

ETHOS URBAN

Detailed Assessment Report

Development application seeking approval for:

Development Permit for Material Change of Use for a Parking Station, Car Wash, Shop (including full line supermarket), Food & Drink Outlet, Shopping Centre, Multiple Dwellings (96 dwellings), Retirement Facility (97 independent living units), Residential Care Facility (30 aged care units), Short-Term Accommodation (104 hotel rooms), Function Facility, Hotel, Bar, Indoor Sport & Recreation and Resort Complex, over 7 Stages.

On land at:

7, 9, 13, 15 First Avenue, 11 Smith Street, Brisbane Road Carpark, Mooloolaba (Lots 64, 65, 66, 67, 68 & 69 on RP52440, and Lots 73, 92 & 93 on RP73433)



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Item 8.5.1 Development Application for a Material Change of Use (Mixed Use
Development) - Brisbane Rd & 7, 9, 13 & 15 First Ave, 11 Smith St,
Mooloolaba

Attachment 3 Detailed Assessment Report

Attachments	Title
4	Architecture Assessment
5	Economics Assessment
6	Landscape Architecture Assessment
7	Traffic Engineering Assessment
8	Odour & Waste Management
9	Acoustic Assessment
10	Civil Engineering Assessment
11	Qualitative Wind Assessment
12	SARA Response
13	Recommended Conditions of Approval
14	Plans requiring amendment

APPLICATION NO: MCU17/2169

AUTHOR: ASHLEY EVERTON – CO-ORDINATOR, INDEPENDENT ASSESSMENT TEAM

PROJECT DIRECTOR: PATRICIA JENSEN – MANAGER, DEVELOPMENT SERVICES BRANCH

DATE: 20 FEBRUARY 2018

The assessment of this application has been carried out by an external independent assessment team (refer to details below) based on the significant nature of this application and council being the landowner of this property.

1.0 APPLICATION SUMMARY

Division:	4 – Councillor Connolly		
Applicant:	Abacus Funds Management Ltd		
Proposal:	Development Permit for Material Change of Use for a Parking Station, Car Wash, Shop (including full line supermarket), Food & Drink Outlet, Shopping Centre, Multiple Dwellings (96 dwellings), Retirement Facility (97 independent living units), Residential Care Facility (30 aged care units), Short-Term Accommodation (104 hotel rooms), Function Facility, Hotel, Bar, Indoor Sport & Recreation and Resort Complex, over 7 Stages.		
Properly Made Date:	11 December 2017		
Street Address:	7, 9, 13, 15 First Avenue, 11 Smith Street, Brisbane Road Carpark, Mooloolaba		
RP Description:	Lots 64, 65, 66, 67, 68 & 69 on RP52440, and Lots 73, 92 & 93 on RP73433		
Assessment Type:	Code Assessable		
Number of Submissions:	Properly made 0	Other 5	
State Referral Agencies:	Department of State Development, Manufacturing, Infrastructure and Planning, triggers: <i>Planning Regulation 2017 - Schedule 10, part 9, division 4, subdivision 1 – Development impacting on State transport infrastructure and thresholds</i> <i>Planning Regulation 2017 - Schedule 10, part 18 – Urban Design</i>		
Independent Assessment Team:	Name	Company	Field
	Ashley Everton	Ethos Urban	Town planning and project management
	Phil Smith	Deicke Richards	Architecture / Urban Design

	Nathan Edwards	Cambray Traffic Engineers	Traffic Engineering
	Trish Menzies	Vee Design	Landscape Architecture
	Andrew Martin	ASK Engineers	Waste management and odour
	Stephen Pugh	ASK Engineers	Noise
	Chris Tanner	Bligh Tanner	Engineering
	Jon Norling	Norling Consulting	Economics

2.0 PROPOSAL

Development Permit for Material Change of Use for a Parking Station, Car Wash, Shop (including full line supermarket), Food & Drink Outlet, Shopping Centre, Multiple Dwellings (96 dwellings), Retirement Facility (97 independent living units), Residential Care Facility (30 aged care units), Short-Term Accommodation (104 hotel rooms), Function Facility, Hotel, Bar, Indoor Sport & Recreation and Resort Complex, over 7 Stages.

Link to PD Online:

<http://pdonline.sunshinecoast.qld.gov.au/MasterView/modules/ApplicationMaster/default.aspx?page=wrapper&key=1998676>

2.1 Key Design Elements

- 2 basement public carpark levels
- Ground level: supermarket, retail, food and drink, entertainment and hotel lobby
- 5 level podium
 - Ground level
 - Level 1: public carpark
 - Level 2: public carpark
 - Level 3: public carpark and retirement carpark
 - Level 4: residential carpark
- 3 towers; residential, retirement and hotel
- Maximum height of 45m (14 storeys)
- Public forecourt at the corner of Brisbane Rd and First Ave
- Partial shared zone along First Ave
- Majority of the servicing from Smith St
- Separate access points to carparks (basement and podium) from Brisbane Rd and Smith St



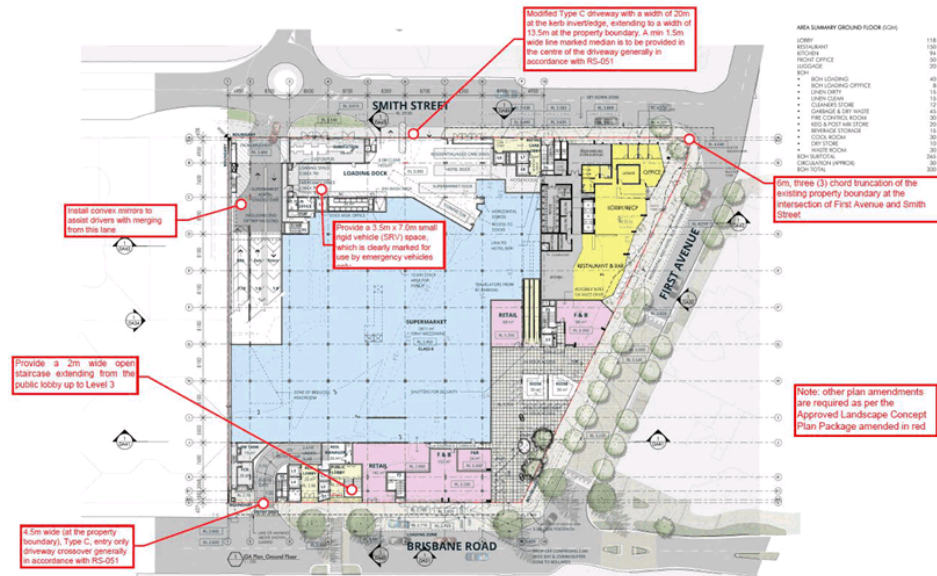
Perspective: view along Brisbane Rd from Mooloolaba Esplanade

2.2 Uses

- Parking Station (public car park)
- Car Wash
- Retail / Food & Drink Outlet: 624m² GFA
- Supermarket: 2,997m² GFA;
- Multiple Dwellings: 96 dwellings
- Retirement Facility: 97 independent living units
- Residential Care Facility: 30 aged care units
- Hotel
 - Short-Term Accommodation: 104 hotel rooms
 - Restaurant & Bar
 - Function Facility
 - Indoor Sport & Recreation
 - Resort Complex

2.3 Carparking

- Proposed total: 942
 - Public: 704 total owned by council
 - Open (non-attributed) parking: 432
 - Additional parking to service the commercial land uses in the development: 272
 - Supermarket: 130
 - Retail: 28
 - Hotel: 114
 - Private: 238 total
 - Residential: 123 spaces (including 24 visitor spaces)
 - Retirement: 115 spaces (including 10 visitor spaces)

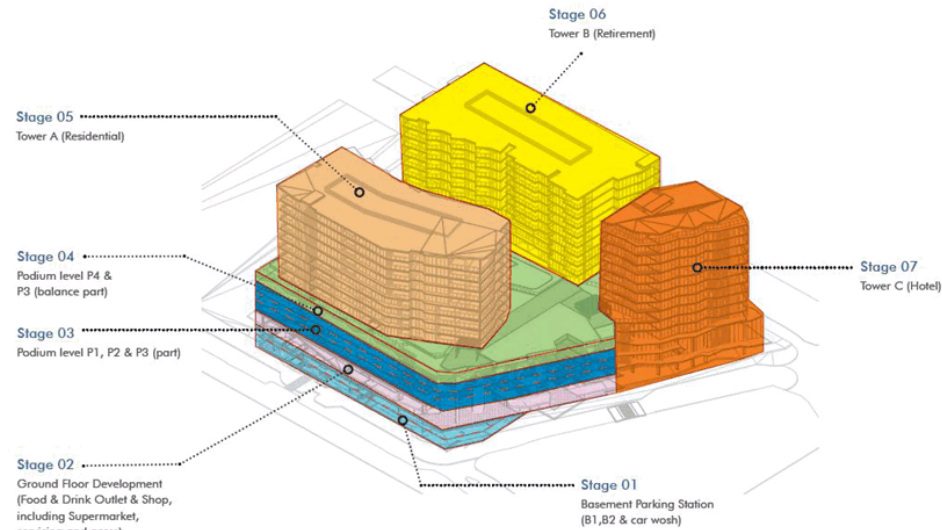


Ground level plan

2.4 Staging

- **Stage 1:** basement car parking (B1, B2 & car wash), and Smith St / Muraban St / Site Access intersection upgrade.
- **Stage 2:** ground floor retail (shop, food and drink, supermarket, servicing and access), final streetscape works to along the Brisbane Rd frontage and the majority of First Ave and Smith St frontages, interim streetscape works along parts of First Ave and Smith St where fronting Stage 7 (hotel), landscaping of temporarily vacant land at the corner of First Ave and Smith St (Stage 7 (hotel) and a new signalised intersection joining Walan Street with Naroo Court.
- **Stage 3:** podium levels 1, 2 and 3 (part) car parking.
- **Stage 4:** podium level 3 (balance) and level 4 car parking, interim podium top design treatment, and interim podium wall design where interfacing with vacant land at the corner of First Ave and Smith St (Stage 7 (hotel)).
- **Stage 5:** Tower A (multiple dwelling) and final podium top design and an upgraded intersection at Brisbane Road / Walan Street / Hancock Street.
- **Stage 6:** Tower B (retirement facility and residential care facility).
- **Stage 7:** Tower C (Hotel) and balance final streetscape works along First Ave and Smith St.

Note: Or, alternative staging / timing of works where agreed to with council.



Staging Plan

2.5 External works

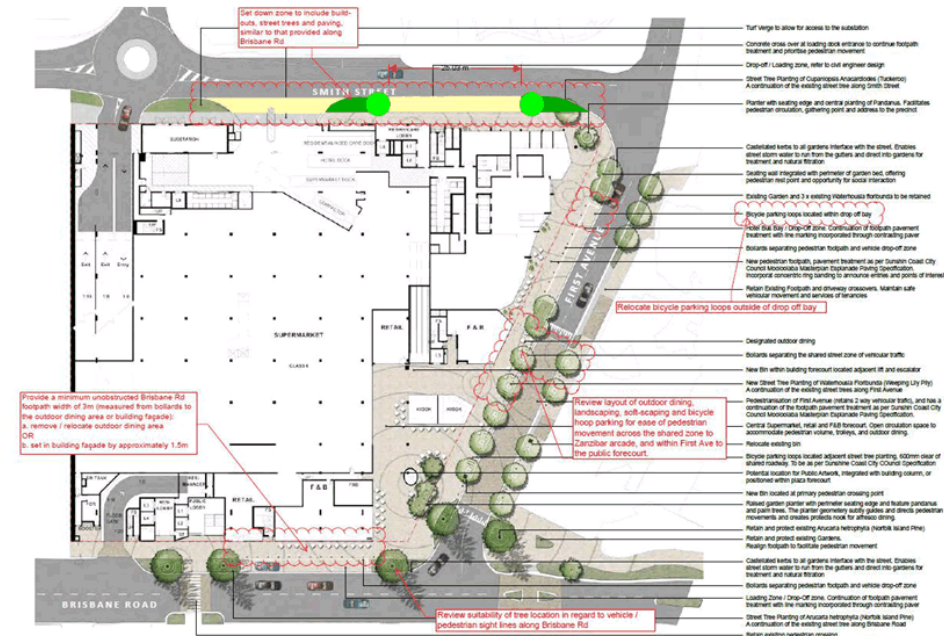
The development involves streetscape and road upgrades around the frontage of the site (Stage 2):

- Brisbane Rd: building outs, landscaping and outdoor dining;
- Smith St: build-outs and streetscaping; and
- First Ave: building outs, landscaping, outdoor dining and partial shared zone.

The development results in additional traffic impacts on the local road network, and is required to contribute to external upgrades at the following intersections:

- Round-a-bout to be constructed at the intersection of Muraban Street, Smith Street and the proposed site access (Stage 1);
- Signalised intersection must be constructed joining Walan Street with Naroo Court (Stage 2); and
- Upgraded intersection must be provided at Brisbane Road / Walan Street / Hancock Street (Stage 5).

Note: Or, alternative staging / timing of works where agreed to with council.



Public domain plan

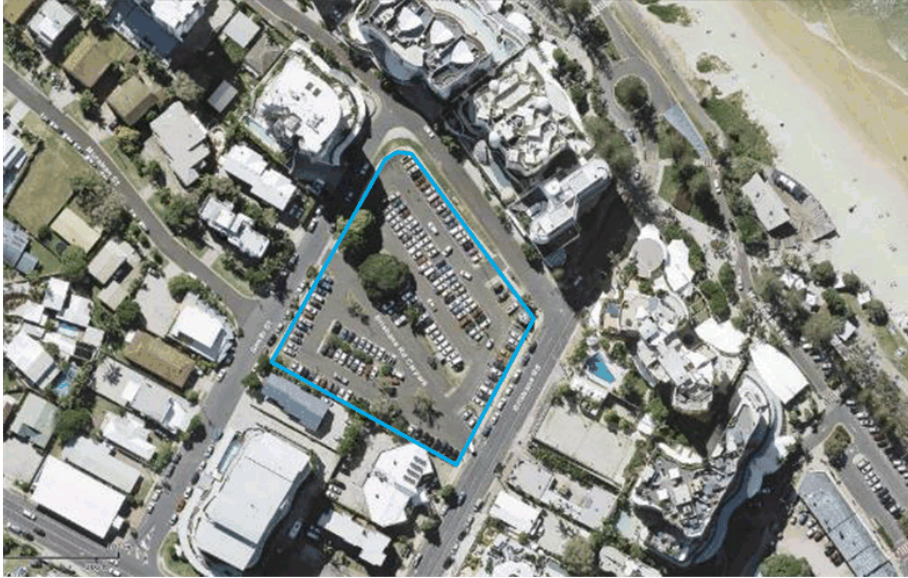
3.0 SITE DETAILS

SITE AND LOCALITY DESCRIPTION	
Land Area:	6,778m ²
Existing Use of Land:	Carpark (179 car spaces) and visitor information centre
Road Frontage:	Brisbane Rd, First Ave, Smith St
Significant Site Features:	Nil.
Topography:	Relatively flat Stormwater overland flow
Surrounding Land Uses:	The site is surrounded by a mixture of apartments, short-term accommodation, retail, food and drink outlets, retail, office, commercial

Street Map Location:



Aerial:



3.1 Background / Site History

- Since 1998 there has been numerous discussions and planning investigations on the future redevelopment of the Brisbane Road Carpark site, including expressions of interest, Taskforce and Workshop discussions.
- The most recent and relevant investigation work was carried out in early 2015 being a draft visioning plan for Mooloolaba, and these principles form a key component of the background to the Place Making Mooloolaba project, aka 'Mooloolaba Master Plan'.
- 2017, July 31: council amended the Mooloolaba/Alexandra Headland local plan to increase podium site cover and height, and tower site cover for Key Site 1 – Brisbane Road Carpark.
- 2017, October / November: council publicly advertised a planning scheme amendment to remove the Muraban Street extension identified within the Mooloolaba/Alexandra Headland local plan.
- 2018, January: Following community consultation and consideration of submissions, on 8 January 2018, council decided to proceed with the proposed planning scheme amendment with no changes, and progressed the amendment to the second state interest check.
- 20 February 2018, the Department State Government, Manufacturing, Infrastructure and Planning completed their second state interest check, and the Minister advised that council may proceed to adopt the amendment.

4.0 ASSESSMENT

Framework for Assessment

Categorising Instruments for Statutory Assessment

For the *Planning Act 2016*, the following Categorising Instruments may contain Assessment Benchmarks applicable to development applications:

- the *Planning Regulation 2017*
- the Planning Scheme for the local government area
- any Temporary Local Planning Instrument
- any Variation Approval

Of these, the planning instruments relevant to this application are discussed in this report.

Assessment Benchmarks Pertaining to the *Planning Regulation 2017*

The *Planning Regulation 2017* (the Regulation) prescribes Assessment Benchmarks that the application must be carried out against, which are additional or alternative to the Assessment Benchmarks contained in council's Planning Scheme.

These Assessment Benchmarks are prescribed as being contained in:

- the SEQ Regional Plan and Part E of the State Planning Policy, to the extent they are not appropriately integrated into the Planning Scheme; and
- Schedule 10 of the Regulation.

PLANNING REGULATION 2017 DETAILS	
Assessment Benchmarks:	<p><i>Planning Regulation 2017</i> - Schedule 10, part 9, division 4, subdivision 1 – Development impacting on State transport infrastructure and thresholds</p> <ul style="list-style-type: none"> • State code 6: Protection of state transport networks <p><i>Planning Regulation 2017</i> - Schedule 10, part 18 – Urban Design:</p> <ul style="list-style-type: none"> • State code 24: Urban design
SEQ Regional Plan Designation:	Urban Footprint

Assessment Benchmarks Pertaining to the Planning Scheme

The applicable planning scheme for the application is the *Sunshine Coast Planning Scheme 2014* ('the Planning Scheme'). The following sections relate to the provisions of the Planning Scheme.

Planning Scheme:	<i>Sunshine Coast Planning Scheme 2014</i>
Strategic Framework Land Use Category	Not applicable to Code Assessment
Local Plan Area:	<p>Mooloolaba / Alexandra Headland Local Plan Area:</p> <ul style="list-style-type: none"> • Mooloolaba Hospitality Area (MAH LPP-1) • Key Site 1 – Brisbane Road Carpark
Zone:	District Centre Zone

Overlays:	<ul style="list-style-type: none"> • Acid sulfate soils • Airport environs • Biodiversity, waterways and wetlands • Coastal protection • Height of Buildings and structures (45m) • Regional infrastructure
Consistent/Inconsistent Use:	Consistent
Assessment Benchmarks:	<ul style="list-style-type: none"> • Mooloolaba / Alexandra headland local plan code • District centre zone code • Business uses and centre design code • Multi-unit residential uses code • Residential care facility and retirement facility code • Landscape code • Nuisance code • Safety and security code • Stormwater management code • Sustainable design code • Transport and parking code • Waste management code • Works, services and infrastructure code • Acid sulfate soils overlay code • Airport environs overlay code • Coastal protection area code • Height of buildings and structures overlay code

Information Request

On 22 December 2017 council issued an information request to the Applicant requesting additional information in regard to:

- Additional code responses;
- Building separation along the southern property boundary;
- Demonstration of outstanding building, streetscape, and landscape design that recognises the landmark nature of the site;
- Bulk and scale;
- Community meeting space;
- Signage, design, and layout requirements for the public carpark;
- Streetscape and landscape design including details of the two way shared zone along First Avenue;
- Traffic modelling and assessment requirements
- Pedestrian and vehicular accessibility
- Carpark layout, design and function
- External road upgrades;
- Bicycle parking and end of trip facilities;
- Servicing;
- Stormwater management;
- Infrastructure;
- Noise;
- Odour and waste management; and
- Wind tunnelling.

The Applicant responded to council's information request on 7 February 2018 with the following information:

- Additional code responses;
- Town planning representations;
- Statement of design excellence;
- Amended architectural package including design statement, massing plans, shadow diagrams, shading concept, and the following changes to the design:
 - Reduction in ground floor kiosk tenancy size;
 - Comprehensive streetscaping design (e.g. landscaping, soft-scaping, footpaths, outdoor dining, integrated service bays);
 - Fine grain façade treatments and greater articulation of towers (e.g. additional privacy and weather screening, inset balconies, vertical landscaping)
- Crime prevention through environmental design (CPTED) report;
- Engineering response;
- Amended landscape concept plan, including Brisbane Rd, First Ave and Smith St public domain plan;
- Traffic response;
- Amended construction management plan, including traffic management plan;
- Acid sulphate soils report;
- Amended noise impact statement;
- Amended operational waste management report; and
- Qualitative wind assessment

Strategic Framework

The Strategic Framework considers the following matters:

- Settlement Pattern
- Economic Development
- Transport
- Infrastructure and Services
- Natural Environment
- Community Identity, Character and Social Inclusion
- Natural Resources
- Natural Hazards

The Strategic Framework does not form part of the Assessment Benchmarks. The *Planning Act 2016* requires that code assessable applications must only be assessed against the relevant Assessment Benchmarks.

5.0 ASSESSMENT BENCHMARKS – PLANNING SCHEME CODES

The application has been assessed against each of the applicable codes, and found to be compliant with the Acceptable Outcomes of each code, or has proposed a performance solution that achieves the Performance Outcome and/or Overall Outcomes with each code, or can be conditioned to comply. The pertinent issues arising out of assessment against the codes are discussed below.

The following assessment should be read in conjunction with:

Attachment	Title	Author
4	Architecture Assessment	Deicke Richards
5	Economics Assessment	Norling Consulting
6	Landscape Architecture Assessment	Vee Design
7	Traffic Engineering Assessment	Cambray Traffic Engineers
8	Odour & Waste Management	ASK Engineers
9	Acoustic Assessment	ASK Engineers
10	Civil Engineering Assessment	Bligh Tanner
11	Qualitative Wind Assessment	CPP
12	SARA Response	Department of Development, Manufacturing, Infrastructure and Planning

5.1 Local Plan Code

Mooloolaba / Alexandra headland local plan code (Mooloolaba Hospitality Area, Key Site 1 – Brisbane Road Carpark)

Land use intent and mix

The planning intent of the site includes:

“...high quality, integrated, mixed use development incorporating a range of centre activities and residential accommodation...well designed, accessible and integrated public car parking...a range of entertainment activities including food and drink outlets, function facilities, bars and hotels...not more than one full line supermarket... outstanding building, streetscape and landscape design which is highly articulated and epitomises sub-tropical and sustainable design and that recognises the landmark nature of the site...provides an attractive and pedestrian friendly central community meeting space such as a village square or plaza...”

The proposed development achieves the land use activity types and mix sought for the site under the Local Plan; shops, supermarket, food and drink outlets, hotel (including bar and restaurant, function space and roof top entertainment area), residential accommodation (apartments, retirement and aged care facility) and public car parking. The development will result in a mixed use environment that encourages activity throughout different times of the day.

The redevelopment of this underutilised public asset for a mixed use development will provide a benefit to the local community and economy. Of note, the increase in the number public car parking spaces occurring as part of the development, from the existing situation, results in a strong public benefit that reflects, and is commensurate with the status of the land as a public asset.

Public domain

The proposed development provides a strong contribution to the public domain; active uses along Brisbane Rd and First Ave, public forecourt at the corner of Brisbane Rd and First Ave, shared zoned within First Ave, streetscape embellishments, and an attractive and articulated podium form. The First Ave shared zone establishes a pleasant environment that prioritises

pedestrian movement, and encourages the use of the cross-block Zanzibar arcade link to Mooloolaba Esp.

Outstanding design that recognises the landmark nature of the site

The development application has been assessed as being a competent design that is capable of achieving an 'outstanding design' throughout the course of the design development process via the provision of:

- Statement of Design Excellence: assessment against criteria adapted from the Australian Institute of Australia's Core Evaluation Criteria for a Regional Design Commendation for a project demonstrating significant architectural skill;
- Design Statement:
 - Design philosophy;
 - Descriptions of podium and tower components;
 - Site analysis;
 - Collaborative design process: design competition;
 - Design progression;
 - Key site considerations;
 - Design inspiration, typologies, materials;
 - Landscape and open space integration;
 - Detailed tower façade concept: screening, windows and balconies
 - Shading study;
 - Podium façade concept: materials, headlight screening;
 - Surrounding built form and shadow study; and
 - Perspectives: views of the development within the existing streetscape from key viewing points.
- Highly articulated and attractive podium form, and in particular a building void at the corner of Brisbane Rd and First Ave to complement the public forecourt and shared zone within First Ave.
- The inclusion of carefully designed additional sunshading and weather protection devices as conditioned.
- Fine grain architectural detail to the tower facades; vertical sun shading blades and landscaping, balcony shaping (vertical shade battens, inset glazing and recesses); and
- Public Domain Package: indicative design of the Brisbane Rd, First Ave and Smith St streetscapes.

Podium Height and Site Cover

The development exceeds the acceptable outcomes for podium site cover and storey height. The development incorporates a ground level site cover of 91%, podium site cover of 98% and height of five (5) storeys, and tower site cover of 53%, which on balance is generally consistent with the planning expectation; podium site cover of 90% and height of four (4) storeys, and tower site cover of 65%.

The proposed podium height of five (5) storeys consists of commercial ground floor and four (4) levels of carparking with ceiling heights of 2.8m. The proposed configuration of podium levels results in an overall building height that is generally consistent with an alternative configuration that incorporates four (4) levels of commercial with typically large ceiling heights, consistent with the outcomes of the Local Plan.

The development achieves the overall outcomes of the code by providing a highly articulated and attractive ground level and podium that creates a strong connection with the street and allows for pedestrian permeability. The development incorporates a slender tower form, when viewed from the southern boundary, with adequate separation between buildings reducing the appearance of building bulk and the extent of shadow cast.

Muraban Street Extension

The Local Plan currently includes a provision for the extension of Muraban St through the site along the southern boundary to Brisbane Rd, which is not provided within the development

application. However, this provision is subject to removal via a proposed planning scheme amendment. On 20 February 2018, the Department State Government, Manufacturing, Infrastructure and Planning completed their second state interest check, and the Minister advised that council may proceed to adopt the amendment.

In accordance with established planning principles and relevant provisions of the *Planning Act 2016*, the assessment of the development application has given appropriate weight to the substantial progress of the planning scheme amendment to remove the Muraban St Extension from the Local Plan.

Village Square/Plaza

Performance Outcome PO8(c) of the code requires the provision of:

"An attractive and pedestrian friendly central community meeting space such as a village square or plaza."

The proposed Public Forecourt has been placed in a suitable location with proximity to key desire-line (to the beach) and activation by shops and the supermarket entry will ensure this is a vibrant space.

Amenity to Brisbane Road

Performance Outcome PO16 of the code requires:

"(a) A coherent a coherent and attractive street front address and achieves a high level of visual amenity, particularly along Brisbane Road; and (b) "Functional and integrated car parking and vehicular access that does not dominate the street."

The impact the podium has on the character of the streetscape is predominant design consideration of the development. The key issue is the extent to which the podium form activates and energises the streetscape. The corresponding Acceptable Outcome AO16(h) requires that:

"Provides on-site car parking in basements or at the rear or one side of the development, integrated with other vehicle movement areas."

Due to the commercial requirements of the integrated development, only the ground and upper levels of the podium include active uses. The development uses an articulated screen with planters to the outside of the podium to shield the visual impact of the car park. The articulation, awnings and active ground level uses ensure that the car parking and vehicular access minimises the impact on the street and consistent with intended character of the streetscape.

Public amenity and access to Public Car Park

The development arranges it uses to generally address the key provisions of the code. Active uses present themselves to the street at ground level offering opportunities for casual surveillance, areas sensitive to privacy are located above street level and are generally screened and public paths of travel are generally reasonable legible and open. The Applicant's CPTED report generally support this.

The critical aspect of the development is around access to and within the public car park. Performance Outcome PO16 of the Code requires:

"A high level of comfort and convenience to pedestrians."

This level of comfort and convenience would extend from the public realm into any public spaces and structures. The development generally complies with the provisions of the code where it relates to the street. However, the submitted design only includes shared fire escapes

for access/egress to the car park and not publicly accessible and open staircases allowing pedestrians to conveniently access the public car park from the street.

The proposed development has two (2) main lift cores to access the public car park component. These are accompanied by fire escapes for access/egress to the car park not open staircases. The staircase in the main entry (on Brisbane Rd) to the upper levels of the public car park is shared with the residential fire escape shares and is not publicly accessible (except in emergency). This results in there being no readily accessible, legible and convenient ways for pedestrians to access the public car park other in the case of lift failure or through choice. The inclusion of an open staircase to the main public lobby is an important civic gesture that is appropriate for a public car park, but provides an additional level of safety and convenient to the public.

Compliance with Performance Outcomes PO10 and PO12 of code can be achieved with a condition requiring the proposed staircases to be widened to a continuous 2m open staircase design from the Brisbane Road public lobby up to Level 2 of the car park.

The development application largely complies with Acceptable Outcomes of the Code. Where the development has proposed a performance solution, it has been assessed to achieve the relevant Performance Outcome or Overall Outcome of the code, or has been conditioned / amended in red to comply. Accordingly the Applicant's Architectural Plan Package is recommended for approval where incorporating amendments contained within the conditions and/or amendments in red.

Refer to the following for additional information:

- **Attachment 4 – Architecture Assessment** (Architecture, Urban Design and CPTED) prepared by Deicke Richards
- **Attachment 6 – Landscape Architecture Assessment** prepared by Vee Design
- **Attachment 7 – Traffic Engineering Assessment** prepared by Cambray Traffic Engineers
- **Attachment 14 – Plans requiring amendments**

Zone Code

5.2 District centre zone code

The District centre zone code includes a number of overall outcomes relating to the type and mix of uses encouraged within the zone, built form outcomes, activation of the street and public areas, and expectations relating to amenity, as stated below.

“district activity centres are developed as vibrant, mixed use places...development provides for a range of retail business activities that service the district level convenience needs of surrounding areas...development for business activities is of a scale and intensity that is consistent with the intended role and function of the particular activity centre as specified in the Sunshine Coast activity centre network³ and the applicable local plan code, and does not undermine the role and function of higher order activity centres...not more than one full line supermarket to be established in any district activity centre...development incorporates a high standard of urban and landscape design that creates attractive and functional buildings, streets and places...development contributes to the creation of an active, safe and legible public realm, incorporating public open spaces including civic plazas and forecourts where appropriate...development ensures that there is no unreasonable loss of amenity for surrounding premises, having regard to matters such as noise, lighting, waste, fumes, odours, overlooking and public health and safety, having regard to the mixed use nature of the zone...”

However, the majority of these aspects are dealt with within the Mooloolaba / Alexandra headland local plan code, relating specifically to the site, and within the use codes that follow.

The relevant aspects of the District centre zone code not dealt with elsewhere within the planning relates to the size and operation of the proposed supermarket.

Supermarket size

The proposed development involves a full-line supermarket with a gross floor area (GFA) of 2,997m², of which 200m² comprises a mezzanine (suitable only for ancillary offices).

Overall outcome 'f)ii.' of the code states that "*not more than one full line supermarket to be established in any district activity centre*". The **Economics Assessment** prepared by Norling Consulting states:

"...the existing presence of a 1,900m² Coles supermarket within Mooloolaba Central, the EIA appropriately recognises this supermarket as being too small to qualify as a full-line supermarket. Consequently, the proposed development would introduce the first full-line supermarket to the Mooloolaba District Centre..."

... there is a need for the proposed full-line supermarket and supporting retail shops and that the level of economic impacts would not threaten the role and function or viability of other centres."

Accordingly, the proposed supermarket results in the first full-line supermarket within the Mooloolaba District Centre, and complies with Overall outcome 'f)ii.' as stated above.

The development does not result in more than one full line supermarket being established within the Mooloolaba District Activity Centre Zone. The development application complies with the Code.

Refer to the following for additional information:

- **Attachment 5 – Economics Assessment** prepared by Norling Consulting

Development Codes

5.3 Business uses and centre design code

Southern built to boundary podium and residential towers

The subject site adjoins two properties along the southern boundary that are also located within the District centre zone, and are improved with:

- 20 Brisbane Rd: two (2) storey commercial building, with a small portion of the building façade built to the shared southern boundary with no openings; and
- 13 Smith St: raised single storey building used for commercial offices that is setback approximately 3m from the shared boundary and contains a mixture of high and regular sill height windows. This shared boundary is currently improved with a high timber batten fence and mature screening vegetation located between the boundary and commercial building.

The development incorporates a built to boundary podium wall along the southern boundary that has a length of 80m and a height of 17m. Acceptable Outcome AO6.3 of the code states the following:

- (a) for that part of a building up to 2 storeys in height:-
- (i) 0m if adjoining an existing blank wall or vacant land on an adjoining site; and
 - (ii) at least 3 metres if adjoining an existing wall with openings on an adjoining site;
- and
- (b) at least 6 metres for that part of a building exceeding 2 storeys in height.

Where there is conflict or inconsistency between provisions of the planning scheme, the local plan code prevails over the zone and use codes, and the zone code prevails over a use code. Similarly, the overall outcomes of a code prevail over performance outcomes, which prevail

over acceptable outcomes of a code. The following provisions of the Mooloolaba/Alexandra Headland local plan code, District centre zone code, and Business uses and centre design code are relevant when assessing the performance solution provided by the Applicant in regard to the proposed built to boundary wall design.

The purpose of the Mooloolaba/Alexandra Headland local plan code will be achieved through the following overall outcomes:

...

(d) Development recognises and reinforces the beachside location of the local plan area by providing for high quality, contemporary sub-tropical building and landscape design that emphasises the casual, outdoor lifestyle. Development is of a scale and form which protects and enhances the existing character and identity of established parts of the local plan area.

...

(h) Development in the District centre zone on Key Site 1 (Brisbane Road Carpark) provides for an integrated, high quality mixed use development incorporating a range of centre activities and residential accommodation...

...

(j) Development in Precinct MAH LPP-1 (Mooloolaba Hospitality Area) provides a range of entertainment activities including food and drink outlets, function facilities, bars and hotels that may operate after hours and include live music which creates a vibrant atmosphere.

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

...

(e) development for business activities is of a scale and intensity that is consistent with the intended role and function of the particular activity centre as specified in the Sunshine Coast activity centre network and the applicable local plan code, and does not undermine the role and function of higher order activity centres;

...

(m) development is ensures that there is no unreasonable loss of amenity for surrounding premises, having regard to matters such as noise, lighting, waste, fumes, odours, overlooking and public health and safety, having regard to the mixed use nature of the zone;

The purpose of the Business uses and centre design code will be achieved through the following overall outcomes:

(a) a business use or centre activity is consistent with the Sunshine Coast Activity Centre Network;

(b) a business use or centre activity incorporates building and landscape design that responds to the region's sub-tropical climate as well as the character of the particular local area;

(c) a business use or centre activity provides for the establishment of safe, comfortable and vital pedestrian environments;

(d) a business use or centre activity is integrated into its surrounds and reflects high quality town centre, streetscape and landscape design principles;

(e) a business use or centre activity avoids or, where avoidance is not practicable, minimises adverse impacts upon the amenity, privacy and environmental quality of nearby residential uses, recognising that activity centres are mixed use environments where some impacts may occur;

The Performance Outcome PO6 of the Business uses and centre design code states:

PO6

The business use or centre activity is in a building that enhances the character and amenity of streets and neighbouring premises via a built form that:-

(a) creates a built form in which buildings are closely related to streets, public spaces and pedestrian routes;

- (b) maintains some area free of buildings at ground level to facilitate pedestrian movement and other functions associated with the building;
- (c) provides a slender building profile above podium level;
- (d) ensures access to attractive views and prevailing cooling breezes; and
- (e) avoids excessively large building floor plates and building facades.

AO6.3

If adjoining premises not used for a residential activity or not otherwise included in a residential zone, buildings are set back from other site boundaries as follows:-

- (a) for that part of a building up to 2 storeys in height:-
 - (i) 0m if adjoining an existing blank wall or vacant land on an adjoining site; and
 - (ii) at least 3 metres if adjoining an existing wall with openings on an adjoining site; and
- (b) at least 6 metres for that part of a building exceeding 2 storeys in height.

Although Mooloolaba is an established area, the built form, amenity, scale and bulk expectations of the locality are expressed by the overall outcomes of the Mooloolaba / Alexandra Headland Local Plan Code and District Centre Zone Code. This represents an urban form that is of a scale and intensity consistent with the intended role and function of the centre within the Sunshine Coast Activity Centre Network; mixture of uses and a medium to high built form (i.e. 15m to 45m building height). It is envisaged within the planning scheme that some amenity impacts will occur within the District Centre Zone, which incorporates a more intense built form and a mixture of uses than a residential area zone or lower order centre. Impacts should be avoided, but where this is not practical, the planning scheme only requires that impacts are minimised where practical.

The proposed development will result in some impacts to the adjoining properties. The adjoining properties in their current form are entitled to expect that the proposed development does not result in an unreasonable loss of amenity, "having regard to matters such as noise, lighting, waste, fumes, odours, overlooking and public health and safety, having regard to the mixed use nature of the zone" (Overall Outcome 'm', District centre zone code).

The considerations of amenity afforded in the District centre zone are distinctly different to that occurring within a residential zone, such as the High density residential zone, which includes matters of overshadowing, privacy and building massing and scale:

- "development ensures that there is no unreasonable loss of amenity for surrounding premises having regard to:-*
- (i) microclimate impacts, including the extent and duration of any overshadowing;*
 - (ii) privacy and overlooking impacts;*
 - (iii) impacts upon views and vistas; and*
 - (iv) building massing and scale relative to its surrounding."*

(Overall Outcome 'f', High density residential zone)

Accordingly, amenity impacts of overshadowing, overbearing development and privacy that may occur to the adjoining properties as a result of the proposed development, are not identified as relevant assessment benchmarks when assessing the amenity impacts of the proposed development that exceeds the building envelope provisions (contained within the Business uses and centre design code) located in the District centre zone.

The adjoining properties; 13 Smith St and 20 Brisbane Rd, are currently underutilized in respect to the development intent of the District Centre Zone, and respective 18m and 25m building heights envisaged under the planning scheme. These properties may be redeveloped in the future where achieving the development potential contained within the planning scheme; including reasonable performance solutions with respect to a shared built to boundary podium height (i.e. minimum two (2) storey built to boundary podium) design that creates a suitable interface and built form outcome with the proposed Brisbane Rd carpark redevelopment.

As noted above, Overall Outcome 'e' of the Business uses and centre design code only requires that development minimise unavoidable (where not practical) impacts in the circumstance of adjoining a residential use. This is not the case in this instance, as the adjoining properties are not improved with residential uses, however, the impacts to the adjoining properties have been sought to be minimised where practical through the architectural treatment of the southern podium wall; banding pattern consisting of a mixture of colours and textures that references coastal influences, which together with podium top planting overhang assists with reducing the appearance of building bulk.

The development achieves Performance Outcome PO6 of the Business uses and centre design code through creating a strong connection with the street; activity uses along the majority of the ground level building façade, wide landscaped footpaths to facilitate pedestrian movement, and areas of outdoor dining to create activity at ground level. From the southern aspect the development incorporates slender tower forms with adequate building separation to allow for views and breezes towards the coast.

The development application largely complies with Acceptable Outcomes of the Code. Where the development has proposed a performance solution, it has been assessed to achieve the relevant Performance Outcome or Overall Outcome of the code, or has been conditioned / amended in red to comply. Accordingly the Applicant's Architectural Plan Package is recommended for approval where incorporating amendments contained within the conditions and/or amendments in red.

Refer to the following for additional information:

- **Attachment 4 – Architecture Assessment** (Architecture, Urban Design and CPTED) prepared by Deicke Richards

5.4 Multi-unit residential uses code

Screening of car parks

Performance Outcome PO5 of the Code requires:

"The multi-unit residential use is designed to screen car parking areas, services and mechanical plant."

The impact the podium car parking has on the character of the streetscape is a predominant design consideration of the development. The key issue is the extent to which the podium screening mitigates the car parking uses and activates and energises the streetscape.

Due to the commercial requirements of the integrated development, only the ground and upper levels of the podium include activity uses. The development uses an articulated screen with planters to the outside of the podium to shield the visual impact of the car park. The articulation, awnings and active ground level uses ensure that the car parking and vehicular access minimises the impact on the street and consistent with intended character of the streetscape.

Visual privacy and setbacks

Performance Outcome PO8 of the Multi-unit residential uses code requires that adequate separation is provided to adjoining uses to ensure an adequate level of amenity, visual and acoustic privacy is achieved. While the proposed setbacks for the development do not comply directly with the referred setback provisions of the 9.3.11.3.1 (for Multi-unit uses), they generally comply when considered across the whole of the scheme.

The reduced setbacks on the primary, secondary and street frontage are of less concern, as any encroachment is not a perceptible within the wider street reserve. The servicing/lift cores of the public car park are acknowledged constraints on the Brisbane Road and Smith Street setbacks. The reduced First Avenue setback (3m) for the hotel uses does not represent any

impact in adjoining amenity or streetscape.

The tower setbacks along the southern boundary provide vary from 5-6m rather than the 8m called for in the Multi-Unit Residential Code. It is acknowledged that this varied setback is reasonably consistent with a reduced requirement of 6m in the Business Uses and Centres Design Code. The representation and supporting material provide by the Applicant justifying compliance is accepted. It is also noted that the arrangement of these units facing towards the street (and away from the adjoining neighbours) also reduced potential impacts and conflict. The approach is assessed as in accordance with Performance Outcome PO8 of the Multi-unit residential uses code.

Private Open Space

The application has not demonstrated satisfactory compliance with Performance Outcome PO11 which states:

“The multi-unit residential use provides communal and private open space and landscapes such that residents have sufficient area to engage in communal activities, enjoy private and semiprivate spaces, and accommodate visitors.”

Acceptable Outcome AO11.4 requires above ground private open space minimum areas of 12sqm with a minimum dimension of 3m. The applicant has calculated total balcony areas and not taken into account minimum dimensions or the functional requirements of balconies especially when taking into consideration drying areas of P14. Balcony size facilitates 'outdoor living' which is an important part of the coastal character of the high amenity residential development.

Compliance with Performance Outcome PO11 of the code is be achieved with a condition requiring the inclusion of larger balcony sizes which are specified with minimum consolidated areas and minimum dimensions.

Clothes Drying

The application has not demonstrated satisfactory compliance with Performance Outcome PO14 which states:

“Communal clothes drying facilities are provided where dwellings or rooming units are not provided with individual drying facilities”

The proposed plans shows a range of balcony sizes most of which are too small to include a dedicated drying area in addition to other consolidated outdoor amenities.

Compliance with Performance Outcome PO14 of the code is be achieved with a condition requiring the inclusion of larger balcony sizes which are specified with minimum consolidated areas and minimum dimensions.

The development application largely complies with Acceptable Outcomes of the Code. Where the development has proposed a performance solution, it has been assessed to achieve the relevant Performance Outcome or Overall Outcome of the code, or has been conditioned / amended in red to comply. Accordingly the Applicant's Architectural Plan Package is recommended for approval where incorporating amendments contained within the conditions and/or amendments in red.

Refer to the following for additional information:

- **Attachment 4 – Architecture Assessment** (Architecture, Urban Design and CPTED) prepared by Deicke Richards

5.5 Residential care facility and retirement facility code

Building Bulk and Scale

The development comprises three (3) residential towers. The retirement and residential towers on Smith St and Brisbane Road are approximately 48m and 50m in elevational length. Performance Outcome PO5 addresses siting and design of development to ensure that the scale and bulk of development *"is compatible with surrounding development"* and *"does not represent an appearance of excessive bulk to the adjacent premises, the streetscape or other areas external to the site"*.

Acceptable Outcome AO5.4 states:

"Any building does not exceed 40 meters in length, with separation between buildings for the purposes of cross ventilation, articulation and light of at least 6 metres".

While the residential tower on Brisbane Road does exceed 40m in elevational length, the building cranks to allow views to the east and with 36m of length in any one plane. This reduces the impact of the building bulk as viewed from the street and will provide additional light to the street. The Retirement Tower on Smith Street does exceed the Acceptable Outcome in length, however the development sits on a secondary frontage and is somewhat less visible. This elevation includes a good articulation and deeper recesses to break up the length. The scale of the building is generally compatible with other buildings in the vicinity of Smith St.

Individuality and sense of belonging

The development separates the residential uses into three (3) towers each with separate entrance lobbies at ground level. Lobbies to each of these areas are dedicated to each use, with some sharing between the retirement uses. PO7 of the code requires that:

"The site layout and design of buildings forming part of the residential care or retirement facility promotes legibility, individuality and a sense of belonging".

Corresponding Acceptable Outcome AO7.1-3 outlines a range of measures to deal with the clustering of units with separately defined amenities and logical and direct paths. While lobbies at ground level in the development do not promote individual sense of belonging, the clustering and separation of these access points have a distinct street address allowing them to be easily located and the clusters of uses (relating to the tower) easily identified.

The development application largely complies with Acceptable Outcomes of the Code. Accordingly the Applicant's Architectural Plan Package is recommended for approval.

The development application largely complies with Acceptable Outcomes of the Code. Where the development has proposed a performance solution, it has been assessed to achieve the relevant Performance Outcome or Overall Outcome of the code, or has been conditioned / amended in red to comply. Accordingly the Applicant's Architectural Plan Package is recommended for approval where incorporating amendments contained within the conditions and/or amendments in red.

Refer to the following for additional information:

- **Attachment 4 – Architecture Assessment** (Architecture, Urban Design and CPTED) prepared by Deicke Richards

5.6 Landscape code

The proposed development includes significant sub-tropical landscape contributions with the public realm street frontages including First Ave shared zone, ground level and podium, and largely complies with the code. Minor amendments are required to the Landscape Concept Ground Floor Plan to achieve compliance with the code:

- Review suitability of street tree position at the corner of Brisbane Rd and First Ave
- Review layout of outdoor dining, landscaping, soft-scaping and bicycle hoop parking for ease of pedestrian movement across the shared zone to Zanzibar arcade, and within First Ave to the public forecourt.
- Relocate First Ave bicycle parking loops outside of drop off bay.
- Revise design of Smith Loading dock driveway and set down zone to reflect a similar standard of works provided within Brisbane Rd.
- Provide a minimum unobstructed Brisbane Rd footpath width of 2.5m (edge of building facade or outdoor dining area to bollards or edge of kerb):
 - a. remove / relocate outdoor dining area
 - OR
 - b. set in building façade

Amended plans will be required to be submitted to council for approval prior to operational works approval being granted.

The development application largely complies with Acceptable Outcomes of the Code. Where the development has proposed a performance solution, it has been assessed to achieve the relevant Performance Outcome or Overall Outcome of the code, or has been conditioned / amended in red to comply. Accordingly the Applicant's Landscape Concept Plan Package is recommended for approval where incorporating amendments contained within the conditions and/or amendments in red.

Refer to the following for additional information:

- **Attachment 6 – Landscape Architecture Assessment** prepared by Vee Design

5.7 Nuisance code

The development has been conditioned to achieve certain operational hours of use:

- The loading dock is to be restricted to the following hours:
 - Non-refrigerated vehicles: Daytime and evening hours of 7am to 10pm Monday to Saturday, and 7am to 6pm Sunday;
 - Refrigerated vehicles: Daytime hours of 7am to 6pm from Monday to Saturday, unless an updated noise report which demonstrates compliance in other periods is submitted; and
 - Refuse collection: Daytime hours of 7am to 6pm from Monday to Saturday.
- Service vehicle movements associated with non-residential uses on the premises (including loading and unloading), where not utilising the loading dock (i.e. loading, drop off, set-down bays) must not occur outside the hours of 7am to 6pm Monday to Saturday and not at all on Sundays or public holidays. The requirements of this condition must be included in the Community Management Statement for any body corporate for the subject site.
- Non-residential uses (i.e. shops, retail, food and drink outlets, restaurant and bar) on the premises must not operate outside the hours of:
 - 6am to 10pm Monday to Thursday
 - 6am to 10pm Friday and Saturday (ground level) and 6am to 11pm Friday and Saturday (other levels)
 - 6am to 10pm Sunday or any public holiday
- Use of the outdoor areas should be limited as follows:
 - Restaurant/bar at ground level: 6am to 10pm.
 - Function facility and hotel rooftop balconies: 6am to 10pm.
 - Podium outdoor recreational areas i.e. the pool and garden areas: 7am to midnight.

The requirements of this condition must be included in the Community Management Statement for any body corporate for the subject site.

The development application largely complies with Acceptable Outcomes of the Code. Where the development has proposed a performance solution, it has been assessed to achieve the relevant Performance Outcome or Overall Outcome of the code, or has been conditioned / amended in red to comply. Accordingly the Applicant's Noise Impact Assessment is recommended for approval where incorporating amendments contained within the conditions and/or amendments in red.

Refer to the following for additional information:

- **Attachment 9 – Acoustic Assessment** prepared by ASK Engineers

5.8 Safety and security code

The Applicant provided a formal assessment against the code and a supporting Crime Presentation Through Environmental Design (CPTED) report.

The development application largely complies with Acceptable Outcomes of the Code. Where the development has proposed a performance solution, it has been assessed to achieve the relevant Performance Outcome or Overall Outcome of the code, or has been conditioned / amended in red to comply.

Refer to the following for additional information:

- **Attachment 4 – Architecture Assessment** (Architecture, Urban Design and CPTED) prepared by Deicke Richards

5.9 Stormwater management code

Stormwater flows generated from the development is anticipated to be approximately the same as in the existing situation. The Applicant has identified a suitable legal point of discharge, and have proposed stormwater quality management generally in accordance the planning scheme and policy requirements.

The proposed development obstructs existing overland flow path, resulting in an increased afflux at neighbouring properties. Conditions of approval require that the Applicant address this issue by the preparation of a stormwater management plan agreed to by council and construction of works to mitigate the issue, also agreed by council. The works will be subject an Operational Works approval.

The development application largely complies with Acceptable Outcomes of the Code. Where the development has proposed a performance solution, it has been assessed to achieve the relevant Performance Outcome or Overall Outcome of the code, or has been conditioned / amended in red to comply. Accordingly the Applicant's Engineering Report is recommended for approval where incorporating amendments contained within the conditions and/or amendments in red.

Refer to the following for additional information:

- **Attachment 10 – Civil Engineering Assessment** (Servicing, Stormwater, Acid Sulphate Soils and Construction Management) prepared by Bligh Tanner

5.10 Sustainable design code

The Applicant provided a formal assessment against the code and a supporting Qualitative Wind Assessment.

The development application largely complies with Acceptable Outcomes of the Code. Where the development has proposed a performance solution, it has been assessed to achieve the relevant Performance Outcome or Overall Outcome of the code, or has been conditioned / amended in red to comply.

Refer to the following for additional information:

- **Attachment 4 – Architecture Assessment** (Architecture, Urban Design and CPTED) prepared by Deicke Richards
- **Attachment 11 – Qualitative Wind Assessment** prepared by CPP

5.11 Transport and parking code

The proposed development provides the following carparking breakdown:

- Proposed total: 942
 - Public: 704 total owned by council
 - Open (non-attributed) parking: 432
 - Additional parking to service the commercial land uses in the development: 272
 - Supermarket: 130
 - Retail: 28
 - Hotel: 114
 - Private: 238 total
 - Residential: 123 spaces (including 24 visitor spaces)
 - Retirement: 115 spaces (including 10 visitor spaces)

The 704 public carparking within the basement and podium will be available for general public use. The existing development provided 179 public car spaces. The new development's public car parking accommodation will deliver an increase of 525 public spaces across the site (including 272 servicing commercial land uses within the development).

Council will continue to have a residential interest in the land and will own the 704 public car parking spaces.

Private carparking for the multiple dwellings, retirement and aged care facilities located within the podium will be accessed via a security gate on level 3.

As part of the review of the initial development application material, the following was requested from the Applicant:

- Clarification of traffic generation rates used;
- Additional information regarding the extent of external intersection works that are required;
- Traffic assessment at the 10 year post opening design horizon;
- Demonstration that the development improves local pedestrian and vehicle accessibility;
- Explanation of the carpark operation and external signage;
- Further detail of the proposed Smith St round-a-bout design;
- Revisions to site access and internal circulation;
- Additional bicycle parking and end of trip facilities;
- Revision of site servicing operation and pull-in bays; and
- Additional detail of the First Ave design.

The majority of the above issues were adequately responded to with the response to the information request, with the following being key considerations:

- A traffic analysis at the 10 year post opening design horizon including the development was undertaken, however the operation of the road network without the development was not undertaken. As such, the impact of development traffic could not be clearly identified, but it is considered that the network will perform adequately.
- The public carpark, is effectively split into two individual carparks; basement and podium, with separate access points from Brisbane Rd and Smith St. It is considered that while the public carpark would operate more efficiently and be easier for users to understand if internal ramps were provided, this can be addressed through a site and user based (i.e. mobile device) electronic paid system, as outlined below in this report.

- An alternative design would have significant commercial implications on the development, and would result in it being difficult to achieve other outcomes sought within the planning scheme.

The Mooloolaba / Alexandra headland local plan code identifies the planning intent for the site as a “*high quality, integrated, mixed use development incorporating a range of centre activities and residential accommodation, and provides for well designed, accessible and integrated public car parking*”. The development provides adequate on-site carparking for the proposed uses, increases the extent of public carparking available within the local area, and is required to contribute towards the upgrading of the external local road network. The planning scheme provides limited direction regarding the extent of public carparking required on-site or design objectives, apart from Performance Outcome 10 of the Mooloolaba/Alexandra Headland local plan code, which states:

“...provides for well designed, accessible and integrated public car parking.”

In the circumstance of constructing a standalone public carpark, the operation of the proposed public car park would operate more efficiently if it included internal joining ramps. However, in the context of achieving an integrated mixed use development, in which the planning scheme identifies a number of preferred uses in addition to public carparking, the design of the carpark is adequate, and the operation of the carpark will be adequately managed through a site and user (i.e. mobile device) based electronic paid parking system:

- ability to apply differing hourly pricing structures across the levels of the car park;
- linked to parking guidance signs located on the approach roads thereby providing on-route advice to motorists as to the availability of parking spaces in the basement and podium car parks;
- external parking guidance signs will direct motorists to their preferred car park;
- preparation of a carpark management plan
- The proposed Smith St round-a-bout design requires further amendment, which will be conditioned as part of approval:
 - Amend the proposed Smith St round-a-bout to include a raised but mountable concrete island; and
 - Provide raised but mountable median dividers with signage on the approach to Smith St round-a-bout.
- The proposed Brisbane Rd access driveway width is considered insufficient, and a condition of approval has been included to increase the width of the driveway of a minimum of 4.5m.
- Some carparking spaces have been identified as being difficult to access, and have been removed or amended on the plans.
- The breakdown of the number residential/staff and visitor bicycle spaces, number of bicycle spaces located at ground level and the provision of end of trip facilities are proposed to be amended by a condition of approval.
- 2 x small rigid vehicle (SRV) spaces (minimum 3.5m x 7.0m) to be provided within the Smith St loading bay. a minimum of two (2) SRV spaces (7m x 3.5m) (Type A). One (1) of these spaces is clearly marked for use by emergency vehicles only, and marked path is provided to the retirement / residential care service lift.

External works

The development involves streetscape and road upgrades around the frontage of the site (Stage 2):

- Brisbane Rd: building outs, landscaping and outdoor dining;
- Smith St: build-outs and streetscaping; and
- First Ave: building outs, landscaping, outdoor dining and partial shared zone.

The development results in additional traffic impacts on the local road network, and is required to contribute to external upgrades at the following intersections:

- Round-a-bout to be constructed at the intersection of Muraban Street, Smith Street and the proposed site access (Stage 1);
- Signalised intersection must be constructed joining Walan Street with Naroo Court (Stage 2); and
- Upgraded intersection must be provided at Brisbane Road / Walan Street / Hancock Street (Stage 5).

Note: Or, alternative staging / timing of works where agreed to with council.

The development application largely complies with Acceptable Outcomes of the Code. Where the development has proposed a performance solution, it has been assessed to achieve the relevant Performance Outcome or Overall Outcome of the code, or has been conditioned / amended in red to comply. Accordingly the Applicant's Traffic Impact Assessment is recommended for approval where incorporating amendments contained within the conditions and/or amendments in red.

Refer to the following for additional information:

- **Attachment 7 – Traffic Engineering Assessment** prepared by Cambray Traffic Engineers

5.12 Waste management code

The proposed development largely complies with the code, with minor amendments required to the Operational Waste Management Report:

- The plans included within the report in have been superseded and must be updated to the most recent architectural drawings.
- The reference to direct natural ventilation is not acceptable due to the location of the storage rooms and must be removed.
- Waste chute ventilation must be mechanical.
- The OWMP must specify that the movement of bins from the retail waste storage room to the loading dock holding room is to occur outside of peak hours to minimise conflict with vehicles and pedestrians.

Amended plan will be required to be submitted to council for approval prior to operational works approval being granted.

The development application largely complies with Acceptable Outcomes of the Code. Where the development has proposed a performance solution, it has been assessed to achieve the relevant Performance Outcome or Overall Outcome of the code, or has been conditioned / amended in red to comply. Accordingly the Applicant's Operational Waste Management Report is recommended for approval where incorporating amendments contained within the conditions and/or amendments in red.

Refer to the following for additional information:

- **Attachment 8 – Odour & Waste Management** Assessment prepared by ASK Engineers

5.13 Works, services and infrastructure code

The Applicant provided a formal assessment of the code and supporting Engineering Report. Water and sewer works are required to both divert existing Unity Water services around the proposed basement works and for new connections.

Performance Outcome PO4 requires that construction activities and works are managed such that all reasonable and practicable measures are taken to protect the environmental values of water and the State Planning Policy (SPP) in the section on Water Quality has further provisions in respect of acid sulphate soils. The applicant has prepared a suitable Acid Sulphate Soils Management Plan.

Performance Outcome PO8 requires that development is provided with infrastructure, services and utilities appropriate to its setting and commensurate with its needs. The applicant has obtained in principle approval from Unity Water for works to existing services and for provision of suitable services to the development. The development must obtain approval from Unity Water for works to their infrastructure.

The development application largely complies with Acceptable Outcomes of the Code. Where the development has proposed a performance solution, it has been assessed to achieve the relevant Performance Outcome or Overall Outcome of the code, or has been conditioned / amended in red to comply. Accordingly the Applicant's Engineering Report is recommended for approval where incorporating amendments contained within the conditions and/or amendments in red.

Refer to the following for additional information:

- **Attachment 10 – Civil Engineering Assessment** (Servicing, Stormwater, Acid Sulphate Soils and Construction Management) prepared by Bligh Tanner

Overlay Codes

5.14 Acid sulfate soils overlay code (land at or below 5m AHD)

The Applicant provided a formal assessment against the code and a supporting Acid Sulfate Management Plan. The Purpose of this code, amongst other things, is to ensure the generation or release of acid and metal contaminants from acid sulphate soils does not have adverse effects on the natural environment, built environment, infrastructure or human health.

Substantial earthworks are required to complete basement excavations. These works are typical of many other basement excavations, though excavated soils are reported to be potentially acid sulphate. At the applicant's Response for Information they provided a new Construction Management Plan (Rev E, dated 31 Jan 2018) and this included an Acid Sulphate Management Plan, prepared by a reputable geotechnical engineer, and this appears to address issues sufficiently;

The development application largely complies with Acceptable Outcomes of the Code. Where the development has proposed a performance solution, it has been assessed to achieve the relevant Performance Outcome or Overall Outcome of the code, or has been conditioned / amended in red to comply. Accordingly the Applicant's Acid Sulfate Management Plan is recommended for approval where incorporating amendments contained within the conditions and/or amendments in red.

Refer to the following for additional information:

- **Attachment 10 – Civil Engineering Assessment** (Servicing, Stormwater, Acid Sulphate Soils and Construction Management) prepared by Bligh Tanner

5.15 Airport environs overlay code (runway separate distances, obstacle limitation surface)

The proposed development complies with the Acceptable Outcomes of the code.

5.16 Coastal protection area code (coastal protection area)

The Purpose of this code, amongst other things, is to ensure the protection of people and property from coastal hazards, taking into account the predicted effects of climate change. In the context of the proposed development, flooding associated with its location in a low lying coastal area is the key impact, and this has been adequately addressed within the development application. The development application largely complies with Acceptable Outcomes of the Code. Where the development has proposed a performance solution, it has been assessed to

achieve the relevant Performance Outcome or Overall Outcome of the code, or has been conditioned / amended in red to comply.

Refer to the following for additional information:

- **Attachment 10 – Civil Engineering Assessment** (Servicing, Stormwater, Acid Sulphate Soils and Construction Management) prepared by Bligh Tanner

5.17 Height of buildings and structures overlay code (45m height limit)

The proposed development complies with the Acceptable Outcomes of the code.

Assessment Benchmarks Pertaining to a Variation Approval

Not Applicable.

Assessment Benchmarks Pertaining to a Temporary Local Planning Instrument

Not Applicable.

6.0 CONSULTATION

6.1 Referral Agencies

The application was referred to the following Referral Agencies in accordance with the *Planning Act 2016* and the *Planning Regulation 2017*:

Department of State Development, Manufacturing, Infrastructure and Planning

The Department is a referral agency for:

- *Planning Regulation 2017* - Schedule 10, part 9, division 4, subdivision 1 – Development impacting on State transport infrastructure and thresholds
- *Planning Regulation 2017* - Schedule 10, part 18 – Urban Design:

The Department responded by letter (**Attachment 12**) dated 15 February 2018, which on balance commended the design of the development, and included other feedback on aspects of:

- Shading;
- Setdown areas;
- Podium deep planting;
- WSUD;
- Roof forms;
- Energy efficiency;
- Footpath and pedestrian movement;
- Public plaza;
- Loading dock;
- Awnings;
- Built form; and
- Adaptive uses

6.2 Other Referrals

The application did not require any other external referrals.

6.3 Public Comments

The application was code assessable and did not require public notification in accordance with the *Planning Act 2016*.

Five (5) informal submissions were received.

The following table provides a summary and assessment of the issues raised by submitters.

COMMENT	RESPONSE
The development does not encourage the use of the adjacent through block arcade linkage.	The proposed development includes substantial landscape and streetscape upgrades along the Brisbane Rd, First Ave and Smith St road frontages. The First Ave frontage incorporates large areas of outdoor dining space and a footpath that ranges from 3m to 5m in width. The development proposes a 35m long elevated shared zone within First Ave that commences from an indent at the corner of Brisbane Rd and First Ave, and continues to the

	<p>Zanzibar arcade entrance to First Ave. The shared zone is elevated and is paved to provide a continuation of the footpath located on either side of First Ave.</p> <p>The proposed development incorporates substantial streetscape improvements within First Ave encourages cross-block activity via the Zanzibar arcade linkage.</p> <p>The indicative design presented within the landscape concept plan will be subject to further refinement as part of detailed design of a subsequent development application for Operational Works. This will include consultation with adjacent properties.</p>
<p>The location of outdoor dining and landscaping should be amended to facilitate better pedestrian movement and coincide better with established tenancies within the Zanzibar complex.</p>	<p>The development proposes indicative outdoor dining, landscaping and soft-scaping within First Ave adjacent the Zanzibar arcade. Detailed design refinement will occur as part of a subsequent development application for Operational Works.</p>
<p>Consolidated bin collection area within Smith St for the development and other properties within First Ave.</p>	<p>The planning scheme does not include requirements for the development to incorporate a consolidated bin storage area within Smith St.</p> <p>The proposed development adequately manages refuse storage and collection via an internally located refuse storage enclosure accessed via Smith St.</p> <p>The movement, storage and collection of bins in Smith St would introduce additional amenity and safety impacts.</p>
<p>The development does not provide enough public carparking spaces</p>	<p>The planning scheme does not stipulate a minimum number of public carparking spaces to be provided as part of the public Parking Station component of the development.</p>
<p>The development does not provide enough carparking spaces</p>	<p>The development satisfies the carparking requirements for the uses proposed by the development as stipulated within the transport and parking code.</p>

<p>The development will result in traffic impacts to the local road network because of the mix and extent of uses that are proposed in addition to a public carpark.</p>	<p>The land use intent of the site as identified under the planning scheme is to provide a <i>high quality high quality, integrated, mixed use development incorporating a range of centre activities and residential accommodation; and provides for well designed, accessible and integrated public car parking.</i></p> <p>The development provides adequate on-site carparking for the proposed uses, increases the extent of public carparking available within the local area, and is required to contribute towards the upgrading of the external local road network.</p>
<p>The development will result in increased risks to pedestrians</p>	<p>Vehicle access, pull-in and servicing points of the proposed development have been located where practical to minimise conflict with pedestrians. The retention of the raised pedestrian crossing with Brisbane Rd, buildouts within Brisbane Rd, First Ave and Smith St, and the provisions of a partial raised and alternatively paved shared zoned within First Ave encourages a low-speed environment that prioritises pedestrian movement.</p>
<p>The proposed planning scheme amendment process to remove the Muraban Street Extension from the Mooloolaba / Alexandra Headland Local Plan, and the absence of the Muraban Street Extension within the development proposal will result in local pedestrian movement and traffic impacts.</p>	<p>The proposed planning scheme amendment to remove the Muraban Street Extension is a separate process to the assessment of this development application.</p> <p>However, in accordance with established planning principles and relevant provisions of the <i>Planning Act 2016</i>, the assessment of the development application has given appropriate weight to the substantial progress of the planning scheme amendment within the overall planning scheme amendment process.</p> <p>On 20 February 2018, the Department State Government, Manufacturing, Infrastructure and Planning completed their second state interest check, and the Minister advised that council may proceed to adopt the amendment.</p>

<p>The podium design and interface along the southern boundary is inconsistent with the bulk and scale expectations within the planning scheme, and will result in adverse impacts to adjoining properties.</p>	<p>In the absence of the Muraban Street Extension along the southern boundary of the subject site, the presence of podium is generally consistent with the outcomes sought within the Mooloolaba / Alexandra Headland Local Plan and District Centre Zone.</p> <p>The proposed podium height of five (5) storeys consists of commercial ground floor and four (4) levels of carparking with ceiling heights of 2.8m. The proposed configuration of podium levels results in an overall building height that is generally consistent with an alternative configuration that incorporates four (4) levels of commercial with typically large ceiling heights, consistent with the outcomes of the Local Plan.</p> <p>The built form, amenity, scale and bulk expectations of the local area are expressed by the outcomes sought within the Mooloolaba / Alexandra Headland Local Plan Code and District Centre Zone Code. This represents an urban form that is of a scale and intensity that is consistent with the intended role and function of the centre within the Sunshine Coast Activity Centre Network. It is envisaged within the planning scheme that some amenity impacts will occur within centre zones, which incorporate a more intense built form and a mixture of uses.</p> <p>Where impacts are not practically avoidable, they should be minimised to be commensurate with the amenity expectations within the District centre zone. The southern built to boundary wall incorporates a pattern finishes consisting of a mixture of colours and textures that references coastal influences, which together with podium top planting overhang assists with reducing the appearance of building bulk.</p> <p>The proposed development will result in impacts to the southern adjoining properties, however, these impacts have been minimised where practical. The adjoining properties; 13 Smith St and 18-20 Brisbane Rd, are currently underutilized in respect to the development intent of the District Centre Zone, and respective 18m and 25m building heights envisaged under the planning scheme. These properties may be redeveloped in the future where achieving the development potential contained within the planning scheme; including reasonable performance solutions with respect to built to boundary podium heights (i.e. minimum two (2) storey built to boundary podium) to create a suitable interface and built form outcome.</p>
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<p>The proposed development exceeds the acceptable outcome for site cover, and will result in adverse amenity impacts to adjoining properties.</p>	<p>The development incorporates a ground level site cover of 91%, podium site cover of 98%, and tower site cover of 53%, which on balance is generally consistent with the planning expectation; podium site cover of 90% and tower site cover of 65%. The development application has adequately demonstrated that the shadow cast by the proposed development, is not significantly different to that of a shadow cast by a development scheme that complies with the relevant setback and site cover acceptable outcomes within the planning scheme.</p> <p>The development incorporates a slender tower forms with adequate separation between buildings when viewed from the southern boundary, reducing the appearance of building bulk and the extent of shadow cast.</p> <p>The ground level and podium of the proposed development is highly articulated with variation in building materials and forms, recesses and projections so as not to have an overbearing appearance. Through the use of build outs, landscaping, soft-scaping, outdoor dining areas, public forecourt, and a partial shared zone within First Ave, the development encourages pedestrian movement and activity at ground level.</p>
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7.0 FINANCING AND RESCORING

Council's Transport and Infrastructure Policy Branch has provided the infrastructure charges notice required by this development to be \$3,416,489.

8.0 CORPORATE PLAN

- Corporate Plan Goal:** *Service excellence*
- Outcome:** 4.3 - Service quality assessed by performance and value to customers
- Operational Activity:** 4.3.4 - Position Development Services to effectively meet business requirements into the future with a focus on statutory compliance, ensuring timely decision making, positive customer experiences and strong industry engagement.

9.0 CONCLUSION

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

10.0 RECOMMENDATION

That Council approve the development application subject to:

- (a) reasonable and relevant conditions contained within Attachment 13 – Recommended Conditions of Approval.

