



DETAILED ASSESSMENT REPORT DEVELOPMENT SERVICES

REQUEST TO AMEND MASTER PLAN APPROVALS

SUMMARY:

APPLICATION DETAILS	
Application No:	MPC18/0004.01 & MPC11/0003.07
Applicant:	Stockland Kawana Waters Pty Limited
Proposal:	<ul style="list-style-type: none"> • Approval of amended Plan No. 44 (Detailed Planning Area Plan - Detailed Planning Area 2) 2015 • Approval of amended Master Plan No. 104 (Site Development Plan - Detailed Planning Area 2 - Precinct 8) - 63 Multiple Dwellings and 816m² ground floor retail.
Received Date:	31/05/2019
Request for Further Particulars Date:	24/06/2019
Duly Made Date:	02/09/2019
Decision Due Date:	12/10/2019 (40 calendar days, DCP-1)
Number of Submissions:	N/A
PROPERTY DETAILS	
Division:	3
Property Address:	Wurley Drive BOKARINA QLD 4575
RP Description:	Lot 905 SP302188
Land Area:	3,977m ²
Existing Use of Land:	Vacant
STATUTORY DETAILS	
Planning Scheme:	Sunshine Coast Planning Scheme 2014
SEQRP Designation:	Urban Footprint
Strategic Framework Land Use Category	Urban
Local Plan Area:	Kawana Waters
Zone:	Land Subject to Development Control Plan 1
Assessment Type:	Amendment to Master Plans (Detailed Planning Area Plan and Site Development Plan)

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PROPOSAL:Amended Site Development Plan

The application seeks approval for an amendment to the Site Development Plan (Master Plan No. 104) for Precinct 8 of Bokarina Beach (Detailed Planning Area 2). The site comprises a 3,977m² land parcel located on the corner of Bokarina Boulevard and Longboard Parade. The precinct is a landmark site within Bokarina Beach and is located adjacent to the new beach access and opposite the future Surf Lifesaving Club site and 2 hectare Village Park.

The amended Site Development Plan (SDP) is intended to facilitate a revised development outcome for the site comprising 63 dwelling units and 815.9m² of retail at ground level.

The proposed development has 8 storeys with maximum building height of 28m. The podium of the building covers the majority of the site and the residential towers cover 42% of the site area.

The ground level of the building comprises lobby/reception (81.9m²), site office (15.6m²), resident board store (21.4m²), shops (816m²), toilets, bin storage and commercial (30 space) and visitor car parks (3 spaces). The residential units are located on levels 2-8 and comprise 14 x 2 bedroom units and 49 x 3 bedroom units.

Double height 'breezeways' are proposed through the podium into the core of the site, with a feature tree planted at the entrance to each.

Street awnings are proposed over the Bokarina Boulevard (4m wide) and Longboard Parade (3m wide) pavements for the active frontages of the site.

Vehicle access is proposed from a two way driveway crossover to Kombi Street, located at the end of a 8.5m wide access handle. The access handle incorporates a 7.5m wide shared driveway/ pedestrian path, which connects to the retail laneway at the northern end, to provide a through-site pedestrian connectivity between Kombi Street and Bokarina Boulevard. The application also proposes a second left-in only driveway from Longboard Parade in the south-eastern corner of the site.

The proposed units are provided with private open space areas in the form of terraces. On the podium level units have private terraces ranging in size from 30.9m² to 70.4m². Above podium level, the private balconies range in size from 13.2m² to 59.5m².

The proposal also include a podium level communal open space area for residents, comprising 779m² (19.5% of the site area). The area includes a swimming pool, deck, pool showers, covered BBQ area, and concrete and turfed terrace areas. Landscaping at the podium level includes shrub & groundcover species within planters as well as feature/shade trees within the communal open space area.

Landscaping is also provided at the ground level in the form of a deep planted landscape strip along the southern side boundary. A row of trees are proposed along the driveway/shared pedestrian route along the eastern boundary. Feature trees are proposed at the Bokarina Boulevard entrances to the retail laneways, with smaller planters around the internal car parking and walkways.

A total of 179 car parking spaces are proposed, including 129 resident spaces, 16 visitor spaces, 30 commercial/customer spaces and 4 staff spaces. In addition, there are 10 motorcycle spaces proposed. The distribution of vehicle and bicycle spaces across the basement, ground and podium level are as follows:

- Basement - 115 resident spaces, 4 motorbike spaces,

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- Ground - 30 commercial/customer spaces (incl. 1 van), 3 visitor spaces, 6 motorbike spaces
- Podium - 14 residential spaces, 13 visitor spaces, 4 staff spaces

There are bicycle spaces provided for residents within the basement, located within storage areas adjacent to each units resident car parking space or as wall mounted hanging brackets. There are also 22 bicycle spaces provided at ground level for customers, staff and visitors.

The proposed development is illustrated on the perspective drawings below:



Figure 1. Northern Elevation



Figure 2. Eastern Elevation

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Figure 3. Southern Elevation



Figure 4. Western Elevation

Amended Detailed Planning Area Plan

In conjunction with the proposed SDP, the applicant also seeks to make the following minor amendments to the Detailed Planning Area Plan (DPAP) (Master Plan No.44):

- Amendment to Map 7 to include an additional left-in driveway access to Precinct 8 (the subject site) from Longboard Parade
- Amendment to Map 13B to increase the tower site cover applying to the subject site (Precinct 8) from 40% to 42%.
- Amendment to Map 13C to enable a podium on the subject site (Precinct 8) to comprise more than one storey, where it appears as a single storey from the street frontages, and does not exceed the existing maximum height of 6m.

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The proposed amendments Master Plan No.44 reflect the architectural and engineering design included in the amended SDP

There are no other changes proposed to the DPAP master plan document or the existing conditions contained within the Notice of Determination.

SITE DETAILS:

Background / Site History

Application No.	Decision and Date
MPC11/0003	On 25 February 2016 , Council recommended approval of Master Plan No. 44 (Detailed Planning Area Plan – Detailed Planning Area 2 – Bokarina Beach) 2015 (OM16/23) to the Department of Natural Resources and Mines. On 14 April 2016 the Department approved the Master Plan. There have since been several amendments with the latest being recommended for approval to DNRME on 25 September 2018 .
MPC11/0004	On 13 April 2017 , Council (by delegated authority to the CEO) approved Master Plan No. 69 (Site Development Plan – Detailed Planning Area 2 – Precincts 1-4) 2016. This is the Site Development Plan (SDP) for the low density residential precincts of Bokarina Beach.
MPC17/0003	On 6 July 2017 , Council (by delegated authority to officers) recommended to the Department of Natural Resources and Mines that the Design Plan application for Precincts 1-4 be approved. The Department approved the application on 14 July 2017 . The approval permits the creation of the freehold lots in the low density residential precincts of Bokarina Beach.
MPC18/0004	At the Ordinary Meeting on 16 August 2018 , Council approved the original version of the Site Development Plan for Precinct 8 of Bokarina Beach (Master Plan No. 104). The original development proposal comprised of 56 Multiple Dwellings and 500m ² of retail/food outlet at the ground level.

Site Description

Detailed Planning Area 2 (DPA 2) (Bokarina Beach) comprises an area of approximately 30 hectares and is bound by existing low density residential development to the north and south, the 150m wide parabolic dune to the east (beyond which is the beach and Pacific Ocean) and the Nicklin Way to the west.

The boundary of Detailed Planning Area 2 is illustrated on the map below.

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Figure 5. Aerial map of the DPA

Bokarina Beach DPA is divided into 16 precincts, as illustrated on the map below (which forms Map 4 of the DPAP)



Figure 6. Extract from approved Master Plan No. 44

SDP Precinct 8 within DPA 2 is identified on the locality map below (which forms part of Map 1 of the approved SDP):

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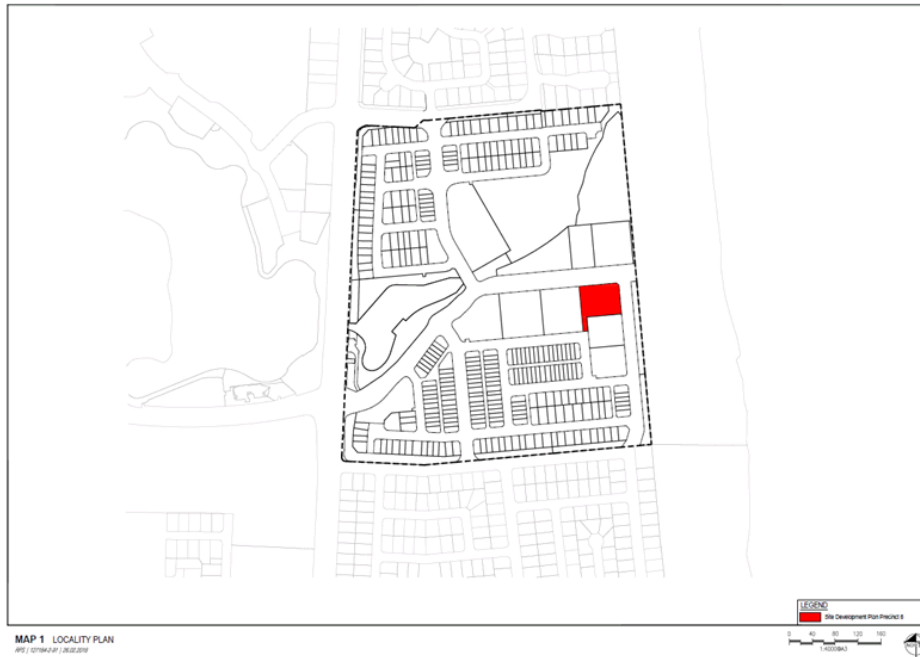


Figure 7. Extract from approved SDP (Master Plan No. 104)

Precinct 8 (the subject site) comprises an area of 3,977m² and has the following characteristics:

Site & Locality Description	
Road Frontage	65m to Bokarina Boulevard, 50m to Longboard Parade and 8.5m to Kombi Street
Existing Significant Vegetation	Nil
Topography:	Flat
Surrounding Land Uses:	<p>To the north, the site adjoins Bokarina Boulevard. On the northern side of Bokarina Boulevard is the future surf lifesaving club site and future community facilities site.</p> <p>To the east the side adjoins Longboard Parade, beyond which is the 150m wide parabolic dune and the beach.</p> <p>To the south the site adjoins a medium density residential development site (up to 8 storeys).</p> <p>To the west the site adjoins a mixed use and tourism development site (up to 8 storeys).</p>

ASSESSMENT:

Framework for Assessment

Instruments for Statutory Assessment

- State Planning Policy
- the South East Queensland Regional Plan

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- State Planning Regulatory Provisions
- The planning scheme
- any Temporary Local Planning Instrument in place for the local government area

Of these, the planning instruments relevant to this application are discussed in the sections that follow.

Statutory Instruments – State and Other

State Planning Policies

There are no State Planning Policies or management plans applicable to the assessment of the proposed master plan. Consideration of the State Planning Policies was undertaken as part of the consideration of the higher order master plan, being the Kawana Waters Structure Plan, the latest version of which was approved by the Minister's Delegate for Department of Natural Resources and Mines on 20 October 2017.

South East Queensland Regional Plan

The site is located within the Urban Footprint of the South East Queensland Regional Plan. The proposed development is consistent with the Desired Regional Outcomes of the SEQ Regional Plan for the Urban Footprint.

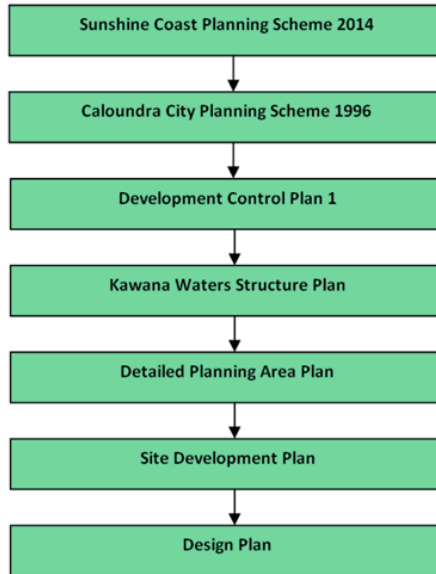
Statutory Instruments – Planning Scheme

The Sunshine Coast Planning Scheme 2014 identifies that section 316 (Development control plans) of the *Planning Act 2016* provides that section 86(4) (Planning schemes for particular local governments) and section 857 (Development control plans under repealed LGP&E Act) of the *Sustainable Planning Act 2009* continue to apply to the extent necessary to administer DCP-1

The Sunshine Coast Planning Scheme 2014 therefore requires that all land included within the Development Control Plan 1 (DCP-1) designation default to the provisions of DCP 1, as contained within the Caloundra City Planning Scheme 1996.

Section 7 of DCP-1 sets out the Master Planned Community Development Process applicable to the Detailed Planning Area, as shown below.

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Before development within Detailed Planning Area 2 can proceed, the Master Developer must prepare and obtain Council approval for a DPAP and a SDP. The DPAP was approved by DNRME on 14 April 2016. This report seeks Council approval for the SDP master plan documents for Precinct 8 of the DPA.

Under the provisions of DCP-1, an application for approval of any Master Plan must comply with the Development Documents. The Development Documents are defined as:

- Development Lease No. 2
- Development Control Plan No. 1 and the Caloundra City Planning Scheme 1996
- the Transport Infrastructure Agreement
- the Development Agreement
- the Hospital Infrastructure Agreement and
- the Community Development Strategy

Pursuant to the Master Planned Community Development Process set out in Section 7 of DCP-1, each Master Plan in addition to the Development Documents must also comply with any higher order Master Plan, including the Conditions of Approval.

With respect to this proposed Master Plan, Council must in accordance with both DCP-1 and the Development Agreement, determine whether to:

- (a) approve the Master Plans
- (b) approve the Master Plans subject to conditions or
- (c) refuse the Master Plans

Master Plan No. 44 (Detailed Planning Area Plan – Detailed Planning Area 2 – Bokarina Beach) 2015 requires an SDP to be prepared for each SDP precinct. The amended SDP is for Precinct 8 and reflects the provisions of the higher order DPAP (being Master Plan No. 44).

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Pursuant to section 7.4.5.2(c) of DCP-1, the proposed SDP includes a Supplementary Table of Development that is consistent with the Master Plan No. 44.

Due to this master plan being a SDP, Council is required to make a determination within 40 days after the application is taken to be duly made pursuant to section 7.6.3 of DCP-1.

Development Control Plan 1 – Kawana Waters

Section 4.10 Detailed Planning Areas of DCP-1 nominates broad planning and design criteria for DPA 2 (Bokarina Beach). The criteria relate to the development of a focal development based around public beach access and associated recreational activities for residents and visitors.

“Complementary to the focal Development intent of this DPA a commercial/boutique retail/community/public domain (mall) precinct or precincts will be encouraged as preferred uses in this location with their design and relationship to meet the needs of local residents and tourists and provide a vibrant focal point for the Kawana Waters Locality.”

“The DPA is to be developed with lower intensity uses towards the edges of the DPA to ensure their compatibility with existing low density residential development north and south of the DPA. Higher intensities of Development will be encouraged towards the centre of the DPA, particularly around the focal Development, to assist in providing a sense of place.”

“Land uses are to be predominantly residential in nature, with an emphasis on higher densities to a maximum height of 8 storeys towards the centre of the DPA”

The maximum height limit for the DPA is 8 storeys.

In relation to the intent for Bokarina Beach to become a tourism node, key references in the DCP-1 are provided below:

- DCP Map 1 identifies Bokarina Beach as a “Tourism Development”
- In relation to “Tourism Development” Section 3.6 states: “*This designation indicates areas intended to be Developed as focal points for tourist activities*”
- Section 4.9.1 states “*This designation is intended to identify that area in which tourism Development will be encouraged by the council.*”
- Section 4.9.2 states “*The Council is likely to favourably consider applications for tourism Development in the designated areas, subject to their complying with other relevant provisions of the Planning Scheme including the DCP*” and “*Mixed Use Development comprising tourist-related commercial activities on the lower levels and tourist accommodation above, will be encouraged*”
- In relation to DPA2 (Bokarina Beach) Section 4.10.2(c)(viii) states “*Various forms of tourist Development would be welcomed by the Council, should these prove to be commercially viable.*”

From the above sections of DCP-1, the following conclusions can be drawn:

- Tourism development is to be encouraged within the Bokarina Beach DPA where commercially viable (but is not mandatory)

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- Tourist accommodation will be encouraged as part of mixed use development, above ground level.
- Bokarina Beach is intended to be a focal point of tourist activities. While this does not mean tourist accommodation must be provided in the DPA, it is expected that it should be provided for. Tourist activities could include the Surf Club, beach access, commercial/boutique retail, village parks and access to the coastal pathway.

The proposed SDP is consistent with the above criteria. It facilitates development of a high quality mixed use development on a landmark site. The proposal for an 8 storey residential tower with boutique sized commercial/retail opportunities at ground level complies with the intent of the DCP. It is also noted that the development is designed to be adaptable for short term accommodation use in future by providing a reception foyer, linen storage, and set down parking opportunities.

Kawana Waters Structure Plan

The approval of this amended SDP is subject to both the Structure Plan approval conditions and Structure Plan Development Criteria.

This assessment has determined that the amended SDP is compliant with the Structure Plan approval conditions and the Structure Plan Development Criteria.

Master Plan No. 44 (Detailed Planning Area Plan – Detailed Planning Area 2) 2015

The higher order master plan applicable to this application is Master Plan No. 44 (DPAP for DPA 2 – Bokarina Beach). The site is identified as Precinct 8 under this Master Plan.

Maps 3 and 4 of the Master Plan identify the site as being Land Use Area 2 – Mixed Use and Tourism.

Section 3 of the Master Plan provides a description of each Land Use Area. In relation to Land Use Area 2 (Mixed Use and Tourism) Sections 3.3.1 to 3.3.3 of the Master Plan state:

This Land Use Area is located centrally and beachside within the Planning Area and offers opportunity for the creation of a focal tourist node for the Planning Area, creating a vibrant residential tourist, leisure and recreational centre for the greater Kawana Waters area;

This Land Use Area is developed as a mixed use precinct that provides for the establishment of high intensity residential accommodation with mixed use retail development forming a nexus with the adjacent range of community uses and open space; Development of sites fronting the main 'Boulevard Street' are to represent an exemplary standard of design suitable for the landmark location and must be designed and contain uses at ground level that provide for activation of the streetscape in accordance with Map 11 (Active Frontages) of this document.

In terms of land use, streetscape activation and contributing to the creation of a focal tourist node, the proposal is consistent with the intent for the land use area. Further discussion in relation to the requirement for development to be of an exemplary design standard is provided in the Built Form section of this report.

Section 4 of the Master Plan includes a Table of Development, which identifies a range of residential uses (including Multiple Dwelling) and a range of commercial uses (including Food Outlet, Function Room, Hotel, Local Store, Restaurant and Shop) as the defined uses for the precinct. The table also provides a maximum height limit of 8 storeys, a maximum residential

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yield of 135 dwelling units and a maximum combined total for commercial uses across precincts 5 to 8 of 7,500m²

Section 5 of the Master Plan provides the specific urban design performance criteria which development in the DPA must comply with.

The amended SDP complies with all of the key quantifiable requirements of Master Plan No. 44 as outlined in the table below (the highlighted rows identify the Master Plan requirements that are the result of alterations proposed as part of this application):

Key Development Parameters Table:

Parameter	Requirement	Proposal	Complies
Residential yield	Maximum 135 Dwelling Units	63	✓
Commercial yield	Maximum combined total across precincts 5 to 8 of 7,500m ²	816m ²	✓
Height	Maximum 8 storeys	8	✓
podium setback to western boundary	Minimum 4.5m (this is also the maximum setback for the active laneway frontage component)	4.5m	✓
Podium setback to and eastern active frontages	Between 0m and 0.5m	0	✓
Podium setback to non-active portion of eastern boundary	Minimum 2m	2m	✓
Podium height	Maximum 1 storey / 6m or 6m where the podium appears as a single storey from Bokarina Blvd. and Longboard Pde.	6m (2 storeys but only 1 visible form street frontages)	Acceptable
Tower site cover	Maximum 42%	42%	Acceptable
Tower built form projecting towards Bokarina Boulevard	Maximum 80% of the length of the site	72%	✓
Tower built form projecting towards Longboard Parade	Maximum 40% of the width of the site	40%	✓
Tower setback to western boundary	Minimum 9m	9m	✓
Tower setback to northern and eastern boundaries (within specified maximum lengths)	Minimum 3m	3m	✓
Tower setback to remainder of eastern boundary	Minimum 30m	39m	✓
Active frontage length to northern boundary (Bokarina Boulevard)	Full length of frontage	Full length	✓
Active frontage length to eastern boundary (Longboard Parade)	Minimum 27m (approx.)	29m	✓
Active frontage length to laneway	Minimum 15m	15m	✓
Awning width to Bokarina Boulevard)	Minimum 4m	4m	✓*

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Parameter	Requirement	Proposal	Complies
Awning width to Longboard Parade (to length of active frontage)	Minimum 3m	3m	✓*
Communal open space	Minimum 25% of the site	19%	X*
Private open space	Minimum 9m ² for 1 bedroom units and 16m ² for all other units	All units have more than 16m ² .	✓
Commercial car parking spaces	Minimum 41	33	X^
Resident car parking spaces	Minimum 75	129	✓
Visitor car parking spaces	Minimum 16	16	✓
Resident bicycle parking spaces	Minimum 63	63	✓
Visitor/customer/staff bicycle parking spaces	Minimum 20	22	✓

*discussed in report below

^conditions recommended to address this issue

Proposed Amendment to DPAP (Master Plan No. 44)

In conjunction with the amended SDP, the applicant proposes the following amendments to the DPAP:

- Amendment to Map 7 to show an “in-only” driveway to the site from Longboard Parade.

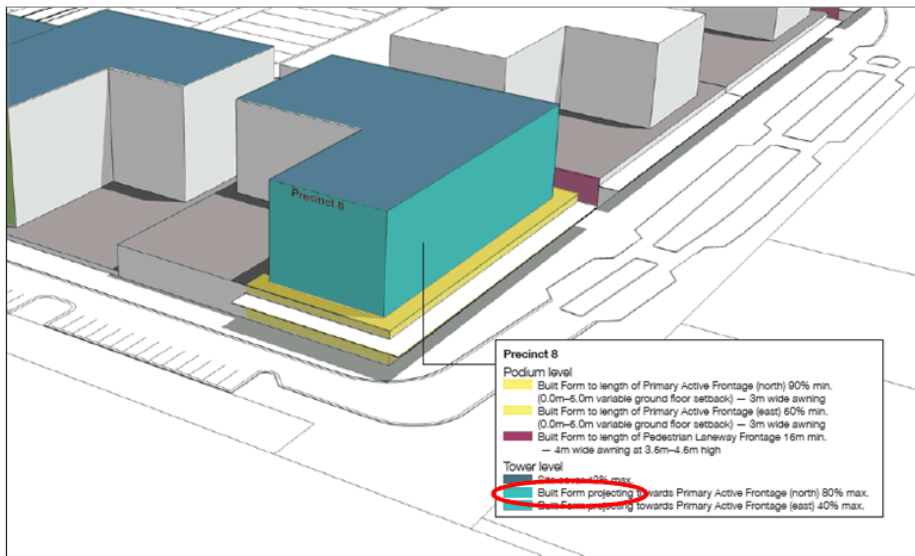
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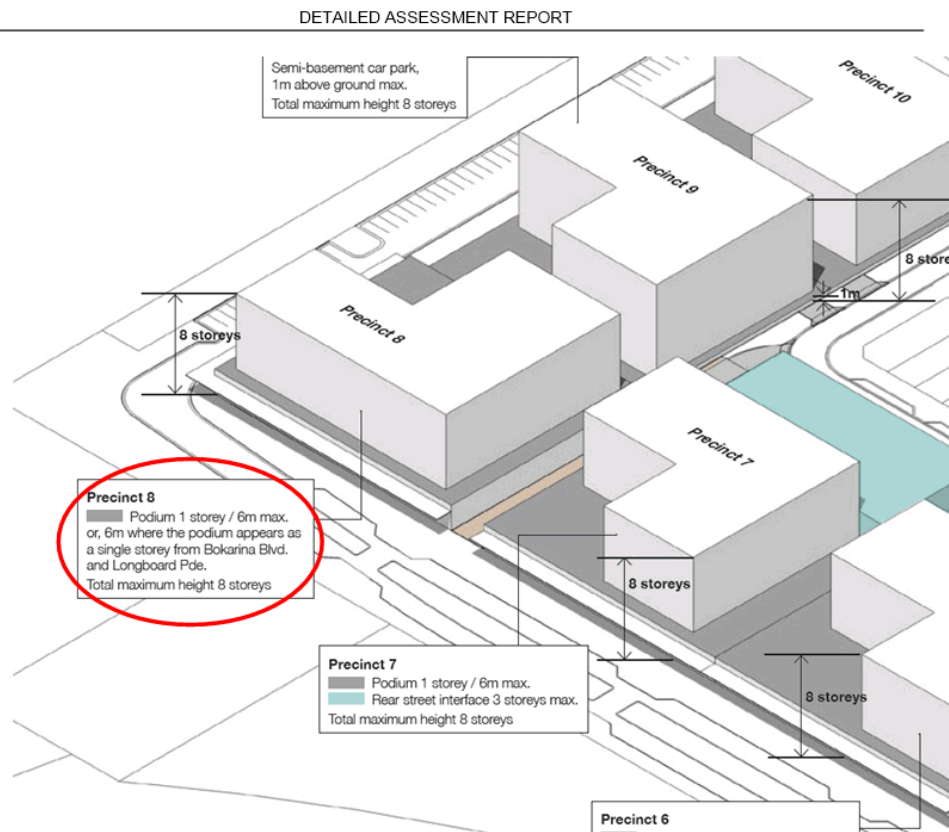
Figure 8. Amended Map 7 of Master Plan No. 44 (arrow indicated proposed left-in driveway)

- The in-only driveway will improve legibility for customers and visitors to the site arriving by car. Movements have been limited to in only to reduce conflicts with pedestrians as much as possible. The driveway is located outside the active frontage section of the boundary to Longboard Parade. Council's engineering specialists advice the driveway has sufficient sightline and separation from corners/intersections to operate safely.
- The proposed amendment to Map 7 of Master Plan No.44 reflects the location of the left-in only driveway included on the SDP architectural and engineering plans.
- Amendment to Maps 13A and 13B to increase the tower site cover applying to the subject site (Precinct 8) from 40% to 42%.

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- This minor increase is considered acceptable as the building complies with all required setbacks and provides a high quality architectural outcome for the site (refer to built-form comments below)
- Amendment to Map 13C to enable a podium on the subject site (Precinct 8) to comprise more than one storey, where it appears as a single storey from the street frontages, and does not exceed the existing maximum height of 6m.



- This change is supported as it enables additional flexibility in the design of the podium component of development on the site whilst not affecting the visual appearance from the street frontages.

No new conditions are recommended to be imposed as a result of approving the amended DPAP master plan. However, for ease of reference, it is recommended that the Notice of Determination issued in relation to the Master Plan amendment contain all of the same conditions as Notice of Determination No. 228. The existing conditions for Master Plan No. 44 are contained within **Appendix A**.

Proposed Amendments to Site Development Plan (Master Plan No. 104)

The amended SDP generally complies with all applicable requirements, including the requirements of Master Plan No. 44. The pertinent issues arising from the assessment are discussed below.

Supplementary Table of Assessment

The amended SDP includes all of the required details and contains a Supplementary Table of Development that is consistent with defined land uses listed in Table 1 of the higher order master plan (Master Plan 44 - Detailed Planning Area 2).

The amended SDP specifies the following land uses as being Column 1 Uses – Permitted Uses and Development Works. The proposed changes are illustrated in ~~strikeout~~ and **bold text**. These include:

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Residential Uses limited to:

- Multiple Dwelling comprising a maximum 63 dwelling units
- **Temporary House and Land Sales Office**

Commercial Uses limited to:

Where the combined gross floor area does not exceed 500m² **816m²**

- Food Outlet
- Function Room
- Hotel
- Local Store
- Restaurant
- Shop

The existing approved SDP includes all Operational Works within Column 2 - Permitted Subject to Conditions, which would require a further code assessable operational works application to be lodged with Council. Given that the amended SDP includes operational works plans, the applicant has proposed to amend the Supplementary Table to include including all Operational Works as a Column 1 Uses - Permitted Uses and Development Works.

Following approval of this amended SDP, the above uses will be permitted development, where in accordance with the SDP and any conditions of approval imposed by Council. Additionally, creation of a free-hold lot over the precinct in accordance with the layout depicted on the SDP maps will be permitted subject to Design Plan approval through the Department of Natural Resources, Mines and Energy (DNRME).

Column 4 of the Supplementary Table of Development identifies that all other land uses and development not in accordance with the approved plans forming part of this SDP as "Prohibited Uses".

Built Form

Section 5.3 Specific Outcome O1 of Master Plan No. 44 states:

Development ensures the delivery of built form that:

- incorporates differential vertical and horizontal architectural treatments into the building façade to avoid the presentation of extensive blank walls; and*
- is adequately articulated vertically and horizontally to break up building bulk and mass.*

The proposed building design complies with this Specific Outcome through following measures:

- The appearance of three separate towers when viewed from the public realm is achieved through open verandas servicing differing apartment layouts on each floor.
- The eastern tower uses vertical batten screens to the balconies that incorporate a variety of colours and are operable which increases visual interest.
- The northern tower uses a feature colour spandrel edge treatment in a non-uniform way to break down the scale and bulk of the façade.
- The western tower utilises differential shading and spandrel detailing plus the use of operable vertical batten screening of various colours.
- The use of a grey coloured base building and brightly coloured feature details provides visual depth and interest.
- The building silhouette has been visibly articulated when viewed from a distance of more than 100m by providing different roof forms to each tower.
- The ground plane – public realm treatment:

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- Has a transparency and lightness that gives the appearance of floating towers above. This has been achieved through higher than normal ground floor ceilings, black glazing mullions and suspended awnings with podium planting elements that offer greater visual transition between the public and semi-public spaces.
- The use of site planting through feature trees and proposed podium planting will also soften the bulk and form of the building when established.
- The use of retail laneways and wide stairs to the podium level offer a sub-tropical response and invite the general public into and through the site.

Section 5.3 Specific Outcome O27 of Master Plan No. 44 states:

Elements of sub-tropical design are integrated into the design of dwellings and structures.

The design of both the commercial and residential areas have achieved the sub-tropical design requirements of Master Plan No. 44 by providing the following:

- Residential;
 - Single stack unit layouts that are able to be ventilated through the use of a 'beach room' at the main entry to each unit. This enable the occupants the opportunity to have opening windows facing the public walkway without a loss of privacy.
 - Generous private open space through larger than normal decks.
 - Screening devices to decks that are operable giving the occupant control over sun and weather.
 - All windows that are not shaded by decks are adequately screened to provide shading and weather protection for the majority of summer.
 - Windows are able to be opened without the need for fall protection by having the sill of the opening portion above 1.5m to meet Building Code of Australia requirements.
- Commercial;
 - The use of full height glass, double height voids and retail laneways brings natural light and space into deep retail space that could have been dark and cramped.
 - The ability to open most walls of the retail spaces gives a sub-tropical feel to the dining/shopping experience.
 - Incorporation of trees/planting within the ground plain retail space and retail laneways helps achieve a sub-tropical sense of place.

Turtle conservation

From the period between November 2005 and March 2018, a total of 111 nesting crawls were recorded for *Caretta caretta* (Loggerhead turtle) along the foreshore from Currimundi Lake, Wurtulla to Wyanda Drive, Bokarina. This is an average of eight crawls per year over approximately 3.5 kilometres of coastline. This could be expected to increase into the future as the impacts of climate change on the Great Barrier Reef results in a southward shift in nesting distribution.

The proposed development site is centrally located within the Detailed Planning Area and is situated approximately 200 metres from the beach due to the expansive dunal system which the DPAP application in 2016 determined that only a small portion of the top floor of the eight storey buildings on Precinct 8 and 9 would be visible from the beach. It is considered that the large dunal system provides a considerable physical buffer between the foreshore and development sites, thereby reducing the level of impact of lighting on turtle nesting areas.

On 1 July 2015, in relation to the overall development of Bokarina Beach, Stockland undertook a referral under the Environmental Protection and Biodiversity Conservation Act (1999) (EPBC) for impacts on Matters of National Environmental Significance (MNES).

Marine turtles including *Caretta caretta* (loggerhead turtle), *Chelonia mydas* (green turtle) and *Dermochelys coriacea* (leatherback turtle) are all MNES listed under the EPBC Act. While the

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development of Bokarina Beach does not directly impact the sand dunes or beach, the impact of potential light spill on turtle nesting was assessed. On 14 July 2015 the Commonwealth advised Stockland the development was deemed not to be a controlled action.

As part of their referral documentation to the Commonwealth, Stockland proposed a number of mitigation measures to be adopted during the design, construction and operational phases of the project to mitigate impact on turtle nesting sites. These measures were subsequently included as Council conditions on approval of the DPAP

In fulfilling the requirements of the DPAP conditions, in August 2016 Stockland commissioned a pre-construction light survey of the beach at Bokarina. The survey was required so that baseline data could be established and the impact of future development could be clearly understood. The survey found that under clear skies (required for comparing between sites and nights) the zenith brightness values ranged from 19.59 – 20.21 magnitude/arcsec² which is typical for a suburban night sky.

The DPAP conditions also require Stockland to undertake an 'as-built' light survey upon completion of the development of Precincts 1 – 4 (the low-density residential precincts). This survey would identify any corrective actions to be implemented by the Master Developer.

In preparing the DPAP, Stockland developed mitigation measures for lighting impacts on turtle populations based on publically available documentation including scientific journal articles and the Acceptable Outcomes detailed in the *Draft Bundaberg Regional Council Planning Scheme* (Public Notification Version) September 2014, which was developed to address potential impacts on nesting turtles which are common on some beaches in the Bundaberg region. At the time the DPAP was approved, Council conditioned that the Urban Design Performance Criteria relating to lighting to be strengthened to provide more robust controls for external signage, lighting and building design. The strengthened provisions were subsequently included within the endorsed version of the DPAP.

In 2014, the International Convention for Migratory Species (acting under the United Nations Environment Program) endorsed a Single Species Action Plan for the Loggerhead Turtle (South Pacific genetic stock). Delegates from the signatory states visited the Sunshine Coast during their deliberations on the plan, due to the region's importance as a future refuge for the Loggerhead turtle and made a number of recommendations in relation to lighting on the Sunshine Coast. These recommendations were included within Council's Sunshine Coast Lighting Master Plan, which was endorsed by Council on 15 September 2016.

The Urban Lighting Master Plan sets the strategic guidance for public lighting. It also provides recommendations applicable to private developments and Council renovation projects. In May 2019, the Queensland State Government (Department of State Development, Manufacturing, Infrastructure and Planning) released a document entitled "Sea Turtle Sensitive Area code – a Model Code for Local Government". Whilst this code has not (to date) been adopted by Sunshine Coast Council, it provides additional guidance on mitigating the impact of urban development on turtles.

It is noted that the majority of applicable lighting requirements relating to turtles within the above-mentioned documents are operational in nature. As a result, compliance cannot be determined based on the submitted architectural plans and the requirements must instead be conditioned.

It is noted that the majority of applicable lighting requirements relating to turtles within the above-mentioned documents are operational in nature. As a result, compliance cannot be determined based on the submitted architectural plans and the requirements must instead be conditioned. A comprehensive set of conditions are recommended.

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Council's urban design specialist advises the white colour proposed for the soffits and decks facing south and east may increase reflected light towards the beach at night. A condition is recommended requiring submission of amended plans to address this issue.

Building height

DCP-1 and Master Plan No. 44 prescribe a maximum building height for the site of 8 storeys. This equates to 25m measured to the ceiling of the top storey based on the definition of storey in the master plan. Caloundra Planning Scheme Policy PDLPP3.7/01 – Building Height permits an additional 3m of roof height.

The definition of storey within Master Plan No. 44 allows buildings located in Land Use Area 2 (Mixed Use and Tourism) to exceed the permitted height measured to the ceiling of the top storey, provided:

- Part (but not all) of the roof of the building is raised for the purpose of providing an articulated skyline silhouette.
- The building remains within the overall height limit when converted to a height in metres taking into account the additional roof height permitted in accordance with the 1996 Caloundra Planning Scheme Policy PDLPP3.7/01 – Building Height (e.g. the additional 3m of roof height permitted under the planning scheme policy must be measured from the hypothetical ceiling level of the top storey where calculated in accordance with part (a) of this definition.

The overall proposed height of the development is within 28m. However ceiling of the top storey exceeds 25m (being 27m). Council's principal architect advises that the building silhouette will be visibly articulated when viewed from a distance of more than 100m by providing different roof forms to each tower. As such, the proposed development is considered to comply with this element of the DPAP.

The proposed development has 9 levels (excluding the basement) but only has 8 storeys. This is because the mezzanine car park level does not extend below any of the residential tower elements of the building. As such, a vertical section taken at any point through the development would only include 8 levels.

A condition is recommended requiring submission of certification by a licensed surveyor that the completed building complies with the maximum height limit in both storeys and metres.

Adaptability for Short Term Accommodation Use

Whilst the subject site is located in the Mixed Use and Tourism land use area, there is no mandatory requirement for development of the site to include tourist accommodation.

Despite this, it is noted the DPAP for Bokarina Beach mandates a minimum of 80 units be provided for short term accommodation across precincts 5-11 (the Mixed Use and Residential B precincts). In addition, the DPAP requires that development on the site be capable of adaptation to short term accommodation use in future.

In this regard, section 5.3 Specific Outcome O11 of Master Plan No. 44 states:

All buildings over Precincts 5 – 8 are to be constructed such as to be capable of maintaining operational facilities which enable and encourage the use of the building for the purpose of short-term accommodation, by incorporating within the development:

- *foyers at ground level that are capable of functioning as Motel reception areas, concierge desks and restaurant facilities;*

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- *defined vehicle access and short-term set down areas located adjacent to foyers/reception areas (e.g. porte-cochere);*
- *sufficient utility rooms/areas located in building basement or elsewhere within the building that enable self-contained Motel (short-term / holiday accommodation) operations such as room servicing (housekeeping etc.).*

The proposed development complies with these requirements.

- The proposal includes a reception desk and 82m² lobby at ground level, capable of accommodating seating areas and displays. Public food outlets are proposed on the ground level adjacent to Bokarina Boulevard.
- A temporary set down space is nominated on the plans at the ground level adjacent to the reception/foyer.
- The proposal contains sufficient utility rooms to enable operations such as room servicing in future if required.

Through-site pedestrian link

The proposal includes provision of a through-site pedestrian link connecting Bokarina Boulevard with Kombi Street along the western boundary of the site, as required by the DPAP. The laneway is to be open and accessible to the public at all times. A condition is recommended requiring a public access easement be registered over it.

The northern part of this laneway is a pedestrian only zone intended to facilitate outdoor dining and active shop-front activities. Service plant and equipment and bicycle parking have been relocated within the laneway to minimise disruption to through pedestrian traffic.

The southern part of the laneway is a shared zone with the vehicular access driveway into the development. Conditions are recommended to ensure the shared space minimises conflict between vehicles and pedestrians.

Carpark numbers

The car parking requirements and the proposed car parking numbers are summarised in the table below

Use	Yield	Parking Rate	Required Car Parks	Proposed Car Parks
2 Bedroom Dwelling Unit	14	1 space per unit	14	129
3 Bedroom Dwelling Unit	49	1.25 spaces per unit	61	
On-site visitor spaces (for multiple dwelling units)	63	0.25 spaces per unit	16	16
Retail	816m ²	1 / 20m ² total use area	41	33 (incl 1 PWD)
Total			132	178

The proposed development has a surplus of total parking spaces, but has deficit of eight (8) parking spaces for the retail component. Council officers understand this is to enable each residential unit to have two parking spaces. The applicant submits the retail parking shortfall is justifiable on the basis that customers are likely to park once and visit several shops within the

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precinct, and there will be a high proportion of walk-in customer due to the site's proximity to higher density residential development.

Council's principal traffic engineer has reviewed the applicant's submission in this regard and advises that the material does not appear to make a case for any site specific reasons to accept a lower parking rate.

A condition is recommended requiring allocation of the parking spaces in accordance with the master plan requirements (e.g. convert 8 resident spaces to retail spaces). The following points are noted:

- The applicant's key argument for providing a driveway access to Longboard Parade was to enable retail customers to easily find parking on the site.
- The retail spaces will need to cater for staff as well as customers.
- The retail parking rate was already rationalised as part of the original approval for the site (approved by Council in August 2018).

Street Awnings

Master Plan No. 44 requires provision of continuous cantilevered awnings to the full length of the site's active frontage to Longboard Parade and Bokarina Boulevard.

The proposed development provides awnings as required but proposes gaps at the entry point to each breezeway into the site. This to enable establishment of feature trees in these locations, which is a fundamental design feature of the development.

The proposed awning gaps are supported as the feature trees will provide significant shade and amenity to the street. It is noted that regardless of the awning design on this site, there will be awning gaps between development sites along the street where building setbacks are required.

Stormwater

The proposed bio-basin on the mezzanine car parking level is undercover and will not work as plants will not have access to sufficient sunlight. A condition is recommended requiring rectification of this issue.

CONSULTATION:

Internal Referrals

The application was forwarded to Unitywater and the following internal council specialists:

- Senior Development Engineer, Engineering and Environment Assessment
- Landscape Officer, Engineering and Environment Assessment
- Environment Officer, Engineering and Environment Assessment
- Principal Architect, Strategic Planning

Their assessment forms part of this report.

Councillor Notification

The divisional and planning portfolio councillors have been briefed on this application. A briefing note regarding the application was also sent to all councillors on 13 September 2019.

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Public Notification

Not Applicable.

CONCLUSION:

The proposed development generally complies with the requirements of the development documents and does not raise any significant issues that cannot be addressed by reasonable and relevant conditions. The application is therefore recommended for approval.