to provide a solar reflectivity study, prior to commencement of works on site. The report findings must demonstrate that the selected façade glazing, the concave curvature of the tower profile, as well as the selected cladding and curvature of the tower base feature element, will not cause excessive reflectivity or glare to pedestrians, vehicles or surrounding towers and streets in order to demonstrate compliance with Performance outcome PO7 of the High-rise accommodation design code.

**Tower cap design**

<table>
<thead>
<tr>
<th>Performance outcome</th>
<th>Acceptable outcome</th>
</tr>
</thead>
<tbody>
<tr>
<td>PO8</td>
<td>AO8</td>
</tr>
<tr>
<td>Tower caps reinforce the Gold Coast skyline.</td>
<td>Where building height creates an identifiable protrusion in the skyline or the site terminates a viewpoint, the following are provided:</td>
</tr>
<tr>
<td><strong>Note:</strong> building height incorporates allowance for plant and equipment, attractive building caps and rooftop features.</td>
<td>(a) a signature cap strengthening the identity as a landmark; and</td>
</tr>
<tr>
<td></td>
<td>(b) decorative lighting that highlights key architectural features.</td>
</tr>
</tbody>
</table>

**Officer’s comment**

The Office of the City Architect has provided the following comments in regards to Performance outcome PO8 of the High-rise accommodation design code:

“The proposed design of the tower cap reiterates the sculptural articulation of the tower form, and is setback from the building perimeter. It is unclear in the submitted drawings how the roof top services are integrated into the tower cap design.”
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Officers are recommending a condition of approval requiring the screening of roof-top services in order to demonstrate compliance with Performance outcome PO8 of the High-rise accommodation design code.

Communal and private space areas

<table>
<thead>
<tr>
<th>Performance outcome</th>
<th>Acceptable outcome</th>
</tr>
</thead>
<tbody>
<tr>
<td>PO11</td>
<td>AO11.1</td>
</tr>
<tr>
<td>Communal space areas:</td>
<td>Communal space is provided at a rate of 11m² per intended user of the site and is designed for simultaneous use by individuals and groups.</td>
</tr>
<tr>
<td>(a) are accessible, useable and safe;</td>
<td></td>
</tr>
<tr>
<td>(b) enhance the attractiveness of the development;</td>
<td></td>
</tr>
<tr>
<td>(c) provide opportunities for social interaction; and</td>
<td></td>
</tr>
<tr>
<td>(d) create pleasantly shaded outdoor areas.</td>
<td></td>
</tr>
</tbody>
</table>

Officer’s comment

Acceptable Outcome AO11.1 of the High-rise accommodation design code prescribes that 11m² of communal open space per intended user is required. When determining if the communal open space provides adequate recreational areas to service the needs of the residents and their guests, the following method is commonly used.

Method:

1. Assume 1.5 people per 1 bedroom, 2 people per 2 bedroom and 2.5 per 3 bedroom
2. Assume 80% occupancy
3. Assume 33% usage
4. Demonstrate that the facilities proposed on the site are capable of catering to this demand

The above assumes the occupants within the development and the number of people using the communal facilities to determine whether the size and embellishments of the communal open space area is adequate.

The unit types include 24 x two (2) bedroom + study units, 68 x three (3) bedroom + media units and 7 x four (4) bedroom + media units. In accordance with the above method, the following calculations are provided:

- The development has an assumed capacity of 235.5 people;
- At 80% occupancy, there will be 188.4 people; and
- Approximately 63 people will be using the communal open space area.

The proposal includes communal open space (960m²), allowing each intended user 15.2m² of communal open space and there provides more than 11m² per intended user at any given time. Therefore, Council officers consider the proposed development achieves Acceptable outcome AO11 of the High-rise accommodation design zone code.

Services
Performance outcome | Acceptable outcome
---|---
PO15 Servicing, utilities, loading and other ‘back of house’ activities are either located underground, screened or hidden away from public view. | AO15 No acceptable outcome provided.

**Officer’s comment**

In order to achieve the desired visual amenity, the building form must incorporate appropriate screening of all air conditioning units, and the screening must form part of the overall architectural language. A condition has been included for this item to this effect.

**General development provisions code**

The Purpose of the General development provisions code is to:

> “Provide a consistent approach to city wide issues and avoid duplication of regulation throughout the City Plan.”

The proposal generally meets the Acceptable outcomes of the General development provisions code except as follows:

- Amenity protection; and
- Shadow.

**Amenity protection**

<table>
<thead>
<tr>
<th>Performance outcome</th>
<th>Acceptable outcome</th>
</tr>
</thead>
<tbody>
<tr>
<td>PO1 Development mitigates any negative effects to amenity, health and safety from existing surrounding activities having regard to: (a) noise; (b) hours of operation; (c) traffic; (d) signage; (e) visual amenity; (f) wind effects; (g) privacy; (h) vibration; (i) contaminated substances; (j) hazardous chemicals; (k) odour and emissions; and (l) safety.</td>
<td>AO1</td>
</tr>
</tbody>
</table>

**Officer’s comment**
As there is no acceptable outcome provided, the proposed development must demonstrate compliance with Performance outcome PO1. The development is considered to comply with Performance outcome PO1 for the following reasons:

**Noise:** The applicant provided an Acoustic report (Acoustic Works dated 12 December 2017 (reference: 2017425 R01D)) to support the proposed development. Recommendations are provided to ensure the proposal is not adversely impacted upon by noise external to the site;

**Hours of operation:** Currently there are no hours of operation of adjoining facilities which would adversely impact upon the proposed development;

**Traffic:** The submitted Traffic Impact Assessment, prepared by Bitzios Consulting and dated 20 December 2017, has demonstrated that the proposed development can operate safely and efficiently with the current traffic network, as discussed in detail when addressing the Overall outcomes of the High density residential zone;

**Signage:** No advertising devices are proposed as part of this application;

**Visual amenity:** The proposed development has been designed to a high aesthetic standard to complement the streetscape. The curvilinear design provides for visual interest to the city’s iconic skyline;

**Privacy:** Officers do not consider the proposal results in privacy impacts on existing residents in the area. Appropriate landscaping and architectural elements including recesses and articulation in the built form assist in protecting the privacy of adjoining properties. Furthermore, it is noted that the proposed buildings have been sufficiently separated from site boundaries;

**Vibration:** The proposed site is not considered to be subject to any vibrations;

**Contaminated substances:** The subject site is not adjoining a contaminated site;

**Hazardous substances:** The subject site is not adjoining a hazardous substance site;

**Odour and emissions:** The subject site is not adjoining any development that would be likely to generate odour and emissions; and

**Safety:** A Construction Management Plan will ensure the site will be a safe environment for workers and pedestrians and that the proposed development will be constructed to meet all safety standards.

<table>
<thead>
<tr>
<th>Performance outcome</th>
<th>Acceptable outcome</th>
</tr>
</thead>
<tbody>
<tr>
<td>PO2</td>
<td>AO2</td>
</tr>
<tr>
<td>The proposed development prevents loss of amenity and threats to health and safety, having regard to: (a) noise; (b) hours of operation; (c) traffic; (d) signage; (e) visual amenity; (f) wind effects; (g) privacy;</td>
<td>No acceptable outcome provided.</td>
</tr>
</tbody>
</table>
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(h) vibration;  
(i) contaminating substances;  
(j) hazardous chemicals;  
(k) odour and emissions; and  
(l) safety.

Officer’s comment

As there is no acceptable outcome provided, the proposed development must demonstrate compliance with Performance outcome PO2. The development is considered to comply with Performance outcome PO2 for the following reasons:

Noise: The proposed use is residential in nature and is complementary to the surrounding sites, which are also residential in nature. The applicant submitted an Acoustic report (Acoustic Works dated 12 December 2017 (reference: 2017425 R01D)) to support the proposed development. Noise generated from the activities occurring from the proposed Multiple dwelling will be mitigated through the restriction of hours of communal open space area, therefore maintaining noise levels to the surrounding properties;

Hours of operation: Communal open space will be restricted in accordance with the Acoustic report and will be limited to between 7am and 10pm;

Traffic: The applicant provided a Traffic Impact Assessment, prepared by Bitzios Consulting and dated 20 December 2017, to support the proposed development. Traffic impacts in the broader area are detailed previously in this report, where addressing the Overall outcomes of the High density residential zone code;

Signage: No advertising devices are proposed as part of this application;

Visual amenity: The proposed development has been designed to a high aesthetic standard. The curvilinear design provides for visual interest to the city’s iconic skyline;

Privacy: Appropriate landscaping and a curvilinear design, providing for recesses and articulation in the built form, is proposed to protect adjoining properties. The proposed development has been sufficiently separated from site boundaries.

Vibration: Officers acknowledge that there may be some vibration generated during the construction phase as a result of constructing the proposed basement. This will be appropriately addressed through the Construction Management Plan and Geotechnical assessment;

Contaminated substances: The site is not contaminated, where the proposal is for residential purposes only;

Hazardous substances: A residential use is existing and proposed, as such no hazardous substances are to be introduced to the site;

Odour and emissions: It is not anticipated that the proposed Multiple dwelling development would generate external emissions; and
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Safety: A Construction Management Plan will ensure the site will be a safe environment for workers and pedestrians and that the proposed development will be constructed to meet all safety standards.

Shadow

<table>
<thead>
<tr>
<th>Performance outcome</th>
<th>Acceptable outcome</th>
</tr>
</thead>
<tbody>
<tr>
<td>PO8</td>
<td>AO8.1</td>
</tr>
<tr>
<td>The building is designed and located to ensure that the shadow cast by the building does not detract from a comfortable living and ground level environment and the access of adequate sunlight to private and public spaces having regard to:</td>
<td>The width of the shadow cast in any direction by each level of the building, excluding balconies and lift wells, does not exceed twice the width of the shadow cast in any other direction.</td>
</tr>
<tr>
<td>(a) the degree of containment of the shadow on the subject site at different times of the day on the summer and winter solstices and spring and autumn equinox;</td>
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<tr>
<td>(b) the cumulative impact of the shadow and existing shadows;</td>
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<tr>
<td>(c) the effect of the shadow on the ocean beach, Broadwater foreshore, or riverside or beachside public open space;</td>
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<tr>
<td>(d) the location of the shadow on non-residential areas external to the site; and</td>
<td></td>
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<tr>
<td>(e) the effect of the shadow on any other site or other building.</td>
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</tbody>
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Officer's comment
The development is considered to comply with Performance outcome PO8, as discussed below.

Shadow impacts are expected within the High density residential zone and the Light rail urban renewal area, especially in areas being identified on the Building height overlay map.
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as ‘HX’ (unrestricted building height). To ensure the impact does not unreasonably impact residential amenity, it is important that the shadow generated is narrow and fast moving. This is solely dependent upon the size of the building footprint and its orientation.

The proposed development has a height of 152.7m. At 0.25 times the height of the building, the shadow cast in a true south direction is 38.17m in length. The building is required to be setback this distance in order to prevent the shadow being cast onto the neighbouring site. The setback for the tower to the southern boundary ranges between 9.57 and 11.65m, meaning the resultant shadow encroaches onto the adjoining Church site.

![Figure 21: Shadow analysis against Acceptable outcome AO8.2.](image)

As depicted above, the shadow falls largely in the external vehicular circulation area of the adjoining site. The shadow will have no impact upon the amenity of any adjoining residents, or the function of the adjoining church community itself, even during those times which the church site is utilised.

In order to address the shadow impacts of the proposed development to adjoining properties, the applicant has submitted the following shadow diagrams:
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Figure 22: Shadow analysis (Summer solstice) (Source: BDA Architects).

Figure 23: Shadow analysis (Winter solstice – June 22, 9am) (Source: BDA Architects).
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Figure 24: Shadow analysis (Winter solstice – June 22, 12pm) (Source: BDA Architects).

Figure 25: Shadow analysis (Winter solstice – June 22, 3pm) (Source: BDA Architects).

Degree of containment

Review of sun study diagrams for summer demonstrate the shadow cast by the building does not unreasonably detract from comfortable living and the ground level environment due to the
shadow moving fast over the site throughout the day. However, when considering the shadow impact during winter, the degree of containment is considered moderate and therefore may be considered to detract from comfortable living for residents to the south.

During winter, when the impact of shadow is at its worse, the shadow falls over the Church site from 9am to 3pm. It is important to acknowledge that whilst the shadow is contained within the property to the south throughout the day, this is only for a small portion of the north-western portion of the site during the morning period and moves across to the vehicular access point at 3pm. The design of the tower provides an undulating façade with a size of the tower floor plate, being only 32m in width and 26m in length. Furthermore, the site is sited closer to the northern property boundary which provides a minimum separation distance to the southern property boundary of 9.57m. These attributes are considered to assist in providing a moving shadow across the site, which still allows for a large area of the site to remain unaffected by shadow throughout different times of the day. Therefore, any shadow cast by the proposal will have limited long standing impacts onto neighbouring areas of open space and residential development.

**Cumulative impact and effect on any other site or building**

When considering the cumulative impact of the shadow in relation to existing shadows, minimal impact will occur. This is due to the limited number of existing high-rise development currently constructed within the immediate area. Therefore, the developments to the south of the subject site are considered to receive an adequate degree of direct sunshine with the ability to also receive access to natural light throughout the day.

**Impact to beach**

The shadow impacts posed to the beach are anticipated within ‘HX’ areas of the City Plan, particularly from sites that are located directly opposite the foreshore. Naturally, these impacts are limited to the afternoon and, due to the slenderness of the tower along the north-to-south axis, move relatively quickly across the beach.

**Shadow on non-residential areas**

The proposal does cast a shadow over a non-residential area to the south, being the Church site. As previously addressed above, the shadow falls largely in the external vehicular circulation area of the adjoining site. Officers consider the shadow will have no impact upon the function of the adjoining church community itself.

**Effect of the shadow on any other site or other building**

During both the summer and winter solstice, the shadow cast by the proposal will impact the adjoining property to the west (Diamond Beach). However, this impact will only be felt during the morning periods, where the sites to the west will receive access to natural light for the remainder of the day.

Therefore, Officers consider the proposal complies with Performance outcome PO8 as the residents of the sites to the south still have access to a comfortable living environment, with access to sunlight in private and public spaces.
ITEM 2 (Continued)
MATERIAL CHANGE OF USE (CODE ASSESSMENT) FOR A MULTIPLE DWELLING (99 UNITS) AT 272-274 HEDGES AVENUE, MERMAID BEACH – DIVISION 10
PN76722/01/DAD2

Transport code
The proposal generally meets the Acceptable outcomes of the Transport code except as follows:

- Bicycle parking supply;
- Ingress and egress; and
- Design of car parking areas.

Bicycle parking supply

<table>
<thead>
<tr>
<th>Performance outcome</th>
<th>Acceptable outcome</th>
</tr>
</thead>
<tbody>
<tr>
<td>PO10</td>
<td>AO10.1</td>
</tr>
<tr>
<td>Development ensures that adequate off-street bicycle parking and end-of-trip facilities are provided to encourage use and meet the needs and volumes of predicted pedestrian and cyclist users.</td>
<td>Development provides off-street bicycle parking and end-of-trip facilities in accordance with Table 9.4.13-10: Bicycle parking rates and Table 9.4.13-11: End-of-trip facilities for active travel users.</td>
</tr>
</tbody>
</table>

Officer's comment
The following comments were provided by Transport Impact Assessment:

“To meet AO10.1 of the Transport Code, the development is required to provide 99 security level B bicycle parking space for residents and 33 security level C spaces for visitors. The applicant has proposed an alternate outcome of 99 security level B bicycle parking space for residents and 10 security level C spaces for visitors. The proposed visitor bicycle parking supply is considered to be satisfactory given that it exceeds the bicycle parking rates recommended by Austroads – Cycling Aspects of Austroads Guides. Application of Austroads rates to the proposed development yields a requirement of only 9 security level C spaces for visitors.

It is therefore considered that the proposed bicycle parking supply will meet the needs and volumes of cyclists in accordance with PO10 of the Transport Code.”

Therefore, the Assessing officer considers the proposed development achieves Performance outcome PO10 of the Transport code.

Ingress and egress

<table>
<thead>
<tr>
<th>Performance outcome</th>
<th>Acceptable outcome</th>
</tr>
</thead>
<tbody>
<tr>
<td>PO19</td>
<td>AO19</td>
</tr>
<tr>
<td>Development ensures that all vehicles ingress and egress the site in a forward gear.</td>
<td>Development is designed so that all vehicle classes enter and exit the site in a forward gear, unless otherwise stated in Table 9.4.13-8: Service vehicle requirements. Note: This AO does not apply to the following uses: • Dwelling house; • Secondary dwelling; • Dual occupancy; or • Multiple dwelling (where there are 3 dwellings or less).</td>
</tr>
</tbody>
</table>
Officer’s comment
The following comments were provided by Transport Impact Assessment:

“A turn around bay is provided in the visitor parking area of the basement, enabling visitors to exit in a forward gear. The applicant is proposing the security gate that restricts access the visitor car parking, will only be closed during evening hours, and visitors will be able to utilise the intercom other times. During the evening hours there may be instances when visitor’s vehicles are unable to gain access to the basement, which is expected to be infrequent. In the event access is not gained, motorists would be unable to turn around and exit the site in a forward gear. Therefore PO19 / AO19 of the Transport Code would not be achieved.

The Overall Outcomes of the Transport Code states that:

- development ensures that on site access and parking, manoeuvring and servicing areas are designed to result in a safe, pedestrian focused environment and promote a high public realm; and
- development ensures that onsite access and parking, manoeuvring and servicing areas are designed to result in a functional and efficient site layout that minimises impacts on surrounding areas and traffic movement.

Taking into consideration the large verge width, visitors reversing from the intercom to the porte-cochere driveway, will not impact on the road network or pedestrian movements. It is therefore considered that the purposes of these Overall Outcomes are achieved.”

Therefore, the Assessing officer considers the proposed development achieves Performance outcome PO19 of the Transport code.

**Design of car parking areas**

<table>
<thead>
<tr>
<th>Performance outcome</th>
<th>Acceptable outcome</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>PO25</strong> Off street car parking areas are designed to:</td>
<td><strong>AO25.2</strong> The entry/exit to a driveway, internal to the property boundary of the development, is separated by a central island containing an intercom or similar electronic access device. The intercom (or similar device) is to be setback 4m from the property boundary. OR The intercom:</td>
</tr>
<tr>
<td>(a) provide a legible and efficient internal layout;</td>
<td>(a) is positioned on the right hand side of the access driveway against a wall; and</td>
</tr>
<tr>
<td>(b) ensure the safety and security of users;</td>
<td>(b) setback 4m from the property boundary, internal to the development.</td>
</tr>
<tr>
<td>(c) clearly distinguishable from pedestrian paths and entry points;</td>
<td><strong>Note:</strong> The intercom system is only required where visitor car parking is provided behind a security gate.</td>
</tr>
<tr>
<td>(d) be easily negotiated by vehicles and pedestrians including persons with a disability;</td>
<td></td>
</tr>
<tr>
<td>(e) ensure that there is no disruptions to or queues onto the public road network;</td>
<td></td>
</tr>
<tr>
<td>(f) provide sight distances from driveways to ensure visibility between vehicles on the driveway and pedestrians on the verge; and</td>
<td></td>
</tr>
<tr>
<td>(g) be marked and maintained to the current relevant standard.</td>
<td></td>
</tr>
</tbody>
</table>
Officer’s comment

The following comments were provided by Transport Impact Assessment:

“AO25.2 requires the intercom to be setback 4m from the property boundary, internal to the development. The applicant has noted that the nature of the large verge width fronting the proposed subject site is not a typical arrangement. Taking into consideration of the large verge width, visitors operating the intercom will not impact pedestrian movements or cause congestion on the road frontage. The intercom will only be needed during evening hours when the frontage gate is closed. Outside this time the basement will be freely accessible.

It is therefore considered that compliance with PO25 of the Transport Code is achieved.”

Therefore, the Assessing officer considers the proposed development achieves Performance outcome PO25 of the Transport code.

7 ASSESSMENT AGAINST ANY TEMPORARY LOCAL PLANNING INSTRUMENT

The proposal does not trigger assessment against any temporary local planning instruments.

8 ASSESSMENT AGAINST SCHEDULE 10 OF THE REGULATION

The proposal does not trigger assessment against any assessment benchmarks in Schedule 10 (Development assessment) of the Planning Regulation 2017.

9 ASSESSMENT AGAINST SCHEDULE 14 OF THE REGULATION

The proposal does not trigger assessment against any assessment benchmarks in Schedule 14 (Particular reconfiguring a lot requiring code assessment) of the Planning Regulation 2017.

10 ASSESSMENT AGAINST 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).

11 ASSESSMENT AGAINST THE 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).

12 DEVELOPMENT INFRASTRUCTURE (TRUNK)

Not applicable.

13 INFRASTRUCTURE CHARGES
ITEM 2 (Continued)
MATERIAL CHANGE OF USE (CODE ASSESSMENT) FOR A MULTIPLE DWELLING (99 UNITS) AT 272-274 HEDGES AVENUE, MERMAID BEACH – DIVISION 10 PN76722/01/DA2

The final estimated infrastructure charge is $2,287,112.10.

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.

14 LOCAL PLANNING INSTRUMENTS THAT MAY BE MATERIALLY AFFECTED BY THE DEVELOPMENT

The proposal does not trigger assessment against any assessment benchmarks for another local government area materially affected by the development.

15 REFERRALS

15.1 Internal referrals
This application has been assessed by internal referral officers who have provided reasonable and relevant conditions. An overview of the recommended conditions is provided in the table below:

<table>
<thead>
<tr>
<th>Internal city expert</th>
<th>Comments and Conditions</th>
</tr>
</thead>
<tbody>
<tr>
<td>City Architect</td>
<td><strong>Officer’s comments</strong></td>
</tr>
<tr>
<td></td>
<td>It is recommended the application be approved with conditions being imposed, as a result of assessment conducted by the Office of City Architect.</td>
</tr>
<tr>
<td></td>
<td>Please refer to assessment against the High density residential zone code and the High-rise accommodation design code for further detail.</td>
</tr>
<tr>
<td></td>
<td><strong>The following conditions were provided:</strong></td>
</tr>
<tr>
<td></td>
<td>• Screening of visually dominant components.</td>
</tr>
</tbody>
</table>
ITEM 2 (Continued)
MATERIAL CHANGE OF USE (CODE ASSESSMENT) FOR A MULTIPLE DWELLING (99 UNITS) AT 272-274 HEDGES AVENUE, MERMAID BEACH – DIVISION 10
PN76722/01/DA2

<table>
<thead>
<tr>
<th>Category</th>
<th>Officer’s comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>City Infrastructure</td>
<td>It is recommended the application be approved with conditions being imposed, as a result of assessment conducted by the City Infrastructure.</td>
</tr>
<tr>
<td></td>
<td><strong>The following conditions were provided:</strong></td>
</tr>
<tr>
<td></td>
<td>• Rectification of Council’s infrastructure;</td>
</tr>
<tr>
<td></td>
<td>• Existing infrastructure, structures and services;</td>
</tr>
<tr>
<td></td>
<td>• Driveways and vehicular crossings;</td>
</tr>
<tr>
<td></td>
<td>• Connection to, alteration or realignment of Council infrastructure;</td>
</tr>
<tr>
<td></td>
<td>• Maintenance of all pedestrian and vehicular accesses to the site.</td>
</tr>
<tr>
<td>Environmental Assessment</td>
<td>It is recommended the application be approved with conditions being imposed, as a result of assessment conducted by the Environmental Assessment.</td>
</tr>
<tr>
<td></td>
<td><strong>The following conditions were provided:</strong></td>
</tr>
<tr>
<td></td>
<td>• Approved plans condition for Geotechnical Investigation.</td>
</tr>
<tr>
<td>Geotechnical Engineering</td>
<td>It is recommended the application be approved with conditions being imposed, as a result of assessment conducted by the Geotechnical Assessment.</td>
</tr>
<tr>
<td></td>
<td><strong>The following conditions were provided:</strong></td>
</tr>
<tr>
<td></td>
<td>• Certification of basement excavation stability; and</td>
</tr>
<tr>
<td></td>
<td>• Supervision of works.</td>
</tr>
<tr>
<td>Water and Waste</td>
<td>It is recommended the application be approved with conditions being imposed, as a result of assessment conducted by the Geotechnical Assessment.</td>
</tr>
<tr>
<td></td>
<td><strong>The following conditions were provided:</strong></td>
</tr>
<tr>
<td></td>
<td>• Certification of basement excavation stability; and</td>
</tr>
<tr>
<td></td>
<td>• Supervision of works.</td>
</tr>
<tr>
<td></td>
<td>Density</td>
</tr>
<tr>
<td></td>
<td>Water and Waste has assessed the applicant’s water network capacity assessment report and in general has no issue with the proposed development because the existing network is still adequate to service the proposed development until 2066.</td>
</tr>
<tr>
<td></td>
<td>LGIP is proposing an emergency storage upgrade of 133 kL for SPS A25 in 2016. Water and Waste has assessed the applicant’s sewer network capacity assessment report and has determined that an additional 6.2kL of emergency storage upgrade is required for SPS A25 in 2021 to service the proposed development up to 2066. The cost of the additional storage has been calculated separately to this document.</td>
</tr>
</tbody>
</table>
Sewer and Water Connection Locations

The existing 225mm sewer main in Hedges Avenue must be used as the sewer connection point.

Water

There is an existing 250mm asbestos cement (AC) water main located within the verge along the frontage of the site. This existing water main appears to be located very close to and/or underneath the proposed pleached figs (overall height 4.5m) and the entry arbour. Following Water and Waste’s Information request, the applicant has submitted the following comments:

“The subject water main is to be replaced by the applicant and is the subject of a separate Operational Works application currently being assessed by Council (refer OPW201702898). All detail as requested in item 21a above has already been provided to Council through this Operational Works application.

In regard to item b. please refer to the amended landscape plans provided in Attachment 4. It is intended that root barriers will be provided to all deep planting in the vicinity of the proposed new infrastructure to ensure the water main / general services are protected for root intrusion and potential damage. Additionally, a Maintenance Management Agreement…is to be established of which can suitably outline the ongoing landscape maintenance requirements to ensure Council’s infrastructure is suitably protected.”

Water and Waste has assessed the applicant’s Information Request response above and in general has no issue with the proposal.

In case of any emergent repair and routine maintenance work required over Council’s water infrastructure, the removal and reinstatement of any structure or landscaping will be at no cost to Council. This requirement must be included in the Maintenance Management Agreement for the landscaping within the public road reserve fronting the subject site on Hedges Avenue.

The water connection point for the proposed development must be from the proposed 250mm DICL water main, in accordance with the recently approved Operational Works application for the water main relocation (PN76722/03/DA1, OPW201702898).

The following conditions were provided:

- Extra payment condition;
- Lots to be amalgamated;
- Restrictions regarding Council infrastructure;
### ITEM 2 (Continued)
MATERIAL CHANGE OF USE (CODE ASSESSMENT) FOR A MULTIPLE DWELLING (99 UNITS) AT 272-274 HEDGES AVENUE, MERMAID BEACH – DIVISION 10 PN76722/01/DA2

| Maintenance management; |
| Rectification of Council’s infrastructure; |
| Sewer reticulation; |
| Water reticulation; |
| Sub-metering; |
| Fire loading; and |
| Advice notes. |

### Health and Regulatory Services Officer’s comments

#### NOISE

The applicant submitted an acoustic report titled ‘Acoustic Works’ and dated 12 December 2017 (reference: 2017425 R01D). The report recommends minimum façade treatment to reduce the traffic noise on the development, mechanical plant noise criteria, minimum façade treatment around pool and spa area and hours of use for communal recreational areas.

Health and Regulatory Services’ officers have reviewed the acoustic report and deem it adequate.

#### WASTE

An amended Waste Management Plan (WMP) prepared by Elephants Foot Recycling Solutions dated 19 December 2017 has been provided in response to Council’s information request. Health has reviewed the amended WMP and noted the following deficiencies:

- Design specification for waste chutes does not confirm that the chutes will be located within fire rated duct as per Building Code;
- Does not specify that the floor adjacent to hopper points will be constructed of an impervious material;
- Does not specify that the waste room floor is graded to fall to a drainage point that is connected to sewer.

Within the conditions of approval, Health has recommended a certification of works condition requiring the applicant to certify that waste facilities have been constructed in accordance with SC6.13 City Plan policy – Solid waste management.

Health and Regulatory Services’ officers have confirmed with Transport Impact Assessment that a refuse collection vehicle can navigate through the site to collect waste.

The following conditions were provided:
### Hydraulics and Water Quality

**Officer’s comments**

In response to Council’s information request, the applicant has submitted an amended stormwater management plan, being “272 Hedges Avenue - Stormwater Management Plan (Version 4)”, prepared by Civil360 Engineering and dated 18 December 2017. The report includes rainwater tank, bioretention basin and permeable pavement for the treatment of on-site runoff from the site. The permeable pavement is proposed over the Council’s land located adjacent to the site, which is also accepted by Council’s park section. The report has demonstrated that detention system is not required due to reduction in imperviousness over the site as a result of the proposed development. Outflow from the site will be discharged to an existing gully pits located in front of the site.

**The following conditions were provided:**

- Approved plans;
- Private infrastructure;
- Gross pollutant trap (GPT);
- Bioretention maintenance management plan;
- Overland flow paths and hydraulic alterations;
- Certification of works;
- Dewatering management plan;
- Sand management plan;
- Erosion and sediment control;
- Advice notes relating to stormwater; and
- Property notification relating to stormwater.

### Landscape Assessment

**Officer’s comments**

It is recommended the application be approved with conditions being imposed, as a result of assessment conducted by the Landscaping Assessment.

**The following conditions were provided:**

- Landscaping works on private land; and
- Advice note relating to further development permits.
ITEM 2 (Continued)
MATERIAL CHANGE OF USE (CODE ASSESSMENT) FOR A MULTIPLE DWELLING (99 UNITS) AT 272-274 HEDGES AVENUE, MERMAID BEACH – DIVISION 10
PN76722/01/DA2

<table>
<thead>
<tr>
<th>Open Space Assessment</th>
<th>Officer’s comments</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Officers are of the opinion, given the significant area (approx. 20m depth) of road reserve fronting the subject site, landscaping and/or embellishments above those required in the City Plan policies can be considered on the condition that the owners maintain the area for the life of the development, and no cost burden is transferred to Council associated with this use of public space. Details of the design will be refined within the operational works – public landscaping approval required as a condition of approval for the subject application.</td>
</tr>
</tbody>
</table>

The following conditions were provided:
- Landscaping works within public open spaces;
- Further development permits/compliance permits; and
- Landscaping and maintenance of public road reserve.

<table>
<thead>
<tr>
<th>Plumbing and Drainage</th>
<th>Officer’s comments</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>It is recommended the application be approved with conditions being imposed, as a result of assessment conducted by the Plumbing and Drainage.</td>
</tr>
</tbody>
</table>

The following conditions were provided:
- Further compliance permit for all plumbing and drainage work, prior to the commencement of use.

<table>
<thead>
<tr>
<th>Subdivision Engineering</th>
<th>Officer’s comments</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>It is recommended the application be approved with conditions being imposed, as a result of assessment conducted by the Subdivision Engineering.</td>
</tr>
</tbody>
</table>

The following conditions were provided:
- Lots to be amalgamated;
- Electrical reticulation;
- Telecommunications network; and
- Certification of works.

<table>
<thead>
<tr>
<th>Transport Impact Assessment</th>
<th>Officer’s comments</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>It is recommended the application be approved with conditions being imposed, as a result of this assessment by the Transport Impact Assessment.</td>
</tr>
</tbody>
</table>

Please refer to assessment against the Transport code for further detail.

The following conditions were provided:
ITEM 2 (Continued)
MATERIAL CHANGE OF USE (CODE ASSESSMENT) FOR A MULTIPLE DWELLING (99 UNITS) AT 272-274 HEDGES AVENUE, MERMAID BEACH – DIVISION 10
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- Approved drawings;
- Off street vehicle and car parking facilities;
- Off street bicycle parking and end of trip facilities; and
- Footpaths.

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

16 PUBLIC NOTIFICATION
Not applicable – No part of the application required public notification.

17 OTHER RELEVANT MATTERS
An assessment of the application has not been carried out against, or had regard to, other relevant matters.

18 CONCLUSION
Council is in receipt of an application for a Development permit for Material change of use (Code assessment) for Multiple dwelling (99 units) at 272 to 274 Hedges Avenue, Mermaid Beach.

After a detailed assessment, it has been determined the proposal the Purpose of the High density residential zone and the applicable overlay and development codes, due to the following:

- The proposed development is consistent with development envisaged within the High density residential zone;
- The development will assist in the evolution of southern Broadbeach/northern Mermaid Beach into a high quality urban environment, consistent with the outcomes sought by the Light rail urban renewal area overlay code;
- The development is an attractive, high-quality visually appealing building. The proposed refinements to the architectural design of the development seek to enhance the slender profile of the building and its relationship to surrounding built form;
- The development has been designed to maximise views towards the ocean beach as a deliberate design response to minimise impacts to the privacy and amenity of neighbouring residential premises;
- The setbacks make appropriate and efficient use of the site, whilst using materiality in the architectural design to provide a visually appealing built form outcome; and
- The proposed number of car parking spaces is appropriate to cater for demand.

It is recommended the application be approved, subject to conditions.

19 NOTIFICATIONS
ITEM 2 (Continued)
MATERIAL CHANGE OF USE (CODE ASSESSMENT) FOR A MULTIPLE DWELLING (99 UNITS) AT 272-274 HEDGES AVENUE, MERMAID BEACH – DIVISION 10 PN76722/01/DA2

The following property notifications will be applied:

- Noise/acoustic; and
- Stormwater.

20 RECOMMENDATION

It is recommended that Council resolves as follows:

NATURE OF DECISION

Council approves the issue of a Development permit for Material change of use for Multiple dwellings (99 units), subject to the following conditions:

General

1. **Timing**
   All conditions of this development approval must be complied with at no cost to Council at all times unless otherwise stated in another condition.

2. **Amended drawings**
   Prepare and submit amendments to the drawings for confirmation they constitute the approved drawings for the purposes of this development approval. All amended drawings must be submitted (and confirmed by Council) prior to commencement of any works on site.

<table>
<thead>
<tr>
<th>Planning</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Drawing Title</strong></td>
</tr>
<tr>
<td>Site plan</td>
</tr>
<tr>
<td>Basement 4 (&amp; Partial Basement 4A) Floor Plan</td>
</tr>
<tr>
<td>Basement 3 Floor Plan</td>
</tr>
<tr>
<td>Basement 2 Floor Plan</td>
</tr>
<tr>
<td>Basement 1 Floor Plan</td>
</tr>
<tr>
<td>Level 1 (Ground) Floor Plan</td>
</tr>
<tr>
<td>Level 1 Intermediate Plant Room Plan</td>
</tr>
<tr>
<td>Level 2 Floor Plan – Pool &amp; Recreation</td>
</tr>
<tr>
<td>Level 3-26 Typical Floor Plan</td>
</tr>
<tr>
<td>Level 27 Skyhome Lower Floor Plan</td>
</tr>
<tr>
<td>Level 28 Skyhome Upper Floor</td>
</tr>
</tbody>
</table>
ITEM 2 (Continued)

MATERIAL CHANGE OF USE (CODE ASSESSMENT) FOR A MULTIPLE DWELLING (99 UNITS) AT 272-274 HEDGES AVENUE, MERMAID BEACH – DIVISION 10
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<table>
<thead>
<tr>
<th>Plan</th>
<th>2017</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Level 29-38 Sub Penthouse Floor Plan</td>
<td>BDA</td>
<td>7.12</td>
</tr>
<tr>
<td>Level 39-42 Sub Penthouse Floor Plan</td>
<td>BDA</td>
<td>7.13</td>
</tr>
<tr>
<td>Level 43 Penthouse Lower Floor Plan</td>
<td>BDA</td>
<td>7.14</td>
</tr>
<tr>
<td>Level 44 Penthouse Upper Floor Plan</td>
<td>BDA</td>
<td>7.15</td>
</tr>
<tr>
<td>Plant Room Floor Plan</td>
<td>BDA</td>
<td>7.16</td>
</tr>
<tr>
<td>Roof Plan</td>
<td>BDA</td>
<td>7.17</td>
</tr>
<tr>
<td>Apartment Types A &amp; B</td>
<td>BDA</td>
<td>7.18</td>
</tr>
<tr>
<td>Apartment Type C</td>
<td>BDA</td>
<td>7.19</td>
</tr>
<tr>
<td>Apartment Type D</td>
<td>BDA</td>
<td>7.20</td>
</tr>
<tr>
<td>Apartment Type E</td>
<td>BDA</td>
<td>7.21</td>
</tr>
<tr>
<td>Apartment Type F (Lower)</td>
<td>BDA</td>
<td>7.22</td>
</tr>
<tr>
<td>Apartment Type F (Upper)</td>
<td>BDA</td>
<td>7.23</td>
</tr>
<tr>
<td>East &amp; North Elevations</td>
<td>BDA</td>
<td>7.24</td>
</tr>
<tr>
<td>South &amp; West Elevations</td>
<td>BDA</td>
<td>7.25</td>
</tr>
<tr>
<td>Section A-A &amp; Section B-B</td>
<td>BDA</td>
<td>7.26</td>
</tr>
<tr>
<td>Perspective View 3</td>
<td>BDA &amp; Contreras Earl Architecture</td>
<td>6.4</td>
</tr>
<tr>
<td>Materials &amp; Colours</td>
<td>BDA</td>
<td>6.11</td>
</tr>
</tbody>
</table>

showing the following amendments:

i. All recommendations arising from the Solar Reflectivity Report required under Condition 31 (Office of the City Architect) of this Development permit.

3. Use of studies and media rooms

The studies and media rooms, as identified on the approved plans, are not to be converted into bedrooms.
This condition applies prior to commencement of use and for the life of the development.

4. Approved Plans

Undertake and maintain the development generally in accordance with the following plans:

Environmental Assessment
ITEM 2 (Continued)
MATERIAL CHANGE OF USE (CODE ASSESSMENT) FOR A MULTIPLE DWELLING (99 UNITS) AT 272-274 HEDGES AVENUE, MERMAID BEACH – DIVISION 10
PN76722/01/DA2

---

### Health and Regulatory Services

<table>
<thead>
<tr>
<th>Plan Title</th>
<th>Author</th>
<th>Date</th>
<th>Plan Reference No.</th>
<th>Ver</th>
</tr>
</thead>
<tbody>
<tr>
<td>Geotechnical Investigation, Proposed High Rise Development 272 and 274 Hedges Avenue, Mermaid Beach</td>
<td>Core Consultants</td>
<td>September 2017</td>
<td>000480-002-R</td>
<td>0</td>
</tr>
<tr>
<td>Waste Management Plan 272 Hedges Avenue Residential Development 272 – 274 Hedges Avenue Mermaid Beach QLD 4218</td>
<td>Elephants Foot Recycling Solutions</td>
<td>19 December 2017</td>
<td>-</td>
<td>F</td>
</tr>
<tr>
<td>Acoustic Report Proposed Residential Development 272 Hedges Avenue Mermaid Beach</td>
<td>Acoustic Works</td>
<td>12 December 2017</td>
<td>2017425 R01D 272 Hedges Avenue Mermaid Beach RTN ENV.docx</td>
<td>RO1 D</td>
</tr>
</tbody>
</table>

### Hydraulics and Water Quality

<table>
<thead>
<tr>
<th>Plan Title</th>
<th>Author</th>
<th>Date</th>
<th>Plan Reference No.</th>
<th>Ver</th>
</tr>
</thead>
<tbody>
<tr>
<td>272 Hedges Avenue - Stormwater Management Plan</td>
<td>Civil360 Engineering</td>
<td>18 December 2017</td>
<td>-</td>
<td>4</td>
</tr>
</tbody>
</table>

### Trunk Development Infrastructure

5. Extra payment condition
   a. Pay to Council extra trunk infrastructure costs in the amount of $51,565 prior to commencement of the use.
   b. This condition has been imposed as the development will require additional emergency storage at sewer pump station SPS A25 which is required in 2018 (in the 2017-2021 Planning Horizon).
   c. The details of the trunk infrastructure for which the additional payment is required, are as follows:
      i. extra trunk infrastructure costs = base unit cost of emergency storage x V x adjustment factor x ((1+i)^n), where:
         * V = 6.2 kL, i.e. additional volume of emergency storage required (kL)*
         * Base unit cost of emergency storage = 4,897.36 $/kL for the year 2012 (calculated using Equation 13 of the Water and Sewerage Infrastructure Plan Detailed Cost Analysis(2014))*
         * Adjustment factor = 1.5 (for overhead and contingency allowance)*
         * i = 2.12% - indexation (10 year average of ABS 6247 roads and bridges index 3101 Queensland Table 17)*
         * n = 6, i.e. in which the additional storage is needed (2018), less the year the cost estimates rates were calculated from (2012).*
   d. Instead of making the payment, elect to provide all or part of the trunk infrastructure
detailed above. If this election is made, the requirements for providing the trunk infrastructure, and when it must be provided, are as follows:


ii. The construction of extra emergency storage of 6.2 kL at SPS A25 is to be completed prior to commencement of the use.

iii. Construction must be coordinated with Council and with any upgrade identified in Council’s Water Supply and Sewerage Infrastructure Plan for sewer pump station SPS A25.

### Property

6. **Lots to be amalgamated**
   
   Amalgamate lots Lot 19 on SP288087 and Lot 20 on SP288088 into one lot and register the plan of amalgamation prior to commencement of the use.

7. **Restrictions regarding Council easements and infrastructure**
   
   a. No building work or deep landscaping is permitted over any Council infrastructure.

8. **Maintenance management (Specific condition)**
   
   In case of any emergency repair and routine maintenance work required for Council’s water infrastructure, the removal and reinstatement of any structures or landscaping will be at no cost to Council. This requirement must be included in the Maintenance Management Agreement for the landscaping within the public road reserve fronting the development site on Hedges Avenue.

9. **Private infrastructure**
   
   Ownership, operation and maintenance of the following private infrastructure is to vest at all times with the Body Corporate and/or legal authority:
   
   a. Stormwater management devices and infrastructure monitored and managed in accordance with the SQID Maintenance Management Plan (MMP).
   
   b. Gross pollutant trap (GPT) ensuring it functions for its intended purpose.
   
   c. Rainwater tank maintained functional for its intended purpose (e.g. reuse of water for irrigation) during the entire life of the development.

### Amenity

10. **Hours of operation**
   
   a. Ensure ‘external’ communal open space activities must be conducted between the hours of 7 am to 10 pm only.

11. **Screening of visually offensive components**
   
   Locate and screen the following components of the development so that they are not visible from any road to which the site has frontage, adjoining premises or otherwise on display from any public thoroughfare or vantage point:
   
   a. Refuse storage areas
   
   b. Service equipment
   
   c. Mechanical ventilation
   
   d. Refrigeration units
   
   e. Storage areas for machinery, materials, vehicles or the like.
12. **Landsaping works on private land**
   
a. Obtain an operational works approval to landscape the site generally in accordance with the Statement of Landscape Intent listed below, prior to a request is made to Council to approve the plan of subdivision at no cost to Council:

<table>
<thead>
<tr>
<th>Drawing Title</th>
<th>Author</th>
<th>Date</th>
<th>Drawing No.</th>
<th>Ver</th>
</tr>
</thead>
<tbody>
<tr>
<td>272 Hedges Avenue Landscape Design Intent</td>
<td>Form Landscape Architects</td>
<td>20/12/2017</td>
<td>170607 Pages 1-39</td>
<td>08</td>
</tr>
</tbody>
</table>

and include in particular:

   ii. Feature canopy tree planting must be a minimum 400L bag size or ex-ground at the time of planting, all other tree planting must be a minimum 200L bag size at the time of planting;

   iii. Palm species must be a minimum 3 metres in height at the time of planting;

   iv. Unless otherwise specified in these conditions, shrub species must be a minimum 300mm pot size at the time of planting;

   v. Screening shrubs must be able to achieve a minimum height of 3 metres at maturity and be a minimum 45L bag size at the time of planting;

   vi. Screening shrub plantings must be incorporated at 1 metre centres along the side and rear boundaries where *Ficus hillii* specimens are not already proposed;

   vii. Planter boxes where trees are to be planted must possess a minimum surface area of 6m². Tree species must be chosen which are suitable for root zones growing in confined planting locations;

   viii. An automatic irrigation system must be provided to all podium planter boxes;

   ix. Planter boxes containing tree species potentially exposed to prevailing winds or funnelled wind must be designed with root plate anchorage strengthening considerations or similar to prevent failure;

   x. Tree species planted with root zones adjacent to structures must have root control barriers and or structure strengthening systems installed. Full demonstration of these systems is required to accompany the detailed landscape plan;

   xi. Internal soil depths must be provided for all planting boxes within the detailed landscape plan;

   xii. Level 2 planter boxes must be of sufficient size to support an array of low growing shrubs and groundcover specimens and the planter must be fully integrated with the surrounding level 2 architectural element that surrounds the tower base;

   xiii. Bio-retention areas must incorporate *Banksia robur* (or similar) specimens in groupings of 3; and

   xiv. The detailed landscape plan must show locations of, and a cross-sectional detail of the bio-retention systems that are required by the Stormwater Management Plan prepared for the site. The cross-sectional detail must identify the filter media depth and the surface treatment proposed for the systems. The detailed landscape plan must also incorporate an appropriate list of species in the plant schedule which are suitable for a bio-retention area. Planting densities within the bio-retention area must match those specified in *City Plan Policy – Land Development Guidelines – SC6.9.3 Water Sensitive Urban Design*. 
b. Construct and maintain the private landscaping identified above at no cost to Council at all times.

13. Landscaping works within public open spaces
   a. Obtain an operational works approval to landscape all public open space generally in accordance with the Statement of Landscape Intent listed below, prior to commencement of the use at no cost to Council:

<table>
<thead>
<tr>
<th>Drawing Title</th>
<th>Author</th>
<th>Date</th>
<th>Drawing No.</th>
<th>Ver</th>
</tr>
</thead>
<tbody>
<tr>
<td>272 Hedges Avenue</td>
<td>272-274 Hedges Avenue, Mermaid Beach, Queensland</td>
<td>Landscape Architects</td>
<td>20 December 2017</td>
<td>-</td>
</tr>
</tbody>
</table>

and include in particular:

i. Ensure a minimum eight (8) street trees are planted within the public road reserve fronting the subject site, within 1m of the footpath to provide natural shade and amenity value for the pedestrian pathway network.

ii. Trees must be a single-trunked canopy shade species able to attain a clear trunk height of 1800mm on maturity.

iii. Trees are not to be located within 3m of driveways or vehicular crossings.

iv. All street trees planted must be a minimum 100L bag size.

v. All existing trees proposed for removal within the public road reserve will require a replacement planting within the public road reserve of a minimum 200L bag size.

vi. Ensure cross-sections and elevations of the public private boundary are included in the plans package.

vii. Specific species and locations within the road reserved will be determined through the operational works approval.

Note: The arbour and public art included on the above mentioned plans are not endorsed as part of this condition of approval.

b. In recognition of the higher standard of planting proposed, the owner, or owner’s nominee / assignee must enter into a Maintenance Agreement with Council with respect to landscape maintenance of the public road reserve, prior to the commencement of any works subject of the operational works for public landscaping.

c. Maintenance management requirements and costs:


d. The owner, or owner’s nominee / assignee must provide as part of the public landscape OPW, annual maintenance costings and for all landscape items relevant to the development for the duration of the establishment and on maintenance periods.

14. Landscaping and maintenance of public road reserve
(Specific condition)

The applicant or their successors in title must landscape the public road reserve fronting the subject site in accordance with the operational works – public landscaping plans approved by Council, and then subsequently maintain the area of the public road reserve along Hedges Avenue for the full frontage of the site to a standard to ensure no adverse visual amenity impacts in accordance with the City Plan policies – SC6.10 Landscape Works and above referenced maintenance agreement. This includes all streetscape and vegetation.
### TRANSPORT

#### 15. Off street vehicle and car parking facilities
   a. Design and construct off street vehicle facilities at no cost to Council prior to the commencement of the use, generally in accordance with the Transport code of the City Plan and include in particular:
      i. A minimum of 109 car parking spaces, comprising:
         o 99 resident spaces; and
         o 10 visitor spaces.
      ii. All spaces are drained, sealed and line marked.
      iii. The lift panel after hours gate (giving access to visitor car parking) to remain open between the hours of 7am to 7pm.
      iv. Clearly identified signage and directional markings including:
         o Signage located within the site, visible to entering vehicles, directing drivers to visitor car parking.
         o Visitor car parking spaces are to be clearly identifiable through the provision of signage denoting “Visitor Parking”.
   b. Maintain the off street vehicle and parking facilities at no cost to Council at all times.

#### 16. Off street bicycle parking and end of trip facilities
   a. Design, construct and maintain a minimum of 109 off street bicycle parking facilities at no cost to Council generally in accordance with the Transport Code of the City Plan and include in particular:
      i. A minimum of 99 Security Level B spaces for residents.
      ii. A minimum of 10 Security Level C spaces for visitors.
      iii. Signs and line marking to give direction to visitor bicycle parking, to be visible to cyclists upon entering the site, in accordance with AS2890.3. Signage and line marking is to be provided along the route and where bicycle parking is provided.
   b. Undertake all works prior to commencement of the use.

### ENGINEERING

#### 17. Rectification of Council’s infrastructure
   a. Obtain an operational works approval for the rectification of any damage caused to Council infrastructure (including kerb, channelling, service pits, footpaths and water and sewer reticulation networks) prior to commencement of the use at no cost to Council.
   b. Construct and maintain the rectified Council infrastructure at no cost to Council prior to commencement of the use.

#### 18. Existing infrastructure, structures and services
   a. Obtain an operational works approval for the removal/ relocation of existing infrastructure, structures and services identified on the drawings listed below prior to commencement of the use at no cost to Council and include in particular:
      i. Remove redundant vehicular crossing.
      ii. Remove redundant parking areas.
      iii. Remove any redundant stormwater kerb adaptors and disused service pits from the kerb and channel (including any associated pipework across the footpath).
### Footpaths

**a.** Obtain an operational works approval for the design and construction of all footpaths marked on the drawings listed below, prior to commencement of the use, at no cost to Council:

<table>
<thead>
<tr>
<th>Drawing Title</th>
<th>Author</th>
<th>Date</th>
<th>Drawing No.</th>
<th>Ver</th>
</tr>
</thead>
<tbody>
<tr>
<td>PEDESTRIAN &amp; TRAFFIC NETWORK</td>
<td>BDA</td>
<td>20 DECEMBER 2017</td>
<td>5.1</td>
<td>ISSUE A</td>
</tr>
</tbody>
</table>

and include in particular:

- a. Minimum of 1.2 metre wide paths linking the site’s pedestrian entrances to the existing path on the verge of Hedges Avenue.

- b. Construct and maintain the footpaths identified above at no cost to Council until the asset is accepted “off maintenance” by the City in accordance with the procedures in City Planning Policy SC6.9 – Land development guidelines, section 6.9.6.

### Electrical reticulation

**a.** Design, construct and connect an electrical reticulation system at no cost to Council and include in particular:

- i. Provide underground electricity to the subject building/s.

- ii. In supplying power to the site, no additional poles and/or pole-mounted transformers are to be erected within the public road.

- iii. Any existing overhead electricity lines for Lots 0 – 5 on BUP665 within or bounding the site (i.e. within the western verge of Hedges Avenue and across Hedges Avenue) must be removed.

- iv. Meet the relevant requirements of the electricity supplier (e.g. Energex).

### Telecommunications network

Design, construct and connect a telecommunications services network at no cost to Council and include in particular:

- i. Provide underground telecommunications to the subject building/s, lead-in conduits and equipment space/s in a suitable location within the building/s, to suit the carrier of choice.

- ii. All new pit and pipe infrastructure required to be installed within the public road fronting the site, must be suitably sized to cater for future installation of fibre optic cables.

- iii. Meet the relevant telecommunications industry standards (e.g. Telstra/NBN Co standards).

### Gross Pollutant Traps (GPTs)

Install a GPT (hydrocarbon and litter separator) at basement carpark, to treat water before it discharges to Council’s stormwater network prior to commencement of the use.

### Driveways and vehicular crossings

Obtain an operational works approval for the design and construction of the driveway and vehicular crossing to the development, generally in accordance with the Driveways and vehicular crossing code of the City Plan, prior to commencement of the use at no cost to Council and include in particular:

- i. General layout of the vehicular crossing must be in accordance with ‘Site Plan’ (Issue A dated 20.12.2017, prepared by BDA).
ITEM 2 (Continued)
MATERIAL CHANGE OF USE (CODE ASSESSMENT) FOR A MULTIPLE DWELLING (99 UNITS) AT 272-274 HEDGES AVENUE, MERMAID BEACH – DIVISION 10
PN76722/01/DA2

<p>| | |</p>
<table>
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</table>
| 24. | **Maintenance of all pedestrian and vehicular accesses to the site** *(Specific condition)*  
   | Maintained all pedestrian and vehicular accesses to the development site at no cost to Council at all times. |

**Stormwater Drainage**

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</table>
| 25. | **Overland flow paths and hydraulic alterations**  
   | a. The development must not obstruct any existing overland flow coming on to the site from the external catchment (e.g. located west of the site) and must properly manage such flow to ensure no adverse impact externally.  
   | b. The development must not:  
   | i. Increase peak flow rates downstream from the site  
   | ii. Increase flood levels external to the site  
   | iii. Increase duration of inundation external to the site that could cause loss or damage |

**Bioretention basin maintenance management plan** *(Specific condition)*

<p>| | |</p>
<table>
<thead>
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</table>
| 26. | a. Prepare and implement a bioretention basin maintenance management plan (MMP) prior to the commencement of the use. The MMP must be prepared by a Registered Professional Engineer Queensland (RPEQ) specialising in stormwater management in accordance with City Plan Policy – SC6.9 Land Development Guidelines and with reference to the Water by Design document Maintaining Vegetated Stormwater Assets, Version 1 February 2012.  
   | b. The MMP must include, but not necessarily be limited to, the following key information:  
   | i. Design intent and description of the device(s).  
   | ii. The location and specific dimensions of the device(s).  
   | iii. Approved / designed water quality objectives.  
   | iv. Water quality monitoring procedures.  
   | v. Monitoring frequency.  
   | vi. Specifications and procedures for device(s) maintenance.  
   | vii. Plant and equipment access details for maintenance activities.  
   | viii. Maintenance activity schedule defining frequency, area (m2) per maintenance zone, hours, staff, plant and equipment, approximate costs per rotation, and per annum.  
   | ix. Performance indicators / intervention levels / triggers for reactive maintenance.  
   | x. Any necessary preventative maintenance measures.  
   | xi. Acceptable solutions for specific items, i.e. acceptable plant species substitutions based on availability, hydraulic conductivity, water quality objectives, etc.  
   | xii. Approximate lifecycle maintenance costs. |

**Sewer and Water Works**

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<table>
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</thead>
</table>
| 27. | **Sewer reticulation**  
   | a. Obtain an operational works approval for the design, construction and connection of the proposal to Council’s sewer network at the existing 225mm sewer main located in Hedges Avenue, prior to commencement of the use at no cost to Council and include in particular:  
   | i. Be in accordance with the SEQ Water Supply & Sewerage Design and Construction Code (SEQ WS&S D&C Code), and the Gold Coast Water Network Modifications, Extension and Connections Policy Procedures. |
ii. The size of the sewer property service connection must be a minimum of 150 mm in accordance with Section 4.5.4 of the SEQ Water Supply & Sewerage Design & Construction Code (SEQ WS&S D&C Code).

iii. Remove/seal/cap redundant sewer property services. Construct and maintain the sewer reticulation system at no cost to Council at all times.

28. Water reticulation
   a. Design and construct a water connection for the site to Council’s potable water supply network at the proposed 250mm DICL water main located within the public road reserve fronting the development site on Hedges Avenue, the proposed water main is in accordance with the recently approved Operational Works application for the water main relocation (PN76722/03/DA1, OPW201702898) prior to commencement of the use, at no cost to Council, and in particular:
      i. Be in accordance with the SEQ Water Supply & Sewerage Design and Construction Code (SEQ WS&S D&C Code) and Gold Coast Water Network Modifications, Extension and Connections Policy Procedures.
      ii. Ensure the property service, water meter box and water meter is provided, at the boundary of the development site.
      iii. Remove redundant water meters/connections.

29. Sub-metering
   Provide individual sub-metering for each lot/unit including common property generally in accordance with the Metering Technical Specifications and the Gold Coast Water Network Modifications, Extension and Connections Policy Procedures.

30. Fire loading
    Fire loading must not exceed 20 L/s for 4 hour duration.

Construction Management

31. Certification of works
    Provide Council with certificates prepared by qualified experts from the disciplines listed below, confirming as follows:

<table>
<thead>
<tr>
<th>Office of the City Architect</th>
</tr>
</thead>
<tbody>
<tr>
<td>Certified document</td>
</tr>
<tr>
<td>Solar Light Reflectivity</td>
</tr>
<tr>
<td>Analysis Report</td>
</tr>
</tbody>
</table>

The certification is to confirm:

i. A Solar Light Reflectivity Analysis Report must be prepared by a qualified consultant. The report must identify any areas of the facade that require additional glazing treatment in order to avoid excessive glare that causes discomfort or threatens safety of pedestrians or drivers or adjoining residents.

ii. All building design recommendations outlined in the Solar Light Reflectivity Analysis Report must be incorporated in the final architectural set of construction drawings for building approval.
ITEM 2 (Continued)
MATERIAL CHANGE OF USE (CODE ASSESSMENT) FOR A MULTIPLE DWELLING (99 UNITS) AT 272-274 HEDGES AVENUE, MERMAID BEACH – DIVISION 10
PN76722/01/DA2

<table>
<thead>
<tr>
<th>Geotechnical Engineering</th>
<th>Certification</th>
<th>Plan/ Drawing</th>
<th>Expert discipline</th>
<th>Requesting Council Section</th>
</tr>
</thead>
<tbody>
<tr>
<td>Basement excavation retention design certification</td>
<td>Prior to the issue of a development permit for building works</td>
<td>-</td>
<td>Registered Professional Engineer of Queensland (RPEQ) specialising in geotechnical engineering</td>
<td>Geotechnical Engineering</td>
</tr>
</tbody>
</table>

The certification is to ensure:

i. The basement excavation retention system has been adequately designed based on existing geotechnical conditions of the site;

ii. Detailed stability analyses have been carried out for the designed basement excavation retention system;

iii. The designed basement excavation retention system achieves a factor of safety of at least 1.5, the calculated retention wall movements and rotations are within acceptable limits, and the basement excavation/construction including any dewatering will not cause any adverse effects on the stability and integrity of the adjacent buildings, properties and infrastructure;

iv. A site-monitoring plan is in place for the entire basement excavation/construction period and for a post-construction period of at least three months in order to monitor and detect impact on the stability and integrity of the adjacent properties/structures; and

v. A contingency plan is in place in case any sign of instability on the adjacent properties/structures is identified or detected during the basement excavation/construction period.

<table>
<thead>
<tr>
<th>Geotechnical Engineering</th>
<th>Certification</th>
<th>Plan/ Drawing</th>
<th>Expert discipline</th>
<th>Requesting Council Section</th>
</tr>
</thead>
<tbody>
<tr>
<td>Post-construction certification</td>
<td>Immediately after completion of the basement structure up to natural ground level</td>
<td>-</td>
<td>Registered Professional Engineer of Queensland (RPEQ) specialising in geotechnical engineering</td>
<td>Development Compliance</td>
</tr>
</tbody>
</table>

The certification is to also confirm:

i. All geotechnical engineering works in relation to the basement excavation/construction were supervised; and

ii. The basement excavation/construction has been satisfactorily carried out on site and there are no visible signs or monitored data indicating any adverse effects on the stability and integrity of the adjacent buildings, properties and infrastructure.
### Health and Regulatory Services

<table>
<thead>
<tr>
<th>Certified document</th>
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<th>Plan/ Drawing</th>
<th>Expert discipline</th>
<th>Requesting Council Section</th>
</tr>
</thead>
<tbody>
<tr>
<td>Acoustic compliance report</td>
<td>Prior to commencement of the use</td>
<td>Acoustic report prepared by Acoustic Works dated 12 December 2017 (reference:2017425 R01D)</td>
<td>Acoustic Engineer</td>
<td>Health and Regulatory Services</td>
</tr>
</tbody>
</table>

The certification is to confirm:

i. The development has been designed in accordance with the established noise criteria and recommendations outlined in an approved Acoustic Report.

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<table>
<thead>
<tr>
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<th>Plan/ Drawing</th>
<th>Expert discipline</th>
<th>Requesting Council Section</th>
</tr>
</thead>
<tbody>
<tr>
<td>Waste Management compliance report</td>
<td>Prior to commencement of the use</td>
<td>Waste Management Plan prepared by Elephants Foot Recycling Solutions dated 19 December 2017</td>
<td>Suitably qualified person</td>
<td>Health and Regulatory Services</td>
</tr>
</tbody>
</table>

The certification is to confirm:

i. The development has been designed and constructed in accordance with the recommendations outlined in an approved Waste Management Plan.

ii. The waste chute has been located, designed and constructed in accordance with SC6.13 City Plan policy – Solid waste management, section 13.17 – Waste Chutes.

iii. The waste disposal points have been located, designed and constructed in accordance with SC6.13 City Plan policy – Solid waste management, section 13.17 – Waste Chutes.

iv. The waste storage room has been located, designed and constructed in accordance with SC6.13 City Plan policy – Solid waste management, section 13.17 – Waste Chutes.

v. The bulk bin servicing point has been located, designed and constructed in accordance with SC6.13 City Plan policy – Solid waste management, section 13.14 – Bin servicing points.

Note – Approved WMP does not specify that waste chutes will be located within fire rated ducts as per Building Code, floor adjacent to hopper points will be constructed of an...
impervious material and that waste room floor is graded to fall to a drainage point that is connected to sewer.

### Hydraulics and Water Quality

<table>
<thead>
<tr>
<th>Certified document</th>
<th>Certification date</th>
<th>Plan/Drawing</th>
<th>Expert discipline</th>
<th>Requesting Council Section</th>
</tr>
</thead>
<tbody>
<tr>
<td>Agreement to remove hydrocarbons for GPT</td>
<td>Prior to commencement of the use</td>
<td>-</td>
<td>The owner/Body corporate for the development</td>
<td>Development compliance</td>
</tr>
</tbody>
</table>

The certification is to confirm:

i. An agreement is entered into with the appropriately licensed waste removal entity, for the removal of hydrocarbons/waste.

### Hydraulics and Water Quality

<table>
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<th>Certification date</th>
<th>Plan/Drawing</th>
<th>Expert discipline</th>
<th>Requesting Council Section</th>
</tr>
</thead>
<tbody>
<tr>
<td>Post construction certification</td>
<td>Prior to commencement of the use</td>
<td>Stormwater Management Plan (Civil360 Engineering; 18 December 2017)</td>
<td>Registered Professional Engineer Queensland (RPEQ)</td>
<td>Hydraulics &amp; Water Quality</td>
</tr>
</tbody>
</table>

The certification is to confirm:

i. All stormwater devices (quantity and quality) shown in the approved stormwater management plan and associated design drawings have been installed on-site in accordance with Council’s approved stormwater management plan and are functioning as designed.

### Hydraulics and Water Quality

<table>
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<th>Plan/Drawing</th>
<th>Expert discipline</th>
<th>Requesting Council Section</th>
</tr>
</thead>
<tbody>
<tr>
<td>Coastal erosion and wave resistant footings</td>
<td>Prior to commencement of the use</td>
<td></td>
<td>Registered Professional Engineer Queensland (RPEQ)</td>
<td>Development compliance</td>
</tr>
</tbody>
</table>

The certification is to confirm:

i. All footings are designed and constructed to be resistant to coastal erosion and comply with the Coastal erosion hazard (ocean front land) overlay code of City Plan

ii. All footings are designed and constructed to be resistant to wave attack to
ITEM 2 (Continued)
MATERIAL CHANGE OF USE (CODE ASSESSMENT) FOR A MULTIPLE DWELLING (99 UNITS) AT 272-274 HEDGES AVENUE, MERMAID BEACH – DIVISION 10
PN76722/01/DA2

<table>
<thead>
<tr>
<th>Subdivision Engineering</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Certified document</strong></td>
</tr>
<tr>
<td>Registered survey plan/s</td>
</tr>
</tbody>
</table>

The certification is to confirm:
1. The site has been amalgamated into one lot.

<table>
<thead>
<tr>
<th>Subdivision Engineering</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Certified document</strong></td>
</tr>
<tr>
<td>Certificate for electricity supply</td>
</tr>
</tbody>
</table>

The certification is to confirm:
1. Underground electricity supply is available to the development site for all proposed dwellings.

<table>
<thead>
<tr>
<th>Subdivision Engineering</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Certified document</strong></td>
</tr>
<tr>
<td>Contractual agreement (e.g. Agreement Advice or Completion Letter from Telstra. Alternatively, a copy of Master Development Agreement or Small Development Agreement from NBN Co.)</td>
</tr>
</tbody>
</table>
The certification is to confirm:

i. The provision of telecommunication infrastructure has been undertaken and installed in accordance with telecommunications industry standards (e.g. Telstra/ NBN standards).

32. Supervision of works

During construction of any works the following professionals must be appointed to supervise the below described actions:

<table>
<thead>
<tr>
<th>Geotechnical Engineering</th>
</tr>
</thead>
<tbody>
<tr>
<td>Expertise required of the suitably qualified professional</td>
</tr>
<tr>
<td>Registered Professional Engineer of Queensland (RPEQ) specialising in geotechnical engineering</td>
</tr>
</tbody>
</table>

33. Erosion and sediment control

a. Undertake works generally in accordance with the Healthy waters code of the City Plan; and include in particular:

i. Sediment control structures e.g.: a sediment fence must be placed at the base of all materials on site to mitigate sediment run-off.

ii. A perimeter bund and/or diversion drain is constructed around the disturbed areas to prevent any outside clean stormwater from mixing with polluted / contaminated stormwater.

iii. All polluted/contaminated water from the site, including dewatering discharge, is treated to achieve the water quality objectives in Table 8.2.1 of the Queensland Water Quality Guidelines (DERM September 2009) prior to discharging from the site.

iv. Inspections for erosion and sediment control measures occur in accordance with the compliance procedures in City Planning Policy SC6.9 – Land development guidelines, section 6.9.3.6.1.2 – Compliance.

34. Sand management plan

a. Prepare and submit for approval a Sand management plan generally in accordance with the City Plan Policy – Coastal erosion hazard (ocean front land) overlay code prior to any works commencing.

b. The Sand management plan must be prepared by a suitably qualified professional and include in particular:

i. Outline actions to ensure excavated sand is cleaned, treated, placed, levelled and stabilised.

ii. Ensure sand is cleaned using a 20mm sieve to remove all material other than clean sand.

iii. Ensure sand is delivered and deposited to the nearest beach.

c. If the sand to be excavated will exceed 1,500 cubic metres, a supervisor, appointed by Council, must be employed at the applicant’s cost for the duration of the sand excavation and deposition and the supervisor must:

i. Undertake the physical collection of any waste material deposited on the beach as a result of the sand deposition; and

ii. Ensure that the total excess clean sand is deposited, profiled and stabilised as
<p>| | |</p>
<table>
<thead>
<tr>
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<tbody>
<tr>
<td>35.</td>
<td><strong>Dust management plan</strong></td>
</tr>
<tr>
<td></td>
<td>a. Prepare and submit for approval a Dust management plan, prior to any works commencing.</td>
</tr>
<tr>
<td></td>
<td>b. The Dust management plan must be prepared by a suitably qualified professional and include in particular:</td>
</tr>
<tr>
<td></td>
<td>i. Provide details of sources of dust and particulate emissions.</td>
</tr>
<tr>
<td></td>
<td>ii. Identify the measures and work practices to be implemented ensuring the release of dust and particulate matter from construction activities does not cause an ‘environmental nuisance’ (within the meaning of that term set out in the Environmental Protection Act 1994) at any sensitive receptor stated in schedule 1 of the Environmental Protection (Noise) Policy 2008.</td>
</tr>
<tr>
<td></td>
<td>iii. Identify the procedures to be adopted for monitoring and reporting air emissions.</td>
</tr>
<tr>
<td></td>
<td>iv. Provide details of complaint response procedures that will be adopted.</td>
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<tr>
<td></td>
<td>v. Identify the procedures to be adopted for revision and review of the dust management plan.</td>
</tr>
<tr>
<td></td>
<td>c. Implement the Dust management plan during all construction works at no cost to Council.</td>
</tr>
<tr>
<td>36.</td>
<td><strong>Dewatering management plan</strong></td>
</tr>
<tr>
<td></td>
<td>a. Obtain a Management Plan approval for a Dewatering management plan generally in accordance with the Guidelines for Dewatering Management Plan dated May 2016, prior to any works commencing.</td>
</tr>
<tr>
<td></td>
<td>b. The Dewatering management plan must be prepared by a suitably qualified professional and include in particular:</td>
</tr>
<tr>
<td></td>
<td>i. Purpose for dewatering (ie: an explanation why dewatering is required).</td>
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<tr>
<td></td>
<td>ii. Dewatering technique (ie: wellpoint, deep well, open hole etc).</td>
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<tr>
<td></td>
<td>iii. Anticipated dewatering flow rate and total dewatering duration.</td>
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<tr>
<td></td>
<td>iv. Controls (ie: settling tank, turbidity curtain etc) and method of effluent discharge.</td>
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<tr>
<td></td>
<td>v. Measures and techniques to manage noise, vibration and odour issues.</td>
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<td></td>
<td>vi. Measures and techniques to manage geotechnical stability issues.</td>
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<tr>
<td></td>
<td>vii. Contingency plan in case of emergency situation.</td>
</tr>
<tr>
<td></td>
<td>viii. Engineering specifications for dewatering effluent treatment (i.e. air-stripper, carbon filtration, etc) and details for an analytical monitoring program to ensure effluent will meet water quality release standards described in Tables 1 &amp; 2, where dewatering is conducted in a contaminated area.</td>
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<tr>
<td></td>
<td>ix. Monitoring program to ensure effluent will comply with applicable water quality release standards described in Tables 1 &amp; 2 of the guidelines.</td>
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<td></td>
<td>x. Baseline assessment of the existing environment (i.e. fauna, water quality) that will receive the discharge.</td>
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<td></td>
<td>xi. Strategy for monitoring and managing any impacts during the life and after closure of the project.</td>
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<td></td>
<td>xii. The point of discharge to the storm water system and to any waterway or water body.</td>
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<tr>
<td></td>
<td>xiii. Hydrogeological and hydrological assessment of the project area to estimate quantity and quality of water to be discharged.</td>
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</tbody>
</table>
|    |   xiv. Verification the quality of discharge water will comply with the receiving water
ITEM 2 (Continued)
MATERIAL CHANGE OF USE (CODE ASSESSMENT) FOR A MULTIPLE DWELLING (99 UNITS) AT 272-274 HEDGES AVENUE, MERMAID BEACH – DIVISION 10
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duration and frequency of the discharge.

xv. Seasonal variability of the receiving water quality.

xvi. Assessment of the viability of treating or recycling wastewater.

xvii. Location of all treatment pads.

c. Implement the Dewatering management plan during construction works at no cost to Council.

37. Noise management plan

a. Prepare and submit for approval a Noise management plan addressing construction activities prior to any works commencing.

b. The Noise management plan must be prepared by a suitably qualified professional and include in particular.

i. Provide details of expected noise sources.

ii. Identify the measures and work practices to be implemented to ensure noise from construction activities does not cause an ‘environmental nuisance’ (within the meaning of the term set out in the Environmental Protection Act 1994) at any sensitive receptor stated in schedule 1 of the Environmental Protection (Noise) Policy 2008.

iii. Identify the measures and work procedures to monitor noise emissions.

iv. Provide details of complaint response procedures.

v. Identify procedures to monitor and review the noise management plan.

c. Implement the Noise management plan prior to any works commencing at no cost to Council.

38. Haulage access/site management plan

a. Prepare and submit for approval a Haulage access/site management plan generally in accordance with the Change to ground level and creation of new waterways code of the City Plan prior to any works commencing.

b. The Haulage access/site management plan must be prepared by a suitably qualified professional and include in particular.

i. Address the provision of vehicle barrier(s) along the frontages of the land to ensure vehicles use approved crossovers.

ii. Provide Loading/unloading operations.

iii. Address nuisance from dust, noise, vibration, smoke and material tracked onto public roads as a result of hauling and filling operations and how complaints will be addressed.

iv. Identify measures and work practices to ensure the site will be maintained in a clean and tidy state at all times including collection, storage and disposal of all waste materials.

v. Identify measures and work practices to ensure non-recyclable debris transported from the site is disposed of at an approved waste facility. Combustion of any material is not permitted on the subject site without prior approval of Council.

vi. Identify measures and work procedures to ensure gravel access areas to the site, transport dust covers and shake (hose) down areas are in place to control both on-site dust nuisance and contamination of external properties, roadways and receiving waterways.

c. Implement the Haulage access/site management plan during all construction works at no cost to Council.

39. Transport of soil/fill/excavated material

During the transportation of soil and other fill/excavated material:
ITEM 2 (Continued)
MATERIAL CHANGE OF USE (CODE ASSESSMENT) FOR A MULTIPLE DWELLING (99 UNITS) AT 272-274 HEDGES AVENUE, MERMAID BEACH – DIVISION 10
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40. Construction management plan
   a. Prepare and submit for approval a Construction management plan generally in accordance with the Guidelines for Construction Management Plans prior to any works commencing.
   b. The Construction management plan must be prepared by a suitably qualified professional and include in particular:
      i. Provide hours of construction.
      ii. Provide details on vehicle access (including responsibility for maintenance of the defined cartage route) during construction hours.
      iii. Provide details on traffic management (including loading, unloading and cartage routes).
      iv. Parking of vehicles (including on site employees and delivery vehicles).
      v. Maintenance of safe pedestrian movement across the site’s frontage/s (including people with disabilities).
      vi. Provide details for the collection and control of Building waste and refuse disposal.
      vii. Details on the presentation of hoarding to the street.
      viii. Provide details for tree management.
      ix. Demonstrate how the general public will be protected from construction activities.
      x. Provide details on how the building site will be kept clean and tidy to maintain public safety and amenity.
   c. Implement the Construction management plan during all construction works at no cost to Council.

Note:
Should the development be under construction during the year of the Gold Coast Commonwealth Games for the period January 2018 through to May 2018, the applicant will be required to undertake a specific Commonwealth Games Construction Management Plan which will deal with impacts such as road and footpath closures and elevated expectations of the presentation of construction sites.

Plumbing and Drainage Act 2002

41. Plumbing and drainage works
   Obtain a compliance permit for all plumbing and drainage work prior commencement of the use.

Note:
A compliance permit for plumbing and drainage works cannot approve the discharge of trade waste to Council’s sewerage system. The generator of trade waste must complete an application for approval to discharge trade waste to Council’s Sewerage System (available on Council’s website).

Advice Notes

A. Development infrastructure
Development infrastructure required to be provided in implementing this development
ITEM 2 (Continued)
MATERIAL CHANGE OF USE (CODE ASSESSMENT) FOR A MULTIPLE DWELLING (99 UNITS) AT 272-274 HEDGES AVENUE, MERMAID BEACH – DIVISION 10
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<table>
<thead>
<tr>
<th>Approval is non-trunk development infrastructure unless otherwise stated in a condition of the approval.</th>
</tr>
</thead>
</table>

B. Connections and disconnections
Any connection/disconnection to the existing water and sewerage networks will be at the applicant's cost. Prior to the connection/disconnection taking place, the applicant must obtain written approval from Gold Coast Water and Waste for the connection/disconnection of any new connections and redundant connections.

C. Water meter sizing
All water meters 100 mm in diameter or larger require an operation works approval.

D. Further development permits/compliance permits
Further development permits and/or compliance permits from Council are required to facilitate the development of the approved works identified in this decision notice. These include:

<table>
<thead>
<tr>
<th>Environmental Assessment</th>
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<tbody>
<tr>
<td>- Operational works - vegetation clearing</td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>Gold Coast Water and Waste</th>
</tr>
</thead>
<tbody>
<tr>
<td>- Operational works - infrastructure</td>
</tr>
<tr>
<td>- Application to work on the City’s Infrastructure</td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>Landscape Assessment</th>
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</thead>
<tbody>
<tr>
<td>- Operational works - landscape works</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Open Space Assessment</th>
</tr>
</thead>
<tbody>
<tr>
<td>- Operational works - landscape works</td>
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</tbody>
</table>

A copy of this decision notice and accompanying stamped drawings/plans must be submitted with any subsequent application identified above.

E. Compliance with conditions
Once this development approval takes effect, the conditions attach to the land and are applicable in perpetuity. It is a development offence to contravene a development approval, including any of its conditions.

F. Indigenous cultural heritage legislation and duty of care requirement
The Aboriginal Cultural Heritage Act 2003 (‘ACHA’) is administered by the Department of Aboriginal and Torres Strait Islander and Multicultural Affairs (DATSIMA). The ACHA establishes a duty of care to take all reasonable and practicable measures to ensure any activity does not harm Aboriginal cultural heritage. This duty of care:

a. Is not negated by the issuing of this development approval;
b. Applies on all land and water, including freehold land;
ITEM 2 (Continued)
MATERIAL CHANGE OF USE (CODE ASSESSMENT) FOR A MULTIPLE DWELLING (99 UNITS) AT 272-274 HEDGES AVENUE, MERMAID BEACH – DIVISION 10 PN76722/01/DA2

| c. | Lies with the person or entity conducting an activity; and |
| d. | If breached, is subject to criminal offence penalties. |
Those proposing an activity involving surface disturbance beyond that which has already occurred at the proposed site must observe this duty of care. Details of how to fulfil this duty of care are outlined in the duty of care guidelines gazetted with the ACHA. The applicant should contact DATSIMA’s Cultural Heritage Coordination Unit on (07) 3405 3050 for further information on the responsibilities of developers under the ACHA.

G. Infrastructure charges
Infrastructure charges are now levied under a Charges Resolution by way of an Infrastructure Charges Notice, which accompanies this decision notice.

H. Stormwater
A property notification will be applied to the lot/subsequent lots stating a stormwater management plan exists for the site and must be complied with at all times.

I. Applicant responsibilities
The applicant is responsible for securing all necessary approvals and tenure, providing statutory notifications and complying with all relevant laws. Nothing in this decision notice alleviates the need for the applicant to comply with all relevant local, State and Commonwealth laws and to ensure appropriate tenure arrangements have been made where the use of/reliance upon land other than that owned by the applicant is involved. Without liming this obligation, the applicant is responsible for:

a. Obtaining all other/further necessary approvals, licences, permits, resource entitlements etc by whatever name called required by law before the development the subject of this approval can be lawfully commenced and to carry out the activity for its duration;

b. Providing any notifications required by law (by way of example only, to notify the administering authority pursuant to the Environment Protection Act 1994 of environmental harm being caused/threatened by the activity, and upon becoming aware the premises is being used for a ‘notifiable activity’);

c. Securing tenure/permission from the relevant owner to use private or public land not owned by the applicant (including for access required by conditions of approval);

d. Ensuring the correct siting of structures on the land. An identification survey demonstrating correct siting and setbacks of structures may be requested of the applicant to ensure compliance with this decision notice and applicable codes;

e. Providing Council with proof of payment of the Portable Long Service Leave building construction levy (or proof of appropriate exemption) where the value of the Operational Works exceed $150,000. Acceptable proof of payment is a Q.Leave –Notification and Payment Form approved by the Authority. Proof of payment must be provided before Council can issue a development permit for the Operational works. This is a requirement of section 77(1) of the Building and Construction Industry (Portable Long Service Leave) Act 1991; and

f. Making payment of any outstanding Council rates and charges applicable to the development site prior to the lodgement of subdivision plans.

J. Connections to, alteration or realignment of Council infrastructure
Where development works require the connection to, alteration, removal or realignment of Council infrastructure or impact on other public utility infrastructure (e.g. telecommunications, electricity, gas), the applicant must obtain the necessary approvals from the relevant public utility authority prior to works commencing. Connection to, alteration, removal or realignment of Council infrastructure includes (but is not limited to) fire hydrants, water service metres, sewer man hole covers, stormwater drainage
ITEM 2 (Continued)
MATERIAL CHANGE OF USE (CODE ASSESSMENT) FOR A MULTIPLE DWELLING (99 UNITS) AT 272-274 HEDGES AVENUE, MERMAID BEACH – DIVISION 10
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| Infrastructure, reinstatement of hole covers, stormwater drainage infrastructure, crossovers, footpaths, road pavement, kerb and channel, kerb ramps, medians, traffic islands, road furniture, signage and line-marking. |

K. Notice of works timetable

Property Notifications

A. Noise/Acoustic
There are development approval conditions applicable in relation to acoustic issues on this lot/subsequent lots. All property owner(s) must ensure compliance with these conditions. Refer to Council of the City of Gold Coast’s Decision Notice (insert application number). A copy of Council’s Decision Notice is available for viewing on Council’s website [www.goldcoastcity.com.au/pdonline](http://www.goldcoastcity.com.au/pdonline)

B. Stormwater
There are development approval conditions applicable in relation to stormwater management on this lot/subsequent lots. All property owner(s) must ensure compliance with these conditions. Refer to Council of the City of Gold Coast’s Decision Notice (insert application number). A copy of Council’s Decision Notice is available for viewing on Council’s website [www.goldcoastcity.com.au/pdonline](http://www.goldcoastcity.com.au/pdonline)

Statement of reasons (given under section 63(4) of the Planning Act 2016)

Details of proposed development
The proposed development is for a Multiple dwelling (99 units).

Assessment benchmarks
The following assessment benchmarks applied to the proposed development:

- High density residential zone code;
- Acid sulfate soils overlay code;
- Airport environs overlay code;
- Coastal erosion hazard overlay code;
- Light rail urban renewal area overlay code;
- Driveways and vehicular crossing code;
- General development provisions code;
- Healthy waters code;
- High-rise accommodation design code;
- Solid waste management code;
- Transport code; and
- Vegetation management code.

Relevant matters
The proposed development was assessed against, or having
ITEM 2 (Continued)
MATERIAL CHANGE OF USE (CODE ASSESSMENT) FOR A MULTIPLE DWELLING (99 UNITS) AT 272-274 HEDGES AVENUE, MERMAID BEACH – DIVISION 10
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regard to, the following relevant matters:

- City Plan.

Reasons for decision
Following an assessment of the development application against all of the assessment benchmarks listed above, it was determined:

- The proposed development is consistent with development envisaged within the High density residential zone;
- The development will assist in the evolution of southern Broadbeach/northern Mermaid Beach into a high quality urban environment, consistent with the outcomes sought by the Light rail urban renewal area overlay code;
- The development is an attractive, high-quality visually appealing building. The proposed refinements to the architectural design of the development seek to enhance the slender profile of the building and its relationship to surrounding built form;
- The development has been designed to maximise views towards the ocean beach as a deliberate design response to minimise impacts to the privacy and amenity of neighbouring residential premises;
- The setbacks make appropriate and efficient use of the site, whilst using materiality in the architectural design to provide a visually appealing built form outcome; and
- The proposed number of car parking spaces is appropriate to cater for demand.

Author: Geraldine Salat
A/- Senior Planning Officer
January 2018

Authorised by: Steven Brett
A/- Manager City Development

750th Council Meeting 13 February 2018
Economy, Planning & Environment Committee Meeting
7 February 2018
ADOPTED REPORT
151
Committee Recommendation Adopted At Council 13 February 2018

Cr Owen-Jones declared a real (or perceived) conflict of interest (as per section 173 of the Local Government Act 2009) on this matter due to the applicant, Sunland having contributed $1800 towards his 2016 re-election campaign and left the meeting room, taking no part in the debate or decision of the meeting.

Cr Owen-Jones left the room.

Cr Gates declared that a real (or perceived) conflict of interest in this matter could exist (as per section 173 of the Local Government Act 2009) due to parties associated with this application historically making donations to previous election campaigns, but that she had considered her position and was firmly of the opinion she could participate in debate and vote on this matter in the public interest.

Cr Gates remained in the room

COMMITTEE RECOMMENDATION EPE18.0207.002
moved Cr Caldwell seconded Cr Vorster

NATURE OF DECISION

Council approves the issue of a Development permit for Material change of use for Multiple dwellings (99 units), subject to the following conditions:

General

1 Timing
All conditions of this development approval must be complied with at no cost to Council at all times unless otherwise stated in another condition.

2 Amended drawings
Prepare and submit amendments to the drawings for confirmation they constitute the approved drawings for the purposes of this development approval. All amended drawings must be submitted (and confirmed by Council) prior to commencement of any works on site.

<table>
<thead>
<tr>
<th>Drawing Title</th>
<th>Author</th>
<th>Date</th>
<th>Drawing No.</th>
<th>Ver</th>
</tr>
</thead>
<tbody>
<tr>
<td>Site plan</td>
<td>BDA</td>
<td>20 December 2017</td>
<td>7.1</td>
<td>A</td>
</tr>
<tr>
<td>Basement 4 (&amp; Partial Basement 4A) Floor Plan</td>
<td>BDA</td>
<td>20 December 2017</td>
<td>7.2</td>
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<tr>
<td>Basement 3 Floor Plan</td>
<td>BDA</td>
<td>20 December 2017</td>
<td>7.3</td>
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<tr>
<td>Basement 2 Floor Plan</td>
<td>BDA</td>
<td>20 December 2017</td>
<td>7.4</td>
<td>A</td>
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<tr>
<td>Basement 1 Floor Plan</td>
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<td>20 December 2017</td>
<td>7.5</td>
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<tr>
<td>Plan Description</td>
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<td>Date</td>
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<tr>
<td>Level 1 (Ground) Floor Plan</td>
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<tr>
<td>Level 1 Intermediate Plant Room Plan</td>
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<tr>
<td>Level 2 Floor Plan – Pool &amp; Recreation</td>
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<tr>
<td>Level 3-26 Typical Floor Plan</td>
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<tr>
<td>Level 27 Skyhome Lower Floor Plan</td>
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<tr>
<td>Level 28 Skyhome Upper Floor Plan</td>
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<tr>
<td>Level 29-38 Sub Penthouse Floor Plan</td>
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<tr>
<td>Level 39-42 Sub Penthouse Floor Plan</td>
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<td>Level 43 Penthouse Lower Floor Plan</td>
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<td>Level 44 Penthouse Upper Floor Plan</td>
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<tr>
<td>Plant Room Floor Plan</td>
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<td>Roof Plan</td>
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<tr>
<td>Apartment Types A &amp; B</td>
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<td>Apartment Type C</td>
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<td>Apartment Type D</td>
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<td>Apartment Type E</td>
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<td>Apartment Type F (Lower)</td>
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<td>Apartment Type F (Upper)</td>
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<tr>
<td>East &amp; North Elevations</td>
<td>BDA</td>
<td>20 December 2017</td>
<td>7.24</td>
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<tr>
<td>South &amp; West Elevations</td>
<td>BDA</td>
<td>20 December 2017</td>
<td>7.25</td>
<td>A</td>
</tr>
<tr>
<td>Section A-A &amp; Section B-B</td>
<td>BDA</td>
<td>20 December 2017</td>
<td>7.26</td>
<td>A</td>
</tr>
<tr>
<td>Perspective View 3</td>
<td>BDA &amp; Contreras Earl</td>
<td>18 January 2018</td>
<td>6.4</td>
<td>B</td>
</tr>
</tbody>
</table>
ITEM 2 (Continued)
MATERIAL CHANGE OF USE (CODE ASSESSMENT) FOR A MULTIPLE DWELLING (99 UNITS) AT 272-274 HEDGES AVENUE, MERMAID BEACH – DIVISION 10
PN76722/01/DA2

| Architect | Materials & Colours | BDA | 20 December 2017 | 6.11 | A |

showing the following amendments:

i All recommendations arising from the Solar Reflectivity Report required under Condition 31 (Office of the City Architect) of this Development permit.

3 Use of studies and media rooms
The studies and media rooms, as identified on the approved plans, are not to be converted into bedrooms.
This condition applies prior to commencement of use and for the life of the development.

4 Approved Plans
Undertake and maintain the development generally in accordance with the following plans:

Environmental Assessment

<table>
<thead>
<tr>
<th>Plan Title</th>
<th>Author</th>
<th>Date</th>
<th>Plan Reference No.</th>
<th>Ver</th>
</tr>
</thead>
<tbody>
<tr>
<td>Geotechnical Investigation, Proposed High Rise Development 272 and 274 Hedges Avenue, Mermaid Beach</td>
<td>Core Consultants</td>
<td>September 2017</td>
<td>000480-002-R</td>
<td>0</td>
</tr>
</tbody>
</table>

Health and Regulatory Services

<table>
<thead>
<tr>
<th>Plan Title</th>
<th>Author</th>
<th>Date</th>
<th>Plan Reference No.</th>
<th>Ver</th>
</tr>
</thead>
<tbody>
<tr>
<td>Waste Management Plan 272 Hedges Avenue Residential Development 272 – 274 Hedges Avenue Mermaid Beach QLD 4218</td>
<td>Elephants Foot Recycling Solutions</td>
<td>19 December 2017</td>
<td>-</td>
<td>F</td>
</tr>
<tr>
<td>Acoustic Report Proposed Residential Development 272 Hedges Avenue Mermaid Beach</td>
<td>Acoustic Works</td>
<td>12 December 2017</td>
<td>2017425 R01D 272 Hedges Avenue Mermaid Beach RTN ENV.docx</td>
<td>RO1 D</td>
</tr>
</tbody>
</table>

Hydraulics and Water Quality

<table>
<thead>
<tr>
<th>Plan Title</th>
<th>Author</th>
<th>Date</th>
<th>Plan Reference No.</th>
<th>Ver</th>
</tr>
</thead>
<tbody>
<tr>
<td>272 Hedges Avenue - Stormwater Management Plan</td>
<td>Civil360 Engineering</td>
<td>18 December 2017</td>
<td>-</td>
<td>4</td>
</tr>
</tbody>
</table>
**Trunk Development Infrastructure**

5 | **Extra payment condition**  
   | a  Pay to Council extra trunk infrastructure costs in the amount of $51,565 prior to commencement of the use.  
   | b  This condition has been imposed as the development will require additional emergency storage at sewer pump station SPS A25 which is required in 2018 (in the 2017-2021 Planning Horizon).  
   | c  The details of the trunk infrastructure for which the additional payment is required, are as follows:  
      | i  extra trunk infrastructure costs = base unit cost of emergency storage x V x adjustment factor x ((1+i)^n), where:  
      | V = 6.2 kL, i.e. additional volume of emergency storage required (kL)  
      | Base unit cost of emergency storage = $4,897.36/kL for the year 2012 (calculated using Equation 13 of the Water and Sewerage Infrastructure Plan Detailed Cost Analysis(2014))  
      | Adjustment factor = 1.5 (for overhead and contingency allowance)  
      | i = 2.12% - indexation (10 year average of ABS 6247 roads and bridges index 3101 Queensland Table 17)  
      | n = 6, i.e. in which the additional storage is needed (2018), less the year the cost estimates rates were calculated from (2012).  
   | d  Instead of making the payment, elect to provide all or part of the trunk infrastructure detailed above. If this election is made, the requirements for providing the trunk infrastructure, and when it must be provided, are as follows:  
      | i  Be in accordance with the SEQ Water Supply & Sewerage Design and Construction Code (SEQ WS&S D&C Code).  
      | ii  The construction of extra emergency storage of 6.2 kL at SPS A25 is to be completed prior to commencement of the use.  
      | iii  Construction must be coordinated with Council and with any upgrade identified in Council’s Water Supply and Sewerage Infrastructure Plan for sewer pump station SPS A25.

**Property**

6 | **Lots to be amalgamated**  
   | Amalgamate lots Lot 19 on SP288087 and Lot 20 on SP288088 into one lot and register the plan of amalgamation prior to commencement of the use.

7 | **Restrictions regarding Council easements and infrastructure**  
   | a  No building work or deep landscaping is permitted over any Council infrastructure.

8 | **Maintenance management (Specific condition)**  
   | In case of any emergency repair and routine maintenance work required for Council’s water infrastructure, the removal and reinstatement of any structures or landscaping will be at no cost to Council. This requirement must be included in the Maintenance Management Agreement for the landscaping within the public road reserve fronting the development site on Hedges Avenue.

9 | **Private infrastructure**
ITEM 2 (Continued)
MATERIAL CHANGE OF USE (CODE ASSESSMENT) FOR A MULTIPLE DWELLING (99 UNITS) AT 272-274 HEDGES AVENUE, MERMAID BEACH – DIVISION 10
PN76722/01/DA2

Ownership, operation and maintenance of the following private infrastructure is to vest at all times with the Body Corporate and/or legal authority:

a Stormwater management devices and infrastructure monitored and managed in accordance with the SQID Maintenance Management Plan (MMP).

b Gross pollutant trap (GPT) ensuring it functions for its intended purpose.

c Rainwater tank maintained functional for its intended purpose (e.g. reuse of water for irrigation) during the entire life of the development.

### Amenity

**10 Hours of operation**

a Ensure ‘external’ communal open space activities must be conducted between the hours of 7 am to 10 pm only.

**11 Screening of visually offensive components**

Locate and screen the following components of the development so that they are not visible from any road to which the site has frontage, adjoining premises or otherwise on display from any public thoroughfare or vantage point:

a Refuse storage areas

b Service equipment

c Mechanical ventilation

d Refrigeration units

e Storage areas for machinery, materials, vehicles or the like.

### Environmental and Landscaping

**12 Landscaping works on private land**

a Obtain an operational works approval to landscape the site generally in accordance with the Statement of Landscape Intent listed below, prior to a request is made to Council to approve the plan of subdivision at no cost to Council:

<table>
<thead>
<tr>
<th>Drawing Title</th>
<th>Author</th>
<th>Date</th>
<th>Drawing No.</th>
<th>Ver</th>
</tr>
</thead>
<tbody>
<tr>
<td>272 Hedges Avenue Landscape Design Intent</td>
<td>Form Landscape Architects</td>
<td>20/12/2017</td>
<td>170607 Pages 1-39</td>
<td>08</td>
</tr>
</tbody>
</table>

and include in particular:

i Feature canopy tree planting must be a minimum 400L bag size or ex-ground at the time of planting, all other tree planting must be a minimum 200L bag size at the time of planting;

ii Palm species must be a minimum 3 metres in height at the time of planting;

iii Unless otherwise specified in these conditions, shrub species must be a minimum 300mm pot size at the time of planting;

iv Screening shrubs must be able to achieve a minimum height of 3 metres at maturity and be a minimum 45L bag size at the time of planting;

v Screening shrub plantings must be incorporated at 1 metre centres along the side and rear boundaries where *Ficus hillii* specimens are not already proposed;

vi Planter boxes where trees are to be planted must possess a minimum
ITEM 2 (Continued)
MATERIAL CHANGE OF USE (CODE ASSESSMENT) FOR A MULTIPLE DWELLING (99 UNITS) AT 272-274 HEDGES AVENUE, MERMAID BEACH – DIVISION 10
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| Surface area of 6m². Tree species must be chosen which are suitable for root zones growing in confined planting locations; vii An automatic irrigation system must be provided to all podium planter boxes; viii Planter boxes containing tree species potentially exposed to prevailing winds or funnelled wind must be designed with root plate anchorage strengthening considerations or similar to prevent failure; ix Tree species planted with root zones adjacent to structures must have root control barriers and or structure strengthening systems installed. Full demonstration of these systems is required to accompany the detailed landscape plan; x Internal soil depths must be provided for all planting boxes within the detailed landscape plan; xi Level 2 planter boxes must be of sufficient size to support an array of low growing shrubs and groundcover specimens and the planter must be fully integrated with the surrounding level 2 architectural element that surrounds the tower base; xii Bio-retention areas must incorporate Banksia robur (or similar) specimens in groupings of 3; and xiii The detailed landscape plan must show locations of, and a cross-sectional detail of the bio-retention systems that are required by the Stormwater Management Plan prepared for the site. The cross-sectional detail must identify the filter media depth and the surface treatment proposed for the systems. The detailed landscape plan must also incorporate an appropriate list of species in the plant schedule which are suitable for a bio-retention area. Planting densities within the bio-retention area must match those specified in City Plan Policy – Land Development Guidelines – SC6.9.3 Water Sensitive Urban Design.

b Construct and maintain the private landscaping identified above at no cost to Council at all times.

13 Landscaping works within public open spaces
a Obtain an operational works approval to landscape all public open space generally in accordance with the Statement of Landscape Intent listed below, prior to commencement of the use at no cost to Council:

<table>
<thead>
<tr>
<th>Drawing Title</th>
<th>Author</th>
<th>Date</th>
<th>Drawing No.</th>
<th>Ver</th>
</tr>
</thead>
<tbody>
<tr>
<td>272 Hedges Avenue</td>
<td>Form Landscape Architects</td>
<td>20 December 2017</td>
<td>-</td>
<td>08</td>
</tr>
</tbody>
</table>

and include in particular:

i Ensure a minimum eight (8) street trees are planted within the public road reserve fronting the subject site, within 1m of the footpath to provide natural shade and amenity value for the pedestrian pathway network.

ii Trees must be a single-trunked canopy shade species able to attain a
ITEM 2 (Continued)
MATERIAL CHANGE OF USE (CODE ASSESSMENT) FOR A MULTIPLE DWELLING (99 UNITS) AT 272-274 HEDGES AVENUE, MERMAID BEACH – DIVISION 10
PN76722/01/DA2

<table>
<thead>
<tr>
<th>clear trunk height of 1800mm on maturity.</th>
</tr>
</thead>
<tbody>
<tr>
<td>iii Trees are not to be located within 3m of driveways or vehicular crossings.</td>
</tr>
<tr>
<td>iv All street trees planted must be a minimum 100L bag size.</td>
</tr>
<tr>
<td>v All existing trees proposed for removal within the public road reserve will require a replacement planting within the public road reserve of a minimum 200L bag size.</td>
</tr>
<tr>
<td>vi Ensure cross-sections and elevations of the public private boundary are included in the plans package.</td>
</tr>
<tr>
<td>vii Specific species and locations within the road reserved will be determined through the operational works approval.</td>
</tr>
</tbody>
</table>

Note: The arbour and public art included on the above mentioned plans are not endorsed as part of this condition of approval.

b In recognition of the higher standard of planting proposed, the owner, or owner’s nominee / assignee must enter into a Maintenance Agreement with Council with respect to landscape maintenance of the public road reserve, prior to the commencement of any works subject of the operational works for public landscaping.

c Maintenance management requirements and costs:


d The owner, or owner’s nominee / assignee must provide as part of the public landscape OPW, annual maintenance costings and for all landscape items relevant to the development for the duration of the establishment and on maintenance periods.

14 Landscaping and maintenance of public road reserve (Specific condition)

The applicant or their successors in title must landscape the public road reserve fronting the subject site in accordance with the operational works – public landscaping plans approved by Council, and then subsequently maintain the area of the public road reserve along Hedges Avenue for the full frontage of the site to a standard to ensure no adverse visual amenity impacts in accordance with the City Plan policies – SC6.10 Landscape Works and above referenced maintenance agreement. This includes all streetscape and vegetation maintenance.

Transport

15 Off street vehicle and car parking facilities

a Design and construct off street vehicle facilities at no cost to Council prior to the commencement of the use, generally in accordance with the Transport code of the City Plan and include in particular:

i A minimum of 109 car parking spaces, comprising:

   o 99 resident spaces; and
   o 10 visitor spaces.

ii All spaces are drained, sealed and line marked.
ITEM 2 (Continued)
MATERIAL CHANGE OF USE (CODE ASSESSMENT) FOR A MULTIPLE DWELLING (99 UNITS) AT 272-274 HEDGES AVENUE, MERMAID BEACH – DIVISION 10
PN76722/01/DA2

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<table>
<thead>
<tr>
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</tr>
</thead>
<tbody>
<tr>
<td>iii</td>
<td>The lift panel after hours gate (giving access to visitor car parking) to remain open between the hours of 7am to 7pm.</td>
</tr>
<tr>
<td>iv</td>
<td>Clearly identified signage and directional markings including:</td>
</tr>
<tr>
<td></td>
<td>o Signage located within the site, visible to entering vehicles, directing drivers to visitor car parking.</td>
</tr>
<tr>
<td></td>
<td>o Visitor car parking spaces are to be clearly identifiable through the provision of signage denoting “Visitor Parking”.</td>
</tr>
<tr>
<td>b</td>
<td>Maintain the off street vehicle and parking facilities at no cost to Council at all times.</td>
</tr>
</tbody>
</table>

16 Off street bicycle parking and end of trip facilities
a Design, construct and maintain a minimum of 109 off street bicycle parking facilities at no cost to Council generally in accordance with the Transport Code of the City Plan and include in particular:
<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>i</td>
<td>A minimum of 99 Security Level B spaces for residents.</td>
</tr>
<tr>
<td>ii</td>
<td>A minimum of 10 Security Level C spaces for visitors.</td>
</tr>
<tr>
<td>iii</td>
<td>Signs and line marking to give direction to visitor bicycle parking, to be visible to cyclists upon entering the site, in accordance with AS2890.3. Signage and line marking is to be provided along the route and where bicycle parking is provided.</td>
</tr>
<tr>
<td>b</td>
<td>Undertake all works prior to commencement of the use.</td>
</tr>
</tbody>
</table>

Engineering

17 Rectification of Council’s infrastructure
a Obtain an operational works approval for the rectification of any damage caused to Council infrastructure (including kerb, channelling, service pits, footpaths and water and sewer reticulation networks) prior to commencement of the use at no cost to Council.

b Construct and maintain the rectified Council infrastructure at no cost to Council prior to commencement of the use.

18 Existing infrastructure, structures and services
a Obtain an operational works approval for the removal/ relocation of existing infrastructure, structures and services identified on the drawings listed below prior to commencement of the use at no cost to Council and include in particular:
<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
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</tr>
</thead>
<tbody>
<tr>
<td>i</td>
<td>Remove redundant vehicular crossing.</td>
</tr>
<tr>
<td>ii</td>
<td>Remove redundant parking areas.</td>
</tr>
<tr>
<td>iii</td>
<td>Remove any redundant stormwater kerb adaptors and disused service pits from the kerb and channel (including any associated pipework across the footpath).</td>
</tr>
</tbody>
</table>

19 Footpaths
a Obtain an operational works approval for the design and construction of all footpaths marked on the drawings listed below, prior to commencement of the use, at no cost to Council:
ITEM 2 (Continued)
MATERIAL CHANGE OF USE (CODE ASSESSMENT) FOR A MULTIPLE DWELLING (99 UNITS) AT 272-274 HEDGES AVENUE, MERMAID BEACH – DIVISION 10
PN76722/01/DA2

<table>
<thead>
<tr>
<th>Drawing Title</th>
<th>Author</th>
<th>Date</th>
<th>Drawing No.</th>
<th>Ver</th>
</tr>
</thead>
<tbody>
<tr>
<td>PEDESTRIAN &amp; TRAFFIC NETWORK</td>
<td>BDA</td>
<td>20 DECEMBER 2017</td>
<td>5.1</td>
<td>ISSUE A</td>
</tr>
</tbody>
</table>

and include in particular:

i Minimum of 1.2 metre wide paths linking the site’s pedestrian entrances to the existing path on the verge of Hedges Avenue.

b Construct and maintain the footpaths identified above at no cost to Council until the asset is accepted “off maintenance” by the City in accordance with the procedures in City Planning Policy SC6.9 – Land development guidelines, section 6.9.6.

**20 Electrical reticulation**

a Design, construct and connect an electrical reticulation system at no cost to Council and include in particular:

i Provide underground electricity to the subject building/s.

ii In supplying power to the site, no additional poles and/or pole-mounted transformers are to be erected within the public road.

iii Any existing overhead electricity lines for Lots 0 – 5 on BUP665 within or bounding the site (i.e. within the western verge of Hedges Avenue and across Hedges Avenue) must be removed.

iv Meet the relevant requirements of the electricity supplier (e.g. Energex).

**21 Telecommunications network**

Design, construct and connect a telecommunications services network at no cost to Council and include in particular:

i Provide underground telecommunications to the subject building/s, lead-in conduits and equipment space/s in a suitable location within the building/s, to suit the carrier of choice.

ii All new pit and pipe infrastructure required to be installed within the public road fronting the site, must be suitably sized to cater for future installation of fibre optic cables.

iii Meet the relevant telecommunications industry standards (e.g. Telstra/NBN Co standards).

**22 Gross Pollutant Traps (GPTs)**

Install a GPT (hydrocarbon and litter separator) at basement carpark, to treat water before it discharges to Council’s stormwater network prior to commencement of the use.

**23 Driveways and vehicular crossings**

Obtain an operational works approval for the design and construction of the driveway and vehicular crossing to the development, generally in accordance with the Driveways and vehicular crossing code of the City Plan, prior to commencement of the use at no cost to Council and include in particular:

a General layout of the vehicular crossing must be in accordance with ‘Site Plan’ (Issue A dated 20.12.2017, prepared by BDA).
ITEM 2 (Continued)
MATERIAL CHANGE OF USE (CODE ASSESSMENT) FOR A MULTIPLE DWELLING (99 UNITS) AT 272-274 HEDGES AVENUE, MERMAID BEACH – DIVISION 10
PN76722/01/DA2

| 24 | **Maintenance of all pedestrian and vehicular accesses to the site (Specific condition)**
Maintained all pedestrian and vehicular accesses to the development site at no cost to Council at all time. |

**Stormwater Drainage**

| 25 | **Overland flow paths and hydraulic alterations**
- a The development must not obstruct any existing overland flow coming on to the site from the external catchment (e.g. located west of the site) and must properly manage such flow to ensure no adverse impact externally.
- b The development must not:
  - i Increase peak flow rates downstream from the site
  - ii Increase flood levels external to the site
  - iii Increase duration of inundation external to the site that could cause loss or damage |

| 26 | **Bioretention basin maintenance management plan (Specific condition)**
- a Prepare and implement a bioretention basin maintenance management plan (MMP) prior to the commencement of the use. The MMP must be prepared by a Registered Professional Engineer Queensland (RPEQ) specialising in stormwater management in accordance with City Plan Policy – SC6.9 Land Development Guidelines and with reference to the Water by Design document Maintaining Vegetated Stormwater Assets, Version 1 February 2012.
- b The MMP must include, but not necessarily be limited to, the following key information:
  - i Design intent and description of the device(s).
  - ii The location and specific dimensions of the device(s).
  - iii Approved / designed water quality objectives.
  - iv Water quality monitoring procedures.
  - v Monitoring frequency.
  - vi Specifications and procedures for device(s) maintenance.
  - vii Plant and equipment access details for maintenance activities.
  - viii Maintenance activity schedule defining frequency, area (m²) per maintenance zone, hours, staff, plant and equipment, approximate costs per rotation, and per annum.
  - ix Performance indicators / intervention levels / triggers for reactive maintenance.
  - x Any necessary preventative maintenance measures.
  - xi Acceptable solutions for specific items, i.e. acceptable plant species substitutions based on availability, hydraulic conductivity, water quality objectives, etc.
  - xii Approximate lifecycle maintenance costs. |

**Sewer and Water Works**

| 27 | **Sewer reticulation**
- a Obtain an operational works approval for the design, construction and connection of the proposal to Council’s sewer network at the existing 225mm sewer main |
MATERIAL CHANGE OF USE (CODE ASSESSMENT) FOR A MULTIPLE DWELLING (99 UNITS) AT 272-274 HEDGES AVENUE, MERMAID BEACH – DIVISION 10
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located in Hedges Avenue, prior to commencement of the use at no cost to Council and include in particular:

i Be in accordance with the SEQ Water Supply & Sewerage Design and Construction Code (SEQ WS&S D&C Code), and the Gold Coast Water Network Modifications, Extension and Connections Policy Procedures.

ii The size of the sewer property service connection must be a minimum of 150 mm in accordance with Section 4.5.4 of the SEQ Water Supply & Sewerage Design & Construction Code (SEQ WS&S D&C Code).

iii Remove/seal/cap redundant sewer property services. Construct and maintain the sewer reticulation system at no cost to Council at all times.

28 Water reticulation

a Design and construct a water connection for the site to Council’s potable water supply network at the proposed 250mm DICL water main located within the public road reserve fronting the development site on Hedges Avenue, the proposed water main is in accordance with the recently approved Operational Works application for the water main relocation (PN76722/03/DA1, OPW201702898) prior to commencement of the use, at no cost to Council, and in particular:

i Be in accordance with the SEQ Water Supply & Sewerage Design and Construction Code (SEQ WS&S D&C Code) and Gold Coast Water Network Modifications, Extension and Connections Policy Procedures.

ii Ensure the property service, water meter box and water meter is provided, at the boundary of the development site.

iii Remove redundant water meters/connections.

29 Sub-metering

Provide individual sub-metering for each lot/unit including common property generally in accordance with the Metering Technical Specifications and the Gold Coast Water Network Modifications, Extension and Connections Policy Procedures.

30 Fire loading

Fire loading must not exceed 20 L/s for 4 hour duration.

Construction Management

31 Certification of works

Provide Council with certificates prepared by qualified experts from the disciplines listed below, confirming as follows:

<table>
<thead>
<tr>
<th>Certified document</th>
<th>Certification date</th>
<th>Plan/ Drawing</th>
<th>Expert discipline</th>
<th>Requesting Council Section</th>
</tr>
</thead>
<tbody>
<tr>
<td>Solar Light Reflectivity Analysis Report</td>
<td>Prior to the issue of a building approval</td>
<td>-</td>
<td>Solar Light Reflectivity Consultant</td>
<td>Office of the City Architect</td>
</tr>
</tbody>
</table>

The certification is to confirm:

i A Solar Light Reflectivity Analysis Report must be prepared by a qualified...
ITEM 2 (Continued)
MATERIAL CHANGE OF USE (CODE ASSESSMENT) FOR A MULTIPLE DWELLING (99 UNITS) AT 272-274 HEDGES AVENUE, MERMAID BEACH – DIVISION 10
PN76722/01/DA2

consultant. The report must identify any areas of the facade that require additional glazing treatment in order to avoid excessive glare that causes discomfort or threatens safety of pedestrians or drivers or adjoining residents.

ii All building design recommendations outlined in the Solar Light Reflectivity Analysis Report must be incorporated in the final architectural set of construction drawings for building approval.

Geotechnical Engineering

<table>
<thead>
<tr>
<th>Certified document</th>
<th>Certification date</th>
<th>Plan/Drawing</th>
<th>Expert discipline</th>
<th>Requesting Council Section</th>
</tr>
</thead>
<tbody>
<tr>
<td>Basement excavation retention design certification</td>
<td>Prior to the issue of a development permit for building works</td>
<td>-</td>
<td>Registered Professional Engineer of Queensland (RPEQ) specialising in geotechnical engineering</td>
<td>Geotechnical Engineering</td>
</tr>
</tbody>
</table>

The certification is to ensure:

i The basement excavation retention system has been adequately designed based on existing geotechnical conditions of the site;

ii Detailed stability analyses have been carried out for the designed basement excavation retention system;

iii The designed basement excavation retention system achieves a factor of safety of at least 1.5, the calculated retention wall movements and rotations are within acceptable limits, and the basement excavation/construction including any dewatering will not cause any adverse effects on the stability and integrity of the adjacent buildings, properties and infrastructure;

iv A site-monitoring plan is in place for the entire basement excavation/construction period and for a post-construction period of at least three months in order to monitor and detect impact on the stability and integrity of the adjacent properties/structures; and

v A contingency plan is in place in case any sign of instability on the adjacent properties/structures is identified or detected during the basement excavation/construction period.

Geotechnical Engineering

<table>
<thead>
<tr>
<th>Certified document</th>
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<th>Plan/Drawing</th>
<th>Expert discipline</th>
<th>Requesting Council Section</th>
</tr>
</thead>
<tbody>
<tr>
<td>Post-construction</td>
<td>Immediately after completion of</td>
<td>-</td>
<td>Registered Professional Engineer of</td>
<td>Development</td>
</tr>
</tbody>
</table>
**ITEM 2 (Continued)**

**MATERIAL CHANGE OF USE (CODE ASSESSMENT) FOR A MULTIPLE DWELLING (99 UNITS) AT 272-274 HEDGES AVENUE, MERMAID BEACH – DIVISION 10 PN76722/01/DA2**

<table>
<thead>
<tr>
<th>Certification</th>
<th>the basement structure up to natural ground level</th>
<th>Queensland (RPEQ) specialising in geotechnical engineering</th>
<th>Compliance</th>
</tr>
</thead>
</table>

The certification is to also confirm:

1. All geotechnical engineering works in relation to the basement excavation/construction were supervised; and
2. The basement excavation/construction has been satisfactorily carried out on site and there are no visible signs or monitored data indicating any adverse effects on the stability and integrity of the adjacent buildings, properties and infrastructure.

### Health and Regulatory Services

<table>
<thead>
<tr>
<th>Certified document</th>
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<th>Plan/ Drawing</th>
<th>Expert discipline</th>
<th>Requesting Council Section</th>
</tr>
</thead>
<tbody>
<tr>
<td>Acoustic compliance report</td>
<td>Prior to commencement of the use</td>
<td>Acoustic report prepared by Acoustic Works dated 12 December 2017 (reference:2017425 R01D)</td>
<td>Acoustic Engineer</td>
<td>Health and Regulatory Services</td>
</tr>
</tbody>
</table>

The certification is to confirm:

1. The development has been designed in accordance with the established noise criteria and recommendations outlined in an approved Acoustic Report.

### Health and Regulatory Services

<table>
<thead>
<tr>
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<th>Certification date</th>
<th>Plan/ Drawing</th>
<th>Expert discipline</th>
<th>Requesting Council Section</th>
</tr>
</thead>
<tbody>
<tr>
<td>Waste Management compliance report</td>
<td>Prior to commencement of the use</td>
<td>Waste Management Plan prepared by Elephants Foot Recycling Solutions dated 19 December 2017</td>
<td>Suitable qualified person</td>
<td>Health and Regulatory Services</td>
</tr>
</tbody>
</table>
ITEM 2 (Continued)
MATERIAL CHANGE OF USE (CODE ASSESSMENT) FOR A MULTIPLE DWELLING (99 UNITS) AT 272-274 HEDGES AVENUE, MERMAID BEACH – DIVISION 10
PN76722/01/DA2

The certification is to confirm:
   i  The development has been designed and constructed in accordance with the recommendations outlined in an approved Waste Management Plan.
   ii The waste chute has been located, designed and constructed in accordance with SC6.13 City Plan policy – Solid waste management, section 13.17 – Waste Chutes.
   iii The waste disposal points have been located, designed and constructed in accordance with SC6.13 City Plan policy – Solid waste management, section 13.17 – Waste Chutes
   iv The waste storage room has been located, designed and constructed in accordance with SC6.13 City Plan policy – Solid waste management, section 13.17 – Waste Chutes.
   v  The bulk bin servicing point has been located, designed and constructed in accordance with SC6.13 City Plan policy – Solid waste management, section 13.14 – Bin servicing points.

Note – Approved WMP does not specify that waste chutes will be located within fire rated ducts as per Building Code, floor adjacent to hopper points will be constructed of an impervious material and that waste room floor is graded to fall to a drainage point that is connected to sewer.

Hydraulics and Water Quality

<table>
<thead>
<tr>
<th>Certified document</th>
<th>Certification date</th>
<th>Plan/ Drawing</th>
<th>Expert discipline</th>
<th>Requesting Council Section</th>
</tr>
</thead>
<tbody>
<tr>
<td>Agreement to remove hydrocarbons for GPT</td>
<td>Prior to commencement of the use</td>
<td>-</td>
<td>The owner/ Body corporate for the development</td>
<td>Developme nt compliance</td>
</tr>
</tbody>
</table>

The certification is to confirm:
   i  An agreement is entered into with the appropriately licensed waste removal entity, for the removal of hydrocarbons/waste.

Hydraulics and Water Quality

<table>
<thead>
<tr>
<th>Certified document</th>
<th>Certification date</th>
<th>Plan/ Drawing</th>
<th>Expert discipline</th>
<th>Requesting Council Section</th>
</tr>
</thead>
<tbody>
<tr>
<td>Post construction certification</td>
<td>Prior to commencement of the use</td>
<td>Stormwater Management Plan (Civil360 Engineering : 18 December 2017)</td>
<td>Registered Professional Engineer Queensland (RPEQ)</td>
<td>Hydraulics &amp; Water Quality</td>
</tr>
</tbody>
</table>
The certification is to confirm:

i. All stormwater devices (quantity and quality) shown in the approved stormwater management plan and associated design drawings have been installed on-site in accordance with Council’s approved stormwater management plan and are functioning as designed.

### Hydraulics and Water Quality

<table>
<thead>
<tr>
<th>Certified document</th>
<th>Certification date</th>
<th>Plan/Drawing</th>
<th>Expert discipline</th>
<th>Requesting Council Section</th>
</tr>
</thead>
<tbody>
<tr>
<td>Coastal erosion and wave resistant footings</td>
<td>Prior to commencement of the use.</td>
<td></td>
<td>Registered Professional Engineer Queensland (RPEQ)</td>
<td>Development compliance</td>
</tr>
</tbody>
</table>

The certification is to confirm:

i. All footings are designed and constructed to be resistant to coastal erosion and comply with the Coastal erosion hazard (ocean front land) overlay code of City Plan

ii. All footings are designed and constructed to be resistant to wave attack to comply with the Coastal erosion hazard (ocean front land) overlay code of the City Plan.

### Subdivision Engineering

<table>
<thead>
<tr>
<th>Certified document</th>
<th>Certification date</th>
<th>Plan/Drawing</th>
<th>Expert discipline</th>
<th>Requesting Council Section</th>
</tr>
</thead>
<tbody>
<tr>
<td>Registered survey plan/s</td>
<td>Prior to Commencement of use</td>
<td></td>
<td>A registered land surveyor</td>
<td>Development Compliance</td>
</tr>
</tbody>
</table>

The certification is to confirm:

i. The site has been amalgamated into one lot.

### Subdivision Engineering

<table>
<thead>
<tr>
<th>Certified document</th>
<th>Certification date</th>
<th>Plan/Drawing</th>
<th>Expert discipline</th>
<th>Requesting Council Section</th>
</tr>
</thead>
<tbody>
<tr>
<td>Certificate for electricity supply</td>
<td>Prior to commencement of use</td>
<td>-</td>
<td>An authorised supplier (e.g. Energex)</td>
<td>Development Compliance</td>
</tr>
</tbody>
</table>
ITEM 2 (Continued)
MATERIAL CHANGE OF USE (CODE ASSESSMENT) FOR A MULTIPLE DWELLING (99 UNITS) AT 272-274 HEDGES AVENUE, MERMAID BEACH – DIVISION 10
PN76722/01/DA2

The certification is to confirm:
  i Underground electricity supply is available to the development site for all proposed dwellings.

<table>
<thead>
<tr>
<th>Subdivision Engineering</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Certified document</strong></td>
</tr>
<tr>
<td>Contractual agreement (e.g. Agreement Advice or Completion Letter from Telstra. Alternatively, a copy of Master Development Agreement or Small Development Agreement from NBN Co.).</td>
</tr>
</tbody>
</table>

The certification is to confirm:
  i The provision of telecommunication infrastructure has been undertaken and installed in accordance with telecommunications industry standards (e.g. Telstra/ NBN standards).

32 Supervision of works
During construction of any works the following professionals must be appointed to supervise the below described actions:

<table>
<thead>
<tr>
<th>Geotechnical Engineering</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Expertise required of the suitably qualified professional</strong></td>
</tr>
<tr>
<td>Registered Professional Engineer of Queensland (RPEQ) specialising in geotechnical engineering</td>
</tr>
</tbody>
</table>

33 Erosion and sediment control
a Undertake works generally in accordance with the Healthy waters code of the City Plan; and include in particular:
  i Sediment control structures e.g.: a sediment fence must be placed at the
ITEM 2 (Continued)
MATERIAL CHANGE OF USE (CODE ASSESSMENT) FOR A MULTIPLE DWELLING (99 UNITS) AT 272-274 HEDGES AVENUE, MERMAID BEACH – DIVISION 10
PN76722/01/DA2

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<tbody>
<tr>
<td></td>
<td>base of all materials on site to mitigate sediment run-off.</td>
</tr>
<tr>
<td>ii</td>
<td>A perimeter bund and/or diversion drain is constructed around the disturbed areas to prevent any outside clean stormwater from mixing with polluted / contaminated stormwater.</td>
</tr>
<tr>
<td>iii</td>
<td>All polluted/contaminated water from the site, including dewatering discharge, is treated to achieve the water quality objectives in Table 8.2.1 of the Queensland Water Quality Guidelines (DERM September 2009) prior to discharging from the site.</td>
</tr>
<tr>
<td>iv</td>
<td>Inspections for erosion and sediment control measures occur in accordance with the compliance procedures in City Planning Policy SC6.9 – Land development guidelines, section 6.9.3.6.1.2 – Compliance.</td>
</tr>
</tbody>
</table>

34 Sand management plan

a Prepare and submit for approval a Sand management plan generally in accordance with the City Plan Policy – Coastal erosion hazard (ocean front land) overlay code prior to any works commencing.

b The Sand management plan must be prepared by a suitably qualified professional and include in particular.

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
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</thead>
<tbody>
<tr>
<td>i</td>
<td>Outline actions to ensure excavated sand is cleaned, treated, placed, levelled and stabilised.</td>
</tr>
<tr>
<td>ii</td>
<td>Ensure sand is cleaned using a 20mm sieve to remove all material other than clean sand.</td>
</tr>
<tr>
<td>iii</td>
<td>Ensure sand is delivered and deposited to the nearest beach.</td>
</tr>
</tbody>
</table>

c If the sand to be excavated will exceed 1,500 cubic metres, a supervisor, appointed by Council, must be employed at the applicant’s cost for the duration of the sand excavation and deposition and the supervisor must:

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<tbody>
<tr>
<td>i</td>
<td>Undertake the physical collection of any waste material deposited on the beach as a result of the sand deposition; and</td>
</tr>
<tr>
<td>ii</td>
<td>Ensure that the total excess clean sand is deposited, profiled and stabilised as directed by Council.</td>
</tr>
</tbody>
</table>

d Implement the Sand management plan prior to any works commencing at no cost to Council.

35 Dust management plan

a Prepare and submit for approval a Dust management plan, prior to any works commencing.

b The Dust management plan must be prepared by a suitably qualified professional and include in particular.

<p>| | |</p>
<table>
<thead>
<tr>
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<tbody>
<tr>
<td>i</td>
<td>Provide details of sources of dust and particulate emissions.</td>
</tr>
<tr>
<td>ii</td>
<td>Identify the measures and work practices to be implemented ensuring the release of dust and particulate matter from construction activities does not cause an ‘environmental nuisance’ (within the meaning of that term set out in the Environmental Protection Act 1994) at any sensitive receptor stated in schedule 1 of the Environmental Protection (Noise) Policy 2008.</td>
</tr>
<tr>
<td>iii</td>
<td>Identify the procedures to be adopted for monitoring and reporting air emissions.</td>
</tr>
<tr>
<td>iv</td>
<td>Provide details of complaint response procedures that will be adopted.</td>
</tr>
<tr>
<td>v</td>
<td>Identify the procedures to be adopted for revision and review of the dust management plan.</td>
</tr>
</tbody>
</table>
ITEM 2 (Continued)
MATERIAL CHANGE OF USE (CODE ASSESSMENT) FOR A MULTIPLE DWELLING (99 UNITS) AT 272-274 HEDGES AVENUE, MERMAID BEACH – DIVISION 10
PN76722/01/DA2

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<tbody>
<tr>
<td>c</td>
<td>Implement the Dust management plan during all construction works at no cost to Council.</td>
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</tbody>
</table>

36 Dewatering management plan

a Obtain a Management Plan approval for a Dewatering management plan generally in accordance with the Guidelines for Dewatering Management Plan dated May 2016, prior to any works commencing.

b The Dewatering management plan must be prepared by a suitably qualified professional and include in particular:

i Purpose for dewatering (ie: an explanation why dewatering is required).

ii Dewatering technique (ie: wellpoint, deep well, open hole etc).

iii Anticipated dewatering flow rate and total dewatering duration.

iv Controls (ie: settling tank, turbidity curtain etc) and method of effluent discharge.

v Measures and techniques to manage noise, vibration and odour issues.

vi Measures and techniques to manage geotechnical stability issues.

vii Contingency plan in case of emergency situation.

viii Engineering specifications for dewatering effluent treatment (i.e. air-stripper, carbon filtration, etc) and details for an analytical monitoring program to ensure effluent will meet water quality release standards described in Tables 1 & 2, where dewatering is conducted in a contaminated area.

ix Monitoring program to ensure effluent will comply with applicable water quality release standards described in Tables 1 & 2 of the guidelines.

x Baseline assessment of the existing environment (i.e. fauna, water quality) that will receive the discharge.

xi Strategy for monitoring and managing any impacts during the life and after closure of the project.

xii The point of discharge to the storm water system and to any waterway or water body.

xiii Hydrogeological and hydrological assessment of the project area to estimate quantity and quality of water to be discharged.

xiv Verification the quality of discharge water will comply with the receiving water duration and frequency of the discharge.

xv Seasonal variability of the receiving water quality.

xvi Assessment of the viability of treating or recycling wastewater.

xvii Location of all treatment pads.

c Implement the Dewatering management plan during construction works at no cost to Council.

37 Noise management plan

a Prepare and submit for approval a Noise management plan addressing construction activities prior to any works commencing.

b The Noise management plan must be prepared by a suitably qualified professional and include in particular.

i Provide details of expected noise sources.

ii Identify the measures and work practices to be implemented to ensure
noise from construction activities does not cause an ‘environmental nuisance’ (within the meaning of the term set out in the Environmental Protection Act 1994) at any sensitive receptor stated in schedule 1 of the Environmental Protection (Noise) Policy 2008.

iii Identify the measures and work procedures to monitor noise emissions.

iv Provide details of complaint response procedures.

v Identify procedures to monitor and review the noise management plan.

c Implement the Noise management plan prior to any works commencing at no cost to Council.

38 Haulage access/site management plan

a Prepare and submit for approval a Haulage access/site management plan generally in accordance with the Change to ground level and creation of new waterways code of the City Plan prior to any works commencing.

b The Haulage access/site management plan must be prepared by a suitably qualified professional and include in particular.

i Address the provision of vehicle barrier(s) along the frontages of the land to ensure vehicles use approved crossovers

ii Provide Loading/unloading operations.

iii Address nuisance from dust, noise, vibration, smoke and material tracked onto public roads as a result of hauling and filling operations and how complaints will be addressed.

iv Identity measures and work practices to ensure the site will be maintained in a clean and tidy state at all times including collection, storage and disposal of all waste materials.

v Identify measures and work practices to ensure non-recyclable debris transported from the site is disposed of at an approved waste facility. Combustion of any material is not permitted on the subject site without prior approval of Council.

vi Identify measures and work procedures to ensure gravel access areas to the site, transport dust covers and shake (hose) down areas are in place to control both on-site dust nuisance and contamination of external properties, roadways and receiving waterways.

c Implement the Haulage access/site management plan during all construction works at no cost to Council.

39 Transport of soil/fill/excavated material

During the transportation of soil and other fill/excavated material:

a All trucks hauling soil, or fill/excavated material must have their loads secure and covered.

b Any spillage that falls from the trucks or their wheels must be collected and removed from the site and streets along which the trucks travel on a daily basis.

c Prior to vehicles exiting the site, measures must be taken to remove the soil from the wheels of the vehicles to prevent soil and mud being deposited on public roads.

40 Construction management plan

a Prepare and submit for approval a Construction management plan generally in accordance with the Guidelines for Construction Management Plans prior to any
works commencing.

b The Construction management plan must be prepared by a suitably qualified professional and include in particular.

i Provide hours of construction.

ii Provide details on vehicle access (including responsibility for maintenance of the defined cartage route) during construction hours.

iii Provide details on traffic management (including loading, unloading and cartage routes).

iv Parking of vehicles (including on site employees and delivery vehicles).

v Maintenance of safe pedestrian movement across the site’s frontage/s (including people with disabilities).

vi Provide details for the collection and control of Building waste and refuse disposal.

vii Details on the presentation of hoarding to the street.

viii Provide details for tree management.

ix Demonstrate how the general public will be protected from construction activities.

x Provide details on how the building site will be kept clean and tidy to maintain public safety and amenity.

c Implement the Construction management plan during all construction works at no cost to Council.

Note:
Should the development be under construction during the year of the Gold Coast Commonwealth Games for the period January 2018 through to May 2018, the applicant will be required to undertake a specific Commonwealth Games Construction Management Plan which will deal with impacts such as road and footpath closures and elevated expectations of the presentation of construction sites.

Plumbing and Drainage Act 2002

41 Plumbing and drainage works

Obtain a compliance permit for all plumbing and drainage work prior commencement of the use.

Note:
A compliance permit for plumbing and drainage works cannot approve the discharge of trade waste to Council’s sewerage system. The generator of trade waste must complete an application for approval to discharge trade waste to Council’s Sewerage System (available on Council’s website).

Advice Notes

A Development infrastructure

Development infrastructure required to be provided in implementing this development approval is non-trunk development infrastructure unless otherwise stated in a condition of the approval.

B Connections and disconnections

Any connection/disconnection to the existing water and sewerage networks will be

<table>
<thead>
<tr>
<th>C</th>
<th>Water meter sizing</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>All water meters 100 mm in diameter or larger require an operation works approval. Refer to Gold Coast Water and Waste Network Modifications, Extension and Connections Policy Procedure, available on Council’s website <a href="http://www.cityofgoldcoast.com.au">http://www.cityofgoldcoast.com.au</a></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>D</th>
<th>Further development permits/compliance permits</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Further development permits and/or compliance permits from Council are required to facilitate the development of the approved works identified in this decision notice. These include:</td>
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</table>

<table>
<thead>
<tr>
<th></th>
<th>Environmental Assessment</th>
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<tbody>
<tr>
<td></td>
<td>- Operational works - vegetation clearing</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th>Gold Coast Water and Waste</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>- Operational works - infrastructure</td>
</tr>
<tr>
<td></td>
<td>- Application to work on the City’s Infrastructure</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th>Landscape Assessment</th>
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</thead>
<tbody>
<tr>
<td></td>
<td>- Operational works - landscape works</td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th>Open Space Assessment</th>
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</thead>
<tbody>
<tr>
<td></td>
<td>- Operational works - landscape works</td>
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</tbody>
</table>

A copy of this decision notice and accompanying stamped drawings/plans must be submitted with any subsequent application identified above.

<table>
<thead>
<tr>
<th>E</th>
<th>Compliance with conditions</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Once this development approval takes effect, the conditions attach to the land and are applicable in perpetuity. It is a development offence to contravene a development approval, including any of its conditions.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>F</th>
<th>Indigenous cultural heritage legislation and duty of care requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>The Aboriginal Cultural Heritage Act 2003 (‘ACHA’) is administered by the Department of Aboriginal and Torres Strait Islander and Multicultural Affairs (DATSIMA). The ACHA establishes a duty of care to take all reasonable and practicable measures to ensure any activity does not harm Aboriginal cultural heritage. This duty of care:</td>
</tr>
<tr>
<td></td>
<td>a Is not negated by the issuing of this development approval;</td>
</tr>
<tr>
<td></td>
<td>b Applies on all land and water, including freehold land;</td>
</tr>
<tr>
<td></td>
<td>c Lies with the person or entity conducting an activity; and</td>
</tr>
</tbody>
</table>
**ITEM 2 (Continued)**

**MATERIAL CHANGE OF USE (CODE ASSESSMENT) FOR A MULTIPLE DWELLING (99 UNITS) AT 272-274 HEDGES AVENUE, MERMAID BEACH – DIVISION 10**

PN76722/01/DA2

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<table>
<thead>
<tr>
<th>d</th>
<th>If breached, is subject to criminal offence penalties. Those proposing an activity involving surface disturbance beyond that which has already occurred at the proposed site must observe this duty of care. Details of how to fulfil this duty of care are outlined in the duty of care guidelines gazetted with the ACHA. The applicant should contact DATSIMA’s Cultural Heritage Coordination Unit on (07) 3405 3050 for further information on the responsibilities of developers under the ACHA.</th>
</tr>
</thead>
</table>
| G | **Infrastructure charges**
Infrastructure charges are now levied under a Charges Resolution by way of an Infrastructure Charges Notice, which accompanies this decision notice. |
| H | **Stormwater**
A property notification will be applied to the lot/subsequent lots stating a stormwater management plan exists for the site and must be complied with at all times. |
| I | **Applicant responsibilities**
The applicant is responsible for securing all necessary approvals and tenure, providing statutory notifications and complying with all relevant laws. Nothing in this decision notice alleviates the need for the applicant to comply with all relevant local, State and Commonwealth laws and to ensure appropriate tenure arrangements have been made where the use of/reliance upon land other than that owned by the applicant is involved. Without limiting this obligation, the applicant is responsible for:

  a. Obtaining all other/further necessary approvals, licences, permits, resource entitlements etc by whatever name called required by law before the development the subject of this approval can be lawfully commenced and to carry out the activity for its duration;

  b. Providing any notifications required by law (by way of example only, to notify the administering authority pursuant to the *Environment Protection Act 1994* of environmental harm being caused/threatened by the activity, and upon becoming aware the premises is being used for a ‘notifiable activity’);

  c. Securing tenure/permission from the relevant owner to use private or public land not owned by the applicant (including for access required by conditions of approval);

  d. Ensuring the correct siting of structures on the land. An identification survey demonstrating correct siting and setbacks of structures may be requested of the applicant to ensure compliance with this decision notice and applicable codes;

  e. Providing Council with proof of payment of the Portable Long Service Leave building construction levy (or proof of appropriate exemption) where the value of the Operational Works exceed $150,000. Acceptable proof of payment is a Q.Leave –Notification and Payment Form approved by the Authority. Proof of payment must be provided before Council can issue a development permit for the Operational works. This is a requirement of section 77(1) of the Building and Construction Industry (Portable Long Service Leave) Act 1991; and

  f. Making payment of any outstanding Council rates and charges applicable to the development site prior to the lodgement of subdivision plans. |
| J | **Connections to, alteration or realignment of Council infrastructure**

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Where development works require the connection to, alteration, removal or realignment of Council infrastructure or impact on other public utility infrastructure (e.g. telecommunications, electricity, gas), the applicant must obtain the necessary approvals from the relevant public utility authority prior to works commencing. Connection to, alteration, removal or realignment of Council infrastructure includes (but is not limited to) fire hydrants, water service metres, sewer man hole covers, stormwater drainage infrastructure, reinstatement of hole covers, stormwater drainage infrastructure, crossovers, footpaths, road pavement, kerb and channel, kerb ramps, medians, traffic islands, road furniture, signage and line-marking.

### K Notice of works timetable

### Property Notifications

#### A Noise/Acoustic
There are development approval conditions applicable in relation to acoustic issues on this lot/subsequent lots. All property owner(s) must ensure compliance with these conditions. Refer to Council of the City of Gold Coast’s Decision Notice (insert application number). A copy of Council’s Decision Notice is available for viewing on Council’s website [www.goldcoastcity.com.au/pdonline](http://www.goldcoastcity.com.au/pdonline)

#### B Stormwater
There are development approval conditions applicable in relation to stormwater management on this lot/subsequent lots. All property owner(s) must ensure compliance with these conditions. Refer to Council of the City of Gold Coast’s Decision Notice (insert application number). A copy of Council’s Decision Notice is available for viewing on Council’s website [www.goldcoastcity.com.au/pdonline](http://www.goldcoastcity.com.au/pdonline)

### Statement of reasons (given under section 63(4) of the Planning Act 2016)

#### Details of proposed development
The proposed development is for a Multiple dwelling (99 units).

#### Assessment benchmarks
The following assessment benchmarks applied to the proposed development:
- High density residential zone code;
- Acid sulfate soils overlay code;
- Airport environs overlay code;
- Coastal erosion hazard overlay code;
- Light rail urban renewal area overlay code;
- Driveways and vehicular crossing code;
- General development provisions code;
MATERIAL CHANGE OF USE (CODE ASSESSMENT) FOR A MULTIPLE DWELLING (99 UNITS) AT 272-274 HEDGES AVENUE, MERMAID BEACH – DIVISION 10 PN76722/01/DA2

- Healthy waters code;
- High-rise accommodation design code;
- Solid waste management code;
- Transport code; and
- Vegetation management code.

**Relevant matters**
The proposed development was assessed against, or having regard to, the following relevant matters:
- City Plan.

**Reasons for decision**
Following an assessment of the development application against all of the assessment benchmarks listed above, it was determined:
- The proposed development is consistent with development envisaged within the High density residential zone;
- The development will assist in the evolution of southern Broadbeach/northern Mermaid Beach into a high quality urban environment, consistent with the outcomes sought by the Light rail urban renewal area overlay code;
- The development is an attractive, high-quality visually appealing building. The proposed refinements to the architectural design of the development seek to enhance the slender profile of the building and its relationship to surrounding built form;
- The development has been designed to maximise views towards the ocean beach as a deliberate design response to minimise impacts to the privacy and amenity of neighbouring residential premises;
- The setbacks make appropriate and efficient use of the site, whilst using materiality in the architectural design to provide a visually appealing built form outcome; and
- The proposed number of car parking spaces is appropriate to cater for demand.

CARRIED

Cr Gates voted in the positive

Cr Owen-Jones returned to the room
ITEM 2 (Continued)
MATERIAL CHANGE OF USE (CODE ASSESSMENT) FOR A MULTIPLE DWELLING (99 UNITS) AT 272-274 HEDGES AVENUE, MERMAID BEACH – DIVISION 10
PN76722/01/DA2

ADOPTED AT COUNCIL 13 FEBRUARY 2018

RESOLUTION  G18.0213.011  moved Cr Caldwell  seconded Cr Vorster

That Committee Recommendation EPE18.0207.002 be adopted as printed in the Economy Planning and Environment Committee Meeting Report.

CARRIED

Cr PJ Young requested that his vote in the negative be recorded

Cr Owen-Jones returned to the room