Detailed Assessment Report

SUMMARY:

APPLICATION DETAILS	
Applicant:	Mr KM Carroll, Ms H Meyer
Proposal:	Development Permit for Material Change of Use of Premises (Integrated Tourist Facility)
Properly Made Date:	26 November 2015
Information Request Date:	22 January 2016 4 January 2017 – Outstanding Issues sent
Info Response Received Date:	19 October 2016 26 April 2017 – Response to Outstanding Issues
Decision Due Date:	1 June 2017 – 1st 20 days 30 June 2017 – 2nd 20 days
Number of Submissions During Public Notification:	TOTAL of 363 submissions • 337 properly made • 292 support and 43 against and 2 neutral • 26 not properly made • 329 were proforma
PROPERTY DETAILS	
Division:	7
Property Address:	24 & 26 Box Street BUDERIM
RP Description:	Lot 7 RP 176066 Lot 5 RP 27823
Land Area:	Lot 7 – 28,151m² Lot 5 – 12,570m² Total – 40,721m²
Existing Use of Land:	Single detached house
STATUTORY DETAILS	
Planning Scheme:	Maroochy Plan 2000 (16 September 2013)
SEQRP Designation:	Urban Footprint
Strategic Framework Land Use Category	Rural or Valued Habitat
Planning Area:	6 – Buderim
Precinct:	5 – Buderim Non-Urban
Precinct Class:	General Rural Lands
Assessment Type:	Impact Assessable

PROPOSAL:

The application seeks approval for an Integrated Tourist Facility and associated facilities including a 111 room short term accommodation, function facility, restaurants and day spa.

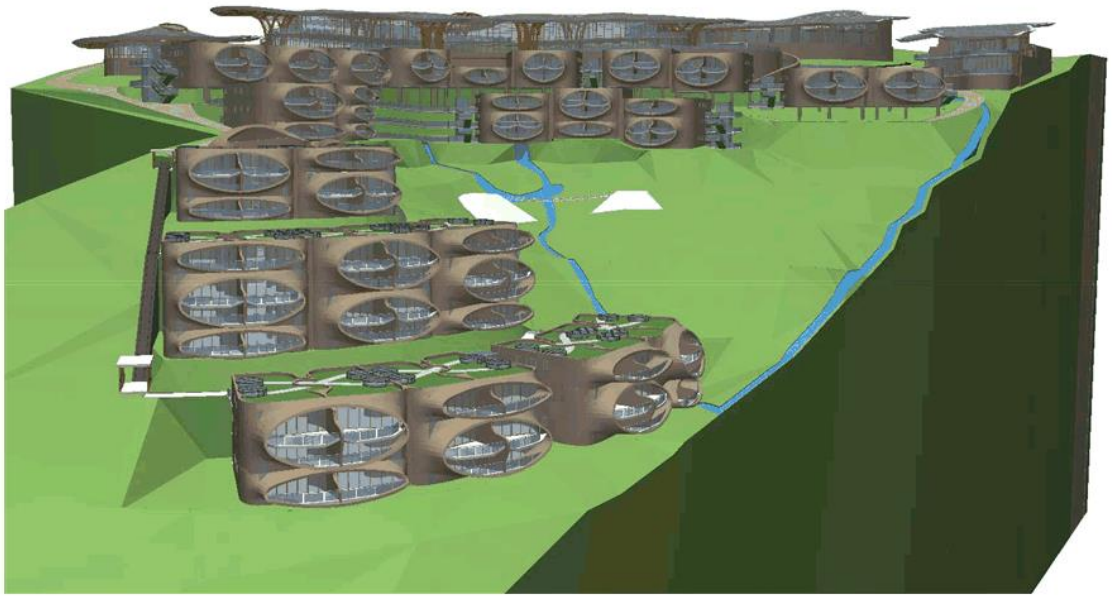
The applicant proposes for the development to operate as a luxury 5 star resort and spa.

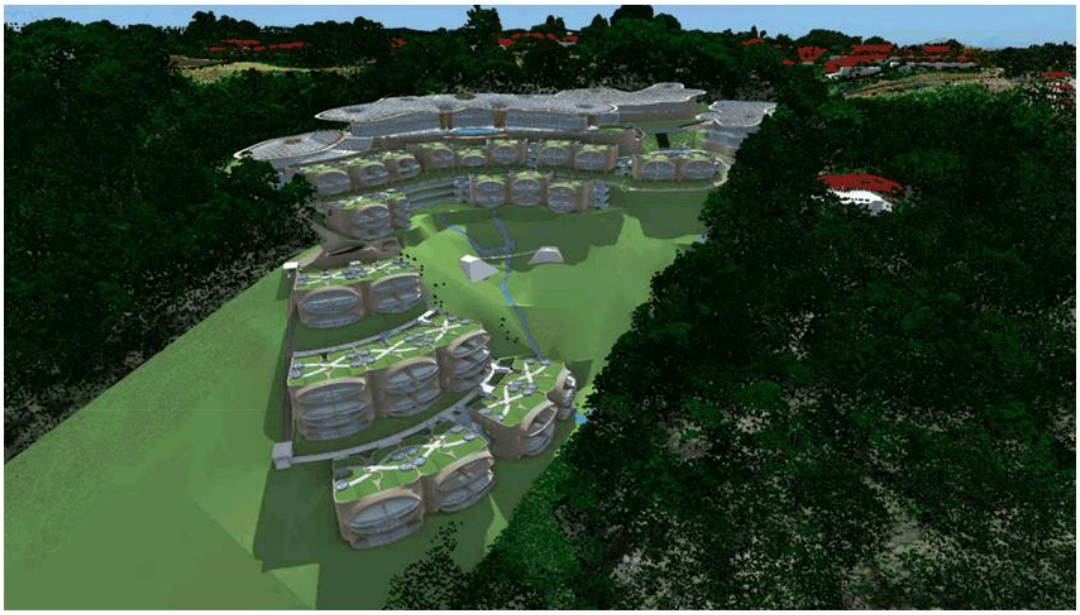
More specifically, the proposed development includes the following components:

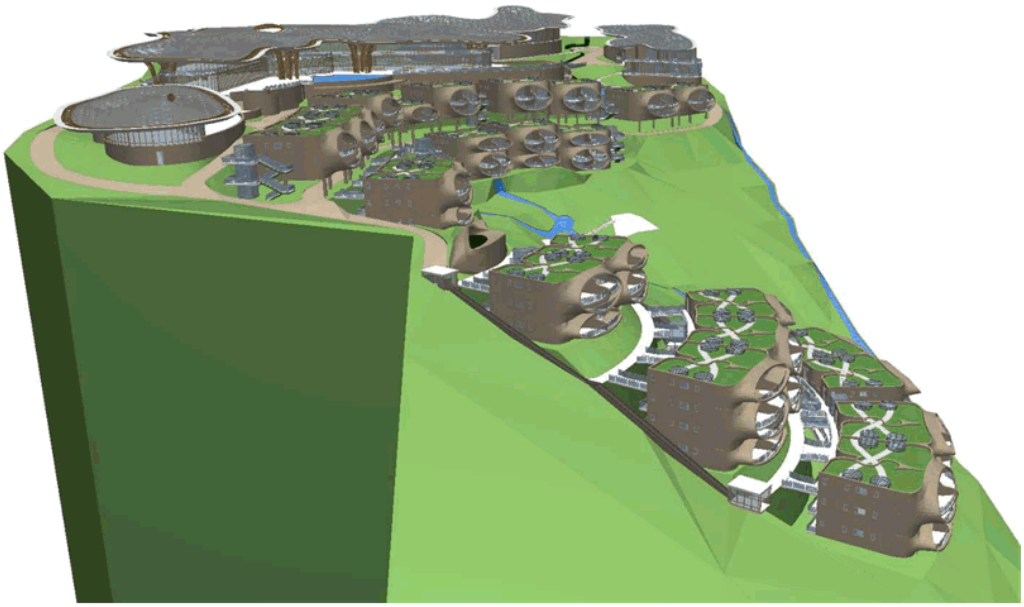
- A total of 111 hotel suites each ranging in size from 80 to 84m². The proposed accommodation suites step down the escarpment with building heights generally up to 10 metres high from natural ground level.
- The Birdwing Building consisting of 3,815m² of floor area and accommodating two restaurants, conference / function facilities, lounge areas, a resort pool and recreation event areas. The Birdwing Building incorporates two levels of basement with 133 car parking spaces and a services area. The building has two storeys above the basement carpark with a total building height up to approximately 14.9 metres high from excavated ground level.
- A wellness spa incorporating a floor area of 1,015m² and accommodating spa treatment rooms, gym, sauna, hair and beauty salon and a swimming pool. The wellness spa building includes a basement level with 30 car parking spaces.
- A Services Building and Glasshouse café which includes 226m² of services (including generator, linen room, cold room).
- A 3 bedroom manager's residence and a 3 bedroom caretaker's residence.
- A swimming pool and amenities.
- A mini-funicular (mountain rail car) to access the lower units on the site.

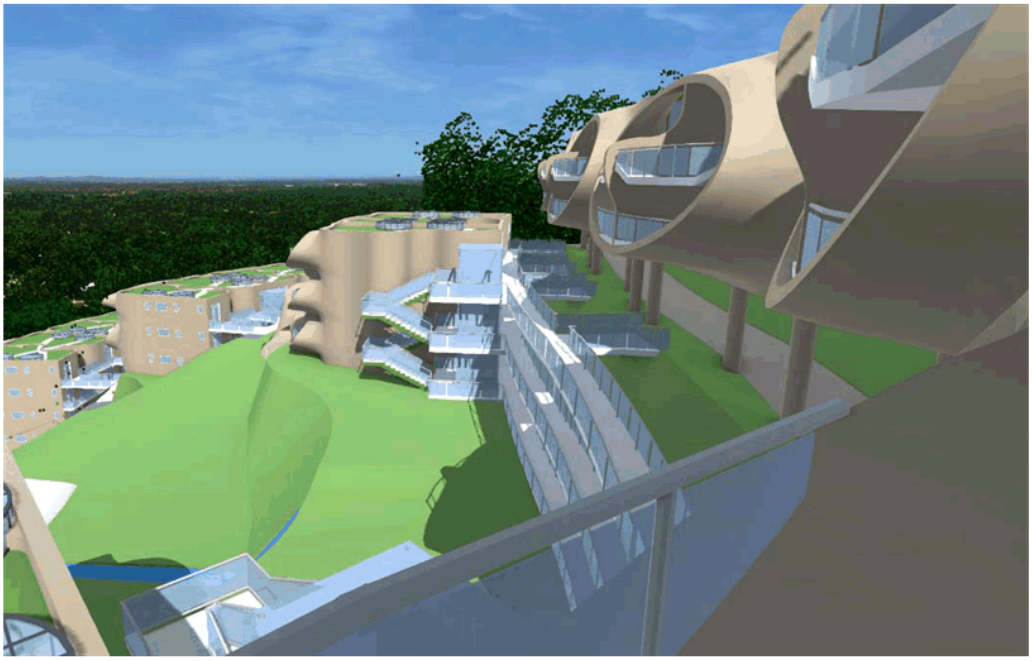
SITE MASTER PLAN 1:1000

The following images are extracted from the 3D model of the proposed development submitted by the applicant.









SITE DETAILS:

Background / Site History

On the 2 June 2015, Council approved an application (Council Reference SPS15/0078) to assess the development application under the superseded planning scheme being the Maroochy Plan 2000 (16 September 2013). The current application was lodged under that superseded planning scheme.

Site Description

Site & Locality Description	
Road Frontage	The site has an approximately 29 metre frontage to Box Street
Existing Significant Vegetation	The northern, eastern and southern parts of the site accommodate significant vegetation.
Topography:	The site consists of predominantly steep land with slopes of 20% and greater. The site includes slopes up to approximately 50%. The land grades steeply towards the southeast, with elevations of approximately RL 132m AHD in the north and western parts of the site to RL 55m AHD in the South east. The site includes a flatter section that accommodates the existing house.
Surrounding Land Uses:	The land to the south is heavily vegetated and accommodates Council owned bushland reserve. The land to the east accommodates a single building with approval for a small scale bed and breakfast retreat. Further to the east along Box Street is characterised by low rise multiple dwelling unit developments. The land to the west accommodates the Council-owned Buderim Village Park. The site to the north has an existing approval for multiple dwelling units that has not yet been acted on.

ASSESSMENT:

Framework for Assessment

Instruments for Statutory Assessment

- State Planning Policy
- the South East Queensland Regional Plan
- State Planning Regulatory Provisions
- any Structure Plan or Master Plan in place for declared areas
- any Preliminary Approval Overriding the Planning Scheme for the land
- the Planning Scheme for the local government area
- 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 Regulatory Provisions

The following State Planning Regulatory Provisions are applicable to this application:

- South East Queensland Regional Plan 2009-2031 State Planning Regulatory Provisions
- State Planning Regulatory Provision (Adopted Charges)

State Planning Policies

The State Planning Policy took effect in December 2013 and is applicable to this application.

The State Planning Policy has not been formally incorporated into the applicable version of the *Maroochy Plan 2000*. The application is, therefore, required to be assessed against the applicable components contained within Part E of the State Planning Policy: *Interim development assessment requirements*. The following State interests under Part E are triggered for the proposed development:

- Water Quality (land subject to Stormwater Management Design Objectives)
- State Transport Infrastructure (Public Passenger Transport Facility)

The State interest requirements of the State Planning Policy are broad provisions that directly overlap with provisions already contained in the applicable version of the Maroochy Plan 2000 (and which are discussed elsewhere in this report). However, for completeness, the following brief assessment is provided.

With regard to Water Quality, the application involves a significant increase in the combined hardstand impervious area of the site and is therefore subject to the water quality requirements of the State Planning Policy. Development is required to avoid or otherwise minimise any adverse impacts on the environmental value of receiving waters arising from stormwater quality or flow.

With regard to State Transport Infrastructure, the development will not adversely impact on the site's integration with any public passenger transport facility.

The proposed development generally complies with the relevant elements of the State Planning Policy subject to the imposition of conditions.

South East Queensland Regional Plan 2009 - 2031

The site is located within the Urban Footprint of the South East Queensland Regional Plan. The proposal is for an Urban Use within the Urban Footprint. The proposed development is consistent with the regional land use intent, regional policies and desired regional outcomes for the Urban Footprint.

Statutory Instruments – Planning Scheme

The applicable planning scheme for the application is Maroochy Plan 2000 (16 September 2013). The following sections relate to the provisions of the Planning Scheme.

Strategic Provisions

The subject site is designated as *Rural or Valued Habitat* within the Strategic Plan. The emphasis of this allocation is generally on the retention of the land in its present form. This designation has a preferred non-urban function. While it is intended that rural and non-urban uses and the retention of valued habitat should be the dominant activities occurring in the Rural or Valued Habitat areas, it states that tourist and accommodation facilities may also be appropriate within these areas on suitable sites and where development occurs in an appropriate manner such as preserving significant geological formations and prominent escarpments. The Strategic Plan specifically identifies the Buderim Mountain and its escarpment as a unique and important landform.

Through recent design changes made by the applicant to reduce the scale and footprint of the development to enable a 10m vegetated buffer around the perimeter of the site, the proposed development could minimise its visual impact on the escarpment. Notably, the subject site is

located in a less visible part of the escarpment where valley lines are present, particularly when compared to some of the already developed northern and eastern parts of Buderim Mountain.

The Strategic Plan includes outcomes relevant to Visual Amenity, Tourism, Natural Resources and Slope and Geological Stability. These outcomes within the Strategic Plan link with the planning outcomes and assessment criteria contained in the local area provisions and code provisions that are relevant for this part of Buderim.

Local Area Provisions

The subject site is located in the Buderim Non-Urban, General Rural Lands Precinct of the Buderim Planning Area.

Buderim Planning Area

The vision statements and general intent for the Buderim Planning Area provides guidance on what is intended for Buderim. Specifically it identifies that:

> *The key role of this Planning Area is to accommodate a range of individual and discrete residential neighbourhoods in attractive settings. Other important functions include protecting the intactness of the Buderim escarpment.*
>
> *The Buderim Escarpment and other important landscape and environmental features such as ridgelines, waterways and areas of remnant forest will be protected for their ecological and scenic values.*
>
> *The vegetated Buderim escarpment is a defining feature of Buderim's 'green' appearance and makes a significant contribution to the character of a number of other coastal Planning Areas by providing a vegetated backdrop. It is critical to the character and amenity of Buderim and the Shire that the remaining vegetation and escarpment areas be protected. This Planning Scheme seeks to prevent the intensification of development on the Buderim escarpment.*

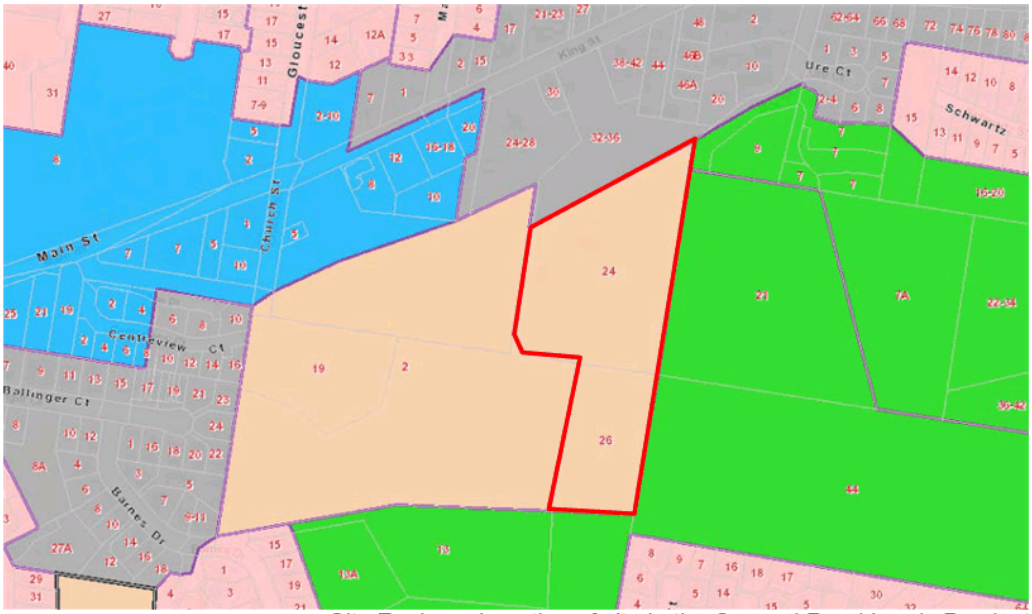
The development is inconsistent with the Intent of the Buderim Planning Area as described above. The application proposes a large scale development with large buildings that would result in extensive earthworks that changes the landform of the Buderim escarpment and would result in the loss of existing vegetation down the escarpment. As described in the intent statements, vegetation contributes to the character value of the escarpment and vegetated backdrop for the wider coastal area and is intended to be protected by the planning scheme. Much of the replacement landscaping to compensate for lost vegetation would be in the form of urban gardens on concrete podiums and would not constitute like for like replacement. However, recent design changes made by the applicant to reduce the scale and footprint of the development to enable an uncompromised 10m vegetated buffer around the perimeter of the site in deep soil would provide a significant boost to the vegetated outcome of the site.

General Rural Lands

General Rural Lands precincts throughout the former Maroochy Plan 2000 area are primarily intended to be protected for appropriate agricultural, rural and ancillary activities.

While these precincts are generally intended for rural activities, given the location of this site within close proximity to a Mixed Housing precinct to the east and also within proximity of the local centre, the General Rural Lands zoning in this instance is not akin to a traditional rural setting. Given the site's ecological and scenic values, together with the steep and high land slip prone topography of this land, this site would not be suitable for uses generally expected within a rural zone. It is also unlikely to be suitable for commercially viable agricultural uses due to the proximity to residential and commercial areas.

The General Rural Lands zoning is unique in this location and the site is not necessarily suitable for rural uses as would generally be expected in this zone type. However, the general intent for the General Rural Lands precinct also *intends for development and use of these lands to maintain or enhance any significant environmental values (including any areas of remnant native vegetation), and to maintain a rural/non-urban landscape as well as ensure that the amenity of the locality is protected.* This is further supported in the specific Buderim Non-Urban precinct which states: *The Precinct contains extensive remnant vegetation that is of high conservation, habitat and amenity value. The conservation of this landscape character is fundamental to the image and character of Buderim, as well as this part of the Shire and the Sunshine Coast.*



Site Zoning – Location of site in the General Rural Lands Precinct

Buderim Non-Urban Precinct

The Buderim Non-Urban precinct intent identifies that the primary role of this precinct is to conserve and enhance the conservation and habitat values and landscape character of its remnant bushland. It also makes statements that this part of the escarpment is not considered suitable for urban development due to its environmental and landscape values.

The subject site is constrained by steep land and potential land slip hazard as well as significant vegetation that supports ecological, scenic and character values. The planning scheme states that any form of new development needs to protect these values.

The Landscape and Built Form statement for the precinct states that *"Any development should be located and designed such that it has minimal impact on the landscape. Development should be sited and designed to avoid destruction of mature vegetation and habitats, erosion and extensive earthworks. Lightweight structures that complement their dramatic bushland setting are envisaged."*

The development proposes a large scale urban use of a size and scale that could not be said to maintain the non-urban landscape intended for this rural zoned land, and therefore proposes a conflict with the land use and zoning provisions of the Maroochy Plan 2000. The development would result in the removal of vegetation within the northern part of the site and proposes extensive excavation with cuts and retaining walls exceeding 8 metres in height across the

escarpment. The application proposes to overcome these land use conflicts by means of community and economic public interest benefits amounting to "sufficient grounds" under the *Sustainable Planning Act 2009*, as discussed in this report.

Planning Scheme Codes and Overlays

Overlays

The following overlays are applicable to this application:

- *Code for Nature Conservation and Biodiversity*
- *Code for Waterways and Wetlands*
- *Code for Development on Steep or Unstable Land*
- *Code for Development in Bushfire Prone Areas*

Development Codes

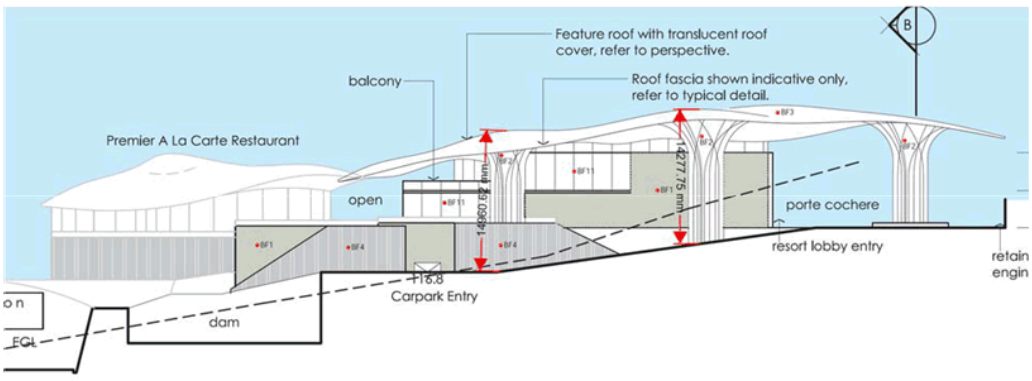
The following codes which regulate land use and design are applicable to this application:

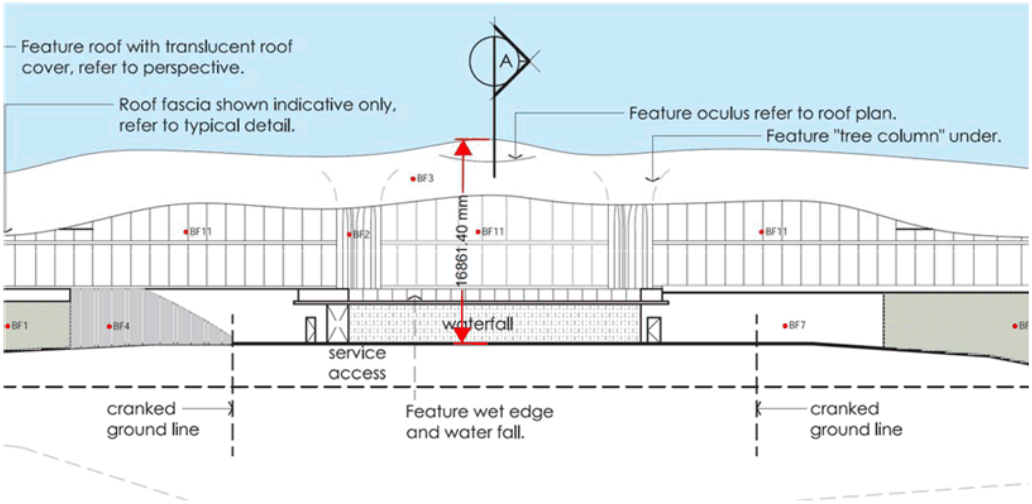
- *Code for Landscaping Design*
- *Code for Transport, Traffic and Parking*
- *Operational Works Code*
- *Code for Integrated Water Management*
- *Code for Erosion and Sediment Control*
- *Code for Low-rise Multi-unit Residential Premises*
- *Buderim Local Area Code*

The pertinent issues arising out of assessment against the applicable codes are discussed below.

Building Height

The development proposes to generally achieve building heights of 10 metres measured from the current natural ground level across the site, but with extensive cutting below ground to increase the physical height of some buildings to be 14 to 15 metres high, as shown on the images below.





Similar to other rural precincts where urban development is not anticipated, the precinct statements for the specific Buderim Non-Urban precinct in which the site is situated does not specifically identify a maximum building height. However, the table of Development Assessment for General Rural Lands precincts does allow for a self-assessable house to be up to 10 metres in height where the land exceeds 15% slope. The submitted application has utilised the 10 metre dwelling house allowance as a guide for building height and purports 10 metres to be the applicable height limit across the whole site.

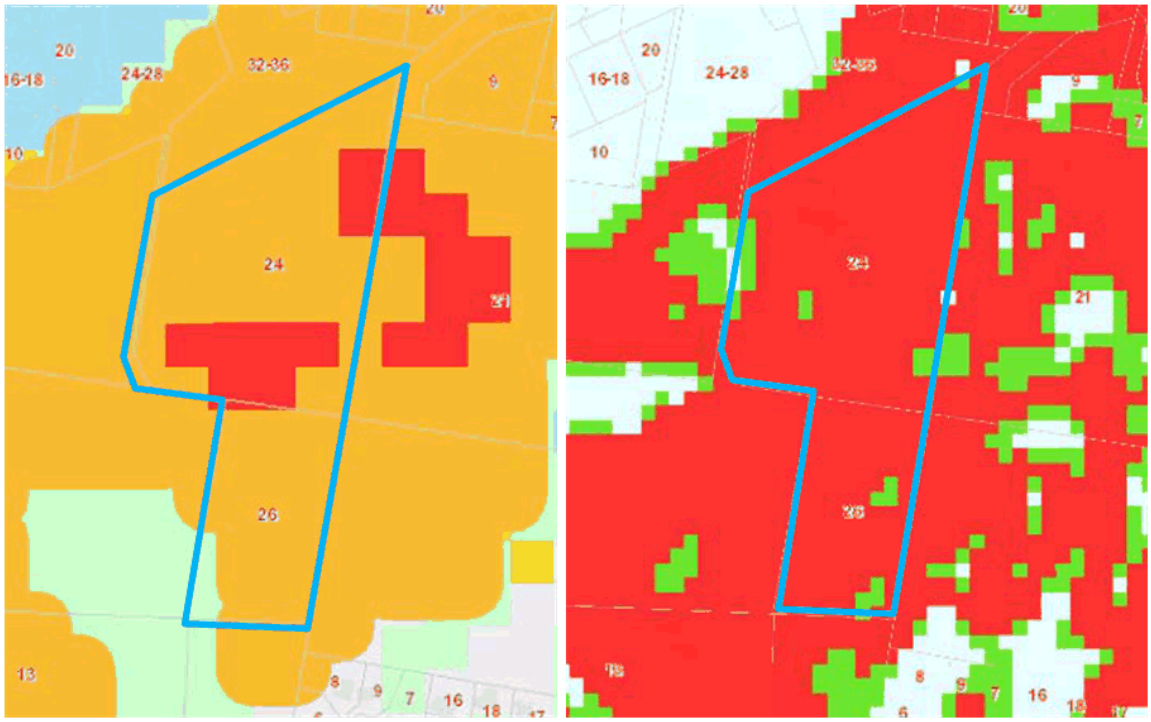
The Buderim Local Area Code identifies that two storeys and 8.5 metres is an acceptable measure or outcome for the urban precincts of Buderim (centre and residential precincts). As a result, the existing built character and prevailing height of those parts of Buderim is approximately 8.5 metres with the exception of some houses on the steeper slopes, which the planning scheme allows to extend to 10 metres high.

While a 10m height allowance for a house provides a guide for the height of dwellings on sloping land, it does not follow that a 10m height allowance may be applied in a broad, sweeping way across the subject site for large-scale commercial buildings that are incomparable to a house and exceeds a house scale excessively. For example, the proposed 'birdwing building' alone is approximately 170 metres long and has a floor area of 3,815m².

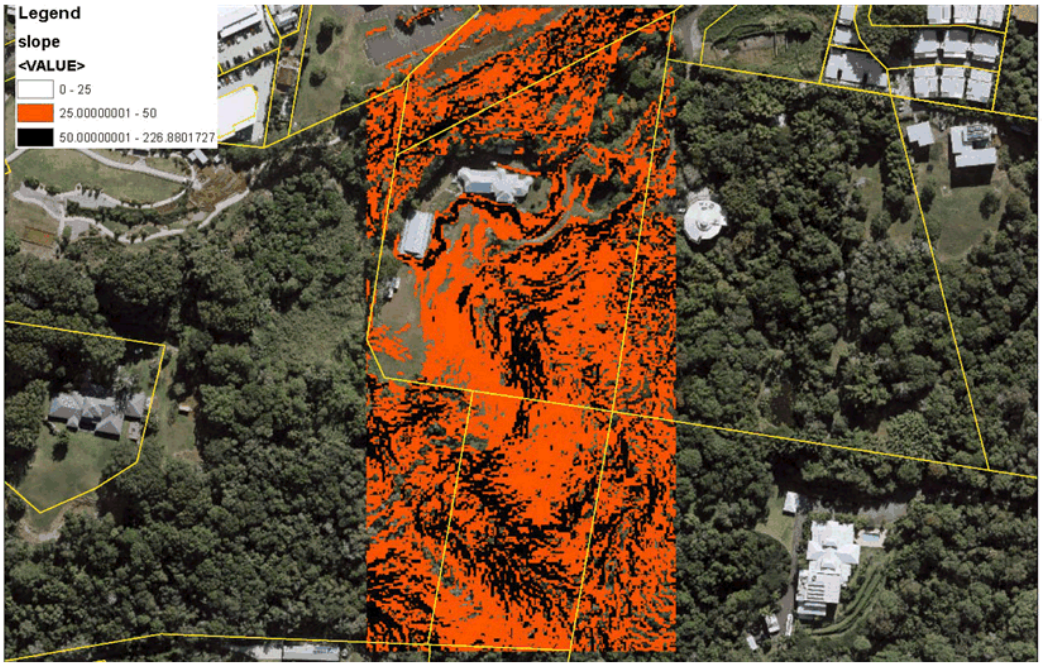
The application proposes to deal with this issue through recent design amendments to reduce the height of some parts of the development where closest to the edges of the site, and also to reduce the scale and footprint of the development to enable an uncompromised 10m vegetated buffer on all sides. These matters can be enforced through conditions of approval and are considered to sufficiently address the potential impacts caused by building height.

Steep Land and Extent of Earthworks

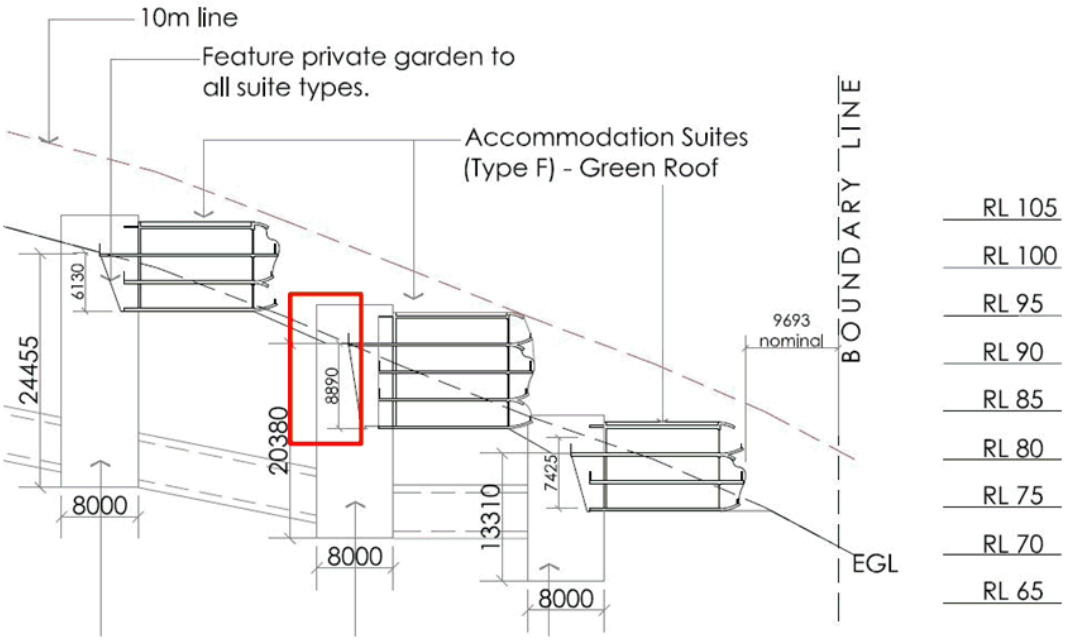
The existing land form of the development site involves a vertical rise in elevation of 81 metres from 52mAHD to 133mAHD. The extracts from the Council mapping below identifies that the development site is mapped with a slope of greater than 25 percent and is mapped as predominantly high landslip hazard with areas of very high landslip hazard.



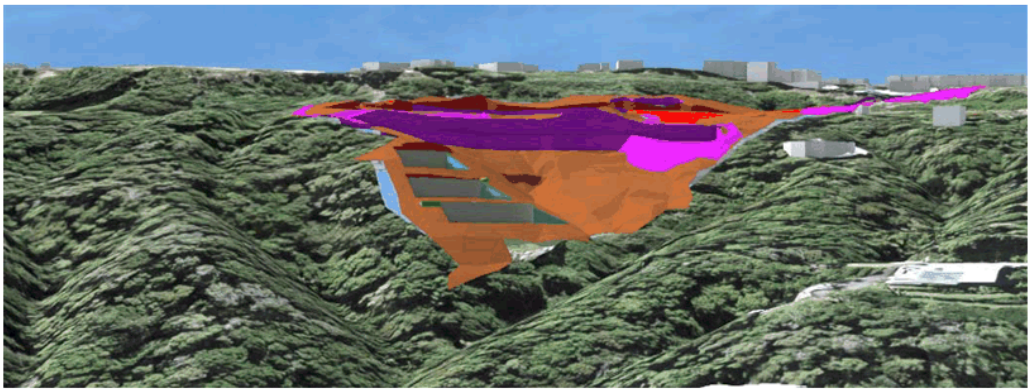
A slope analysis of the site has been included below which was created using Council's Lidar survey (aerial laser survey). The image identifies that the majority of the site exceeds 25% slope (red colour) and has areas exceeding 50% slope (black colour).

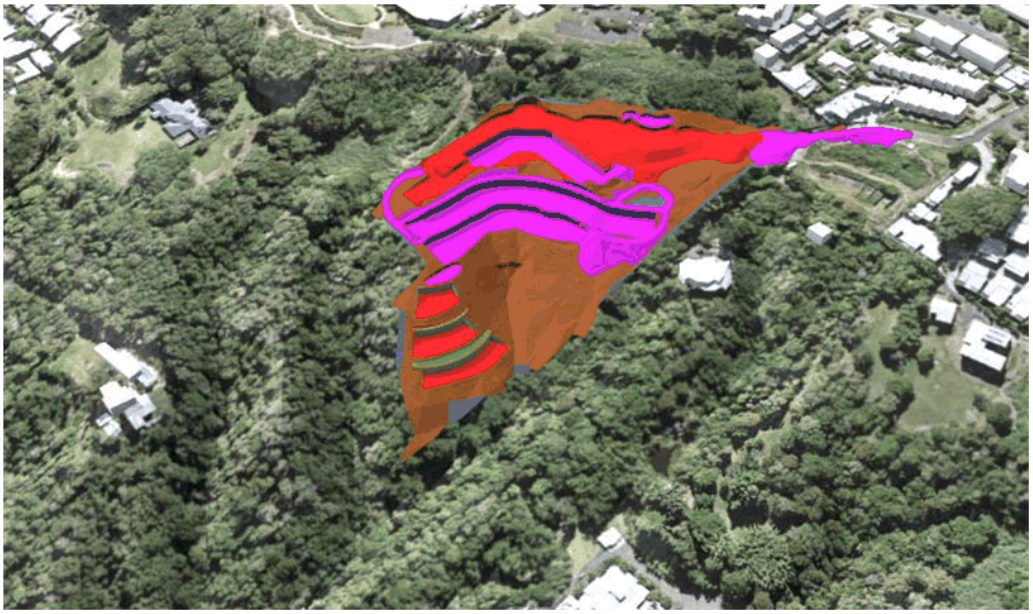


The development proposes benching the steep slope at seven locations and stepping down the escarpment with cut and retaining proposed ranging in size from 5.5 to almost 9 metres in vertical height as shown in the Section Plan included below.

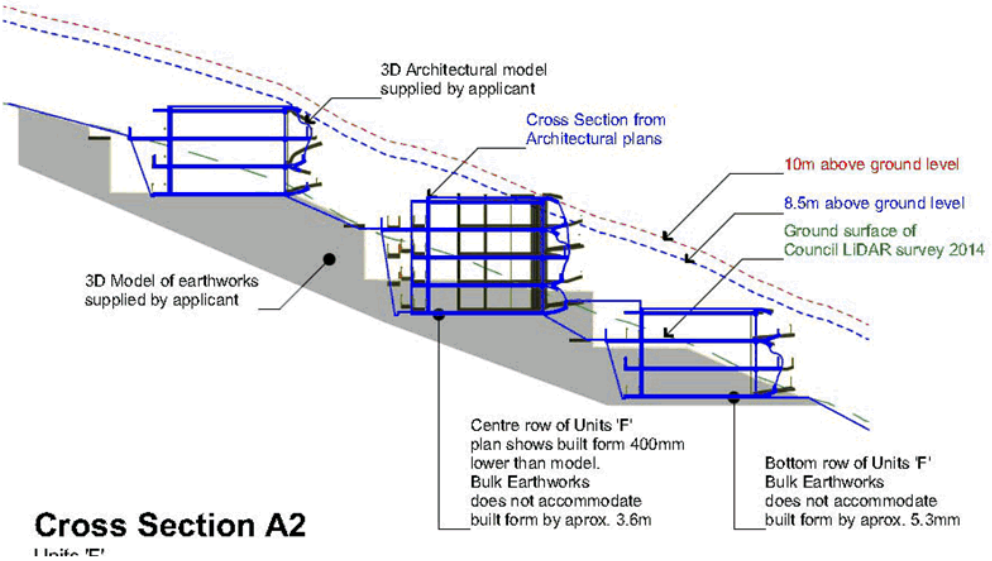


The below images are taken from the earthworks model submitted as part of the application. The plans identify the cut proposed down the site which has been estimated by the applicant in two pieces of correspondence as 44,200m³ and 50,000m³ (83,000 - 110,000 tonnes) of material (depending on the quantities of clay and rock encountered) to be excavated and removed from the site over a 9 month period.





The information provided by the applicant does not align and a detailed assessment has identified a substantial inconsistency between the earthworks model and the architectural plans and model provided by the applicant. The below image overlays the applicant's earthworks model with the applicant's architectural model and reveals a number of issues.



The image shows that the earthworks model has not accounted for the size of the unit buildings being proposed and subsequently the extent of excavation proposed by the applicant has been underestimated. The image identifies that the second and third row of buildings include a storey below the ground. The cut platform in the architectural plans for the bottom row of units is situated about 5.3m below the cut pad in the bulk earthworks plan.

The cut platform in the architectural plans for the middle row of units 'F' is situated about 3.6m below that shown in bulk earthworks plan and the cut platform for the top row of units is situated about 0.4m below the cut pad in the in the bulk earthworks plan.

This discrepancy between the earthworks and architectural models has implications that need to be resolved by conditions of any approval to ensure accuracy of the final building and earthworks outcome. As currently designed, additional cut depths (up to 5.3 metres extra) are required to accommodate the proposed units. Alternatively, the buildings would need to sit higher out of the ground, bringing them well over 10 metres high. Conditions of approval are recommended to resolve all inconsistency between the final designed earthworks and architectural models through a more detailed and thorough package of amended plans.

Geotechnical Assessment – Land Stability

The applicant submitted a geotechnical report to address the site's mapped high and very high landslip hazard risk and to demonstrate that the proposed development can maintain the stability of the site and of surrounding properties.

Due to the complex and constrained nature of the site and the extent of earthworks proposed, Council commissioned external independent peer reviews of the applicant's geotechnical report. The results of the geotechnical peer reviews are included as an attachment to this report.

Council's expert advised that, at the outset it must be understood that the geotechnical engineering by necessity would require on-going participation by skilled and experienced geotechnical engineers from the initial planning stage, through the detailed design stage and including the construction phase of the works.

The applicant's engineer undertook engineering field investigation, ground water monitoring and seismic (MASW) testing and have reported on work to date. They have created a slope stability model that has mathematically analysed the site in addition to field observation by experienced personnel.

The applicant has issued a number of versions of their report into their geotechnical investigation and slope stability assessment. The latter report notes the presence of *"ground movement (instability) which has occurred in the area of the bridge*", a small slip was observed … *in the lower parts of the fill embankment"* and a photograph is given nominating a "tension crack" between the two existing buildings.

Council peer reviewer inspected the site and has reviewed the applicant's geotechnical report. The peer review has called for further specific comment upon a number of aspects of the geotechnical engineering and slope stability assessment, to date. In short, the geotechnical engineering of the proposed development is on-going as stated at the outset.

The applicant's report notes the presence of a number of "groundwater springs" and goes on to state that, *"Adequate site drainage must be carried out to ensure that natural runoff is directed away from the construction areas...*". Detailed Erosion and Sediment Control plans have yet to be drawn up and further design development is necessary for Council to be in a position to assess the suitability of such mooted future works. Detailed plans such as these are ordinarily sourced through subsequent Operational Works approvals and required by conditions of an MCU approval, where such approval is contemplated.

The applicant's geotechnical report goes on to discuss the final development form and states, *"The wellness spa and gym building and the Birdwing building basement subgrade areas should be graded to readily shed water and prevent ponding.*" For Council to be in a position to assess that such measures are able to be in place post construction, the development's detailed design drawings would need to be available.

This need for review of the detailed design drawings is outlined in the summary and conclusions of the applicant's report. It also goes on to state that the "earthworks methodology" needs to be similarly reviewed "prior to construction". That is, on-going geotechnical engineering involvement is necessary for this project. Council's peer reviewer has advised that it is his opinion that, due to the complexity of the work and instability of the site, a full time geotechnical engineer would be required to be onsite during the full extent of the earthworks. In a project of this size and scale this will likely be possible provided sufficient funds are allocated to this requirement. This requirement is recommended to be imposed among an extensive raft of geotechnical conditions of any approval to ensure land stability during and post construction phases.

The need for "further geotechnical assessment" is outlined in the applicant's report *"in areas outside of the proposed two level basement below the Birdwing building"*.

Council's peer reviewer has generally found that the applicant's geotechnical information *"generally address most of the issues raised."* Most responses were "*satisfactory*" and where not satisfactory, are able to be conditioned or dealt with through on-going involvement by a well-experienced geotechnical engineer. Council's peer reviewer underscored the importance of on-going involvement by specialist geotechnical professional engineers through the duration of the design and construction phase and after a decision on the material change of use application has been made.

The peer review has identified that there are still some outstanding issues relating to the geotechnical assessment that would need to be addressed. This included the following:

- the management of loose boulders up-slope of the development. The peer review indicates that this will involve either entering the neighbouring property (with their consent) for the removal of the large floating boulders or installing an engineered rock catch fence to secure any rock falls that could occur.
- stability of the steep area below the buildings.
- ensuring that the geotechnical reporting is constantly updated with the latest findings and information throughout the process.

It is generally agreed by the geotechnical experts that the subject site can be made stable if undertaken as proposed and where constant monitoring (full time engineering supervision on site) by experienced geotechnical engineers is proposed. The site can be made stable by proposing complete removal of the surface level slip material from the site and by anchoring the development onto bedrock material on the Buderim escarpment. The geotechnical engineers agree that removing all of the soil from the site would likely result in the site being more stable once construction of the development is complete. However, this methodology does result in completely reshaping and benching the escarpment, resulting in large cuts and retaining walls, and is therefore generally in conflict with the planning scheme intent for development on steeply sloping land.

The peer review identifies that the greatest potential for slope instability is during the construction phase and there is some risk during this stage. Given the size of the project, there is also risk for Council should the applicant not be able to complete the excavation / construction phase of the development for any reason and there would be significant work required to rectify and stabilise the site. To deal with this issue, the applicant has agreed for a monetary bond to be imposed as a security measure to mitigate this risk. Under a bond arrangement, Council would be entitled to call upon the bond to cover any costs incurred to stabilise and rehabilitate the site. It is recommended that standard bonding arrangements to this effect are imposed as conditions of any approval.

A further (second) geotechnical reviewer was later commissioned by Council for a desktop review of all geotechnical advice considered in the application and its assessment. The second geotechnical reviewer confirmed the complex and unstable nature of the subject site and that the highest risk of site instability is during construction. The second reviewer also advised that the

risk-based approach taken by the applicant's geotechnical engineer requires considerable judgement and interpretation in its application, particularly of assessing the likelihood of landslip, and it is therefore difficult to be confident that the assessed risk is low. Overall the review generally agrees that the site could be made stable and makes similar observations to the earlier peer review about issues that remain unresolved and unknown at this point, and that further geotechnical investigation and design would be necessary to resolve these should the development proceed.

The development is considered to be inconsistent with the *Code for Development on Steep and Unstable Land* insofar as it would significantly alter the natural landform, drainage lines, and vegetation on the site and proposes urban development on slopes exceeding 25%. However, in terms of geotechnical stability, the development is able to be made safe through appropriate design and construction practices. Council's geotechnical peer reviewer has assisted in the preparation of a suite of geotechnical conditions that are recommended to be imposed on any approval, including conditions that require more detailed and thorough investigation and geotechnical design to be completed prior to the project proceeding to Operational Works application and approval processes.

Erosion and Sediment Control

It is likely that advanced erosion management and sediment control techniques would be necessary for development of the subject site. The use of high-efficiency sediment basins due to the steep slopes on the site has already been foreshadowed by the applicant's civil engineering consultants though their practicality still needs to be proven for the slopes involved, which are over 25 percent for the majority of the site.

As a normal requirement, erosion and sediment control requires the use of "best practice techniques and methods". Best practice is required for a site of this slope, with limited level areas for sediment basin location, exposed to sub-tropical rain fall patterns in summer and with natural waterways downstream for which the consequence of failure by way of sediment release would be elevated over a typical development site. Further, as the development site includes the colluvium zone along the edge of the Buderim scarp, reasonable allowance needs to be made for eroded soils to expose and mobilise granite rock boulders. Engineered solutions would need to be maintained for these circumstances. Specific erosion management and sediment control approaches would need to be finalised and further proven before the project could proceed to any construction activity.

Exposure of uncovered ground during the wet season would need to be carefully considered, but could be adequately addressed if managed properly through the design and construction phases of the project.

Nature Conservation and Biodiversity

The site's vegetation comprises both an edge and core component of a wildlife corridor which connects vegetation along the southern slope of the Buderim plateau in an east-west direction. This corridor connects discontinuous habitat via a series of vegetated rural residential type allotments and Council bushland/ reserves. There is a bushland conservation reserve adjoining the southern boundary of Lot 5 and an undeveloped, vegetated allotment adjoining the western boundary of Lot 5 (now Council reserve). Retention of viable east-west connectivity through the lower slopes of the site is deemed critical to maintain viable corridor connectivity along the southern face of the Buderim plateau, to these adjacent bushland areas. To this end, the applicant proposes to transfer approximately 3,000 m^2 of vegetated land in the lower, southern part of the site into public ownership for bushland reserve purposes as part of any approval.

A single 'Of Concern' Regional Ecosystem is mapped as being present onsite. This remnant vine forest is described as 'intact' and likely to contain a suite of listed flora and fauna in this locality.

One flora species, (toothed kamala) which is listed as 'Vulnerable' under the *Nature Conservation Act 1992* (NCA), was detected within regrowth vegetation flanking the northern site boundary in an area proposed to be cleared, as well as in other locations on the site.

The remnant vegetation is also mapped as containing essential habitat for a Vulnerable (NCA) amphibian species including the Tusked frog and suitable breeding habitat for another endangered amphibian species was also detected within the onsite water courses. The breeding and foraging habitat for these two freshwater species often overlaps.

The remnant vegetation is located in three distinct areas onsite and it will be important ecologically to maintain connectivity of these stands throughout the site. The largest patch of remnant vegetation is the southern portion of Lot 5 and there are two smaller patches in the south eastern quadrant of Lot 7. While the application identifies protection of these three sections of vegetation on the site, given the extent of earthworks and buildings proposed within close proximity of the vegetation, it is likely that these proposed areas of existing vegetation retention (as shown highlighted in pink on the image below) would be impacted upon and reduced in size by the construction and earthworks proposed. The larger section shown in pink has been identified in the applications earthworks model and being subject to earthworks and filling. The likely outcome is that vegetation will be adversely affected in this part of the site if not addressed through conditions of approval.

Conditions of any approval are recommended to require submission of a comprehensive amended plans package that resolves current design conflicts between the earthworks drawings and other plans that identify retained vegetation. Additional conditions are recommended to place a clear definitive line over "no go" parts of the site where vegetation must be retained and protected through design, construction and then to the operational phase of the development.

The majority of the development is positioned within the northern portions of the site. This area includes many ornamental / exotic species with some vine forest regrowth, approximately 0.89 ha in area. The applicant's tree survey indicates that approximately 115 trees are to be removed comprising of 53 natives and 62 exotic and/or weed species. Although this vegetation is not ecologically an outstanding representation of the regional ecosystem, the vegetation does make up an important band of character vegetation across the Buderim escarpment.

Recent design changes made by the applicant to reduce the scale and footprint of the development now provides an uncompromised 10m vegetated buffer around the perimeter of the site in natural ground, free of buildings, rooves, awnings, retaining walls or other infrastructure. This would provide a significant boost to the vegetated outcome of the site and will enable adequate buffering and screening of the built form. It is recommended that this vegetated buffer is protected through conditions of approval by means of a vegetation protection covenant.

Overall, through the combination of the 3000m^2 land transfer into public ownership for bushland reserve and the protection by covenant of all perimeter buffer planting and other internal vegetated areas, the application demonstrates satisfactory compliance with the nature conservation and biodiversity requirements of the planning scheme. These measures will also assist in reducing the visual impacts of the development and maintaining the green vegetated character of the Buderim escarpment.

Landscape Design

The proposed urban landscaping design does not demonstrate a complete understanding of the requirements to sustainably landscape a development of this size or nature. The documents currently submitted are conceptual in nature and provide little or no proof of concept.

The geotechnical constraints that limit the infiltration of natural rainfall, correspondingly limit the ability of landscaping to be constructed in natural ground. The lack of landscape planting in natural ground is a major impediment to the installation of a successful landscape solution.

Council's planning scheme requires that each development takes care of its own landscape and amenity considerations in a standalone manner and does not rely on the landscape that occurs within adjoining properties to provide a landscaped context.

The recent design changes made by the applicant to provide an uncompromised 10m vegetated buffer around the perimeter of the site in natural ground addresses this issue. Without the substantial areas of planting into natural ground that are now proposed, the other urban garden landscaping on podiums throughout the development would not support the extent, biomass and height of vegetation required to landscape (soften, frame and screen) the development.

Green walls and roof gardens

Approximately 5000m^2 of green walls and roofs is proposed as part of the solution to screening the bulk and scale of the proposed buildings and retaining walls.

Except for the proposed perimeter vegetation and other landscaping which is to be planted into natural ground, the proposed landscaping on podiums and throughout the central parts of the development is effectively containerised.

Containerised landscape areas require a very friable/loose growing media to prevent waterlogging and allow the plant material to compensate for the lack of soil volume. While plants in natural ground have the capacity to water themselves during natural rainfall events, containerised plants require constant management and watering as leaves and branches shed water to adjacent hard surfaces and not to the growing tips of roots.

As the growing media for green walls dries at an accelerated rate, there is a need for the media to be constantly irrigated. In this regard additional nutrient (fertilisers) are also required. This constant drying, wetting, fertilising and leaching of the growing media tends to lead to accelerated failure of plant stock, which in turn must be replaced commanding a high and costly maintenance regime.

Large scale green walls and green roofs are costly and tend to have unachievable management regimes in the Sunshine Coast climate and therefore cannot be relied upon as the only landscaping outcome for a proposed development. However, in this case, the proposed roof gardens would only supplement the overall landscaped outcome for the site, which also includes significant amounts of site perimeter landscaping and other planting into natural ground.

A comprehensive Green Wall and Roof Garden Design and Management Plan needs to be prepared for any approval of the development that includes a maintenance regime that details the refurbishment, replacement, lifecycle management and costing program of all proposed landscaping. It is recommended this Management Plan be made a requirement as conditions of any approval.

Bulk and Scale

The Maroochy Plan 2000 precinct intent applying to the site specifies a maximum density of 1 house intended for the site, with a building footprint of no more than 200m² with a maximum dimension of 20 metres. The proposed development is therefore inconsistent with the intent for this precinct and well beyond the scale of development intended for the site by the planning scheme. The proposal conflicts within the Maroochy Plan 2000 aspirations for limiting development on the Buderim escarpment

The development also proposes large lengths of building form across the site. The Code for Low-rise Multi-unit Residential Premises requires that buildings are not more than 40m long, with separation between buildings (for the purposes of cross block ventilation, articulation and light) of no less than 6 metres where more than 8.5 metre high. The Birdwing building is approximately 170 metres long and the proposed accommodation suite buildings are a similar length.

The development is beyond the existing and intended character and scale of development in Buderim and therefore requires an emphasis to be placed on landscaped buffering and other garden planting to ensure the development does not cause significant visual impacts and appear out of character with its setting in Buderim.

Recent changes by the applicant to reduce the development footprint and increase landscape screening opportunities would serve to minimise the impacts of the development as viewed from nearby properties and further afield. With the recent design changes included, the development is now able to be conditioned to deal with the issue of building bulk and the resultant impacts on local character.

Visual Impact

The applicant provided a visual impact assessment in support of the application based on a selection of photographs showing the site in its existing form. The assessment provided did not clearly identify what the impacts and mitigation measures are. The potential impacts of the development post-construction and mature landscape were reviewed, but this did not take into account that the majority of the site would be extensively cleared.

An assessment of the visual impact of the proposed development by Council staff using 3D modelling technology found that the proposal is of a scale that would make parts of it visible from the southern areas of the Sunshine Coast including Sippy Downs and parts of Caloundra, as well as from surrounding roads, Council's Buderim Village Park and nearby private properties. The applicant's visual analysis was not conducted to a level of detail that discounted concerns of visual impact. The submitted visual analysis was limited to showing existing views of the site without the montage of the proposed buildings inserted for context and analysis.

Until the recent design changes to reduce site cover footprint and increase landscaping into natural ground, the development relied primarily on existing vegetation located outside of the site

for visual screening. The 10m wide perimeter buffer now incorporated into the site design enables the screening to occur from within the site itself.

The applicant originally submitted that the proposal would integrate into the hillside of Buderim, and remain virtually unseen because of its location between two ridgelines and because of existing vegetation within the surrounding area. The 3D images prepared in Council's modelling system indicate that a different outcome would have been likely.

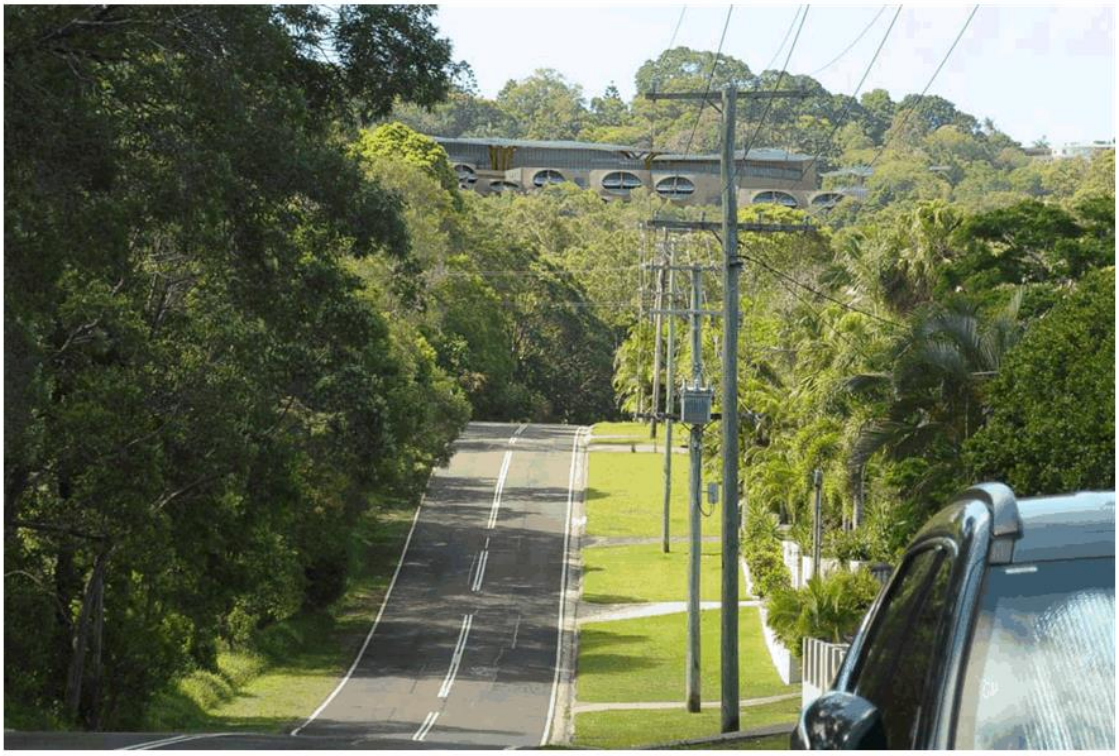
The below images identify the proposed development from Council's 3D model prior to the design changes made by the applicant. The proposed development would have been clearly visible on the Buderim escarpment and threaten the green vegetated backdrop that the planning scheme seeks to protect. Parts of the large scale buildings may still be visible even with the revised design, but the internal buffer now enables the impacts of the development to be minimised and managed by conditions of approval.

View from Sippy Downs

View from Claymore Road

View from private house deck on Cogill Road

View from Stringybark Rd entrance to Matthew Flinders School



View from Cogill Rd

View from Blackbean Court

View from Buderim Village Park

Building Design and Sustainability

The development proposal has an aspirational goal to establish as an 'eco-luxe' resort with a high degree of sustainable design features including green roofs, a commitment to "zero waste" and an intent to achieve a 6 Star Green Star rating from the Green Building Council of Australia as well as ECO and ROC Certification from Ecotourism Australia. Efforts to achieve sustainable building design are a welcome aspect of any development proposal. However, there may be some challenges with the current design concept that will be difficult to reconcile through to detailed design and construction. For example, the Green Star rating and ECO certifications will need to overcome the following to attain sufficient points via the mechanisms of the rating systems:

- the scale of the project as a multiple storey concrete construction with large amounts of embodied energy
- the requirement for large-scale excavation with cuts of up to 9 metres high into the hillside and consequential removal of vegetation, and
- the development's location on a southern slope, with little opportunity for direct natural light into units.

Advanced ECO Certification is awarded by Ecotourism Australia to products that are *"in natural areas"* and independently assessed as "*leaving a minimal impact on the environment*" (quotes taken from Ecotourism Australia website material).

Nevertheless, the applicant has submitted a letter from a Green Star Accredited Professional which states that there is no reason why the project cannot achieve a 6 Star Green Star rating based on the submitted design concept. The applicant has also agreed to enter into an

Infrastructure Agreement with Council to secure the delivery of these building sustainability targets should an approval be granted for the development.

It is recommended that conditions of approval are imposed to ensure the development achieves the Green Star and Ecotourism certifications that have been proposed. The achievement of these are necessary to help justify the merit of the project despite the land use and zoning conflicts with the planning scheme that were discussed earlier.

In order to ensure the Green Star and Ecotourism certifications are achieved in such a way that do not compromise the Sunshine Coast character and sub-tropical climatic design elements, additional conditions are recommended to ensure the following features are incorporated into the certified design, among other things:

- building openings that are operable and oriented to the North
- shelter from Summer sun, southern storms while allowing for daylight, air penetration and a minimum of 3 hours of direct Winter sun penetration
- external operability to internal spaces to enable control of direct sunlight
- natural air and ventilation to all internal rooms via operable doors and windows.

Acoustic Amenity

The primary sources of potential noise from the development are identified as follows:

- Traffic Noise (access and egress through local streets and vehicles onsite)
- Car Park Noise (use of onsite car park areas)
- Funicular Noise (drive motor room, opening doors pass-by noise)
- Waste Servicing Noise (recyclable wastes)
- Mechanical Plant and Equipment Noise (air conditioners, pumps, compressors, compost unit)
- Patron Noise (throughout the development)
- Live and/or Amplified Entertainment Noise (liquor licenced areas, patrons, function facility).

The applicant submitted an Acoustic Impact Assessment in order to address the anticipated noise impacts on environmental values associated with the development proposal. Based on buffer distances and attenuation measures, the assessment has demonstrated that noise limits based on chosen criteria could be achieved with regards to the majority of noise impacts, with some minor exceedances of noise criteria for the car park area on the northern side of the internal roadway.

Careful consideration must be given in the acoustic assessment to the context of the local setting and the planning intent for the site to remain largely undeveloped. For example, the type of noise criteria chosen by the applicant to be applied for entertainment noise is not considered appropriate. When considering the existing environmental values of the locality, the use of erroneous noise criteria for assessment could result in noise that is out of character, audible above the existing background levels and exceeding the Acoustic Quality Objectives of the *Environmental Protection (Noise) Policy 2008* at existing and future potential residential receivers.

Conditions of approval could restrict and manage entertainment noise from the development by limiting operational hours and ensuring that any live and/or amplified music occurs within acoustically designed spaces such that it is not audible at any noise sensitive receptor beyond the boundary of the site. These and other acoustic conditions are recommended for any approval of the development.

Economic Assessment

The applicant provided an economic impact assessment to support the proposed development.

The applicant has identified that if a conflict with the planning scheme occurs, then one of the sufficient grounds to overcome that conflict is the economic benefits associated with the project. Furthermore, the submissions of support for the proposed development revolve predominantly around the economic benefits that the development would bring to Buderim and the greater region.

The project does not yet have a luxury hotel operator committed to the development, but the applicant has stated that some initial interest has been expressed by operators such as Four Seasons, Spicers Retreats, Peppers Resorts and the One and Only Group. It has not been made clear the level of commitment or support any of these groups have given to the project. It is understood that it is general practice in the industry for operators to only be confirmed (via an expression of interest process) following the issuing of development approval with the final design and construction being influenced by the preferred operator.

Council commissioned an independent peer review of the applicant's economic report to provide an expert opinion on the economic benefits put forward by the application. The results of the peer review are included as an attachment to this report. Assessing staff also consulted internally with Council's Economic Development Branch.

The economic peer review confirms that a proposal of this nature (luxury resort accommodation) would provide value to the local tourism product offering and would provide a variety of economic benefits. It agrees that the development would provide an economic boost during the construction phase and would also provide positive economic benefits during operations of the resort. However, Council's independent peer reviewer identifies that the applicant's economic report may be overstating the net positive impacts of the development, particularly in terms of the increased visitor numbers and the conference / meetings market.

The following comments were made in relation to potential community need or economic benefit of the development. *From a tourism perspective, the proposed development would strongly fulfil a local need in the market given current tourism product and infrastructure, however, in an economic sense the need would be mild or weak as there are numerous existing hotels in the region that are not trading at optimal occupancy levels as well as venues that can host business events. From an economic utility perspective, these hotels and event venues could accommodate additional demand, largely negating the need for the proposed development. Naturally, the current condition of hotels and venues would be considered by consumers but there would appear to be sufficient capacity at an appropriately comparable standard to accommodate most of the demand.*

Council's independent economic peer reviewer identified the following issues with the economic assessment submitted by the applicant:

- Many of the case studies would not be directly comparable to the proposed development. Many of the properties compared in terms of demand and pricing are much smaller than the proposed development (20-40 rooms) and are focused on luxury, romantic all inclusive stay charging a premium ($2000+/night). Two of the properties compared (Element of Byron and the MGallery Fairmont Resort at 103 and 222 room respectively) are advertised at $300 -$330 and $250 - $400 / night which is much less than the $600 - $650 / night identified for the proposed development and have a different pricing and positioning in the market.
- The identified site is not typical for a large resort property. The site's location at the end of a small residential street lacks prominence of most larger luxury resorts and would be more suited to a smaller intimate resort.
- The assessment misunderstands the meetings and conference market. In regional areas, the conference market is particularly competitive. Often hotels must provide the venue free of charge in exchange for room nights generated by the event. With only 125 rooms (now revised down to 111 rooms), the size of an event would be capped at around 125-

150 visiting delegates. In order for the Sunshine Coast to leverage the conference sector, a large convention centre would be required similar to Gold Coast, Townsville and Cairns. The peer review concludes that the benefits that the proposed venue would provide for the region in term of conference sector would be limited.

- There are issues regarding the future demand analysis methodology.
- The economic assessment's claim that the development is feasible is not justified and unsubstantiated. The core operations assumptions identified in the applicant's economic assessment particularly nightly rate of $600 - $650 and an average annual occupancy rate of 75% is likely not possible in the market. The assumed nightly rate is much higher than what the current luxury market of the Sunshine Coast achieves now. The 125 staff (approximately 1 per room) specified is low given the luxury status and facilities of the proposal. When compared to the 1.9 staff per room for 5 star properties in the Brisbane region.
- There are numerous irregularities with the economic impact analysis. A variety of the identified benefits and assumptions have no reference or explanation to justify the figures. This includes proposed figures including $50 million in operational impact, 55,000 visitors to Buderim, $30 million in visitor expenditure, all of which have no reference or explanation of the key assumption to justify the figures.

Council's internal Economic Development Branch's assessment do not agree with some of the findings of the independent reviewer. The Branch advise that if suitable project financing/backing is found the project has a good chance of securing a quality operator. Such an operator would affect the economics of the project, attract a high-end clientele and positively impact the average nightly rate as proposed. However, it may be financially prudent for the proponent to consider average nightly rates commensurate with existing luxury operators in the region (in the first place). Additionally, Economic Development Branch advise the economic peer review did not take into consideration plans in the marketplace for the expansion of conference facilities at various existing and new venues and/or the planned development of a Sunshine Coast Convention and Exhibition Centre in Maroochydore which will positively assist this project.

Given that the proposed development has emphasised that the luxury 5-star nature of the resort as a major benefit to the Sunshine Coast region offering an accommodation option that is currently limited in the region, specific advice was requested from Council's independent peer reviewer as to how reliant the economic and region-wide benefits of the proposal are on the specific product being achieved (ie. luxury 5 stars and conference facilities). The response was: "*Most of the tourism benefits of the project are tied to many of the project's features (ie. Luxury status, size/scale, function areas). A traditional 4 star serviced apartment development would not offer any tourism benefits in terms of product and infrastructure to the region as the region has a significant amount of this type of product.*"

This raises some concern regarding the ability to enforce that the development be operated as a luxury 5-star product after the development is constructed. The overriding extent of tourism and economic benefits to the region are only fully realised if the luxury 5-star branding of the development is actually achieved post-approval. To deal with this issue, the applicant has agreed to enter into an Infrastructure Agreement with Council that provides sufficient security with respect to delivery of the luxury 5-star status of the hotel, among other proposed community benefits. Conditions of approval are also recommended to require a minimum standard of luxury hotel design elements are incorporated into the design and constructed to ensure that it is primarily only 5-star hotel operators that are attracted to the project.

Specific advice was also requested from the independent economic peer reviewer regarding the site location, namely: *If there are community or economic grounds for the proposal, how reliant are these grounds on, or sensitive to, the particular site at 24 & 26 Box Street? That is, could any identified economic or community need be easily satisfied on another site?* The response was: "*The proposed site does offer unique views of the coastline that are not offered in many parts of the region. However, these views and this site would not exclude a luxury hotel development on another site in the region providing all of the tourism and economic benefits of the proposed*

development. It should be noted that the site has some access issues and would not have the prominence of a typical luxury resort development (i.e. there is no entry statement from the main road, the access road – Box Street – is a residential road and the entrance to the site is somewhat 'hidden' at the bottom of Box Street)."

Overall, while there may be some overstated benefits and optimistic assumptions within the applicant's economic assessment, the proposed development would have a positive economic impact on the Sunshine Coast region.

Traffic and Transport

Box Street is identified as a local access street in Council's adopted road hierarchy. However, both the reserve width (20 metres) and finished carriageway width (7.5-8 metres kerb to kerb between King Street and just south of Ure Court) are actually similar to that of a neighbourhood collector street. For any approval, it is necessary for the existing narrow carriageway from south of Ure Court to the end of the street to be upgraded to match this finished carriageway width of 7.5 - 8 metres. This would provide for on-street parking on one side of the street while allowing two vehicles to pass each other.

A change in land use for the site from its present rural (undeveloped) designation to a developed one would modify the function of Box Street from a local street to a neighbourhood collector street. Based on traffic surveys submitted with the application, there are approximately 700 vehicles per day on Box Street near King Street at present. The applicant's traffic report advises that traffic generation for the proposed development on an occasional 'peak' day (such as when the restaurant, day spa and function area are all operating simultaneously, in addition to guests at the hotel) would be approximately 966 vehicles per day. The 'typical' daily traffic generation for the development could be lower.

It is considered reasonable to assume the traffic generated by the development would typically double the amount of traffic on Box Street to approximately 1400 vehicles per day. This is less than the general 3000 vehicles per day limit for a neighbourhood collector street in a residential area. However, the commercial nature of the development means that vehicle travel patterns throughout the day and night would be different to those normally expected in a residential street, with staff arriving and departing in night time as well as evening functions and restaurant use. Moreover, the applicant's traffic report advises that, based on the mix of proposed commercial uses, it expects approximately 90 of the vehicles generated by the site each day to be service related.

While the majority of service vehicles are likely to be delivery vans and light trucks, it is reasonable to expect a number to be larger vehicles relating to such trips as refuse collection, linen collection, and regular deliveries (e.g. for the restaurant and function area). This would result in a higher volume of commercial vehicles travelling the full length of Box Street than what is expected in a residential street. Particularly given the gradient of Box Street, there would be potential amenity impacts associated with the increase in vehicles travelling along Box Street.

There are potential amenity impacts on Box Street residents as a result of both the variation in temporal patterns of traffic movement and the higher proportion of commercial vehicles compared with a typical residential street. The degree of these amenity impacts may be considered great enough to cause conflict with the Transport, Traffic and Parking code, which states: "*Development with high traffic generating potential minimises any adverse impacts on land use and the external road and street system"* and that *"development does not diminish the amenity of nearby land uses".*

The way in which Box Street residents would experience amenity impacts may include some delays in accessing King Street through the Box Street intersection. There are approximately 109 dwellings existing and another 39 approved (but not constructed) dwellings in the Box Street catchment that would experience these impacts.

Any potential traffic amenity impacts must be considered in the context of the reasonable expectations of the impacted residents having regard to the location of the site. In this case, there would not be a reasonable expectation that an intense form of commercial development would occur on the rural-zoned subject site, but then also those expectations are tempered by the fact that existing residents in Box Street live in a medium density residential zoned area centred around King Street and should therefore reasonably expect higher levels of traffic compared to residents living in a low density residential zoned street.

To the extent there is a conflict with the Transport, Traffic and Parking code with respect to traffic amenity, the development proposes to overcome these and other planning scheme conflicts by means of community benefits that include:

- delivery of a high-end 5 star hotel and conference facilities to satisfy currently unmet tourism demand for luxury accommodation product on the Sunshine Coast
- economic benefits to the local and regional economy
- transfer of approximately 3,000 m^2 of vegetated escarpment land into public ownership for bushland reserve purposes, to link with other publicly-owned environmental lands adjoining the subject site
- provision of drainage easements through the subject site to provide lawful discharge rights to upstream properties.

On balance, subject to conditions requiring a major upgrade of the existing Box Street carriageway and cul-de-sac turnaround to deal with the increases in traffic numbers, the site is considered sufficiently suitable to accommodate the proposed development having regard to traffic considerations.

As explained in the State Agencies section of this report, some upgrades to the Box Street / King Street intersection are recommended by the Department of Transport and Main Roads (DTMR), but are constrained by an existing bus stop. No signalised treatment is proposed or requested by DTMR.

CONSULTATION:

State Agencies

The application was referred to the following State agencies:

Third Party

Department of Transport and Main Roads

The application was referred to the department for comment about the impact of the development on the State road network. Box Street intersects with King Street, which is a State controlled road. The department responded by letter dated 29 May 2017, stating that an upgrade to the Box Street and King Street intersection is necessary by this development. Consequently, the department has provided a condition requiring a right-turn lane on the western King Street intersection leg for right-turns into Box Street. The department also advised that, ordinarily, a left-turn treatment for left-turns into Box Street would also be required, but this would impact on the existing bus stop on King Street at this location. The department believes it is in the wider community's interest to leave the bus stop at its current location and therefore, given the bus stop will be vacant for most of the time, the department has not recommended that a left-turn treatment to be provided in this instance.

Internal Referrals

The application was forwarded to the following internal council specialists:

- Development Engineer, Engineering and Environment Assessment
- Hydraulics and Water Quality Specialist, Engineering and Environment Assessment
- Landscape Officer, Engineering and Environment Assessment
- Environment Officer, Engineering and Environment Assessment
- Ecology Specialist, Engineering and Environment Assessment
- Urban Designer, Planning Assessment
- Traffic Engineering, Engineering and Environment Assessment
- Economic Development Branch
- Strategic Planning Branch
- Environment and Sustainability Policy Branch
- Environmental Operations Branch

Their assessment forms part of this report.

Independent Peer Reviews

Independent peer reviews were obtained in the fields of geotechnical engineering and economic assessment. Their advice informs this report. The results of the peer reviews are included as attachments.

Public Notification

The application was publicly notified for 15 days in accordance with the requirements of the *Sustainable Planning Act 2009*. A total of 363 submissions were received during the notification period, including 337 properly made submissions and 26 not properly made submissions. Of those submissions, 292 were in support, 43 were objecting and 2 were neutral to the development. 329 of the submissions were proforma.

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

Issues	***Comments***
SUPPORT	
• The development is a $60 million construction project with significant economic benefits to the Sunshine Coast.	• The economic benefits of the proposal are discussed in the economic assessment section of this report.
• Development will result in additional jobs during construction and post construction.	• Agree. The development would result in job creation through construction and post construction.
• Operational turnover will contribute significantly to the Sunshine Coast economy.	• The economic benefits of the proposal are discussed in the economic assessment section of this report.

• The development will lead to increases in overnight tourism in Buderim.	• The development proposes 111 additional accommodation rooms to the Buderim area and would therefore increase the ability for overnight stays within Buderim.
• There is a current lack of 5 star luxury branded hotels and resorts on the Sunshine Coast. Proposal will bring a luxury hotel brand to the coast. Improves accommodation options.	• The development would offer an additional luxury hotel option on the Sunshine Coast. The applicant has agreed to enter into an Infrastructure Agreement with Council to secure the delivery of a luxury 5 star hotel operator post construction.
• The development will bring environmental benefits including protection of vegetation on the escarpment, green roofs, water reuse, utilising solar energy, composting, use of electric cars and buggies, permeable paving to improve water quality.	• The proposed development does propose a number of green initiatives for the operation of the resort post construction.
• Development will improve property values in Buderim	• This is not a planning matter and cannot be substantiated.
OBJECTIONS	
• The proposed development is inconsistent with the scale and density intended for the site.	• Agree. The development is of a scale and density beyond that which was envisaged by the Maroochy Plan 2000 for this site.
• The development exceeds the maximum building height limit in the planning scheme of 8.5 metres.	• The development proposes buildings of generally between 8.5 and 10 metres from natural ground level. Building height is discussed under previous sections of this report.
• The development exceeds the maximum density provisions of the planning scheme of one dwelling per lot.	• Agree. The development proposes 111 hotel rooms and resort facilities. A maximum density of 1 dwelling per lot is identified as preferred in this precinct in the planning scheme.
• The proposal is inconsistent with the intent of the Buderim non-urban precinct and the general rural land zoning.	• It is agreed there is a zoning and land use conflict presented by the proposal. The application seeks to overcome this conflict by the delivery of community benefits that would satisfy the legal test of 'sufficient grounds' under the *Sustainable Planning Act 2009*.
• Proposed commercial development is inconsistent with the residential character and atmosphere of the area.	• It is agreed Box Street is currently characterised by residential units and large vegetated allotments and the proposed development would not match that existing character.

• Site selection is based on personal circumstances rather than sound project feasibility and economic principles.	• The circumstances of the applicant is not a matter that can be considered in this assessment.
• The site is not suited to the proposed development.	• The site is constrained by very steep topography and is therefore not typically considered suitable for a development of the intensity proposed. However, by incorporating strict conditions of approval such as in relation to geotechnical construction methodology, it has been demonstrated the development would be able to manage the constraints of the land.
• The development would have significant noise impacts from traffic, events and functions etc which would affect the residential amenity.	• Potential traffic and noise related amenity impacts are discussed in the respective sections of this report.
• The economic assessments provided are assumptions only and may not accurately identify the actual economic benefits from the development.	• Economic assessment are based on assumptions which have been peer reviewed by Council's independent expert. The economic impact assessment is discussed in the economic assessment section of this report.
• The economic report does not represent the negative impacts of the proposal in terms of economic impacts including job losses for competing regional resorts, restaurants, wedding venues etc.	• Council commissioned an independent peer review of the applicant's economic assessment which is discussed in the economic Assessment section of this report. It has been acknowledged the development would cause an increase in competition to some existing traders, such as local restaurants.
• Development significantly exceeds the limit per day for vehicle on an urban residential access street by 244% or 2.4 times.	• The development would result in an increase in traffic on Box Street. Upgrades to Box Street and the Box Street/ King Street intersection would be required to facilitate this development.
• The proposal would have amenity impacts due to increased traffic and associated noise and congestion on steep and small cul-de-sac. Proposed traffic volumes of 966 vehicles per day and 152 vehicles per hour.	• The potential impacts of traffic movements is discussed under the traffic and transport section of this report
• Parking issues in surrounding streets during weddings and other functions and events.	• The development proposes 166 car parking spaces on site, which may not be sufficient for the proposed use and therefore requires consideration of alternative arrangements such as bus transport for weddings and events. Conditions of approval are recommended for a further Car and Bicycle Parking Study to be submitted to Council for approval that demonstrates sufficient parking will be available for all aspects of the use.

• Development fails to ensure pedestrian safety objectives. Reliance on vehicles.	• The development would be required to provide an upgrade to Box Street which would involve connection of the development to the existing footpath network in Box Street to ensure adequate pedestrian safety in Box Street.
• The application has not adequately addressed bushfire risk and evacuation. The single access from the site via Box St would result in difficult evacuation and cause congestion that would affect other residents of Box Street.	• The site is mapped as low hazard bushfire. Submission of a Bushfire Management and Evacuation Plan to Council for approval is recommended to be imposed as a condition of any approval.