

# **Additional Information**

## **Ordinary Meeting**

**Thursday, 24 March 2022**



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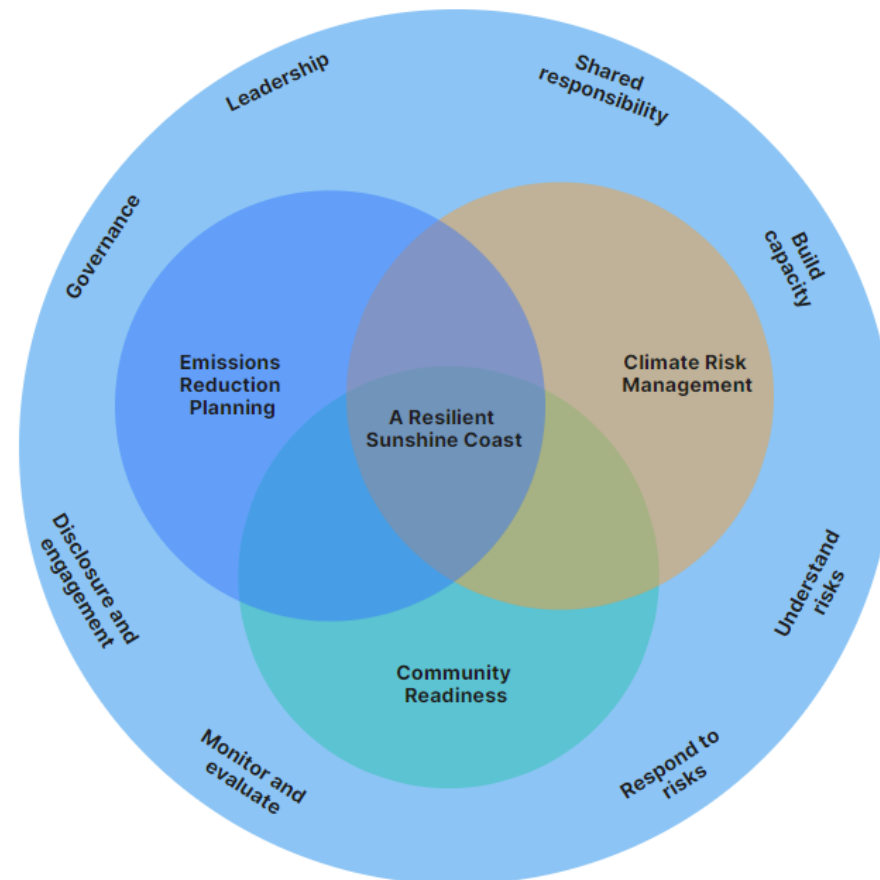


# 8.1 Responding to the Climate Emergency

24 March 2022

# Responding to the Climate Emergency

A response that reflects the urgency and the decade of action



## Emissions Reduction Planning

- We need to play our part to slow down/halt impacts
- ZNE Organisation Target Set – 2041
- Confirmed our target is aligned with the best available science to stay below 1.5oC global warming
- Will require focused and sustained effort by all areas of Council to reach our target
- Monitoring and reporting on our organisational emissions critical to ensure on target/guide investment
- ZNE Action Plan – a coordinated and integrated approach

# Climate Risk Management

- Understanding and responding to Organisational Climate Risk
- QCRC – A Framework to assist LGs assess their Climate Risk
  - Complete Phase 1 Pilot – high level sweep of key climate risks
  - Investigate Phase 2 – more detailed climate risk planning
- Integrating climate risk/sustainability into existing governance, policy and decision making processes and culture
- Growing internal capacity and capability to respond
- Continue to deliver best practice climate risk reduction approaches whereby our response to climate risk is embedded into what we do.

## Community Readiness

- A need for ongoing leadership and support
- Building a shared understanding, acceptance, awareness and responsibility to take action
- Council is engaging with our community and regional stakeholders on climate risk management through the RCAR project (including emissions reduction)

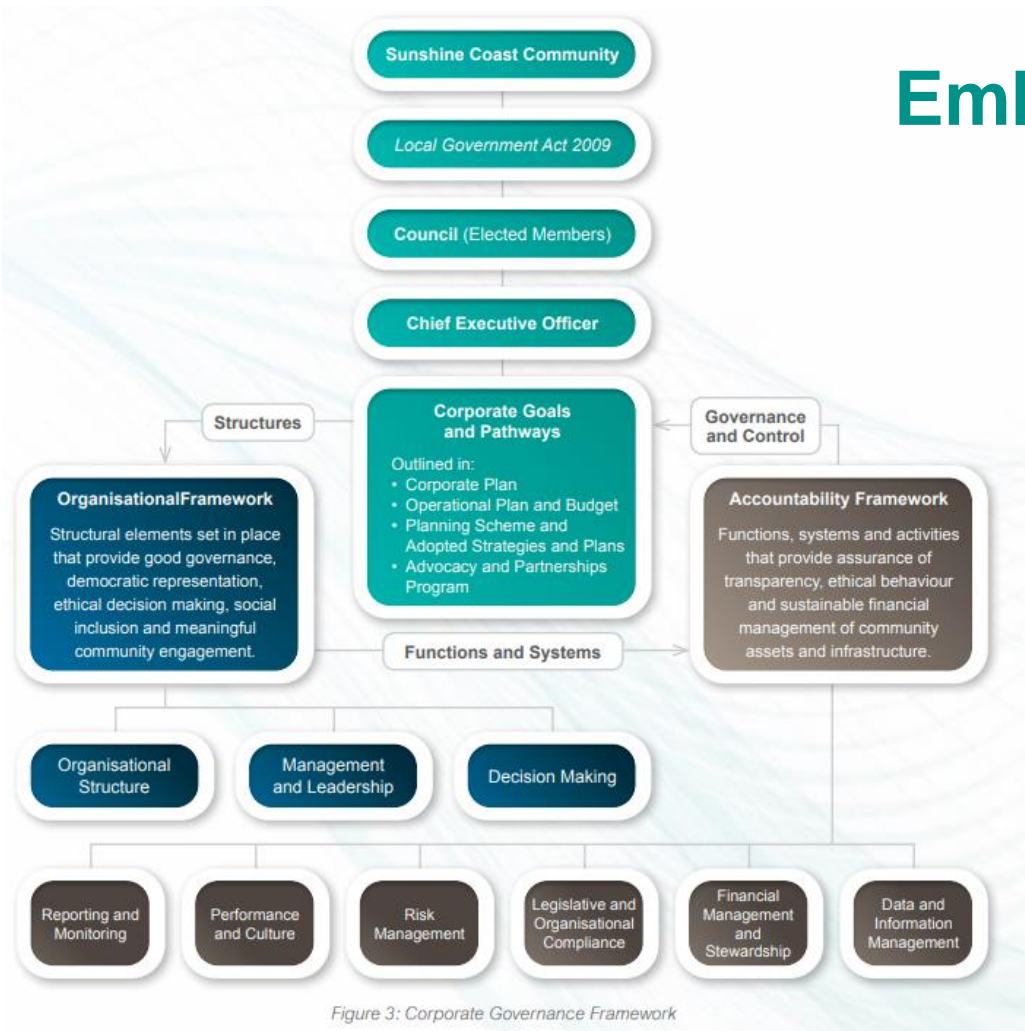
# Embedding Climate Change

Embedding through Council's existing corporate governance framework...

1. Corporate Goals and Pathways  
- *policy and planning*

2. Organisational Framework  
- *governance oversight*

3. Accountability Framework  
- *systems and processes*



## Officer Recommendation

That Council:

- a) receive and note the report titled “Responding to the Climate Emergency”
- b) note the project updates provided in regard to Council’s zero-net emissions planning and climate risk management
- c) note the interim opportunities identified to help progress our organisational response to the climate emergency.







MCU21/0342 & OPW21/0528

7, 9 First Avenue, 10, 16,  
Brisbane Road, Mooloolaba

Independent Development  
Assessment Team –

Assessment &  
Recommendation

March 2022



## Independent Assessment Team

Name	Company	Position	IAT Role
Ashley Everton	Ethos Urban	Associate Director	Independent Assessment Team Coordinator, town planning and project management lead
Ciaran Callaghan	Ethos Urban	Principal	Town planning and project management assistance
Phil Smith	Gomango Architects	Director	Architecture lead
Nathan Edwards	Bitzios Consulting	Principal Traffic Engineer	Traffic engineering lead
Abigail Joustra	Vee Design	Associate	Landscape lead
Andrew Martin	Trinity Consultants	Manager	Odour, waste management and lighting lead
Stephen Pugh	Trinity Consultants	Senior Engineer	Acoustic lead
Matthew Martin	Bligh Tanner	Associate Director	Civil engineering lead



## Subject Site





## Development Application

Code Assessable

Applicant: KPAT Mooloolaba Pty Ltd

- Development Permit for Material Change of Use:
  - Resort Complex (hotel), including:
    - 182 hotel short term accommodation rooms;
    - amenities and facilities; and
    - prescribed rooftop use
  - Food and Drink Outlets
  - Shops
  - Function Facilities
  - Bars
- Development Permit for Operational Works:
  - Road work
  - Landscaping
  - Stormwater
  - Earthworks



## **Development Application**

### **Assessment Process**

#### **Pre-lodgement**

- 3 December 2020 – multiple meetings and workshops

#### **Lodgement**

- 20 September 2021 – properly made application

#### **Information Request**

- 18 October 2021 – Council IR issued
- 16 December 2021 – Applicant IR Response submitted

#### **Further Advice**

- 25 January 2022 – Council Further Advice notice issued
- 15 February 2022 – Applicant Further Advice Response submitted

**SARA Response** received 6 January 2022





## Built Form

### Ground level

- Public plaza and landmark landscaping at the corner of Brisbane Rd and First Ave
- First Ave crossing to prioritise pedestrians, and improve connectivity to Mooloolaba Esp
- Streetscape upgrades, including bicycle parking, feature landscaping, loading bays and build outs
- Hotel lobby, restaurant and bar/café, porte cochere, shops
- Brisbane Road driveway and service access via shared easement





## Built Form

### Podium

- Significant building articulation, featuring a substantial void which frames the public plaza
- Variation in materials and screening elements, including vertical aluminum battens and integrated planting
- Awnings



Perspective – Public plaza at intersection of First Ave and Brisbane Rd



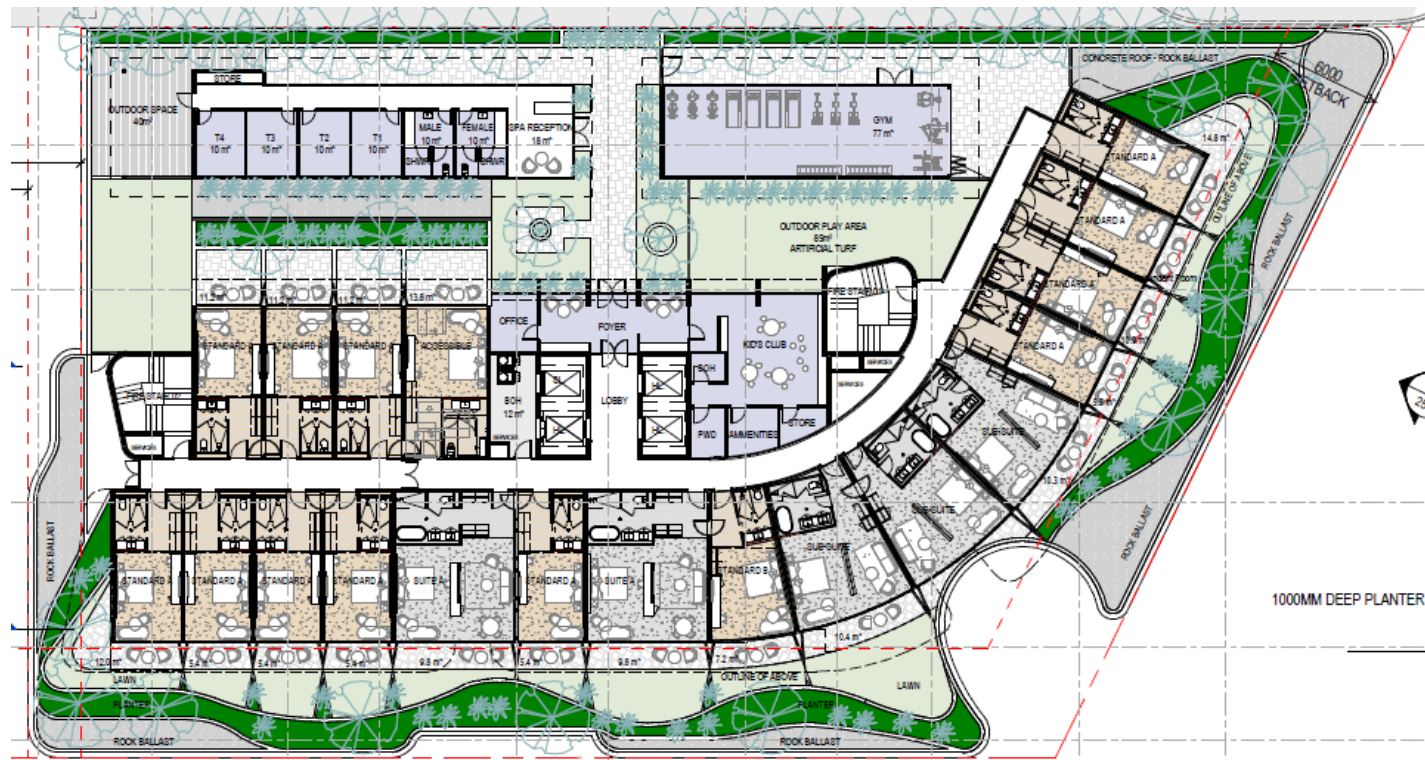
Podium sections – First Ave and Brisbane Rd facades





## Built Form

### Level 3







## Built Form

### Tower



Perspective – Brisbane Road  
looking south-west



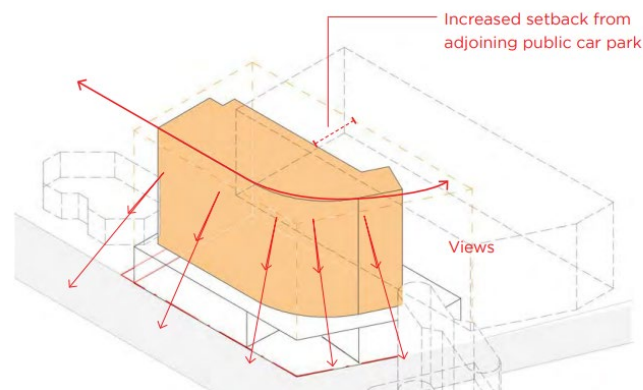
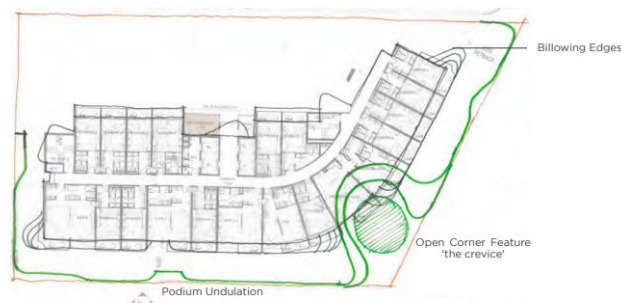
Perspective – Brisbane Road  
access driveway



## Built Form

### Tower

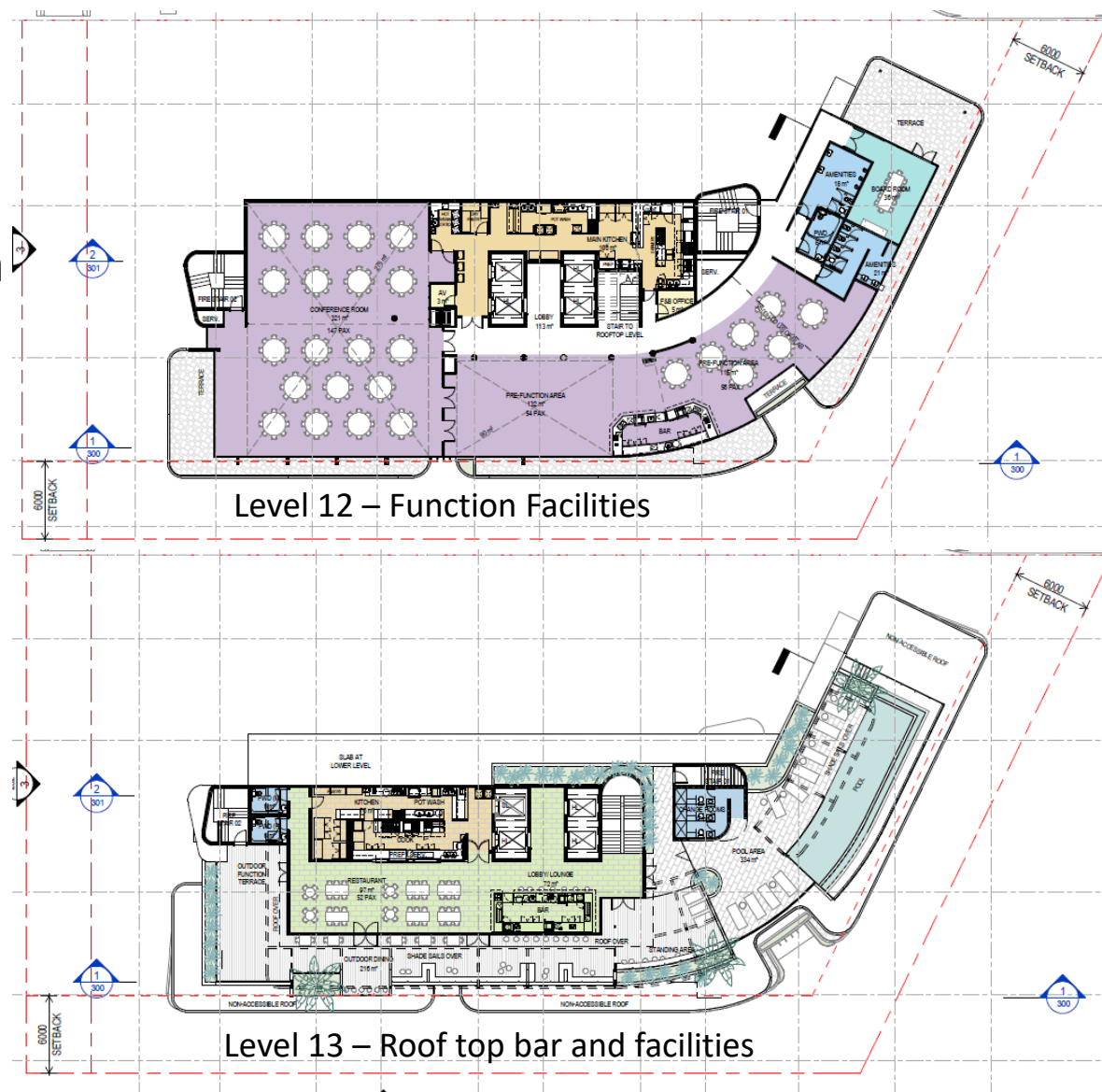
- Single tower form: resort complex (accommodation units), function facility and rooftop restaurant, bar and recreation area
- Building articulation is employed to reduce the perception of building length, and includes a vertical corner element to draw visual emphasis to public plaza
- Generous building separation to the southern aspect to maximise amenity adjoining properties





## Built Form

### Tower Top





## Proposed Hotel Component

	Standard rooms			Suite rooms					Total
	Type A	Type B	Type C	Sub-suite	Type A	Type C	Accessible	Presidential	
<b>Number of beds</b>	1 bed	1 bed	1 bed	1 bed	1 bed	1 bed	1 bed	1 bed	
<b>No. of units</b>	108	9	8	25	18	4	9	1	<b>182</b>
<b>Room area</b>	29.7m <sup>2</sup>	30.8m <sup>2</sup>	30.8m <sup>2</sup>	44.7m <sup>2</sup>	54m <sup>2</sup>	61.4m <sup>2</sup>	36.7m <sup>2</sup>	89.6m <sup>2</sup>	
<b>Typically balcony area</b>	6m <sup>2</sup>	8m <sup>2</sup>	5.6m <sup>2</sup>	7.7m <sup>2</sup>	6m <sup>2</sup>	6m <sup>2</sup>	6.9m <sup>2</sup>	19.3m <sup>2</sup>	
<b>% of total</b>	<b>59.34%</b>	<b>4.95%</b>	<b>4.40%</b>	<b>13.74%</b>	<b>9.89%</b>	<b>2.20%</b>	<b>4.95%</b>	<b>0.55%</b>	<b>100.00%</b>

% <45m<sup>2</sup> 87.36%

- Planning scheme does not specifically identify a hotel for the site, regardless of star rating
- Planning scheme does not provide guidance on min/max hotel room size or number of bedrooms
- Short term accommodation parking rate is based on room numbers, not number of beds



## Key Assessment Considerations





## Local Plan and Use code key requirements

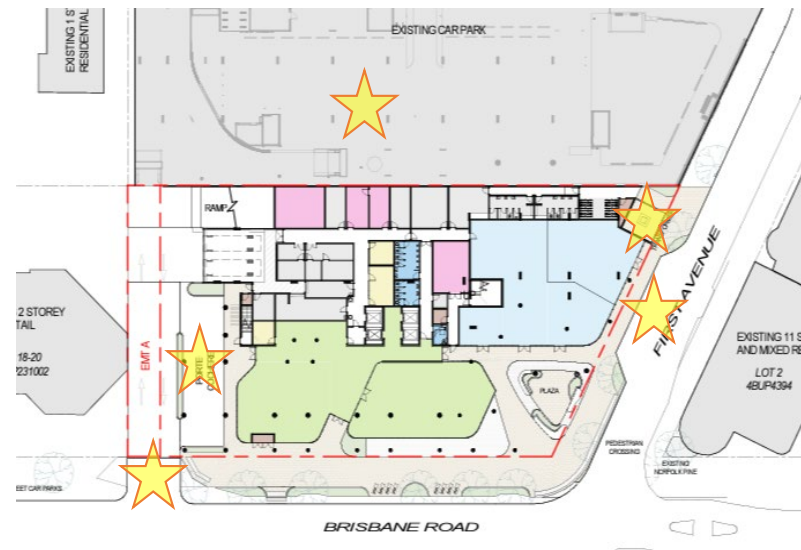
- *high quality mixed use development incorporating a range of centre activities and residential accommodation*
- *outstanding building, landscape and streetscape design that recognises the landmark nature of the site*
- *central community meeting space such as a village square or plaza*
- *well designed and integrated public carpark*
- *increased podium site cover (90%) and height (4 storeys)*
- *45m above ground level height limit*
- *wind and noise amenity within public realm*
- *pedestrian movement, carparking, servicing and traffic*





## Key design constraints

- adjoining multi-storey carpark interface
- single vehicular access driveway on Brisbane Road shared with existing multi-storey car park access (easement)
- need to accommodate coach set down bay and porte cochere for hotel
- transformer padmount

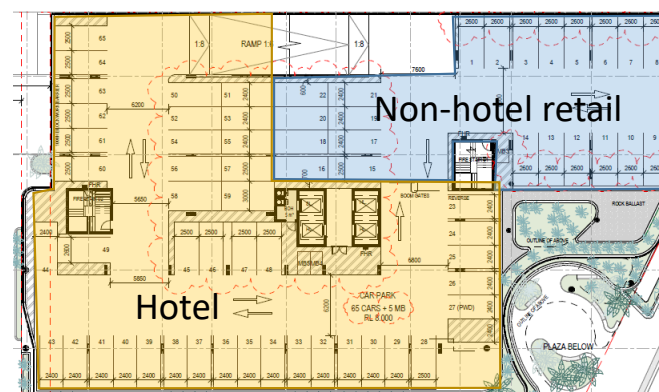
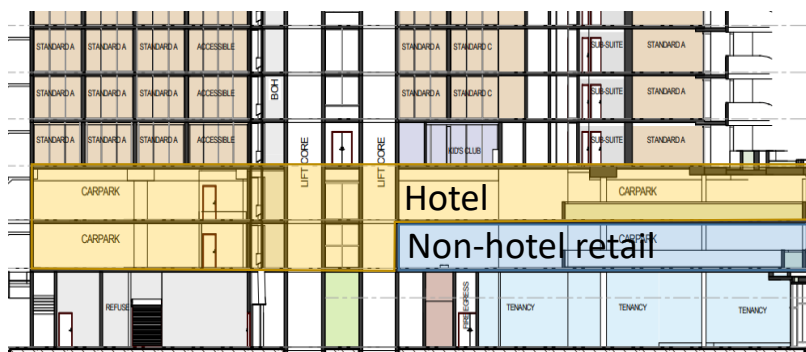




## Parking and Active Transport

Use	Conditioned (spaces)	Provided (spaces)
Ground level	22 minimum	22
Hotel guests	73 minimum	111
Hotel other	34 minimum	
Additional unallocated	4 minimum	-
<b>TOTAL</b>	<b>133 minimum</b>	<b>133</b>

- Bicycle:
  - 23 bicycle parking spaces for staff with end of trip facilities
  - 16 bicycle parking spaces for visitors







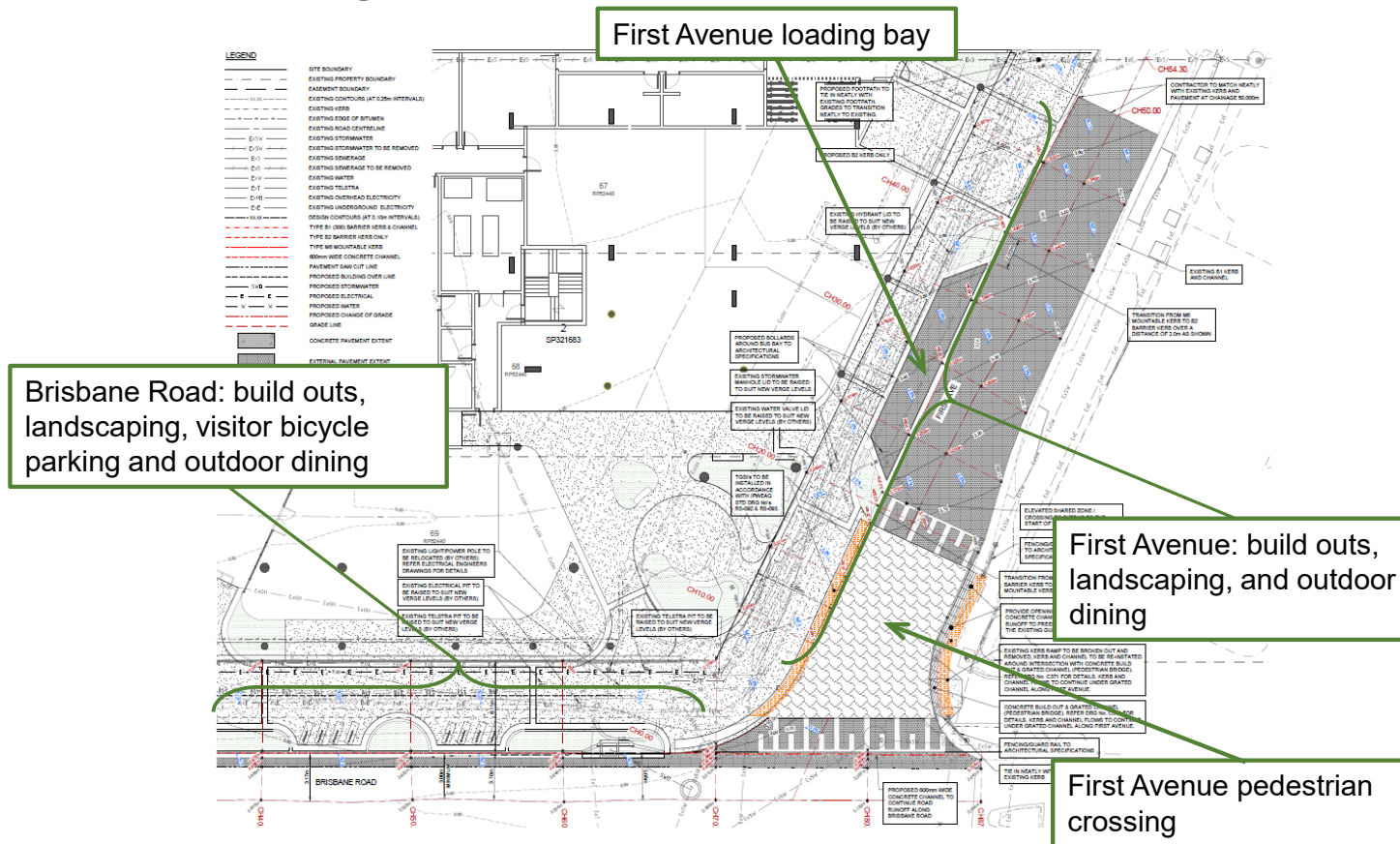
## Parking

### Guest carparking rate calculation and comparison

Use	GFA/Rooms	PS rate	Required	Provided	Rate Provided
Ground level tenancies not accessed via Hotel lobby	412m²	1 space / 20m2 GFA	21 (20.6)	22 spaces	1 space per 18.7m²
Hotel (guest spaces)	182	Resort Complex - “Sufficient spaces to accommodate number of vehicles likely to be parked at any one time”		73 spaces	1 space per 2.5 rooms
		Comparative Hotels			
		Holiday Inn Express Maroochydore City Centre			1 space per 6 rooms
		Aria Property Group Resort, Mooloolaba (MCU19/0081)			1 space per 2.48 rooms
		Yaroomba Beach Village and Resort (MCU17/0095)			1 spacer per 2.4 rooms
		Ipswich International Hotel			1 space per 2.54 rooms
		The Point Hotel, Kangaroo Point			1 space per 3.79 rooms



## External Upgrades





## Recommendation

As the external independent assessment team, it is recommended that the Council approve this application subject to conditions and amended plans / documents.



## Related Report / Additional Information Request

<b>Meeting:</b>	<b>Ordinary Meeting</b>	<b>Date:</b>	<b>24 March 2024</b>
<b>Requesting Councillor:</b>	<b>Various</b>		
<b>Item:</b>	<b>Item 8.2 – DA for Resort Complex at Brisbane Road, Mooloolaba</b>		
<b>Circulation</b>	<b>22 March 2022</b>		
<b>Officer (title):</b>	<b>Team Leader, Planning Assessment</b>	<b>Approving GE (title):</b>	<b>Group Executive, Customer Engagement &amp; Planning Services</b>

It should be noted that this application is before Council because it involves a Council-owned land parcel that is subject to a sale upon any approval of the application. The application has been assessed independently by an external assessment team to Council – led by Ethos Urban.

In response to questions raised by Councillors, please note the following additional information for your consideration. Note that Council officers have provided responses to the questions that are not related to the assessment of this application and the external independent assessment team have provided response to all questions related to the assessment of the application.

### Question:

**How has the planning scheme changed in relation to height requirements on the subject site?**

### Response:

The planning scheme height limit for the site has not changed from 45m since at least the commencement of the Maroochy Plan in the year 2000. Under the Maroochy Plan, development on the site could be constructed up to a height of 45m provided that certain design requirements were achieved.

Under the Draft Sunshine Coast Planning Scheme 2012 (which was subject to public consultation from 19 October to 14 December 2012), a maximum building height of 37.5 metres applied to the Brisbane Road Car Park site. Following public consultation, the *Sunshine Coast Planning Scheme 2014* (Version 1, gazetted on 2 May 2014 and commenced on 21 May 2014) identified a maximum building height of 45 metres for the subject site, in line with the Maroochy Plan 2000.

Under the *Sunshine Coast Planning Scheme 2014 (Qualified State Interest Amendment) No. 17*, which commenced on 10 December 2018, specific provisions were included in the planning scheme to provide an allowance for some additional building height for rooftop uses in key tourism locations, such as Mooloolaba/Alexandra Headland. This amendment allows an additional 3 metres in height for prescribed rooftop uses on the subject site, except for lift overruns which may be an additional 5 metres in height.

**Question:**

**Were there complaints regarding lighting during construction of the adjoining multi-storey carpark?**

**Response:**

Council's Appeals Management and Compliance team have advised that two (2) construction-related complaints were recorded during construction of the multi-storey carpark building. Both related to management of general construction noise and construction activity, not related to lighting impacts.

**Question:**

**All other questions.**

**Response:**

All other questions are related to the assessment of the application, which was carried out by Council's external independent assessment team led by Ethos Urban.

Ethos Urban has provided the attached letter responding to the questions raised by Councillors.



Our ref: 7200224  
Council ref: MCU21/0342 & OpW21/0528

18 March 2022

Development Services  
Sunshine Coast Council  
Locked Bag 72  
Sunshine Coast Mail Centre Qld 4560

Attention: Daniel Rundle

Via email: [daniel.rundle@sunshinecoast.qld.gov.au](mailto:daniel.rundle@sunshinecoast.qld.gov.au)

Dear Danny,

**RE: MCU21/0342 & OpW21/0528 - 10 & 16 Brisbane Road and 7 & 9 First Avenue, Mooloolaba  
Councillor Additional Information Request Response #1**

In response to questions raised by Councillors in relation to the above mentioned application, please note the following additional information.

**1. *What residential uses has the application sought approval for – Short term accommodation?***

Response

The development application seeks approval for a Development Permit for Material Change of Use for a Resort complex as defined by Schedule 1 – Definitions of the *Sunshine Coast Planning Scheme 2014* ('the planning scheme'), in the form of a 4.5 star hotel. The definition of Resort complex is for the use of tourist and visitor short-term accommodation with accompanying integrated facilities. The application does not include the defined use of 'Short-term accommodation', but for reference short term-accommodation activities are intended to provide temporary accommodation for tourists and travellers (typically not exceeding three consecutive months).

*Resort complex –*

*Premises used for tourist and visitor short-term accommodation that include integrated leisure facilities such as:*

- *restaurants and bars;*
- *meeting and function facilities;*
- *sporting and fitness facilities;*
- *staff accommodation;*
- *transport facilities directly associated with the tourist facility such as a ferry terminal and air services.*

Conditions 8 and 9 (reproduced below for ease of reference) limit the use of the hotel for short-term accommodation for a temporary period of time not exceeding three consecutive months, and the hotel must be operated for the life of the development by a single entity and must not be fragmented into separate titles nor parts of it leased to separate entities.

8. The approved Resort complex (hotel) must be used to provide short-term accommodation for tourists or travelers for a temporary period of time (i.e. not exceeding three consecutive months). The accommodation must not be occupied by persons for the purpose of permanent accommodation, excluding those persons in a manager's residence for the premises. The requirements of this condition must be included in the Community Management Statement / Building Management Statement for any body corporate for the subject site.

9. The whole of the approved hotel component of the development must be operated for the life of the development by a single entity and must not be fragmented into separate titles nor parts of it leased to separate entities.

The Development Permit for a Material Change of Use is the authorising approval that all subsequent approvals must be consistent with, and the development must comply with at all times while the use is operational. The type of building class under the Building Code of Australia (BCA) and certification under the *Building Act 1975* is not covered under the planning scheme and does not make up part of the assessment of this development application.

These elements will be assessed separately as part of a subsequent building approval application. The development application included a National Construction Code (NCC) Section J Report (refer to the Referenced Documents with the conditions package, and the application supporting information on Development.i) demonstrating how the development complies with the NCC Section J Energy Efficiency and Building Fabric requirements. This report identifies that the hotel component of the development constitutes a Class 3 building under the BCA:

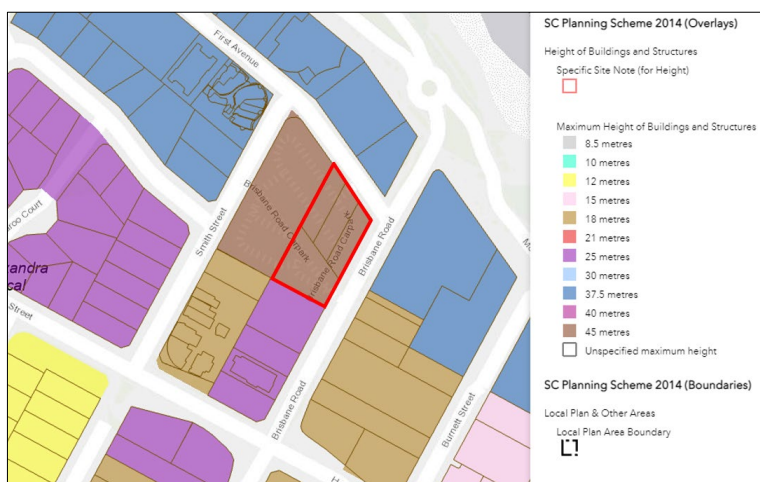
*Class 3 building –*

*A residential building, other than a Class 1 building (i.e. single detached or attached dwelling, e.g. house, town house, will a unit, etc.) or Class 2 building (i.e. building containing 2 or more sole-occupancy units each being a separate dwelling), which is a common place of long term or transient living for a number of unrelated persons. Example: boarding-house, hostel, backpackers accommodation or residential part of a hotel, motel, school or detention centre.*

## 2. What are the heights of buildings surrounding the site?

### Response

As illustrated below the subject site is identified within the 45m maximum building height above ground level area, with immediate surrounding properties located within the 18m, 25m, 37.5m, 40m and 45m maximum building height areas. The development complies with the maximum height requirement of the site under the planning scheme, refer to the Detailed Assessment Report contained in the Ordinary Meeting report (OM Agenda page 113).



Height of Buildings and Structures Overlay



The proposed development has a maximum RL of 51.1m AHD (top of plant screen), while the majority of the building is located below RL 48.550m AHD (roof). The adjoining multi-storey carpark is also shown with a maximum height of RL 28.9m AHD (top of roof).



First Avenue elevation with adjoining multi-storey carpark

The below figure from Council's Explanatory Memorandum to the *Sunshine Coast Planning Scheme 2014* (Major Amendment) No. 10 – Mooloolaba Masterplan and Key Site Review 31 July 2017, provides an indicative elevation along the Esplanade of building heights. The approximate location of the subject site is identified by the arrow and the grey dashed line represents RL 50m AHD, with is appropriate height of the proposed development.



Indicative elevation along the Esplanade illustrating building heights

Source: Sunshine Coast Council, Explanatory Memorandum to the *Sunshine Coast Planning Scheme 2014* (Major Amendment) No. 10 – 31 July 2017

### 3. Does the development provide electronic parking number signage?

#### Response

Condition 41 (reproduced below for ease of reference) requires the preparation of a Traffic and Carpark Management Plan which is to be submitted to Council for approval. The plan is to identify proposed signage, how both public and private motorists are to use the car park, etc. Electronic signage may be a parking management option ultimately proposed and/or required by Council as part of the review of the Applicant's Traffic and Carpark Management Plan, and is listed within Condition 41(d) below.

41. Prepare a Traffic and Carpark Management Plan to be approved by Council prior to the commencement of use and include:

- (a) explanation of car park operation for both public and private users;
- (b) on site car parking guidance, porte-cochere and vehicular servicing area signage;
- (c) parking on site must be aided by clear directional signage located in the porte cochere, driveway entrance from Brisbane Road and prior to the ramp entrance to the carpark;
- (d) the use of electronic carpark vacancy monitoring and display information located prior to the entry of the access ramp;
- (e) implementation of operational strategies to manage on-site carparking, such as, but not limited to, the following examples:
  - (i) At the time of booking a room, it will be clear to guests whether or not they will be allocated a car parking space.
  - (ii) There may be an additional charge (charge should be equal to or less than adjacent Park N Go public parking facility) if a car parking space is required or for an extended stay (e.g. 4 days or more).
  - (iii) Guests may be picked up from the airport and chauffeured to the hotel.
  - (iv) Organising logistics between airlines, coach providers and the hotel to ensure a seamless transport outcome for guests.
  - (v) Organising logistics between coach providers and the hotel regarding the set-down and pick-up of guests.
  - (vi) Should there be an event or function, that may create a greater car parking demand compared to typical operations, event shuttle bus services may be arranged for collection and return of guests.
  - (vii) The 24 hour valet parking service will be used to manage peak car parking demands through the combination of dedicated tandem spaces and unused guest spaces.
  - (viii) There is opportunity for alternative travel for staff, such as active transport and through ride share applications and on demand services, which may be incentivised by Hotel Management.
- (f) details relating to the operation and management of the porte-cochere facility (e.g. how demands will be managed, steps to be taken if various issues arise such as facility demand exceeding capacity);
- (g) details relating to the logistics between airlines, coach operators and the hotel regarding transport;
- (h) details relating to the operation and management of the vehicular servicing area (e.g. how demands will be managed, steps to be taken if various issues arise such as area demand exceeding capacity);
- (i) strategies and infrastructure which will be put in place to allow safe car park and vehicular servicing area egress movements at all times. It is to be clearly demonstrated that required infrastructure can be accommodated.

**4. Does the Applicant need to report to Council on the operation of the carpark, e.g. provide Council with a report each month, how many guest cars, how many day visitors and how many event visitors used valet parking, enabling Council to have a better understanding on the sufficiency of car parking for future hotel complexes with other commercial operators?**

Response

There is no requirement within the planning scheme that the Applicant is to provide on-going reporting to Council regarding the operation of the private carpark component of the development. This is not a typical requirement for a private development of this type and scale. This requirement is not considered to meet the 'permitted development conditions' reasonable and relevant test pursuant to section 65 of the *Planning Act 2019*:

*(1) A development condition imposed on a development approval must—*

*(a) be relevant to, but not be an unreasonable imposition on, the development or the use of premises as a consequence of the development; or*

*(b) be reasonably required in relation to the development or the use of premises as a consequence of the development.*

The requirement for on-going reporting places an unreasonable imposition on the Applicant and is not required as a consequence of the development. This item is more focused on Council seeking to better understand the broader requirements and operation of hotel developments in general, verses specifically relating to the operation of the proposed development.

The number of carparking spaces has been assessed to comply with the planning scheme requirements. The Applicant is required to prepare a Traffic and Carpark Management Plan which is to be submitted to Council for approval, and the Applicant will be responsible for managing carparking operations in accordance with the plan.

#### 5. Does the development include e-charging with the carpark?

##### Response

The planning scheme does not require the provision of e-charging infrastructure. However, Council may wish to add an item to condition 40 requiring the Applicant to prepare a Retrofit Electric Vehicle Charging Point Plan demonstrating how charging points can be provided as part of the development in the future, for example (see addition in red underline):

*40. A minimum of 133 car parking spaces (including 2 people with disabilities spaces) and 9 motorcycle parking spaces must be provided on the site subject to the following:*

*(a) parking is to be available and accessible at all times while the use is open for business;*

*...*

*(g) dimensions, crossfalls, gradients, signage and line marking in accordance with AS 2890 - Parking facilities.*

*(h) prepare a Retrofit Electric Vehicle Charging Point Plan demonstrating how charging points can be provided within the carparking areas of the development in the future.*

#### 6. Are the servicing arrangements suitable for the development?

##### Response

The traffic and transport documentation submitted by the Applicant identified loading bay provisions at several other hotel developments as outlined below:

- Gold Coast Airport Hotel (192 rooms) - 1 x medium rigid vehicle (MRV), also accessible by 10m refuse collection vehicles (RCVs)
- Holiday Inn Maroochydore – 1 x VAN, also accessible by MRVs
- Quest Cannon Hill – 1 x VAN, also accessible by small rigid vehicles (SRVs) and MRVs
- Mercure Ipswich – 1 x MRV.

As indicated in the Ordinary Meeting report in the Traffic & Transport Review prepared by the independent assessment team (OM Agenda page 167), the development has a servicing area on-site which includes two (2) medium rigid vehicle (MRV) sized loading bays. However, when an MRV is occupying one (1) of the bays, only vehicles smaller than MRVs can appropriately manoeuvre into the second bay. The Traffic & Transport

Review prepared by the independent assessment team identifies that the development does not comply with Performance Outcome PO6 and Acceptable Outcome AO6.1 of the Transport and parking code with respect to loading bay provisions. However, the proposed provisions are not considered to be significantly inadequate, noting the loading bay provisions at the other hotel developments identified above.

Further, to limit the likelihood of any significant issues arising from the proposed servicing arrangements, Condition 41 (reproduced above) requires the preparation of a Traffic and Carpark Management Plan which is to be submitted to Council for approval.

The Traffic and Carpark Management Plan is to include details relating to the operation and management of the vehicular servicing area (e.g. how demands will be managed, steps to be taken if various issues arise such as area demand exceeding capacity). Management strategies could include requiring particular deliveries to be made; within specific time periods to reduce the likelihood of loading bay demands exceeding supply, with specific types of vehicles (e.g. vans), etc.

In summary, whilst the proposed loading bay arrangement does not comply with Performance Outcome PO6 of the Transport and parking code, it is not expected to result in significant issues, and complies with Overall Outcome (d) in that *"the development provides servicing areas that are safe, convenient and meet the reasonable requirements of the development"*. Accordingly, pursuant to section 5.3.3(3)(a)(iii)(A) of the planning scheme, as the development complies with the overall outcomes of the code, the development complies with the code.

#### **7. Question: What provision is made for e-scooter parking as part of the development?**

##### Response

The planning scheme does not include requirements for e-scooter parking. The development incorporates the following motorcycle and bicycle parking spaces (refer to conditions 40 and 45) that e-scooters could utilise:

- 9 motorcycle parking spaces;
- 23 bicycle parking spaces for staff; and
- 16 bicycle parking spaces for visitors.

#### **8. Why is the development utilising a proposed loading bay within the First Avenue road reserve to set-down coaches and not providing an on-site bus parking space?**

##### Response

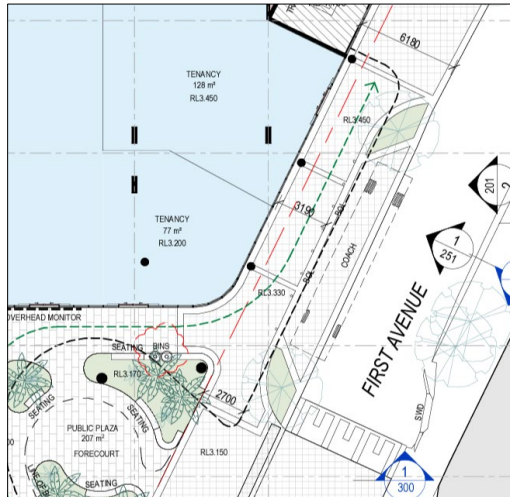
The Applicant has proposed to construct a loading bay within the road reserve of First Avenue along with other streetscape improvements, to supplement the on-site separate loading dock and porte cochere that are accessed from Brisbane Road that caters for mini-buses and all vehicle movements except for coaches. It is anticipated that most vehicle movement associated with the proposed hotel can be managed by the on-site private loading dock and porte cochere, with coach arrivals being the only movements that require the larger space via the proposed public loading bay on First Avenue.

This area will be a full-time loading zone and signed accordingly. This loading bay is not for the sole use of the proposed hotel but will be infrequently used for the setting-down of coaches associated with the hotel. The public loading bay will be a community benefit within an area that lacks a dedicated area for commercial activities and passenger set-down.

The loading bay is located on public land and accordingly the operational details will be determined by Council and regulated by Council's parking enforcement team, who are already active in the local Mooloolaba regulated parking area. Given the loading bay is located on public land subject to Council's jurisdiction, it is not necessary to determine the specific operational details as part of the determination of this development application.

The loading bay will be designated by bollards and a flush paving design that complements the adjoining footpath, allowing the loading bay to be trafficable by pedestrians while not in use, establishing an overall footpath width of approximately 6m. This approach is consistent with the 2018 Abacus MCU17/2169 approval over the site, and other hotel examples such as the Capri Hotel located 83 Albert Street, Brisbane.

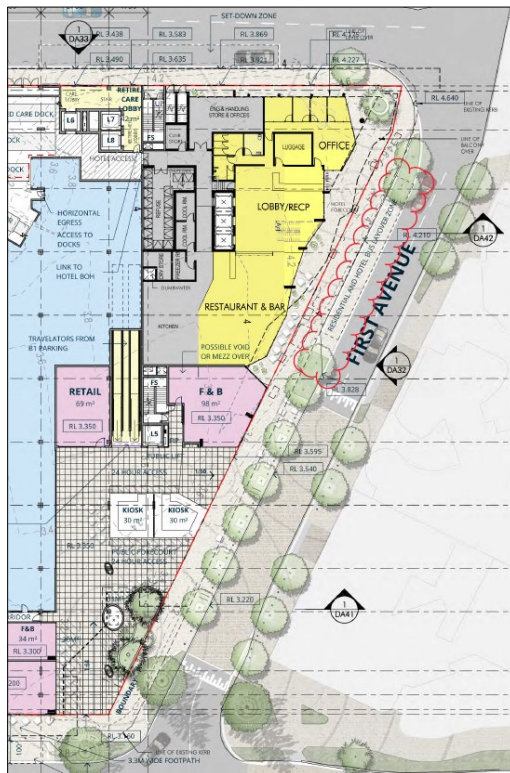




Proposed First Avenue loading bay flush pavement design



Example of integrated loading bay with flush pavement design – Capri Hotel 83 Albert Street, Brisbane



2018 Abacus MCU17/2169 approval with First Ave loading bay

As detailed within the Detailed Assessment Report included in the Ordinary Meeting report (OM Agenda page 106) the development does not comply with Acceptable Outcome AO15.1 of the Transport and parking code that states that a resort complex where having more than 20 beds is to provide a minimum of one on-site bus

parking space. However, the development complies with Overall Outcomes c) and e) of the code whereby the proposed loading bay has been designed in a safe and efficient manner that can be shared with other users. Accordingly, pursuant to section 5.3.3 of the planning scheme, as the development complies with the overall outcomes of the code, the development complies with the code.

Further, where there is a perceived non-compliance with an assessment benchmark, pursuant to section 30(2)(b) of the *Planning Act 2019* the assessment manager may still decide to approve the application, including situations where the decision resolves a conflict between benchmarks.

The Mooloolaba/Alexandra Headland local plan code seeks that the frontages of the site, and in particular the Brisbane Road frontage (Primary Active Street Frontage and Primary Streetscape Treatment Area), achieve a high standard urban design outcome and contributes to streetscape and public space improvements that create attractive boulevards and strong pedestrian connections. The provision of an on-site coach set down bay within the frontage of the site located between shop fronts and the footpath would adversely impact pedestrian movement and safety, result in a diminished urban design outcome whereby active shop facades would be separated from the pedestrian footpath, and non-compliance with the Mooloolaba/Alexandra Headland local plan code.

Pursuant to section 1.5 of the planning scheme, where there is inconsistency between assessment benchmarks of the planning scheme, local plan codes (i.e. Mooloolaba/Alexandra Headland local plan code) prevail over use codes and other development codes (i.e. Transport and parking code) to the extent of the inconsistency. In this instance the pedestrian and urban design requirements of the Mooloolaba/Alexandra Headland local plan prevail over the on-site bus parking provision of the Transport and parking code.

Accordingly, the provision of a public loading zone along First Avenue provides complies with the planning scheme, provides a public benefit, and is consistent with a previous approval over the site.

**9. Should a financial contribution to be paid by the Applicant for use of the First Avenue coach set-down bay?**

Response

The proposed First Avenue loading bay is for public use, complies with the planning scheme and provides a community benefit. The planning scheme does not stipulate a requirement for the payment of a financial contribution by the Applicant in this instance.

The development satisfactorily complies with the planning scheme requirements and therefore an additional financial contribution is not considered warranted. This requirement is not considered to meet the 'permitted development conditions' reasonable and relevant test pursuant to section 65 of the *Planning Act 2019*, as it places an unreasonable imposition on the Applicant for a development that has been determined to comply with the planning scheme.

**10. Does the development impede on the existing multi-storey carpark driveway from Brisbane Road?**

Response

It is considered that Condition 39 adequately addresses the operation of the shared driveway from Brisbane Road. However, Council may wish to add to condition 39 requiring appropriate line marking and signage, for example (see addition in red underline):

*39. The use of the existing driveway located within the easement gaining access from Brisbane Road to the adjoining multi-storey carpark must not be impeded at any time during construction or operation of the development. The driveway must be line marked and signed as a no standing area.*

**11. Should 34 additional spaces for the hotel ground level activities be ungated during business hours?**

Response

A minimum of 22 unrestricted spaces are to be provided for the ground level tenancies not associated with the hotel. Access to these spaces is not to be restricted by way of boom gates or similar.

A minimum of 73 spaces for hotel guests and minimum 34 spaces for hotel visitors and users of non-residential hotel activities (e.g. ground level hotel restaurant and lobby café, upper level function facilities, bar, etc.) are to be provided. The plans currently identify that access to these spaces will be restricted by boom gates. The boom gates will differentiate between hotel and non-hotel activities, limiting the likelihood of incorrect parking (i.e. motorists not associated hotel uses occupying those spaces intended for hotel and hotel related uses, and vice versa). The implementation of appropriate signage and management strategies will also assist with operation of the carpark to ensure that car spaces are being used as intended.

The Traffic and Carpark Management Plan (Condition 41) which the Applicant will be required to prepare and submit to Council for approval will identify hotel related use car parking management strategies. The plan will need to identify how it will be clearly identified that hotel visitors and users of non-residential hotel uses can freely occupy spaces behind the boom gates.

It is not recommended to amend condition 40 in this regard (reproduced below for ease of reference).

#### ON-SITE PARKING

40. A minimum of 133 car parking spaces (including 2 people with disabilities spaces) and 9 motorcycle parking spaces must be provided on the site subject to the following:
- (a) parking is to be available and accessible at all times while the use is open for business;
  - (b) parking for ground level tenancies not accessed via the hotel lobby:
    - (i) a minimum of 22 car parking spaces (including 1 people with disabilities space) and 3 motorcycle spaces. General car parking spaces are to be provided in accordance with AS2890.1 user class 3 requirements
    - (ii) no more than 2 sets of tandem car parking spaces (i.e. 4 spaces in total) are to be provided, and the encumbered spaces (i.e. rear 2 spaces) are to be identified as staff parking.
    - (iii) all spaces must clearly be marked for the identified tenancies and be always accessible while the tenancies are open for business. The spaces are not to be restricted by way of boom gates, or deterred by any valet parking system or electronic smart parking system established for the development. The retail tenancy parking must remain available for those staff and customers at all times, and must not be occupied by hotel staff, guests or visitors, at any time. The requirements of this condition must be included in the Community Management Statement / Building Management Statement for the subject site.
  - (c) parking for hotel guests:
    - (i) a minimum of 73 car parking spaces and 4 motorcycle spaces.
  - (d) parking for visitors of hotel guests, function areas and tenancies / non-residential uses accessed via the hotel lobby (i.e. ground level restaurant and bar / café, and roof top restaurant, bar, outdoor dining and pool area):
    - (i) a minimum of 34 spaces (including 1 people with disabilities space). General car parking spaces are to be provided in accordance with AS2890.1 user class 2 requirements
    - (ii) no more than 4 sets of tandem car parking spaces (i.e. 8 spaces in total) are to be provided, and the encumbered spaces (i.e. rear 4 spaces) are to be identified as staff parking
    - (iii) all spaces must clearly be marked for the identified tenancies and be always accessible while the tenancies are open for business.
  - (e) safe pedestrian routes are to be line marked within carparking areas;
  - (f) provision of vandal resistant public lighting with intensities to satisfy the requirements of AS 1158 – Lighting for roads and public spaces;
  - (g) dimensions, crossfalls, gradients, signage and line marking in accordance with AS 2890 - Parking facilities.

**12. Does the development achieve outstanding design, how does Council ensure that aspects of the design are not 'value engineered' out of the final development, and how do requirement amendments / changes occur to the development after approval?**

Response

The Detailed Assessment Report and Architectural Assessment prepared by the independent assessment team as part of the Ordinary Meeting report (OM Agenda pages 94 and 133) identifies that the proposed building design has not clearly demonstrated compliance with Performance Outcome PO9(b) of the Mooloolaba/Alexandra Headland local plan code states the development of Key Site 1 "...provides for outstanding building...design which is highly articulated and epitomises sub-tropical and sustainable design and that recognises the landmark nature of the site". Despite the development not demonstrating clear compliance with Performance Outcome PO9, the development is considered to comply with Overall Outcome (h) providing a "high quality mixed use development", and therefore complies with the code pursuant to section 5.3.3 of the planning scheme.

Through the next detailed design phase that will occur as part of the preparation of building approval and construction drawings, the finer grained details of the building will be resolved. To ensure that this occurs and aspects of the building design are not 'value engineered' out of the final development, the following conditions 17 to 26 have been included (reproduced below for ease of reference):

**BUILDING APPEARANCE**

17. *The approved building must be constructed such that its external appearance achieves a high quality design finish, including the degree of building form articulation, window coverage, clear glazing, openings, roof overhangs, feature cladding materials, finishes, varied building treatments and finishes, sun and rain protection screening, landscaping, glazed balustrades shown on the Approved Plans, with no inclusions or future alterations being made without approval in writing by council.*
18. *All air conditioning units or other mechanical equipment must be visually integrated into the design and finish of the building, or otherwise fully enclosed or screened such that they are not visible from the street frontages nor adjoining properties.*
19. *All deck and balcony areas above ground floor must not be enclosed by permanent fixtures such as fixed shutters, louvres, glass panelling or the, except where required to satisfy any privacy condition of this development approval.*
20. *Ground floor glazing along the street frontages must be fully transparent to a minimum of 65% of the street frontage to allow passive surveillance and encourage social interaction, and must be provided at full height (floor to ceiling). Internal walls and shelving must not be erected within one (1) metre of the glazing where they would prevent views from the street into the retail space, unless otherwise agreed to in writing by council.*
21. *Any security screens on the premises consist of grille or translucent screens and not solid shutters, screens or roller-doors.*
22. *All mechanical equipment and other service infrastructure located on the site must be fully enclosed or screened such that they are not visible from the street frontage/s, other public space, or adjoining properties*
23. *No part of the site may be used for outdoor storage of materials unless specified on the Approved Plans or the conditions of this development approval.*
24. *Building materials and hard surfaces used in landscape or streetscape works must not be highly reflective, or likely to create glare, slippery or otherwise hazardous conditions.*

**FINAL ARCHITECTURAL BUILDING DETAIL**

25. *Prior to any building work commencing, detailed architectural plans and perspectives must be prepared and submitted to Council for approval and review against the Approved Plans and Documents. The drawings must show the final developed details of the facade treatments and materials, screening for privacy, rooftop/building capping elements, etc. that depict a higher level*



of documentation detail and refinement than that shown on the Approved Plans and Documents.

The drawings must:

- (a) nominate materials, colours, finishes and landscaping;
- (b) have title blocks, revision numbers, scale details, north point and be cross referenced to larger scaled drawings;
- (c) include elevation and facade treatment drawings for all floor levels that demonstrate the final design outcome for all elevations of the built form including:
  - (i) detailed plans, sections and elevations at 1:50 or 1:20 scale for elements at the facade including structural elements, balustrading, screening for privacy, doors, windows, and planter beds/trellises;
  - (ii) all servicing and infrastructure, including but not limited to, padmount transformers, pump rooms, fire hydrant boosters etc.;
  - (iii) rooftop or building capping elements, awnings and soffits
- (d) include one rendered perspective for each stage / building and street façade showing the intended finished built form;
- (e) include dimensions for the extent of projecting elements, balustrade height and door and windows/glazing configurations;
- (f) show the final height and position of the building/s on the site with dimensioned setbacks matching the Approved Plans;
- (g) show how the building/s coordinates with the approved landscaping for the site.

26. All building works must be undertaken in accordance with the Approved Plans referred to in this development approval.

The Applicant is required to resubmit some plans to address conditions and other required amendments. These amended plans will be assessed by Council against the relevant assessment benchmarks of the planning scheme and the Detailed Assessment Report prepared by the independent assessment team.

### 13. What monetary value does the development contribute towards public art?

#### Response

Condition 36 requires that Public Art must be established on the premises or a contribution towards public art for the Mooloolaba area in accordance with a public art master plan. However, Council may wish to add to condition 36 identifying a monetary contribution value, for example (see addition in red underline):

36. Public art must be established on the premises or a contribution towards public art for the Mooloolaba area in accordance with a public art master plan prepared by a qualified person, approved by Council, and consistent with Mooloolaba Centre Design Palette guidelines. The public art master plan must be submitted to council for endorsement, prior to building application for any habitable space, and again prior to commencement of the use. The public art or contribution must be provided by the developer to a minimum dollar value of 0.025% of the construction budget for the development (for example, a construction budget of \$100M would require provision of public art to a minimum dollar value of \$250,000).

### 14. How are lighting impacts mitigated?

#### Response

The application included a Lighting Report that has been assessed by the independent assessment team as outlined in the Ordinary Meeting report (OM Agenda page 178) and has been determined to comply with the planning scheme. Measures specified in the lighting report include a 1300mm high solid wall and full height vertical battens on the north, south and east sides of the carpark levels, and a full height solid wall on the west

side of the carpark levels. All external lighting is to be focussed and aimed at non-transparent sections of the façade to prevent spill.

Conditions 116 and 117 cover lighting associated with the use and condition 180 deals with lighting occurring during construction and earthworks (reproduced below for ease of reference):

*116. Lighting associated with the use must be designed, sited, installed and tested to comply with Table 2.1 & 2.2 of AS 4282 - Control of the obtrusive effects of outdoor lighting" using a control level of 1.*

*117. Certification must be submitted to council from a qualified person that all lighting devices comply with the requirements of this development approval.*

*180. Lighting associated with the construction and earthworks activities, including security lighting, must be designed, sited, installed and tested to comply with Tables 3.2 & 3.3 for Zone A4 of AS 4282 - Control of the obtrusive effects of outdoor lighting.*

#### **15. Does the development include street lighting with shade covers and LED lights?**

##### Response

Street lighting is subject to an additional development application for Operational Works that will detail specific design parameters in accordance with Council's requirements. However, Council may wish to add to condition 29(g) requiring shade covers and LED lights, for example (see addition in red underline):

*29. The site frontages of Brisbane Road and First Avenue are to have:*

*(a) Effective verge widths (i.e. edge of building façade to the general kerb). alignment inclusive of loading bays and driveways) of at least 4.5m.*

...

*(f) Awnings:*

*(g) installation of street lighting on Brisbane Road and First Avenue with Rate 3 LED lighting and shade covers in accordance with Mooloolaba Centre Design Palette.*

#### **16. How are illuminated / signage on cranes regulated and impacts managed and mitigated?**

##### Response

The illumination / signage located on construction cranes does not form part of the assessment of the development application. Environmental nuisance (e.g. noise, lighting, dust, odour, etc.) is regulated under the *Environmental Protection Act 1994* and construction activities are regulated under the *Building Act 1975*. Condition 180 deals with lighting occurring during construction and earthworks (reproduced below for ease of reference):

*180. Lighting associated with the construction and earthworks activities, including security lighting, must be designed, sited, installed and tested to comply with Tables 3.2 & 3.3 for Zone A4 of AS 4282 - Control of the obtrusive effects of outdoor lighting.*

The applicant has prepared a Construction Management Plan as part of the development application that requires amendment and resubmission to Council for approval prior to work commencing. Council may wish to add an item to condition 127 restricting illuminated night-time signage, for example (see addition in red underline):

*127. An amended Construction Management Plan must be submitted to Council for approval prior to the prestart meeting and must specifically address the following:*

*(a) Traffic management during all aspects of the construct phase including*

...

*(e) Identification of complaint management procedures including:*

*(i) Contact details for the onsite manager.*

(ii) Dispute resolution procedures.

*(f) the use of illuminated or signage on cranes is not to cause environmental nuisance during night-time hours in accordance with the Nuisance Code, AS4282: The control of obtrusive effects of outdoor lighting and the Environmental Protection Act 1994.*

#### 17. Does the development include public recycling bins?

##### Response

The provision of 'rubbish bins' within condition 31 is consistent with Council's standard condition requirement that reasonably implies the provision of general waste and recycling bins as common industry practice.

#### 18. Are mature trees being used as part of the landscape planting, how long is maturity expected to take and is 100% cover being achieved?

##### Response

Acceptable Outcome AO28.1 of the Landscape code states:

*"All pathways are designed for maximum shade opportunities, with shade trees at an average of 6 metre centres and/or awnings to achieve a shade level consistent with the subtropical climate.*

*Note—target of 80% shade at tree maturity."*

The development complies with Acceptable Outcome AO28.1 with an expected shade covering of 80% at maturity. This is achieved through street trees and awnings. 90% of the Brisbane Road verge will be shaded, while First Ave will achieve 70% coverage due to development constraints, i.e. widened pedestrian crossing, loading bay and service access to the pad mount transformer. The Brisbane Road and First Avenue frontages are provided within 2.7m wide awnings that extend along most of the building façade.

The applicant has suitably nominated mature pot sizes for the streetscape (street trees), 400L and 200L pot sizes for Brisbane Road and First Avenue respectively. Furthermore, mature palms are proposed for the plaza space feature landscaping.

Maturity is largely dependent on species, microclimate conditions, suitable care and maintenance. Cupaniopsis anacardioides (Tuckeroo) proposed on First Avenue is a fast-growing tree that is suitable for warmer coastal areas. The full size of a Tuckeroo in ideal conditions could be 15m over a 10 to 15 year period.

The Street Character and Planting elements of the Mooloolaba Centre Design Palette state:

##### "Street Character

*Mooloolaba features contemporary urban design and attractive tree-lined boulevards which contribute significantly to the appeal for both locals and tourists. Closed tree canopies over passive public space areas create cool and comfortable spaces which enhance the culturally vibrant and memorable coastal experience."*

##### Planting Theme

*Street tree planting should provide shady comfortable urban spaces and reinforce pedestrian connectivity to the foreshore through visually linking the centre to the beach. The planting style is to match the existing formal layout, and recognise the 'iconic' Norfolk Island pines as a feature along the esplanade"*

The Placemaking Mooloolaba Masterplan 2015 seeks to achieve a *strong street boulevard along Brisbane Road.*

The street tree planting along First Avenue will not achieve a fully 'closed canopy' as identified within the Mooloolaba Centre Design Palette due to development constraints as outlined in the Ordinary Meeting report (refer to OM Agenda page 154), but as stated above complies with the relevant assessment benchmarks of the planning scheme. The species choice is appropriate and continues the existing species of the adjoining multi-storey public carpark along First Avenue. The Applicant has provided mature 400L Araucaria



heterophylla, Norfolk Island Pine, which is suitable and will achieve a boulevard outcome along Brisbane Road.

#### 19. Does the development result in stormwater discharge with zero nutrients and contamination?

##### Response

The Applicant has designed and documented a stormwater treatment train that utilises in-ground proprietary products to manage stormwater quality (Ocean Protect Ocean Guard baskets and StormFilter cartridges). The stormwater quality management proposed achieves water quality targets as set by the State Planning Policy and Council's defined water quality objectives, furthermore the Applicant has prepared a Stormwater Management Plan and MUSIC model to support this. The Applicant's stormwater management proposal, modelling and report has been assessed by the independent assessment team as outlined in the Ordinary Meeting report (OM Agenda page 219) and is deemed to comply with the planning scheme.

A 'zero nutrient' stormwater discharge outcome is inconsistent with the State Planning Policy and Council's stormwater quality objectives. Percentage reductions are required and have been achieved (and exceeded) as identified below.

Nutrient	State Planning Policy % Reduction Requirement	Proposed Development % Reduction Achieved
Total Suspended Solids (TSS)	80%	85.5%
Total Phosphorus (TP)	60%	71.5%
Total Nitrogen (TN)	45%	45.8%
Gross Pollutant (>5mm)	90%	100%

#### 20. Is the development required to remove graffiti within 24 hours?

##### Response

The requirement to remove graffiti within a 24 period is inconsistent with Councils *Graffiti Action Toolkit* that states:

*"Overall the accepted best approach to managing graffiti vandalism is to encourage the owners of assets to remove graffiti as soon as possible, with the preferred target being within 48 hours (from the time of reporting), or immediately if the graffiti is racist or obscene."*

The requirement to remove graffiti within a 24 period is not considered to meet the 'permitted development conditions' reasonable and relevant test pursuant to section 65 of the *Planning Act 2019*, as it places an unreasonable imposition on the Applicant for a development that has been determined to comply with the planning scheme.

#### 21. What energy efficiency does the development achieve?

##### Response

Energy efficiency is regulated by the National Construction Code (NCC) subject to further building approval under the *Building Act 1975*. The application included a NCC Section J Report (refer to the Referenced Documents with the conditions package, and the application supporting information on Development.i) demonstrating how the development complies with the NCC Section J Energy Efficiency and Building Fabric requirements. This report details aspects such as:

- building materials;
- window glazing;
- air-conditioning and ventilation systems;
- hot water supply; and



MCU21/0342 & OpW21/0528 Councillor Additional Information Request Response #1

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- facilities for energy monitoring.

A consolidated set of amended conditions referenced above have been included as **Attachment 1** for Council's consideration.

If you have any questions in relation to this matter, do not hesitate to contact me on 0423 741 892.

Yours sincerely,

A handwritten signature in black ink that reads 'Ashley Everton'.

.....  
Ashley Everton – *Coordinator, Independent Assessment Team*  
Associate Director, Planning  
Ethos Urban  
[aeverton@ethosurban.com](mailto:aeverton@ethosurban.com)

# **Attachment 1 –** *Amended Conditions*

## EXTERNAL WORKS (NON-TRUNK)

29. The site frontages of Brisbane Road and First Avenue are to have:

- (a) Effective verge widths (i.e. edge of building façade to the general kerb). alignment inclusive of loading bays and driveways) of at least 4.5m.
- (b) Effective unobstructed footpath widths (edge of building facade or outdoor dining area to bollards / edge of kerb / edge of planter bed) of at least 2.5m.
- (c) Kerb and channelling and underground stormwater drainage.
- (d) Removal of the all redundant existing property accesses and reinstatement of the kerb.
- (e) Footpath, streetscaping and other verge improvements.
- (f) Awnings:
  - (i) that are at least 2.7m wide (measured from the property boundary) and extend the length of the street frontage (excluding the Brisbane Road driveway);
  - (ii) with a typical height range above the finished floor level of the footpath of 3.1m to 4.2m, unless greater height is required in proximity to driveways, service vehicle areas, set down areas and/or the transformer;
  - (iii) with a minimum setback of 1.5m from kerb or loading bay edge;
  - (iv) with a minimum 0.5m clearance to any street tree trunk and main branches;
  - (v) with underside lighting.

A separate permit, and any other necessary approvals and licenses must be obtained for all street awning structures in accordance with council's Local Laws\*. The applicant must not make an application for the awning structures under council's Local Laws prior to obtaining council's endorsement of the design in accordance with the above condition.

\*(Refer to Advisory Note)

- (g) installation of street lighting on Brisbane Road and First Avenue with Rate 3 LED lighting and shade covers in accordance with Mooloolaba Centre Design Palette.

## PUBLIC ART

36. Public art must be established on the premises or a contribution towards public art for the Mooloolaba area in accordance with a public art master plan prepared by a qualified person, approved by Council, and consistent with Mooloolaba Centre Design Palette guidelines. The public art master plan must be submitted to Council for endorsement, prior to building application for any habitable space, and again prior to commencement of the use. The public art or contribution must be provided by the developer to a minimum dollar value of 0.025% of the construction budget for the development (for example, a construction budget of \$100M would require provision of public art to a minimum dollar value of \$250,000).

## PROPERTY ACCESS AND DRIVEWAYS

39. The use of the existing driveway located within the easement gaining access from Brisbane Road to the adjoining multi-storey carpark must not be impeded at any time during construction or operation of the development. The driveway must be line marked and signed as a no standing area.

## ON-SITE PARKING

40. A minimum of 133 car parking spaces (including 2 people with disabilities spaces) and 9 motorcycle parking spaces must be provided on the site subject to the following:

- (a) parking is to be available and accessible at all times while the use is open for business;
- (b) parking for ground level tenancies not accessed via the hotel lobby:
  - (i) a minimum of 22 car parking spaces (including 1 people with disabilities space) and 3 motorcycle spaces. General car parking spaces are to be provided in accordance with AS2890.1 user class 3 requirements
  - (ii) no more than 2 sets of tandem car parking spaces (i.e. 4 spaces in total) are to be provided, and the encumbered spaces (i.e. rear 2 spaces) are to be identified as staff parking.
  - (iii) all spaces must clearly be marked for the identified tenancies and be always accessible while the tenancies are open for business. The spaces are not to be

restricted by way of boom gates, or deterred by any valet parking system or electronic smart parking system established for the development. The retail tenancy parking must remain available for those staff and customers at all times, and must not be occupied by hotel staff, guests or visitors, at any time. The requirements of this condition must be included in the Community Management Statement / Building Management Statement for the subject site.

- (c) parking for hotel guests:
  - (i) a minimum of 73 car parking spaces and 4 motorcycle spaces.
- (d) parking for visitors of hotel guests, function areas and tenancies / non-residential uses accessed via the hotel lobby (i.e. ground level restaurant and bar / café, and roof top restaurant, bar, outdoor dining and pool area):
  - (i) a minimum of 34 spaces (including 1 people with disabilities space). General car parking spaces are to be provided in accordance with AS2890.1 user class 2 requirements
  - (ii) no more than 4 sets of tandem car parking spaces (i.e. 8 spaces in total) are to be provided, and the encumbered spaces (i.e. rear 4 spaces) are to be identified as staff parking
  - (iii) all spaces must clearly be marked for the identified tenancies and be always accessible while the tenancies are open for business.
- (e) safe pedestrian routes are to be line marked within carparking areas;
- (f) provision of vandal resistant public lighting with intensities to satisfy the requirements of AS 1158 – *Lighting for roads and public spaces*;
- (g) dimensions, crossfalls, gradients, signage and line marking in accordance with AS 2890 - *Parking facilities*.
- (h) prepare a Retrofit Electric Vehicle Charging Point Plan demonstrating how charging points can be provided within the carparking areas of the development in the future.

## **ENGINEERING CONDITIONS**

### **General**

127. An amended Construction Management Plan must be submitted to Council for approval prior to the prestart meeting and must specifically address the following:

- (a) Traffic management during all aspects of the construct phase including:
  - (i) Traffic Management Control Plan in accordance with Manual of Uniform Traffic Control Devices (MUTCD) detailing all temporary signage and traffic control measures prior to construction.
  - (ii) maintenance of safe pedestrian access across the frontage of the site both during daily construction and after daily construction has ceased.
  - (iii) proposed fencing to the site during the construction phase of the development.
  - (iv) adequate parking arrangements for construction workers.
- (b) Maintenance and protection of water quality and existing drainage lines through the construction site through the implementation of appropriate erosion and sediment control measures.
- (c) Works programme identifying key components of the works and their respective durations.
- (d) Establishment of a communication protocol with the general public, adjoining owners, emergency services and local businesses to advise of agreed construction times, impacts on traffic and services and other relevant issues.
- (e) Identification of complaint management procedures including:
  - (i) Contact details for the onsite manager.
  - (ii) Dispute resolution procedures.
- (f) the use of illuminated or signage on cranes is not to cause environmental nuisance during night-time hours in accordance with the Nuisance Code, AS4282: The control of obtrusive effects of outdoor lighting and the Environmental Protection Act 1994.



# Item 8.3 Management of Requests for Road Closure Applications

24 March 2022 Ordinary Meeting

# Purpose

- The purpose of this report is to:
  - ☐ Seek Council's consideration and adoption of a Strategic Policy for the Management of Requests for Road Closure Applications, with community interests being the main driver.

## Overview

- The proposed policy recognises process where applications for temporary and permanent road closures come to Council first for comment, are collated stating Council's support/rejection position and then provided to the Department of Resources for consideration and decision.
- The policy does not relate to the types of road closure applications where traffic management is the issue.
- Council's response is managed by Property Management Branch, from which requests for feedback are disseminated, comments collated and a response provided to Department of Resources.
- Currently, there is no guide for officers to inform their responses around protecting current and future community value, nor a corporate basis to support consistent consideration across the Branches of Council.
- This proposed policy outlines principles and values guiding responses, with community's best interests protected.

## Overview (cont'd)

- The policy recognises the many values that unused road reserves hold for a future community:
  - ☐ Preservation of function - historical
  - ☐ Preservation of existing and future community benefit – community value
  - ☐ Preservation of future access – green spaces
  - ☐ Changing land use – planning scheme trigger
  - ☐ Minimising future costs – eliminate buy-back
  - ☐ Enhancing environmental protection – fauna and flora linkages
- The Department of Resources has been made aware of this Policy development and has no concerns.

## Example



# Risk

- Primary risk is that without a policy, loss of community assets may follow
- Secondary risk is financial where lost assets/road reserves may need to be “re-purchased” by Council.



## Strategic policy

### Management of Requests for Road Closure Applications

Corporate Plan reference	<b>Our Strong Community</b> We serve our community by providing this great service. <ul style="list-style-type: none"><li>• S7 - Roads, cycleways and pathways – maintaining and improving the road network and associated assets (sealed and gravel roads, bridges and pathways), vegetation management, construction and project delivery services, permit fees, private works and levies.</li></ul>
	<b>Our Environment and Liveability</b> We serve our community by providing this great service. <ul style="list-style-type: none"><li>• S14 - Sustainable growth and network planning – providing land use planning, social policy, infrastructure planning and charges, flood mapping, transportation planning and environmental initiatives.</li></ul>
Endorsed by Council on:	24 March 2022
Manager responsible for policy	Manager, Property Management Branch

## Introduction

Effective management of Road Reserves is a critical responsibility for Council, as so many important community outcomes are achieved through the utilisation and protection of these corridors. Uses within Road Reserves are wide ranging, extending from accommodating current and future transport, parking, access and utility needs to providing urban amenity and buffers against development activity in both rural and urban situations. Underpinning the policy is the principle of preserving road reserves to protect the interests of existing and future communities.

There are many Road Reserves that are currently unutilised or underutilised that are subject to applications for temporary and permanent closure. If permanent closures are granted, that future potential for a future community is removed.

This policy recognises the State Government process, managed by the Department of Resources (DoR), with the Minister ultimately responsible for granting approval for a Road Closure. It outlines the elements for consideration required of Council employees and Councillors in developing responses, as part of the process. Further, the policy provides guidance to external parties considering making an application for a Road Closure.

## Policy statement

Council is committed to the preservation and protection of road reserves for the benefit of existing and future communities across the region. Council recognises that road reserves, regardless of current utilisation, are a vitally important asset for the region both now and into the future.

## Officer Recommendation

**That Council:**

- (a) receive and note the report titled “Management of Requests for Road Closure Applications” and**
- (b) adopts the Draft Strategic Policy for management of Requests for Road Closure Applications – Appendix A.**



# Questions







## Item 8.4

### Infrastructure Charges Resolution Amendments

24 March 2022 Ordinary Meeting

## Background

- Council's Infrastructure Charges Resolution is a Statutory document, giving Council the ability to levy infrastructure charges which contribute significantly towards the provision of trunk infrastructure, required to support growth.
- The current version of Resolution is the Infrastructure Charges Resolution (No. 8) 2019.
- Under provisions of the *Planning Act 2016* (the Act), to amend the existing Resolution requires Council, by resolution, to adopt a new Infrastructure Charges Resolution.
- This report seeks Council's approval to adopt a new Resolution for reasons provided in the Report, and explained in the following slides.

## Proposed Changes

- ☐ Charge rates for Community Residences and Rooming Accommodation
- ☐ Correction of unit of measure for Community Residences and Rooming Accommodation uses
- ☐ Retirement Facility charges
- ☐ “Function Facility” charge rate for Resort Complex use
- ☐ Updating charge rates to current prescribed amounts

## Community Residences and Rooming Accommodation

**Issue –** The charge rates for community residences and rooming accommodation for one-bedroom proposals are considered high for this type of use, especially considering those in the community occupying these facilities.

### Current Arrangement

Accommodation (long-term)	Suite (with 3 or more bedrooms)	\$29,339.55
	Suite (with 2 bedrooms)	\$20,956.80
	<b>Suite (with 1 bedroom)</b>	<b>\$20,956.80</b>

### Proposed Arrangement

Accommodation (long-term)	Suite (with 3 or more bedrooms)	\$29,339.55
	Suite (with 2 bedrooms)	\$20,956.80
	<b>Suite (with 1 bedroom)</b>	<b>\$14,921.00</b>

## Correction of Unit of measure for community residences and rooming accommodation uses

**Issue** – The current phrasing in Resolution #8 describing these uses is not consistent with the phrasing of the State Planning Regulation and requires adjustment.

☐ An administrative matter, having the wording match that in the State Planning Regulation

☐ Change to adopt as shown:

- For each suite with 3 or more bedrooms
- For each suite with 2 bedrooms
- For each suite with 1 bedroom

☐ Add: For each bedroom that is not part of a suite

## Retirement Facility Charges

**Issue –** Under the current charging provisions of Resolution 8, retirement facilities and residential care facilities are beneficiaries of a 30% reduction in the roads and parks proportion of Council's charge, introduced with the adoption of Resolution 3 in February 2013. The reduction was “to recognise these developments (retirement facilities and residential care facilities) generally have occupants that place reduced demand on Road and Parks networks”, as compared to a standard dwelling house. It is now considered that the relevance of this reduction no longer applies and requires Council's consideration.

- ☐ Retirement Facilities are changing – ‘Over 50's Retirement Resorts’
- ☐ Currently attract a 30% reduction in Roads and Parks component of Council Charge

Proposal	3-Bedroom Unit		2-Bedroom Unit	
	30% reduction applied	30% reduction removed	30% reduction applied	30% reduction removed
	\$12,093	\$16,566	\$8,637	\$11,833

## “Function Facility” charge rate for Resort Complex use

**Issue** – Where Function Facilities provided at Resort Complexes do not qualify as ancillary uses, there needs to be a function facility charge rate included in the Resolution.

- The new Resolution #9 provides for these non-ancillary uses at a Resort Complex, now including these components and relevant charges:
  - Commercial Retail,
  - Entertainment, and
  - Places of Assembly (Function Facility)



## Current Prescribed Amounts Update

**Issue –** The current Infrastructure Charges Resolution (No.8) does not reflect the current prescribed charge rates in the State Planning Regulation.

- ☐ Provides current prescribed amounts, having taken into account State endorsed progressive indexation adjustment.

## Recommendation

**That Council:**

- a) receive and note the report titled “Infrastructure Charges Resolution Amendments” and**
- b) adopt the “Sunshine Coast Regional Council Infrastructure Charges Resolution (No. 9) 2022” (Appendix A).**

Thank you.



See Council's website for further details  
[www.sunshinecoast.qld.gov.au](http://www.sunshinecoast.qld.gov.au)

## Related Report / Additional Information Request

Meeting:	Ordinary Meeting	Date:	24 March 2022
Requesting Councillor:	Cr Rick Baberowski		
Item:	8.4 – Infrastructure Charges Resolution Amendments		
Circulation			
Officer (title):	Manager Transport and Infrastructure Planning	Approving GE (title):	Group Executive Built Infrastructure

In response to the below questions raised by Councillor Rick Baberowski, please note the following additional information for your consideration.

**Question:** Do you know of other Councils' approach to charging for Retirement Villages? 30% discount? Max Charge? Lesser charge?

**Response:** Please refer to the following Council's charges for retirement facilities:

Brisbane City Council	Maximum charge, no discounts
Gold Coast City Council	Maximum charge, no discounts
Moreton Bay Regional Council	Maximum charge, no discounts

**Question:** Do we have any evidence of changed/increased traffic volumes at Retirement Villages in recent years?

**Response:** No specific information is available that I am aware of, however the promotion of retirement villages as "over 50 resorts" indicates increased mobility.





# February 2022 Financial Performance Report

## February 2022 Operating Result

- Council's operating result at the end of February 2022 of \$124.8 million is favourable to budget by \$1.8 million
- The favourable variance consists of:
  - Revenue above budget of \$1.3 million
  - Expenses below budget of \$480,000



# February 2022 Operating Result

## Revenue

- Increase in holiday park fees of \$400,000 due to the extended school holiday period

## Expenditure

- Operational expenditure remains within 1% budget for February

# February 2022 Capital Expenditure Result

## Capital Works Program has Progressed 51%

- \$150.1 million of Council's \$290.6 million Capital Works Program was financially expended.
- The Core Capital Program has progressed 49% of budget, an actual spend of \$82.7 million

# Cash Flows and Balance Sheet

## Council Cash

- Council's cash at 28 February is \$278.5 million

# Cash Flows and Balance Sheet

## Council Debt

- Council's debt at 28 February is \$642.5 million
- Council's proposed borrowings for 2021/22 are \$96.5 million
  - Waste Management \$37.8 million
  - Holiday Parks \$600,000
  - Maroochydore Multideck \$13 million
  - Sunshine Coast City Hall \$45 million
- Palisade Investment Group payment of \$305 million due on 30 June 2022 will reduce Council's debt associated with the airport expansion project to nil
- Council's forecast debt as at 30 June 2022 is \$486 million

## OFFICER RECOMMENDATION

**That Council receive and note the report titled “February 2022 Financial Performance Report”**

Thank you.



See council's website for further details  
[www.sunshinecoast.qld.gov.au](http://www.sunshinecoast.qld.gov.au)

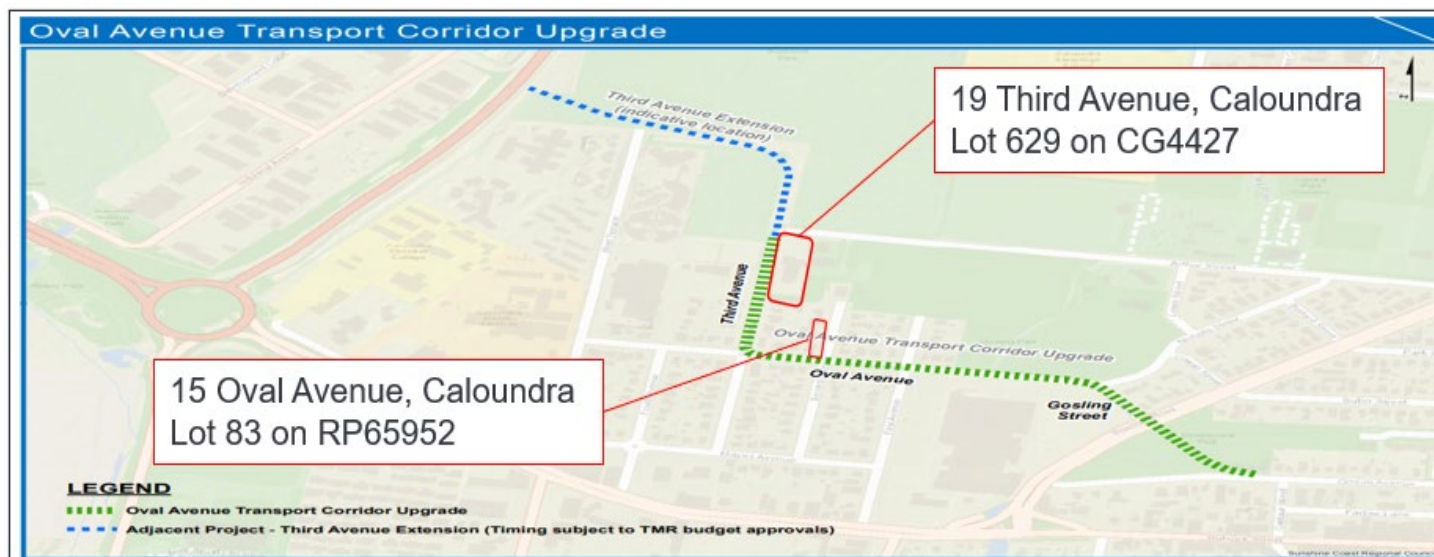


## 8.6 Resumption of Land – Caloundra

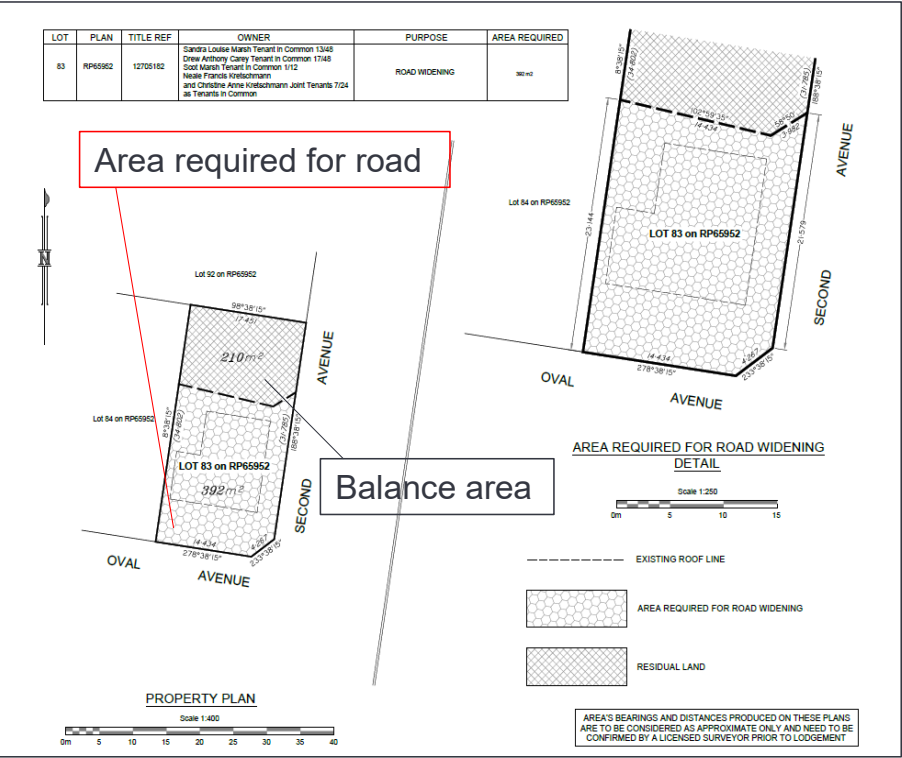


## Caloundra Transport Corridor Upgrade (CTCU)

- 31 January 2019: Council resolved to negotiate acquisition of properties required for delivery of CTCU
- 19 August 2021: Council resolved to commence compulsory acquisition of land required for CTCU
- To date: 13 out of 20 properties acquired through negotiation
- 6 October 2021: NIRs issued
- 11 November 2021: 2 written objections received
- 18 November 2021: Objection hearing
- 18 January 2022: Objection reports issued to objectors



15 Oval Avenue, Caloundra



# Recommendation

**That Council:**

- (a) receive and note the report titled "Resumption of Land - Caloundra"; and**
- (b) confirm, after due consideration of the objections, that parts of Lot 629 CG4427 and Lot 83 on RP65952 are required for road purposes for the Caloundra Transport Corridor Upgrade Project**
- (c) proceed with the application to the Minister for Resources to acquire:**
  - (i) approximately 594 square metres from Lot 629 CG4427 as shown on Plan No. 21434-C201 for road purposes; and**
  - (ii) approximately 392 square metres from Lot 83 on RP65952 as shown on Plan No. 14205-L-02 for road purposes**
- (d) delegate authority to the Chief Executive Officer to make an application to the Minister for Resources to take the land under section 9 of the *Acquisition of Land Act 1967*.**