

25/07/2025

Save Currumbin Ltd
Attn: Mr Peter Janssen
E: peter.janssen@corporatefirst.com.au

Dear Mr Janssen

Preliminary Observations About Other Change Application OTH/2025/12 – 776 Pacific Parade, Currumbin

Overview

At your request I have undertaken an initial review of the application material provided in relation to the above-referenced application, having particular regard to potential visual impacts and proposed landscaping.

I note that the application relates to land at 776 Pacific Parade, Currumbin (Lot 1 SP348547). This land comprises 772sqm within the Neighbourhood Centre Zone. The land is subject to a number of Overlays, including, of note:

- the Building Height Overlay, where the land is mapped with a building height limit of 3 storeys and 15 metres; and
- the Ridges and Significant Hills Protection Overlay.

The application seeks approval for a change (Other Change) to an approval (MCU/2022/588) for a multiple dwelling.

The Application Material

The application material includes the following:

- a Planning Report prepared by Michel Group Services;
- building design drawings updated in response to Council's Action Notice but which are not titled and are absent any indication of the author;
- landscape drawings provided in response to Council's Action Notice but which are not titled and are absent any indication of the author;
- a Site Based Stormwater Management Plan prepared by Cozens Regan Group and provided in response to Council's Action Notice, and including a survey of the site which is more detailed than the survey included in the building design drawings but does not extend across the entire site; and
- a Geotechnical Report prepared by Pacific Geotech and provided in response to Council's Action Notice

At the outset I note that the absence of information about the author(s) of the building design drawings and the landscape drawings is both unusual and of some concern.

It is my understanding that in Queensland, for a project of this nature, building design plans used to obtain an approval or for construction can only be prepared by a registered Architect or an accredited building designer. It is unclear if the author of the plans is either. While I do not see any significant shortcomings in what is depicted in the drawings (noting that I am not an Architect or Building Designer), I note that the drawing set lacks basic information such as dimensions, and provides only limited information on material treatments. The drawings include photomontages of the proposed development, but no explanation as to how these have been prepared. It is therefore not possible to know how accurate the photomontages are at depicting the proposed development in its setting.

I also have concerns about the landscape drawings. The Landscape Work Planning Scheme Policy requires that landscape drawings be prepared by "a qualified Landscape Architect, or professional with proven experience and knowledge of landscape design and construction, with recognised Quality Assured Codes of Practice and/or procedures in place". It is unclear if the author is appropriately qualified or experienced. The Planning Scheme Policy also sets out

requirements for documentation of landscape drawings. The drawings included with the application material are manifestly inadequate in terms of the level of information provided. For reasons set out below, I also consider what is proposed in terms of landscaping to be an inappropriate outcome for the site.

I note as well that there appears to be only limited survey information about existing vegetation on the site and neighbouring land which, given the planning issues and applicable benchmarks of significance in this instance, is also of some concern. The photomontages included in the building design drawing set refer to vegetation to the rear of the site as being 98% invasive plant species. However, absent survey information this cannot be confirmed and, in my opinion, should not be assumed.

Building Height

I agree with the concerns expressed by Council in the Action Notice and note the earlier advice from Damien O'Brien KC about the number of storeys being proposed. In an effort to achieve a height of what it considers to be 3 technical storeys, the Applicant has located void spaces, stairways, or laundry spaces in parts of the building which comprise 4 or perhaps 5 discrete levels.

My reading of the Planning Scheme definitions is that a "storey" is a space between two floor levels or between a floor level and a ceiling or roof, except where that space (which logically would comprise the entire space between the two floor levels or between floor level and ceiling or roof) accommodated one or a combination of a lift shaft, stairway, meter room, bathroom, shower room, laundry, toilet or other sanitary compartment. The Applicant's approach appears to be to discount an entire level as being a storey if only part of the space accommodates one of the excluding uses.

It will ultimately be a matter for legal interpretation but I consider that, in circumstances where applicable Planning Scheme provisions are concerned with the building being of a height that complements its surrounding neighbourhood¹, the way the building will be seen by the casual observer must also be of some significance. Given the composition of the building, I would expect the casual observer would consider the building to have more than 3 storeys (especially when seen from viewpoints beyond the immediate vicinity of the site). A casual observer would have no appreciation of whether a part of the building does or does not count as a storey because it accommodates (for example) a laundry space.

Regardless of the technical number of storeys being proposed, the proposed building will be prominent, will be of a scale and form that is incompatible with the existing built form character of the area, and would result in the removal of and obstruction of escarpment green space that is a defining feature of the local area (discussed further below).

Landscaping

The landscape drawings comprise four pages included with the amended building design drawings that were provided as part of the Response to Council's Action Notice. As noted above, these drawings fall well short of the information and documentation standards sought by Council's Landscape Work Planning Scheme Policy. Of particular note, the drawings do not include crucial information (for development of this nature) such as the location of underground and overhead services, overland flow drains and devices, retaining wall drainage, fencing, and so on.

The lack of information about infrastructure and structures is particularly concerning noting:

1. the potential requirement for underground anchors to stabilise the slopes cross parts of the site, as observed in independent advice from Mike Neighbour at Butler and Partners;
2. the requirement for an overland flow path through the rear setback space, as identified in the Stormwater Management Plan; and
3. the requirement for a transverse drain between upslope properties and the proposed building as identified in the Geotechnical Report.

These types of infrastructure can severely restrict the space available for landscaping and must be taken into account. The absence of any acknowledgement of such infrastructure on the landscape drawings reflects a concerning lack of co-ordination between the various design disciplines.

The current landscaping drawings can be compared with the Landscape Statement of Intent prepared by Byrnes Lardner for the original approval (MCU/2022/588). These drawings reflect a far more comprehensive and considered landscape outcome for the site, where particular regard is had to complimenting the existing ecosystems, batter

¹ Strategic Outcome 3.4.1(8) of the Strategic Framework; and Overall Outcome (2)(d)(i) of the Neighbourhood Centre Zone Code.

stabilisation, and achieving a balanced landscape and built form outcome. Notably, these plans show a much wider rear planting space that would accommodate endemic coastal plants and evergreen trees.

As well as these deficiencies in the documentation standards of the landscape drawings now include with the Other Change application, there are two specific aspects of the proposed landscaping which warrant further discussion.

1. The landscape drawings show screen planting to 3m high in containerised planters along the south-eastern façade. There is no information about the internal width and depth of these planters, and so it is uncertain whether they can accommodate plants of this size. If this planting cannot achieve a reasonable height there may be some overlooking of Units 2 and 3 from people moving along the path.
2. The landscape drawings also nominate “small leaf ficus trees” along the 4.6m wide space at the rear of the building. The drawings include two sections which, whilst the section positions are not identified on the drawings, appear to be through this planting space at the rear. The application material relies on this planting to address requirements for protection of local landscape values.

The species of “ficus” is not nominated. The genus *Ficus* includes 45 species of plants that exist in Australia and includes at least half a dozen tree species which might be suitable for local conditions. Some species have a height of up to 35 metres and a spread of 30 metres, others are more confined. The fact that a species is not nominated on the landscape drawings reflects a lack of genuine intent to deliver appropriate, site specific landscaping outcomes.

In my opinion, any *Ficus* species would be a poor choice for this particular part of the site. As noted above, it is likely that the space for landscaping behind the building will be severely compromised by underground infrastructure. Even if the space was affected by infrastructure, it is still relatively confined. While there are some *Ficus* species that could fit into such a space, most *Ficus* trees have aggressive root systems and I consider it would be imprudent to plant them so close to a retaining walls or drainage infrastructure. This is particularly so on steep sites where interference with retaining walls and drainage infrastructure can result in critical slope destabilisation. This appears to be acknowledged in the Geotechnical Report, which recommends that trees and other vegetation be planted at a distance at least equivalent to three quarters of their mature height away from structures. Furthermore, *Ficus* species also have dense foliage density, which can cast extensive shade over neighbouring properties and can inhibit groundcover growth beneath the canopy which, in this instance, would be desirable to assist with bank stabilisation.

Setting aside these concerns, I doubt that any appropriate tree species could be accommodated with the narrow space at the rear of the site and achieve a height that would allow it to contribute to a visible green backdrop above and behind the building. The building is simply too tall and the space for planting is too narrow.

Furthermore, it has not been demonstrated that the development is complemented by high quality landscaping that contributes to the desired character of the area², or that the landscape enhances the visual and built form attributes of the development, or complements and enhances existing development and landscape values³.

The Ridges and Significant Hills Protection Overlay

I agree with the concerns expressed by Council in the Action Notice about impacts on the landscape values of Currumbin Hill.

The Ridges and Significant Hills Protection Overlay applies to just two parts of the city: Burleigh Ridge and Currumbin Hill. As the Overlay Code explains, the landscape significance of these ridge systems is characterised by the steep slopes and native vegetation cover.

As we have observed in previous advice, Currumbin is well known for its unique confluence of the coastline, Currumbin Creek, and vegetated hills and ridgelines. The Landscape Character Study (LCS) prepared for Council in 2014⁴ explains that the combination of strong landscape elements in Currumbin forms a distinctive landscape setting which is readily distinguishable from other parts of the Gold Coast. These natural landscape features collectively define the unique character and high levels of amenity of Currumbin, and contribute to unique imageability, making it one of the most attractive and memorable suburbs of the Gold Coast. These natural landscape features also provide a dramatic and attractive setting for the built form of the area, which is generally modest, well integrated with the landscape, and characterised by a human scale and ‘village feel’.

² As required by Overall Outcome (2)(c) of the Multiple Accommodation Code.

³ As required by Overall Outcome (2)(a) and PO1 of the Landscape Works Code.

⁴ Prepared by Cardno; Cardno Chenoweth; Cardno HRP; and Catherine Brouwer Landscape Architects.

One of the most notable features of the local area is the relationship between the built form and the steep slopes of Currumbin Hill. More particularly, there is an appreciable pattern of built form interlaced with bands of vegetation and green space along the steeper parts of the hill. This feature is shown in Figures 1-3 below. Contrary to the claims made in the application material, as it exists the escarpment along the rear of the subject site contributes to this banding of open space (as can be seen on Figures 1-3 below).



Figure 1 - Aerial view towards Currumbin Hill, showing the banding of built form and vegetation across the steeper slopes of the hill. Image from Skypics.

As we have previously observed, the landscape features and qualities of Currumbin warrant protection from development that may erode those features and values, for example: by obscuring views to the identified landscape features (including the banding of vegetation and skyline vegetation); built form that was incompatible with the prevailing scale, particularly along the esplanade interface; or development that resulted in degradation of landscape features, such as removal of skyline vegetation or substantial modification of topography.

To this end, the Ridges and Significant Hills protection Overlay Code includes a number of important benchmarks, including:

- Overall Outcome (1)(a), which requires that the steep slopes and native vegetation cover is protected by retaining and enhancing vegetation cover where possible and ensuring building designs preserve the existing natural landform and complement the vegetated hillscape character.
- Performance Outcome PO2, which requires that building colours blend in with the natural landscape to soften the visual impact of buildings.
- Performance Outcome PO3, which requires that building design minimises visual impact and prevents buildings from dominating the natural landscape; is compatible with the natural characteristics of the area; and avoids skyline intrusion.
- Performance Outcome PO4, which requires that buildings are sited to minimise the impact on the natural landscape and topographical features and to avoid any unnecessary removal of vegetation.

In my opinion, the application material does not demonstrate compliance with these benchmarks, particularly noting the lack of information about existing vegetation on and adjacent to the site, and noting the inadequate space provided for substantial tree planting behind the proposed building. As noted above, it appears that, at the height and scale proposed, the proposed building will remove and obstruct views to the escarpment along the rear of the site, thus diminishing an important and appreciable landscape feature that contributes to the unique character and amenity of the area. In my opinion, the information included with the application material has not demonstrated that these types of impacts can be avoided or mitigated.

For a project of this nature, and considering the need to address the above benchmarks, I would expect that, as well as more certainty about existing and proposed landscaping, photomontage should be provided for a range of viewpoints. While visualisations and photomontages have been provided (setting aside the lack of information about how they have been prepared) they have only been provided for nearby viewpoints. It appears that, in order to properly understand the impact of the proposed development on the landscape features identified above, it would be necessary to see photomontage from more distant viewpoints such as the Elephant Rock lookout (refer Figure 2 below), the beach (refer Figure 3 below), and even from over the ocean.



Figure 2 - Looking towards the site from Elephant Rock lookout.



Figure 3 - Looking towards the site from the beach.

Summary

Compared to the currently approved development on the subject site, the changed development seeks approval for a higher and more substantial building, extending across a larger parcel of land.

It appears that the proposed development would impact on the landscape values of Currumbin Hill, noting that these are expressly protected under the Ridges and Significant Hills Protection Overlay Code.

In my opinion, the application material does not provide sufficient information or sufficient certainty to understand the extent to which the proposed development would impact on the values nor the extent to which the proposed development could be seen to satisfy key benchmarks concerned with character and amenity impacts more broadly.

Regards

Insight Design and Assessment Services

Nick McGowan
Principal

nick.mcgowan@insightdas.com.au
www.insightdas.com.au
0412 959 678