

Our Ref: Z16163
Your Ref: COM/2019/82
Karl Allen



8 November 2019

GOLD COAST | GLADSTONE

p 07 5562 2303

info@zoneplanning.com.au

zoneplanning.com.au

ABN 36 607 362 238

ATTENTION: Karl Allen
Chief Executive Officer
City of Gold Coast
PO Box 5042
GCMC QLD 9749

via email: mail@goldcoast.qld.gov.au
kallen@goldcoast.qld.gov.au

Dear Karl

**RESPONSE TO ASSESSMENT MANAGER'S INFORMATION REQUEST
DEVELOPMENT ASSESSMENT RULES 2017 PART 3 S13
DEVELOPMENT APPLICATION FOR A DEVELOPMENT PERMIT FOR A
COMBINED MATERIAL CHANGE OF USE AND RECONFIGURING A LOT AT
79, 89, 91, 97 & 99 COURTNEY DRIVE, UPPER COOMERA
(LOTS 188-192 RP173728)**

We act on behalf of our client, Gallery Group, regarding the abovementioned Development Application.

On 12 July 2019 an Information Request was received from City of Gold Coast. It is noted that the Applicant's Response Period was extended to 11 December 2019. Pursuant to Section 13.2 of the *Development Assessment Rules 2017*, we provide our response to this information request below.

The following supporting information is attached in support of this response:

1. Response letter prepared by Biome and Ecological Assessment (**Attachment 1**);
2. Statement of Landscape Intent prepared by Zone Landscape Architecture (**Attachment 2**);
3. Statement of Rehabilitation Intent prepared by Biome (**Attachment 3**);
4. Response letter prepared by Mortons Urban Solutions and Preliminary Earthworks (**Attachment 4**);
5. Subdivision Layout / Staging Plan, and Plan of Development prepared by Bennett & Bennett (**Attachment 5**);
6. Preliminary Engineering drawings prepared by Mortons Urban Solutions (**Attachment 6**);
7. Stormwater Management Plan prepared by Biome (**Attachment 7**);
8. Bushfire Management Plan prepared by Wollemi Eco-Logical (**Attachment 8**);
9. Water Supply and Sewerage Network Hydraulic Analysis prepared by H2One (**Attachment 9**);
10. Email from City of Gold Coast confirming owner's consent (**Attachment 10**);
11. Open Space Management Statement prepared by Biome (**Attachment 11**); and
12. Highland Reserve approved subdivision plans dated 1 June 2018 (**Attachment 12**).

In accordance with Section 13.2 of the *Development Assessment Rules 2017* this letter and attachments constitute a response to all of the information requested. We submit that the below and attached information together with that provided with the application submission, provides sufficient information for Council to now complete its assessment and favourably determine the application.

TOWN PLANNING

1. Assessment

Council officers note that the subject site is located within the Courtney Drive, Upper Coomera Investigation area conceptually on Strategic Framework Map 1. Land use and infrastructure planning investigations for the Courtney Drive, Upper Coomera Investigation Area has been completed for State interest review. At this stage, Council officers do not consider that assessment against the provisions of the conceptual plans for the investigation area is appropriate and will be assessing this application against the planning provisions that were in effect when the application was properly made (as per the requirements of s45(6) of the Planning Act. The applicant has requested that Council officers hold off the decision until notification of the Major updates occurs. Officers note that s45(7) of the Planning Act 2016 states that the assessment manager (Council) may give weight to the statutory instrument if amended or replaced before the assessment manager decides the application. This will be addressed once the application is in the Decision making period in accordance with the DA Rules 2017.

As a result of the above, the proposed development is being assessed against the City Plan version 6 which is in effect at the time of lodgement. Until the amendments to the City Plan are completed, these areas are to maintain their rural residential character and intent. The following information is required to progress assessment of the development against the City Plan. At this stage it is likely that the application will have an unfavourable outcome until further progress is made with Major updates 2 & 3.

RESPONSE

The City Plan Major Update 2 and 3 package has progressed since the lodgement of the development application with City Planning advising of an expedited timeline to progress the amendment's commencement, forecasted for mid 2019. In line with this, the amendment is currently undergoing public consultation. The Upper Coomera Investigation Area relates specifically to Courtney Drive of which the subject development is located. The update recommends Courtney Drive to be rezoned from Rural / Rural Residential to Emerging Community and an Upper Coomera (Courtney Drive) Precinct Plan has been established. This Precinct Plan identifies the site comprising a combination of Courtney South East (CSE) and Courtney West (CW) sub-precincts which outlines an intended change from the very low residential density associated with a rural / rural residential development to higher densities in line with urban (suburban) scale development. Council's intent for Courtney Drive to be developed as urban residential development is clear through both the City Plan amendment package, along with significant Council investment in undertaking planning studies (and community consultation) in regard to the development of this precinct. As such, it is considered the current City Plan zoning and provisions applicable to the development site are less relevant (and soon to be redundant / obsolete) and it is respectfully requested that officers give consideration to the proposed City Plan amendments Council has been investigating for the subject site for an extended period of time in excess of four years. It is submitted to not do so would be remiss from both a practical and statutory perspective. A full response to the planning matters raised in Part B of Council's Information Request is provided toward the rear of this response.

2. No new lots within Rural zone

In accordance with Performance outcome 6 and Overall outcome (2)(d) of the City Plan's Rural zone code no new lots should be created within the Rural zone (this excludes areas proposed to be dedicated as public open space). Amended drawings should be provided to demonstrate compliance with these outcomes.

RESPONSE

Please refer to the response to Item 1 above. The application seeks Council give consideration to the City Plan Major Update 2 and 3, more specifically, the Upper Coomera (Courtney Drive) Investigation Area which is now entirely reasonable and appropriate given the proximate align between City Plan Major Update 2 and 3 and the timeline for assessment of the development application, the latter of which can be adjusted if need be to ensure appropriate weight is afforded to the amendment.

3. Lot size – Rural residential zone Code

In order to satisfy Performance Outcome 7 and Overall outcome (2)(d)(ii) of the Rural residential zone code amended drawings should be provided. These should demonstrate that new lots created within the Rural residential zone provide an average lot size of no less than 8,000m² to protect local amenity and character. To respond to the various constraints found in the zone the lot sizes may vary provided that no lot has an area less than 4,000m².

RESPONSE

Please refer to the response to Item 1 above. The application seeks Council give consideration to the City Plan Major Update 2 and 3, more specifically, the Upper Coomera (Courtney Drive) Investigation Area which is now entirely reasonable and appropriate given the proximate align between City Plan Major Update 2 and 3 and the timeline for assessment of the development application, the latter of which can be adjusted if need be to ensure appropriate weight is afforded to the amendment.

4. Small lot sizes – ROL Code

The application provides an assessment in a code template against the reconfiguring a lot code. The assessment asserts compliance with the Performance Outcome PO11 of the code. It is considered the performance outcome PO11 is not met as the zone does not allow for small lots to be created. Assessment in the town planning report only seeks an alternative outcome for PO20, however does not address PO11.

The applicant is requested to provide an assessment against the Purpose and overall outcomes of the ROL code due to non-compliance with the performance outcome. Alternatively amendments to the lot sizes should be included in updated drawings.

RESPONSE

PO11 of the ROL Code relates to the creation of varying lot sizes to specifically accommodate potential multiple dwelling development. The subject development does not propose multiple dwelling development (given the proposed amendment does not identify this as being appropriate), and as such, this PO is not applicable. In regard to 'small lots' this is dealt with by PO14 and not PO11, as seems to be inferred by officers.

5. Building/Structure Height

Any revised plan of development drawings should be annotated to state that the maximum Building Height is nine (9) metres and two (2) storeys and structures do not exceed a height of nine (9)metres.

RESPONSE

The POD has been established to provide alternate outcomes relating to design and siting provisions. The application is not subject to a Variation Request to override the Planning Scheme and a POD, in isolation, cannot vary the level of assessment. As the development does not seek to alter the building height provision as currently applicable for the site, there is no need to state the building height on the POD. That is, it follows that the height under the City Plan, which is not proposed to be varied, is retained.

6. Planning Needs Assessment

The application does not include any specialist reports to justify a planning, community or economic need for the proposed urban development, which is currently outside of the City Plan urban area. It is unclear how the community's interest will be best served by the development progressing in advance of Council's Major Update.

Council officers consider that submission of a needs assessment is unlikely to justify a planning need for the development. In particular, reference is made to the recently released State Government Land Supply and Development Monitoring (LSDM) Report states:

"The capacity and realistic availability of planned dwelling supply in the Gold Coast consolidation and expansion areas provides more than the minimum 15 years of supply sought by ShapingSEQ."

"In the Gold Coast expansion area, the capacity and realistic availability of planned dwelling supply are 46,911 and 45,376 dwellings respectively, well above the expansion 2041 dwelling supply benchmark."

A copy of this report can be found at <https://planning.dsdmip.qld.gov.au/planning/better-planning/state-planning/regional-plans/seqrp/l sdm?release=2018>

This report also acknowledges in relation to only 2.2 years of supply of ROL approvals (Shaping SEQ seeks four years minimum supply) that as "the supply of expansion land diminishes, it is expected that the supply of approvals and lot creation would reduce to lower levels, similar to the circumstances in Brisbane where there is limited remaining expansion land."

- a) Despite the above, the applicant may wish to provide a planning needs assessment for the proposed development. Such an assessment should not be primarily economic focused and must include a planning and community need review to consider why the development should progress ahead of Council completing planning for the investigation area (and subsequent amendment).*

RESPONSE

Further to the response to item 'A' above, the Applicant seeks the application be assessed in consideration of the City Plan Major Update 2 and 3 which envisages urban development to occur in this location. The numerous Council funded and endorsed planning and constraints based studies that have led Council to pursue Courtney Drive to be rezoned from rural to urban land in the Major Update 2 and 3 package is considered sufficient evidence to support the proposed development. The Upper Coomera (Courtney Drive)

Investigation Area provides an important contribution to the City's very limited broadacre land supply (i.e. expansion land) and planned dwelling supply target as outlined for the Gold Coast in ShapingSEQ. The fact that this site has been identified as an Investigation Area with the highest priority out of the other numerous Investigation Areas in response to ShapingSEQ and now supported to be rezoned to Emerging Community land as detailed in the Major 2 and 3 amendment package, confirms the site's suitability and 'need' to contribute to the City's urban land supply and negates the need for a separate Planning Needs Assessment to be undertaken. We again refer you to the response provided in Item 1, as to the timing between the application and the City Plan amendments and the ability for Council to assess the application by giving considerable weight to the latter as part of its assessment.

7. Strategic Framework – "A safe well designed City"

The applicant is advised to consider the "A safe well designed City" theme and reference is made specifically to Section 3.8.8.1(2 & 3) which states as follows:

(2) Development:

- a) achieves an orderly and economically efficient settlement pattern where urban growth is contained within the city's urban area and sequenced with the planned provision of infrastructure and services including social infrastructure, active and public transport, communications networks and essential infrastructure; and*
- b) is provided with adequate infrastructure and services including social infrastructure, active and public transport, communications networks and essential infrastructure prior to the development commencing.*

(3) Out-of-sequence development only occurs where:

- a) the development is contained within the city's urban area and achieves an orderly and efficient settlement pattern;*
- b) adequate infrastructure and services are provided; and*
- c) the proponent is prepared to pay the full cost to offset the impact of out-of-sequence activity.*

The subject site is located completely outside the Priority Infrastructure Area (PIA). This presents a significant inconsistency with Council's endorsed policy; however, s133 of the Planning Act 2016 applies.

Therefore Council must impose extra payment conditions on the Applicant for the:

- establishment cost of trunk infrastructure required to support this development which is located outside the PIA;*
- any decommissioning, removal and rehabilitation costs of any temporary infrastructure; and*
- the maintenance and operating costs for up to 5 years of the infrastructure (including any temporary infrastructure).*

The applicant is invited to provide comment on this matter in their response to the Council.

RESPONSE

The Applicant appreciates the development is out of sequence from an infrastructure perspective and would expect reasonable costs (extra payment conditions) be imposed on the development providing they are not inconsistent with the City's current infrastructure charging regime. This relates to infrastructure charging, offsets, and credits associated in the establishment of trunk infrastructure particularly.

OFFICE OF THE CITY ARCHITECT

Whilst the office of the City Architect does not have any information request items with regards to assessment against the City Plan, the applicant may wish to consider the following comments as part of any response to the information requests in this letter as failure to address these issues may result in an unfavourable outcome.

- *The proposal has an intensity that is not appropriate for the rural zone and rural residential zone.*
- *The proposal anticipates a high site cover of 60% which is above the 25% as outlined in the rural residential zone code*
- *The proposal had an increased density of approximately 1 dwelling per 600 sqm which does not meet the minimum of 1 dwelling per 4000 sqm as outlined in the rural residential zone code.*
- *The reduced setbacks proposed by the building setback diagram will result in a built form that is overly intense and not appropriate for the rural zone and rural residential zone.*

RESPONSE

Please refer to responses above. The application seeks Council give consideration to the City Plan Major Update 2 and 3, more specifically, the Upper Coomera (Courtney Drive) Investigation Area which is now entirely reasonable and appropriate given the proximate align between City Plan Major Update 2 and 3 and the timeline for assessment of the development application, the latter of which can be adjusted if need be to ensure appropriate weight is afforded to the amendment.

GEOTECHNICAL ENGINEERING ASSESSMENT

8. Request for a geotechnical report

Landslide Hazard Overlay Map of the City Plan identifies parts of the site with a 'Moderate' hazard rating. As such, the relevant 'Landslide Hazard Overlay Code' is applicable. To satisfy PO1 and PO5 of the Code, the applicant is requested to provide a geotechnical report from a Registered Professional Engineer of Queensland (RPEQ) specialising in geotechnical engineering addressing the following issues in accordance with SC6.10 City Plan policy - Geotechnical stability assessment guidelines

(https://cityplan.goldcoast.qld.gov.au/Pages/Plan/Book.aspx?exhibit=GCCC_CityPlan):

- a) The report should provide a site-specific landslide risk assessment for each proposed lot. The risk assessment should be based on surface and subsurface geotechnical information of the site/lot. The report should demonstrate that each proposed lot achieves a landslide risk rating of 'Low' or better. The report should include a summary table of the landslide risk assessment for each proposed lot. If the report determines any lot with a 'Moderate' or worse risk rating, it should recommend appropriate and adequate risk mitigation measures to reduce the risk rating to 'Low' or better;*
- b) The report should include a certification from a Registered Professional Engineer of Queensland (RPEQ) specialising in geotechnical engineering confirming that each proposed lot achieves a landslide risk rating of 'low' or better and each lot is suitable for its intended use; and*

c) *The report should provide appropriate and adequate restrictions on any earthworks including excavation/cutting and filling in order to maintain long-term stability of the proposed lots.*

RESPONSE

It is requested the requirement for a geotechnical report be appropriately conditioned, as such can be resolved without any uncertainty. That is, the entire site is being significantly earthworked and reprofiled with re-compaction etc required to satisfy all necessary standards regarding stability and the like.

ENVIRONMENTAL ASSESSMENT

9. Building Envelopes

To achieve compliance with Overall outcome (2)(c) of the City Plan's Rural residential zone code amended plans should be provided with building envelopes provided on all lots. Building envelopes should demonstrate compliance with Acceptable outcome 2, being limited to 25% site cover and achieve compliance with setbacks required by Acceptable / Performance outcome 1. Building envelopes should be located within existing cleared areas on site.

RESPONSE

Please refer to responses above. The application seeks Council give consideration to the City Plan Major Update 2 and 3, more specifically, the Upper Coomera (Courtney Drive) Investigation Area which is now entirely reasonable and appropriate given the proximate align between City Plan Major Update 2 and 3 and the timeline for assessment of the development application, the latter of which can be adjusted if need be to ensure appropriate weight is afforded to the amendment.

10. Sewerage

If lots as per amended plans requested above are not connected to sewer then in order to satisfy Performance outcome 2 of the Rural residential zone code effluent envelopes for each lot should also be shown on plans. These should be consistent with those recommended within an effluent report provided to demonstrate compliance with the City Plan's On-site sewerage facilitates code.

RESPONSE

The applicant is seeking the site be assessed as urban development and will connect to all essential urban infrastructure. Please refer to the revised Engineering drawings prepared by Mortons Urban Solutions and provided in **Attachment 6** and network capacity assessment prepared by H2One and provided in **Attachment 9**. As such, on site sewerage facilities are not proposed nor required.

11. Protection of waterways

Amended plans should be provided which demonstrate that the proposed development will protect all mapped waterways over the site by providing appropriate buffers between the development and the waterway. In particular, the south-eastern waterway should be retained and protected in accordance with recommendations of the ecological assessment provided.

Buffers for all other waterways should be 30m either side of the waterway in accordance with Acceptable outcome 5.5 of the City Plan's Environmental significance overlay code. Any buffers proposed of a lesser width should demonstrate compliance with Performance outcome 5 within an amended ecological assessment.

RESPONSE

Following meetings and discussions with Council officers, the Applicant has reconsidered the lot layout in regard to the south eastern waterway which has now been preserved to be dedicated to Council as public open space by way of environmental and drainage. An excerpt of the proposed layout in the south east corner is included below for your information.



Protection of south eastern watercourse



New reprofiled naturalised waterway

Following discussions with Council officers (Ms Karley Lawler and Mr Peter Joy), the south western waterway will comprise a reprofiled and positioned naturalised waterway that will tie into the finished ground levels in this area of the site (refer above image). Furthermore, the alignment of this waterway has been altered to be positioned adjoining road where located within private allotments opening into open space and connecting into the broader drainage corridor proposed in the western area of the site. The design of the waterway in terms of alignment and embellishment is complimentary to that of a natural waterway. Please refer to both the amended Ecological Assessment and revised Statement of Landscape Intent prepared by Zone Landscape Architecture and provided in **Attachments 1** and **2** respectively along with the below comments provided by Biome in their response letter dated 6 November 2019 (**Attachment 1**).

An amended plan has been prepared which retains and buffers the mapped waterways within the site with existing ecological value. These waterways include:

- Yaun Creek – This waterway is located within the northern portion site. In accordance the provisions of the Emerging Community - Upper Coomera (Courtney Drive) precent outcomes a rehabilitated minimum 60 m wide corridor will be achieved.
- South eastern waterway – This water has been retained with a 30 m buffer provided. A fauna underpass is to be provided to allow fauna movement through the corridor.

It should be noted that the mapped waterway within the central portion of the site has been assessed to be degraded with limited fauna habitat values. It is proposed that the waterway be removed and a new fabricated naturalised watercourse be constructed. This proposal has been discussed with Council officers and provided natural channel design principles are incorporated it has been suggested that this option can be supported. The following figure represents the design outcomes that have been agreed.

12. Protection of assessable vegetation

The Overall outcome 9.4.1.4.2 (2)(a) & (b) and Performance outcome 1 (PO1) of the Vegetation management code include ensuring vegetation of environmental, historical, cultural, visual and character significance is retained. Vegetation should also be retained to provide habitats for threatened flora and fauna, prevent erosion and ensure slope stabilisation. In addition, retention of assessable vegetation throughout the subject site is important in maintaining the intended character of both the Rural and Rural residential zone codes, which is supported within the Overall outcomes of the codes. Amended plans should demonstrate the following:

- a. The seven (7) habitat trees identified within the ecological assessment will be retained; and*
- b. Isolated koala habitat tree species identified within the ecological assessment provided will be retained; and*
- c. Impacts to other assessable vegetation on site will be minimised to the greatest extent possible to maintain the intended character of the Rural and Rural residential zones.*

RESPONSE

As outlined above, it is intended the development be assessed in regard to the intended urban outcome sought for the subject site. The City Plan Major Update 2 and 3 amendment packaging seeks the development site to be rezoned to Emerging Community and has established the Upper Coomera (Courtney Drive) Precinct and supporting Precinct Plan. As there is a confirmed intent for the site to move away from rural development to an urban development outcome (as envisaged by both the Upper Coomera Investigation Area Study, and more recently, within the City Plan Major Update 2 and 3 amendment package), vegetation within the development footprint is unable to be retained. This is due to the site typographic constraints and resultant amalgamated earthworks strategy required which is in turn is contemplated by the draft amendment. However, the most ecologically valuable areas of the site (Yaun Creek corridor to the north, vegetation in south west corner, and south east watercourse) are proposed to be protected as public open space (conservation) and rehabilitated as outlined in the submitted Statement of Rehabilitation Intent prepared by Biome and provided in **Attachment 3**. Please also refer to the comments provided in Biome's response letter dated 6 November 2019 (**Attachment 1**).

13. Vegetation management plan to be provided

In order to satisfy the City Plan's Vegetation management code a vegetation management plan should be prepared. This should demonstrate that impacts to assessable vegetation have been minimised to the greatest extent possible (as requested above). This should include consideration of possible impacts of new lot boundaries, building and effluent envelopes, lot access (i.e. driveways) and bushfire management.

RESPONSE

Please see below response from Biome.

The City Plan's Vegetation Management Code requires that '...a Vegetation Management Plan, prepared by a suitably qualified person, is submitted as part of an Operational Work (Vegetation Clearing) application'.

It is considered reasonable that Council place a condition on the development approval to ensure that this provision is met.

14. Protection of priority vegetation

In order to satisfy Performance outcome 11 of the City Plan's Environmental significance overlay code amended plans should be provided which demonstrate that the proposed development avoids impacts on General priority vegetation across the site, with any damage minimised to the greatest extent possible. As indicated in the submitted material, the general priority vegetation in the south-western corner of the subject site should be of greatest protection priority as it is also identified as koala habitat.

RESPONSE

Please refer below response from Biome.

All areas of general priority vegetation mapped as koala habitat have been retained and will be protected within a proposed conservation area to be dedicated to Council.

15. Rehabilitation management plan

Rehabilitation should be undertaken as per the recommendations of the ecological assessment provided. A Rehabilitation management plan should be prepared in general accordance with SC6.8 City Plan policy – Environmental management plans in order to demonstrate compliance with Performance outcome 26 and Overall outcome 8.2.6.2(2)(b) of the City Plan's Environmental significance overlay code.

RESPONSE

Please refer to the Statement of Rehabilitation Intent prepared by Biome and provided in **Attachment 3** which outlines the rehabilitation intended to the Yaun Creek corridor (Zone R2), and proposed conservation area in the south west corner and watercourse in the south east corner (Zone R1).

LANDSCAPE ASSESSMENT

16. Retaining structures

The applicant is requested to provide plans which identify the extent, height and type of retaining structures and batters required to facilitate the development. It is requested that the plans demonstrate how proposed retaining structures and batters comply with AO9 or PO9 of the General development provisions code.

RESPONSE

Please refer to the amended Retaining Wall drawings prepared by Mortons Urban Solutions and provided in **Attachment 4**. The majority of retaining walls between property boundaries do not exceed 1.5m. However, it is noted that in limited situations (mostly in the north eastern area of the site) retaining wall heights increase up to 2m in these areas. Please also refer to the following response provided by Mortons.

We refer Council to MUS Drawings 36001-PE-450 to 460 that show the extent, height and type of retaining structures and batters required to facilitate the development. We note the following:

- Retaining walls will be designed in accordance with AS4678:2002;
- Design dead loads will include full hydrostatic load acting behind the structure with seepage drainage included;

- Proprietary product concrete sleeper walls proposed within private property which will provide a neat architectural and aesthetic appearance;
- Seepage drainage will be provided with outlets to lawful points of discharge;
- Wall design will not impose loadings on adjoining structures or utilities;
- Retaining walls will have a minimum setback of 200mm from property boundaries;
- A bench width between two tiers walls of 600mm is proposed;
- A maximum height single tier wall of 2m is proposed. Two tier walls maximum height of 3m.

17. Small lots

The application seeks approval for dwellings on small lots (i.e. less than 400m²); as such, the applicant is requested to:

- Include provisions on the POD which reflect RO14 of the Small lot housing code which apply to all lots sized less than 400m²; OR*
- Amend the proposal so all lots are sized greater than 400m² in area.*

RESPONSE

Please refer to the amended POD prepared by Bennett & Bennett and provided in **Attachment 5** which includes a new provision relating to landscaping to lot frontages.

18. Secondary frontage fencing

In order to ensure a quality visual amenity outcome, the applicant is requested to amend the Statement of Landscape Intent, the POD, and all other relevant plans to:

- Nominate a minimum 600mm setback area between the current property boundary and any boundary fence or retaining wall for lots 255-261 where they back on to Courtney Drive, and lots 101-110 where they back on to the future road to the south;*
- Propose a row of screening shrubs (e.g. Syzygium 'Resilience') within the 600mm setback area; and*
- Nominate a fence/retaining wall of high architectural quality in those locations (e.g. stained timber with hardwood battens).*

It is requested that this buffer area be dedicated to Council; the applicant is requested to nominate this on the amended plans.

RESPONSE

Lots 255-261 (now renumbered L239-246) are oriented toward Courtney Drive with proposed driveway access to these allotments from this road frontage as requested by Council's Subdivision Engineer during an earlier meeting with Council officers. The POD has been revised to reflect this. In regard to Lots 101-110, these lots are no longer positioned adjoining the southern boundary following a review of the lot layout.

SUBDIVISION ENGINEER

19. Construction of Courtney Drive

The applicant is advised that as part of this proposed subdivision, Courtney Drive fronting the subject site will be required to be constructed to a Residential Collector Street classification (7.5m wide carriageway and K&C on both sides of the road), with construction extending to the northern end of the proposed site.

Note also that the conversion of the existing turning area at the southern end of Courtney Drive to a sweeping bend is acceptable.

RESPONSE

Originally it was intended that the development gain access off the Courtney Drive cul-de-sac head with Stage 1 proposed in this location. This was due to the timing for the extension of the road off Reserve Road (within the unformed road reserve in the south east) being unknown and required to be constructed by others. As the extension of this road off Reserve Road has come online earlier than initially anticipated, staging of the development has been revised with Stage 1 now proposed from the south east corner of the site via an extension to the new road to the subject development site.

As the development does not intend to provide its primary access to the development via Courtney Drive full construction of this road is not considered to be required nor reasonable. Please see below comment from Mortons Urban Solutions.

It is requested that Council condition their standard requirement that the development upgrades their half of the road frontage to Council's current standards. Where full width construction is proposed due to the new alignment of Courtney Drive into the development, concrete edge restraint has been proposed to minimise the impact on the neighbouring property frontages and to maintain existing stormwater conditions.

There is a small section of approx. 30m length where edge restraint is required to ensure the larger event overland flow is directed to the basin (approx. Ch 630 to 660).

20. Road connection between Road 6 and Road 8

A road connection is required to link Road 6 with Road 8, to provide improved circulation for both pedestrians and vehicles (refer PO15 of the ROL code). Please amend all drawings to show a road connection.

RESPONSE

Road connection between Roads 6 and 8 were explored early on in the layout's design. Unfortunately, a road connection in this location is not possible due to the finished ground levels (i.e. change of grade ranging between 6m-9m from Road 6 to the southern alignment of Road 8). Furthermore, the road network needs to connect into the finished levels of Mackellar Drive which the internal road network connects into further restricting the ability for a through / connection road in this location. Please refer to the revised earthworks drawings prepared by Mortons Urban Solutions provided in **Attachment 4** and below comments from Mortons.

It is noted that very early layout concepts provided the link suggested by Council although this was removed due to the topography and the 16% grade road required to extend Mackellar Dr into the development. An intersection at this grade is not suitable and therefore not achievable.

The project's traffic consultant (SLR Consulting) has also provided the following advice on this connection:

The provision of a direct road connection between Roads 6 and 8 as requested by Council would increase the local dwelling catchment that would find travel via the existing Mackellar Drive most convenient (shortest route) when travelling between the site and Reserve Road. Mackellar Drive has been constructed within a 14.5m road reserve and is defined as a Residential Access Street.

The proposed development layout accommodates the connection to Mackellar Drive in line with that illustrated in the Upper Coomera Draft Concept Plan; however, the road network is such that the convenience of Mackellar Drive was limited as much as possible to reduce increases in traffic travelling along the existing lower order link.

In accordance with the Upper Coomera Draft Concept Plan, another connection to Richardson Crescent is proposed to adjoining lands to the north. This connection could be accommodated with a higher hierarchical connection and would serve as the more primary access route compared to Mackellar Drive.

21. Vehicular access to proposed lots 310 to 312

The applicant is requested to provide details on the vehicular access arrangement proposed for lots 310 to 312 to demonstrate there is no conflict between vehicular crossings.

RESPONSE

Please refer to the revised engineering drawings prepared by Mortons Urban Solutions provided in **Attachment 6** which illustrates that driveway access locations can be achieved for each of the abovementioned allotments (now renumbered to L293-295). Please also refer to the below comments provided by Mortons.

Drawing 36001-PRE-103 proposes a combined driveway layout for these lots which eliminates conflict between crossings.

22. Proposed lot 174 – CPTED issue

Concern is raised with the lot layout of proposed lot 174 as it creates a hidden corner in the drainage reserve (lot 1001). This is a CPTED issue. The applicant is requested to redesign this area to eliminate the hidden corner.

RESPONSE

Lot 174 has been removed from this location. Please refer to the revised Subdivision Layout prepared by Bennett & Bennett and provided in **Attachment 5**.

23. Road 6 width transition to Mackellar Drive

Please note that the road width of Road 6 is required to transition, over a distance of 10m, from the 16.5m width to the 14.5m width in Mackellar Drive. A dogleg step in the lot frontage boundary is not desirable.

RESPONSE

Please refer to the revised engineering drawings prepared by Mortons Urban Solutions and provided in **Attachment 6** which provides a transition to the reduced road verge connecting into the smaller 14.5m wide road reserve of Mackellar Drive to the frontage of Lots 147 and 1005.

24. Footpath concept plan

Please submit a footpath concept plan for the proposed development. Please note that all streets are required to have a footpath, in accordance with Council's Land Development Guidelines. Also, footpaths are required along the frontage of the site to Courtney Drive and from the subject site to Gordon Drive both along Mackellar Drive and at the southern end of Road 1.

RESPONSE

Please refer the Footpath Location Plan within the revised Statement of Landscape Intent prepared by Zone Landscape Architecture and provided in **Attachment 2**.

25. Kerb returns at intersections

Please note that all kerb returns at standard intersections are required to have a 6m (maximum) radius. The proposal drawings appear to show the kerb returns at around 10m. Limiting the kerb radius helps reduce vehicle speeds and provides a safer environment for pedestrians. Please amend all drawing accordingly.

RESPONSE

Please refer to the amended engineering drawings prepared by Mortons Urban Solutions and provided in **Attachment 6**. for more detail in this regard. Please also refer to the below comment from Mortons.

It is confirmed that the preliminary design incorporates 6m kerb returns as per Council standard.

OPEN SPACE ASSESSMENT

26. Open space design amendments

The subject application proposes a total of 237 dwellings, and has proposed a total of 4.25 ha public open space, 2,708m² for the purpose of recreation. Given that green field sites left on the Gold Coast are in short supply, it is important to consider open space provision, specifically recreation spaces, early in the design phase. This helps to ensure that high levels of amenity and optimum function are achieved. When these spaces are well designed (i.e. consolidated and useable park spaces within walking distance of the dwellings), and cater for the needs of a variety of user groups, user ship is increased which fosters social interaction, often resulting in happier neighbourhoods and safer communities.

Where an application proposes in excess of 100 dwellings, the Reconfiguration of a lot code AO21.3 triggers a need for minimum 4,740m² of recreation park to be provided within the development footprint for its future residents. The applicant's proposal of 2,708m is considered to be a substantial under provision and is anticipated to negatively impact future residents in comparison to the acceptable outcome envisaged by the City Plan.

Review of the prelodgement meeting notes, minutes, and subsequent correspondence between officers and the applicant's consultants show this issue of under provision and various design flaws was communicated, discussed and resulted in design revisions to accommodate officer's requests. However, these changes have not been reflected in the proposed layout. Specifically, the applicant has combined incompatible park types (recreation, drainage and conservation) in conflict with City Plan policy SC6.11 Land development guidelines; proposed minimal road frontage for park lots, creating CPTED issues through low casual surveillance, creating opportunity for unlawful rubbish dumping where lots back onto park, creation of areas of concealment in surrounding park with private property boundaries, provision of walking trails in conservation areas, and recreation in drainage reserves, both of which is to be discouraged.

The applicant is requested to undertake the following amendments to the overall layout of the subdivision, and design of the open space to be dedicated:

- a) In accordance with AO21.3 of Reconfiguration of lot code, provide and dedicate a minimum of 20m² per dwelling of consolidated and useable recreational open space. This figure does not include open space land for the purposes of stormwater or environmental conservation.*
- b) In accordance with PO22 of Reconfiguration of lot code redesign lots 1000, 1001, 1005, 1006, to maximise road frontage. For example:*
 - Delete lots 280, 281, 282, 283 and 284 for the benefit of lot 1000;*
 - Delete lot 174 for the benefit of lot 1001;*
- c) The proposed bushfire trail on lot 1004 is not supported. This trail is to be removed from the rear of lots 247, 248, 249, 250, 252 and 252 (i.e. extend the private property boundaries to the adjoining property of lot 193 RP173728) and lots 1005 and 1006.*
- d) All asset protection zones (inner and outer bushfire radiation zones) are to be wholly contained within private allotments. No areas of the asset protection zones are to encroach upon public open space proposed for dedication.*
- e) Co-location of open space areas is highly desirable and supported. However, where two different open space categories are adjoining separate allotments, they must be created so that each asset is independent of the other. (i.e.: Bio-retention basins are to be located outside of any lots created for the purpose of conservation without encroachment into any buffer).*
- f) The walking trail is to be removed from lot 1000. The only embellishments permitted within specific park types are outlined within City Plan policy SC6.11 Land development guidelines, section 5.4.2 Public open space classification, categories and embellishment.*
- g) Maintenance access to all stormwater management systems proposed for dedication are to be in accordance with City Plan policy – SC6.11. Land development guidelines, 4.5.14.3 Maintenance access, and table 4.26 (i.e. access path to > 40% of perimeter).*
- h) Provide further detail of the proposed design for the recreation park(s) ensuring all embellishments are in accordance with table City Plan policy – SC6.11. Land development guidelines, 5 Public open space standards table 5.4.*
- i) The applicant is requested to show both the top of the high bank of Yaun Creek, creek centreline and associated 30m buffer. These details are at times unclear, not labelled or are non-existent on plans such as Landscape intent, engineering drawings etc.*
- j) Tree planting within proposed recreation parks and drainage reserve lots are to achieve minimum 4m spacing to allow for sufficient vehicle manoeuvring for mowing and ongoing maintenance.*

- k) No park areas on the subject site are considered trunk infrastructure or are eligible for offsets. This should be reflected and consistent across the reports.*
- l) Infrastructure shown on civil plans is to be relocated outside the conservation lot(s).*
- m) Acceptable height transitions are to be achieved by managing the cut and fill responsibly across the site, not pushing the issues to the edges resulting in excessive heights of retaining walls and batters at the public private interface.*
 - o Bulk earthworks (cut and fill) are not to extend into the environmental conservation lots and their associated buffers located at the north-west (lot 1000) and south west (lot 1004) of the subject site.*
 - o OSA do not support the proposed public private interface of Lot 1000 or 1001 showing 1.5m fencing atop 1.5 - 3m retaining walls. The design of this space is demonstrate the principles stated within City Plan policy SC6.11 Land development guidelines, 5.4 Public open space standards.*
 - o Retaining walls located on public open space in service of the private lots are not supported. Those currently shown in lots 1005 and 1006 at a height of 3m are to be wholly contained within the private lots and setback in accordance with the above mentioned guidelines.*
 - o The proposed 1:2.5 batter in lot 1001 is not supported. The design is to be revised to achieve a minimum 1:4 batter.*

Note: The calculation for Recreation open space area is calculated independent of any requirements to manage stormwater, and any requirements to protect environmentally significance areas.

RESPONSE

Please refer to the below responses addressing each of the above items.

- (a) A review of the recreation park provided for the development has been undertaken and the overall area of recreation park has increased by 855m² with over 3,563m² of recreation park now proposed. The recreation park is located in two key areas of the site to ensure all residents have convenience access to parklands. Firstly, 1,009m² of recreation park is provided in the north east area adjoining the Yaun Creek corridor. It is also noted that walk trails are proposed within this corridor which will ultimately connect to the future District park to be located further north of the subject site adjoining Yaun Creek, and will provide a valuable recreational feature (and public asset) once the vision for the Upper Coomera (Courtney Drive) Precinct is realised. This walking trail is in addition to the stated area of recreation park. The walking trail is identified in the draft Concept Plan in this location, and following a meeting with Council's Karley Lawlor, such was supported by Council planning officers. A second, larger area of recreation park is located in the south east corner comprising 2,549m². Both parks are located in conveniently accessible and gateway locations within the development and are co-located with other forms of open space being drainage and environmental. Cumulatively, these areas of open space will visually appear as larger recreational / green areas at key locations within the development site providing a high scenic amenity, connectivity between open spaces, and establish a consolidated useable area as intended by AO22.3 of the ROL Code, but visually pleasing nodes offering residents high levels of amenity.

Furthermore, AO21.3 of the ROL Code makes provision for 20m² of recreation space per lot for developments comprising 100 lots or more. In the context of the subject development, this equates to 4,400m² of recreation space. A total of 3,563m² of recreation park is proposed for the development

(excluding the linear walking trail along the Yaun Creek corridor) equating to 16.2m² of recreation park provided per lot and a small shortfall based on compliance with AO21.3. It is important to note that the quality of recreation area should not be dictated by the numerical outcome with the co-location of all types of open space establishing a high quality open space network and recreational amenity across the development.

It is noted that a new lot typology is proposed being 'large lot' comprising of lot sizes ranging from 820m² – 1773m². These lots could be considered to be sufficiently large whereby future residents may be less dependent upon recreational space outside their allotment. Fourteen 'large lots' are proposed in the south western area of the site. Recalculation of the recreation area provision excluding these 'large lots' results in an area of 4,120m² to be compliant. This results in the provision of 17.3m² per dwelling (based on 206 lots). Despite this small non-compliance in the provision of recreation space for the development, it is considered that the development establishes an open space network that meets the intent of PO21 and is therefore sufficient to service the needs of future residents.

- (b) As mentioned above, a review of the development layout has been undertaken in response to the matters raised in this Information Request, and subsequent discussions with Council officers, and a revised layout is now proposed. The layout now proposes increased road fronting the key open space areas including the recreation areas in the north west and south east areas of the site (refer response to Part B Item C below). All areas of open space have road frontage and all lots with a boundary adjoining open space is proposed to incorporate permeable fencing to ensure safety and casual surveillance into and out of open space areas. The increased road frontages to open space have also increased view corridors and vistas in the open space areas bringing the 'green' into the development. Previous Lots 280-284 have been reconfigured and Lot 174 has been deleted from adjoining Lot 1005. It is considered that the development satisfies the intent of PO22 in that the design and location of open space results in high quality parkland.
- (c) & (d) The bushfire trailing on Lot 1004 has been removed with all bushfire buffers now located within private lots.
- (e) Co-location of open space areas is proposed wherever possible. The areas of open space have been categorised according to their intended function (e.g. recreation, drainage, environmental / conservation). Bio basins have been located outside conservation areas.
- (f) The walking trail has been retained as per the intent of the draft Concept Plan and as discussed with Ms Karley Lawler.
- (g) Maintenance trails are provided to all stormwater management systems for dedication to Council. Please refer to the revised Stormwater Management Plan prepared by Biome and provide in **Attachment 7** and the revised Statement of Landscape Intent.
- (h) Please refer to the revised Statement of Landscape Intent prepared by Zone Landscape Architecture and provided in **Attachment 2** detailing the design intent / embellishment of recreation park.
- (i) Please refer to the revised Ecological Assessment prepared by Biome and provided in **Attachment 1** in this regard.

- (j) Please refer to the revised Statement of Landscape Intent prepared by Zone Landscape Architecture and provided in **Attachment 2**.
- (k) Noted.
- (l) Infrastructure shown on the civil drawings are located outside the conservation lot wherever practicable.
- (m) Please refer to the revised Earthworks drawings prepared by Mortons Urban Solutions and provided in **Attachment 4**.

BUSHFIRE ASSESSMENT

27. Bushfire Management Plan amendments

The applicant is requested to submit an amended Bushfire Management Plan (BMP) that is in accordance with the City Plan Policy – SC6.3 Bushfire Management Plans.

The submitted BMP being, Bushfire Management Plan at 79-99 Courtney Drive, Upper Coomera Lots 188-192 on RP173728, Project No. 19107 – Version 5, dated 29 April 2019 and prepared by Wollemi Eco-Logical Pty Ltd, must be amended as follows:

- i. Revisit the lot layout design to avoid impacts to environmental significance;*
- ii. Remove the fire trail that is at the rear of proposed lots 216-247 and transfer the requirements for all bushfire mitigation requirements back within the private lots;*
- iii. Review the requirement for a fire trail to be placed adjacent proposed lot 110 and make sure all bushfire management requirements are placed within the private allotment;*
- iv. Due to the unformed road at the rear of proposed lots 101-110 the applicant is required to address the bushfire risk to these lots and any bushfire mitigation requirements are to be within the private allotments;*
- v. Assess the bushfire hazard at the rear of proposed lots 262, 280-284 & 327, as per when the open space area adjacent has the established rehabilitation works completed;*
- vi. Consider all other impacts from Council's Information Request items.*

RESPONSE

Please refer to the revised Bushfire Management Plan prepared by Wollemi Eco-Logical provided in **Attachment 8**. This Plan has been amended to reflect the changed development layout and address the above matters raised by Council. The lot layout avoids impacts to environmental significance as much as practicable, the fire trail has been removed behind lots previously proposed along the western boundary.

Following layout changes in this area of the site in response to matters raised in Council's information request, a reduced number of allotments are now proposed along this boundary, all of which comprise larger allotments in excess of 800m². These lots are subject to a 13m wide bushfire buffer to the rear and BAL29 rating (refer below images) with all bushfire measures contained within private allotments. Lots 101-110 along the southern boundary have been removed.



HYDRAULICS AND WATER QUALITY

28. Updated Stormwater Management Plan

The applicant is requested to update the SMP to address Council's concerns such as environmental or open space, and demonstrate compliance to Council's Healthy waters code and General development provisions code.

RESPONSE

Please refer to the revised Stormwater Management Plan prepared by Biome and provided in **Attachment 7**.

29. Hydrological Assessment

The applicant is requested to undertake hydrological assessment on the below identified waterway should development encroach within the 30 metre buffer zone.



Figure 1: Waterway within Lot 192 on RP173728

RESPONSE

Please refer to the response provided in regard to Item 11 above. This waterway has been determined to have minimal environmental value and is intended to comprise a reprofiled and positioned naturalised waterway that will tie into the finished ground levels in this area.

30. Erosion and Sediment Control Plan

The applicant is requested to provide an erosion and sediment control plan. This is required to be submitted in accordance with Healthy waters code and latest State Planning Policy (SPP). It is particularly advised to adopt control measures to achieve 80% hydraulic efficiency. Please also consider sensitive water environment adjacent to the site to identify the risk and mitigation measures.

RESPONSE

The Applicant requests this item to be reasonably conditioned to be provided to Council for approval prior to the commencement of any earthworks occurring on site.

WASTE AND WATER ASSESSMENT

31. Water pressures to service lots

Water and Waste have monitored the performance of Council's water network to ensure that the submitted water network analysis is represented of actual water pressures and other physical characteristics of Council's water network. As a result of these investigations, it was determined that further information is required in the form of a revised water network analysis.

Key concerns identified from these investigations and the review of the water network analysis is as follows:

- i. The existing water network in its current state is not adequate to service the ultimate development proposal. Water and Waste has identified that only lots up to a finished elevation of 55 metres can be serviced in a compliant manner. Properties above the 55 metres may not have the required pressures at the fronting property boundaries.*
- ii. It was identified that the modelling submitted overestimated the hydraulic grade line (HGL) by a significant amount.*
- iii. Water and Waste require further information demonstrating that each stage can meet the relevant standards pressure requirements on a stage by stage basis and for the ultimate development.*

To address these concerns and to confirm that Council's water network can operate appropriately in accordance with the relevant technical standards, the following information is required:

- A. The applicant is required to amend the water network analysis report to include Council's findings, which was identified during the monitoring of the water network and during the review of the submitted water network analysis. The applicant is requested to contact Uttam Saha, Coordinator (Water) Network Planning via USAHA@goldcoast.qld.gov.au or (07) 5582 8929 to obtain this data.*
- B. The applicant is required to submit a hydraulic analysis internal to the site and schematic plan which demonstrates how each lot will be provided with sufficient pressure and flow.*

This is required for the ultimate development and a progressive stage by stage basis and is to incorporate the following:

- i. This analysis is to be carried for 2066 MD/2066 MDMM and/or 2031md/2031MDMM scenario.*
- C. Should the new water network analysis require revised connection points, these are required to be updated accordingly.*

RESPONSE

Please refer to the revised Water Supply and Sewerage Network Hydraulic Analysis prepared by H2One and provided in **Attachment 9**. It is noted that H2One has had ongoing discussions with Water and Waste officers since receiving Council's Information Request and in carrying out the water and sewer assessment submitted for the development.

32. Consent

The applicant is required to obtain consent from the nearby property owner(s) for the required sewer works within their lots. Consent from the owners of the following lots is required to be submitted to Council.

- A. Lot 186 on RP173728*
- B. Lot 187 on RP173728*
- C. Lot 999 on SP292346*

Please note this consent is to include easements over the proposed mains.

RESPONSE

The Applicant is currently pursuing consent from the landowners of the adjoining allotments to the north (Lots 186 and 187) in regard to the sewer infrastructure / easement matter. In regard to Lot 999, as mentioned above, this lot is a park lot located adjoining the subject in the south east corner. Council has confirmed consent for sewer infrastructure to be located within this park area. Please refer correspondence from Council provided in **Attachment 10**.

33. Sewer reticulation schematic plan

A. Please provide a revised sewer reticulation schematic plan for the proposal that:

- i. Makes allowances for any future external catchments that may drain to the proposed sewerage network required for this development site.*
- ii. Provides conceptual longitudinal sections confirming that the proposed gravity sewer main extension has sufficient cover and fall in compliance with the SEQ WS&S D&C Code.*
- iii. Any proposed or existing sewer mains within private properties should have an easement centrally located about the main in compliance with the SEQ WS&S D&C Code.*

RESPONSE

Please refer to the revised Water Supply and Sewerage Network Hydraulic Analysis prepared by H2One and provided in **Attachment 9** which has factored in the above matters.

34. Advice notes

The applicant is advised of the following (which requires no further information at this stage):

- A. Parallel lengths of 300mm diameter gravity mains are required at two locations in Reserve Road. The location of these is approximately and generally in accordance with Appendix 9 of the network capacity assessment report prepared by H2One. These works are considered trunk in nature.*
- B. Additional sewerage emergency storage of 22.7kL in 2066 is required at SPS PA1 due to this development. Water and Waste propose an extra payment condition in accordance with the Planning Act for the applicant to address this emergency storage deficit required for the proposed development only.*

RESPONSE

Noted.

PART B: Emerging Community Zone

Should the subject site be included within the Emerging community zone in the future, the applicant should give consideration to the following comments from Council officers:

TOWN PLANNING

Council officers note that the subject site is drafted as being within a suburban neighbourhood (constrained) on the draft concept plan that forms part of the amendment package for Major updates 2 & 3 to the City Plan.

Council officers consider that if the applicant wishes to present a development that aligns with the draft concept plan then the plan of development drawings and relevant reports should be amended taking into account the following commentary from Council officers.

A. Density

The site is located within Courtney West Precinct (CW3) and the Courtney South East Precinct (CSE1) and includes part of the Green Space network as shown on Figure 4-2 of the Draft Concept Plan. The density anticipated should be readdressed by the applicant as Net density is equal to the Total Yield divided by the Developable area and should be exclusive of Public Open Space areas and roads. The applicant was previously informed (meeting 21 June 2017) that the concept plans high range yield estimate for CSE1 and CSW3 to inform density figures on the concept plan was 232 dwellings. It is important to note that this figure includes dwellings expected on additional land at 53 and 65 Courtney Drive located to the north and not included as part of the development application. It is also noted that the Plans show 16.1 dwellings per hectare and that subsequent correspondence provided by the applicant indicates a revised net residential density calculation for the development is 22.7 dwellings / hectare. That is $22.7 \times 10.434 \text{ ha (net developable area)} = 237 \text{ lots - or 1 dwelling per } 440\text{m}^2$. Whilst the plans should be amended to reflect the true density being proposed, Council officers also consider that the proposed development will result in an over-intensification of the site and does not adequately address the bushfire and ecological significance constraints of the site. There are matters which are raised in this information request that will need to be addressed and will

consequently contribute to a reduction in the number of allotments/dwellings proposed for the development.

In accordance with Section 3.3.4 New Communities of the Strategic Framework, larger lot urban housing is anticipated in the new community and it is noted the proposed small lots and use of retaining walls does not seek to minimise earthworks and transition non-urban areas.

An amended Plan of development with a lower density should be considered with reference to Figure 4-1 Draft Concept Plan (Yield) (Reference: GHD Report May 2017). The subject site is primarily located within the mapped Residential Area A which anticipates a lower density that responds to site conditions. Those portions of the site located within Residential Area B may be considered more appropriate for a higher intensity.

RESPONSE

In responding to the matters raised in this Information Request (including bushfire and ecological values), and subsequent to meetings with Council officers, a review of the development layout has been undertaken to ensure these (and other) considerations have been factored into the layout. This review process resulted in a reduction in overall yield from 232 lots to 220 lots. The revised residential density proposed is 21.3 dwellings / net Ha or 1 dwelling / 469m² based on a net developable area of 10.309ha (excluding areas of public open space and road to be dedicated to Council). Of note, the gross density proposed is 11.6 dwellings / ha or 1 dwelling / 856m². At the outset we note the net density is inflated not so much by an unreasonably high number of dwellings, but the extent of constrained land that is being handed over as drainage and conservation reserve.

Review of the City Plan Major Update 2 and 3 relating to the Upper Coomera (Courtney Drive) Precinct outlines the densities envisaged for the sub-precincts (and 'notes') as detailed below,

- (iii) An appropriate mix of Dwelling house (including small lot housing) and Dual occupancy development achieves a residential density of:
 - (A) 19 to 23 dwellings per net hectare, where located in sub-precinct Courtney North-east;
 - (B) 13 to 17 dwellings per net hectare, where located in sub-precinct Courtney South-east; and
 - (C) 11 to 14 dwellings per net hectare, where located in sub-precinct Courtney West.

Note: Where more than one site is amalgamated for development, an increase to residential density will be considered beyond the upper limit of each range.

Land located above RL60m AHD is excluded from developable area unless acceptable provision for water servicing can be agreed to with Council (Gold Coast Water & Waste).

Extent of development within Courtney West sub-precinct may be constrained by bushfire hazard unless an acceptable precinct wide mitigation approach is provided. Development in all sub-precincts is subject to a bushfire risk management plan.

The subject site is located predominantly in the sub-precinct Courtney South-east with a smaller area in the south west corner located in the sub-precinct Courtney West. Lot size ranges as per the above densities are outlined below:

Sub-Precinct Courtney West

11 dwellings per net hectare – 1 dwelling / 909m²

14 dwellings per net hectare – 1 dwelling / 714m²

Sub-Precinct Courtney South-East

13 dwellings per net hectare – 1 dwelling / 769m²

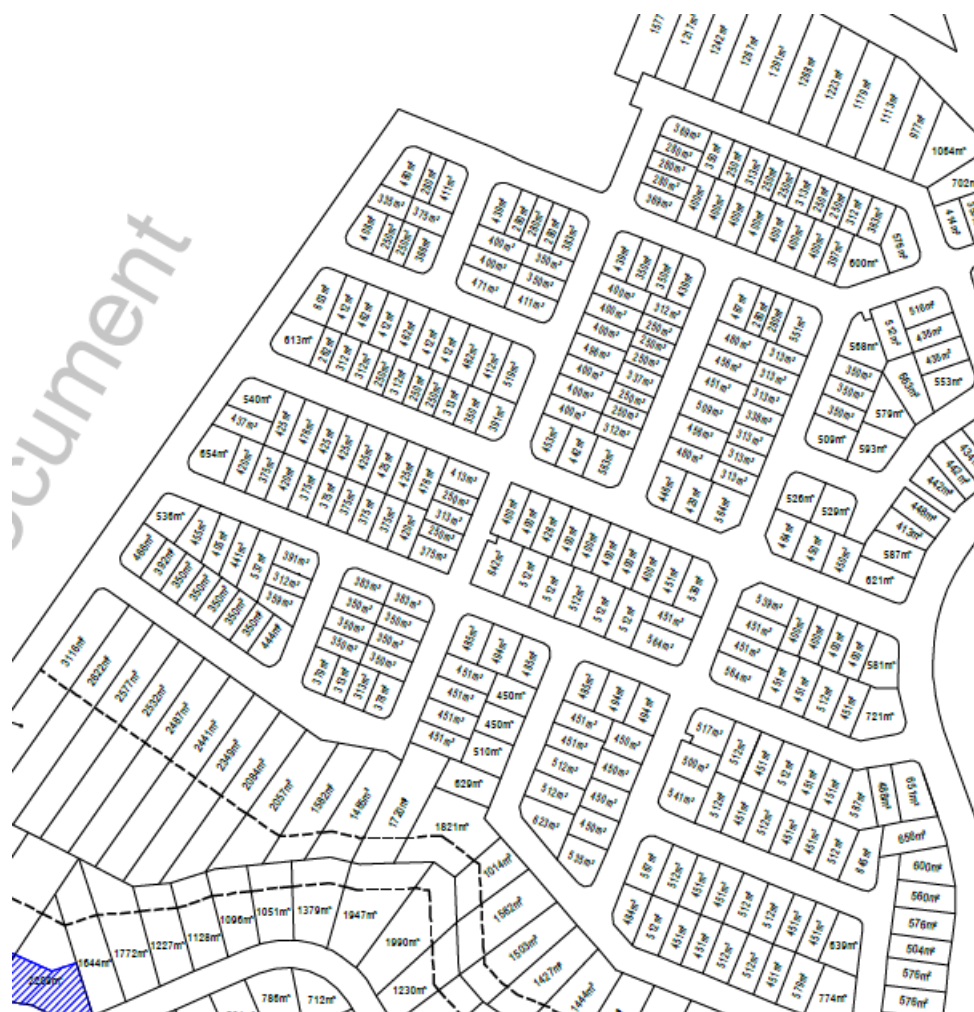
17 dwellings per net hectare – 1 dwelling / 588m²

However, the 'note' anticipates an increased residential density beyond the upper limit of each range where more than one site is amalgamated for development and it can be demonstrated land above RL60 can be serviced. This is applicable to the subject development whereby five large allotments are proposed to be amalgamated to create a gross site area of 18.851Ha and thereby facilitating a whole of site amalgamated earthworks scheme (rather than an uncoordinated piecemeal approach) resolving the topographical constraints currently present across the site. By doing this, the site can be recontoured to reduce slope and finished ground levels resulting in reasonably level allotments with seamless integration (i.e. less than 10% with the exception of the larger lots proposed within sub-precinct CW) to facilitate a low density suburban development outcome and supporting an increase in the proposed density above the upper limit density provisions for the sub-precincts.

In terms of the development of land above RL60, the revised Water and Sewer Capacity Assessment prepared by H2One and provided in **Attachment 9** confirms sufficient water pressure is achievable above RL60, further supporting an increase in densities beyond the sub-precinct's upper limit. The net effect (amalgamation of lots and servicing of lots at RL60 and above) is additional yield. As stated in the 'note' relating to the Upper Coomera (Courtney Drive) Precinct and densities envisaged for the sub-precincts, "Land located above RL60m AHD is excluded from developable area unless acceptable provision for water servicing can be agreed to with Council (Gold Coast Water & Waste)". It is also reasonable that areas above RL60 would have been excluded from sub-precinct density targets due to the uncertainty as to whether these high areas could be serviced. Discussions between Water and Waste officers and H2One confirm suitable pressure to, and above RL60, can be achieved in regard to the development site, resulting in a reasonable additional area of land within the CSE sub-precinct that can be developed but previously excluded when determining the sub-precinct's yield, and subsequent density; and attributing to the higher density proposed for the development.

The development's lot sizes are proposed to range from 350m² to 1,773m². The recontouring of the site as proposed provides for appropriate development and built form outcomes enabling more efficient use of the land and smaller allotments to be created (i.e. unlock more development potential and increase density). The residential density proposed (21 dwellings / net Ha and 11.6 dwellings / gross Ha) is reflective of a low density suburban development.

Furthermore, the site is located within good proximity to all urban amenities and facilities to support the proposed yield, including a number of schools, access to the M1 and train line, the newly opened Coomera Town Centre, along with numerous local and neighbourhood centres. All of these, and more, would have been key reasons Council prioritised the Courtney Drive Investigation Area as their top priority to be converted to the Emerging Community Zone and facilitate urban development. The lot sizes as proposed will not be out of character with the local area which can be demonstrated by the adjoining (to the south) Highland Reserve development comprising almost 1,100 lots with lot sizes starting from 250m² (including multiple dwelling product) with many less than 400m² (please refer below subdivision plan exert and approved plans provided in **Attachment 12**) with the general Upper Coomera character comprising smaller allotment sizes.



Excerpt of adjoining Highland Reserve subdivision plan with lots from 250m² in area

B. Lot Sizes/Typology

The lot sizes as they are currently proposed are small and when considered in combination with the site constraints and the density anticipated for the site, the applicant is advised to consider increasing lot sizes such that all allotments are over 400m². This is considered appropriate to align with the draft concept plan which anticipates lots between 600m² and 800m² primarily within the SE Precinct. Smaller allotments between 400m² and 600m² are anticipated in the northern portions of the site near Yuan creek. With larger allotments (800m²-1000m²) anticipated in the Courtney West precinct (outside of areas mapped within the Greenspace network).

RESPONSE

As mentioned above, a review of the development layout has been undertaken in response to matters raised in this Information Request and subsequent meetings with Council officers. Please see the below comparison tables showing the previous and proposed key development statistics and lot mix. Overall, the revised development scheme has:

- reduced yield by 12 dwellings (-5%)
- reduced the development footprint 0.125Ha
- increased total public open space by 0.34Ha
 - reduced drainage open space by 0.399Ha
 - increased environmental open space by 0.655Ha

- increased recreation park by 0.1Ha
- reduced net residential density by 1.4 dwelling / net Ha
- increased average lot size 29m²

Comparison between previous and proposed development summary

	PREVIOUS	PROPOSED
Total Site Area	18.849Ha	
Gross Developable Area	14.723Ha	14.257Ha
Net Developable Area	10.434Ha	10.309Ha
Public Open Space (POS)	Total POS – 4.25Ha Drainage (including Yaun Ck) – 2.41Ha Environmental -1.572Ha Recreation – 2,708m ² (0.27Ha)	Total POS – 4.59Ha Drainage (including Yaun Ck) – 2.011Ha Environmental -2.227Ha Recreation – 3,563m ² (0.37Ha)
Proposed Density	1 dwelling per 440m ² (22.7 dwellings / net Ha)	1 dwelling per 469m ² (21.3 dwellings / net Ha)
Total Lots / Yield	237 dwellings	220 dwellings

Comparison between previous and proposed lot mix

PREVIOUS				PROPOSED				
Premium Traditional Lots (Min. 14m wide & Min. 600m ²)	Traditional Lots (Min. 14m wide & Min. 337m ²)	Courtyard Lots (Min. 12.5m wide & Min. 350m ²)	Total Lots	Large Lot (Min. 12.5m wide & Min. 800m ²)	Premium Traditional Lots (Min. 14m wide & Min. 600m ²)	Traditional Lots (Min. 14m wide & Min. 350m ²)	Courtyard Lots (Min. 12.5m wide & Min. 350m ²)	Total Lots
22 (9%)	115 (49%)	100 (42%)	237	14 (6%)	11 (5%)	100 (46%)	95 (43%)	220

It is noted that a new lot typology has been introduced being 'large lot'. These larger lots comprise a minimum frontage width of 12.5m and minimum area of 800m². This product is typically located in the south western area of the site in the sub-precinct Courtney West and provide a transition from the more intense low density product to the larger rural setting to the west of the site. These lots are also sufficiently sized to accommodate a 13m wide bushfire buffer along rear boundaries, accommodate a private waterway (refer Lots 206 and 209), and accommodate slope / earthworks within lot boundaries whilst retaining sufficient area to accommodate built form.

It is considered that the development provides a diverse mix in lot topology with wide lot frontages predominantly comprising no less than 12.5m despite the overall lot area comprising a minimum 350m². There are a small number of exceptions to this where lots on a road bend or similar have a lesser frontage with of 10m. Not lot within the development scheme has a frontage width less than 10m. These wider lot frontages are more in line with traditional size lots creating the perception of larger allotments from a streetscape perspective, therefore contributing positively to a character akin to suburban outcomes. Despite the Traditional and Courtyard lot typology comprising a minimum area of 350m², when viewed from the street these lots will appear as being larger as a result of their wider frontage and separation between

dwellings. The wider lot frontages also enable sufficient separation between vehicle crossovers and provides space for on street car parking.

Review of the development as proposed in regard to the Emerging Communities Specific Outcomes (as per the Strategic Framework) confirms the development furthers the outcomes sought for new communities by:

- integrating into the city's urban fabric and supporting well-designed, walkable communities;
- achieving a minimum dwelling yield of between 15 to 25 dwellings per hectare net (density provision for emerging communities more broadly);
- providing a diversity of housing choices through a mix of lot sizes;
- connecting to essential infrastructure and services in a timely, cost effective and environmentally responsible manner;
- enjoying easy access to an appropriate range of goods and services, and employment opportunities, public transport and community and recreational facilities;
- ensuring natural hazard areas are sensitively developed;
- protecting matters of environmental significance and landscape character;
- contributing to safe, healthy and cohesive communities and promote community wellbeing;
- establishing an interconnected system of streets and open spaces that provide pleasant and comfortable walking and cycling environments; and
- achieving a high standard of urban design and safety, with dwellings appropriately addressing all road frontages.

C. Building setback diagram

The proposed development includes a building setback diagram for the proposed allotments and categorises the lot typologies based on their size and widths. It is considered that once consideration of the lot sizes and site constraints have been accounted for, the applicant could provide variation in the building setback diagram anticipated for each lot typology (i.e. provide one for a courtyard lot, one for the traditional lot etc.). By reducing the types of lots that have a zero side setback to one side and increasing the rear setback for some allotments, this could assist to improve onsite amenity and create a distinctive character and appearance for the suburban neighbourhood.

RESPONSE

Please refer to the revised POD prepared by Bennett & Bennett and provided in **Attachment 5** which provides indicative building envelopes relating to all typologies.

D. Site Cover

The 60% site cover is considered more intense than anticipated for the zone. Strong consideration should be given to reducing this to 50%. This is considered necessary to accommodate site constraints and to ensure sufficient provision of private open space and landscaping. It also aligns more appropriately with other residential zones of the City Plan.

A 60% site coverage may be acceptable subject to:

- *flat blocks and*
- *applying alternative front setbacks and*

- *use of one zero side boundary setback and*
- *applying to lots of sufficient dimension which demonstrates sufficient space for landscaping / recreation at the rear (e.g. 6m or adjacent to public recreation open space to ensure a sub-tropical design outcome is achieved). Note covered outdoor recreation areas do not contribute to landscaping areas.*

RESPONSE

The site cover provision has been amended to provide a concession to lots under 400m². That is, for lots with an area less than 400m², a 60% site cover is proposed. However, the 10% increase to the standard 50% site cover provision can only be used to accommodate a covered area of private open space should the 50% site cover be taken up completely by the dwelling house. This has been derived from the site cover provision for dwelling houses on lots less than 400m² as stated in the Medium Density Residential Zone Code.

The standard 50% site cover provision will be applicable to the balance lot typologies. Please refer to the revised POD prepared by Bennett & Bennett and provided in **Attachment 5** which has been amended to reflect this change.

E. Earthworks

A comprehensive plan of development is required to identify how the earthworks interface to lot 187 RP173728 is acceptable. A conceptual earthworks plan needs to be submitted to demonstrate that stormwater drainage, detention and treatment systems proposed on the plan are achievable without any major alteration in the detailed design.

RESPONSE

Please refer to the revised earthworks drawings prepared by Mortons Urban Solutions provided in **Attachment 4**. Please also see below comments provided by Mortons.

Detailed preliminary earthworks drawings of the area were shown on MUS Drawings 36001-PE-071 and 451. Discussions with the project's stormwater consultant, BIOME Consulting, confirm the proposed earthworks model does not create a worsening on the neighbouring Lot 187 RP 173728 as the pre-development situation was sheet flow across the boundary from a much larger catchment.

ENVIRONMENTAL PLANNING

A. Protection of other waterways

In addition to Yuan Creek, other waterways identified on the City Plan's Environmental significance – wetlands and waterways overlay map should be rehabilitated with appropriate buffers, satisfying the Environmental significance overlay code (i.e. minimum 30m buffer either side). Any buffers proposed of a lesser width should demonstrate compliance with Performance outcome 5 within an ecological assessment. These areas should be protected through either private covenant or public open space.

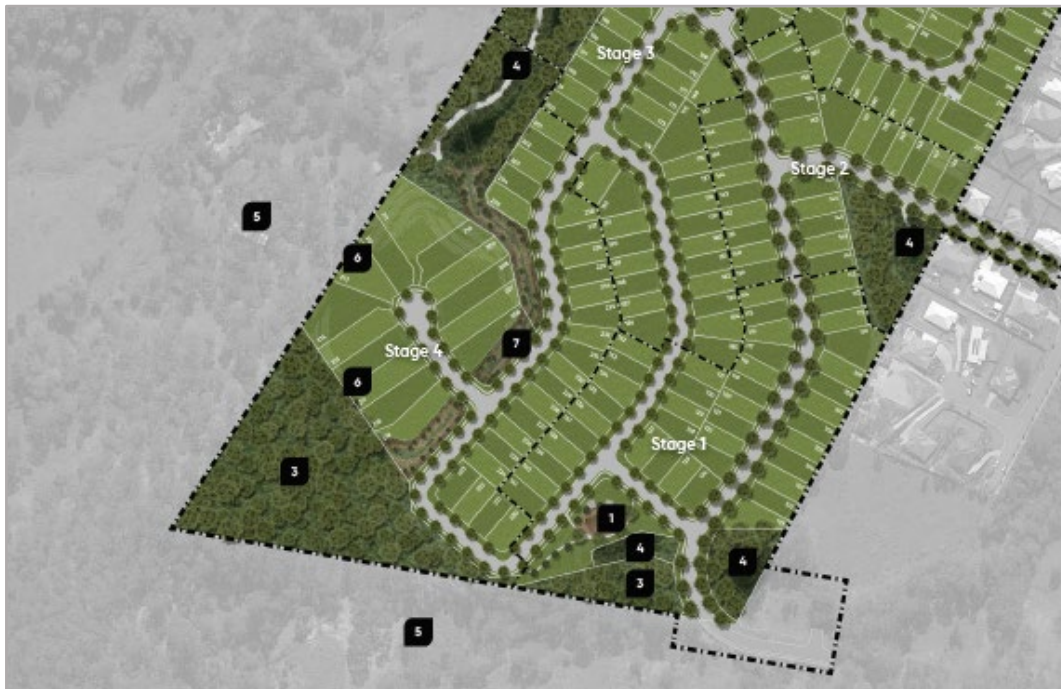
RESPONSE

Please refer to the response provided in regard to Item 11 above which addresses this matter.

B. Protection of ecological significant areas

Ecologically significant areas along the southern site boundary should be protected through the dedication of public open space. This includes the general priority vegetation along the southern boundary identified on the Environmental significance – vegetation management overlay map and the south-eastern waterway corridor. This should also include any required bushfire management zones / setbacks to protect adjacent dwellings.

Please refer to the revised subdivision layout plan prepared by Bennett & Bennett provided in **Attachment 5** and below excerpt from the revised Statement of Landscape Intent which shows the ecological values in the southern area of the site protected. The subdivision layout has been revised to remove the previously proposed allotments adjoining the southern boundary and replaced with public open space in the form of recreation, drainage and conservation.



C. Road frontages to public open space

Development should maximise road frontage to public open space areas, particularly local recreation parks and waterway corridors.

RESPONSE

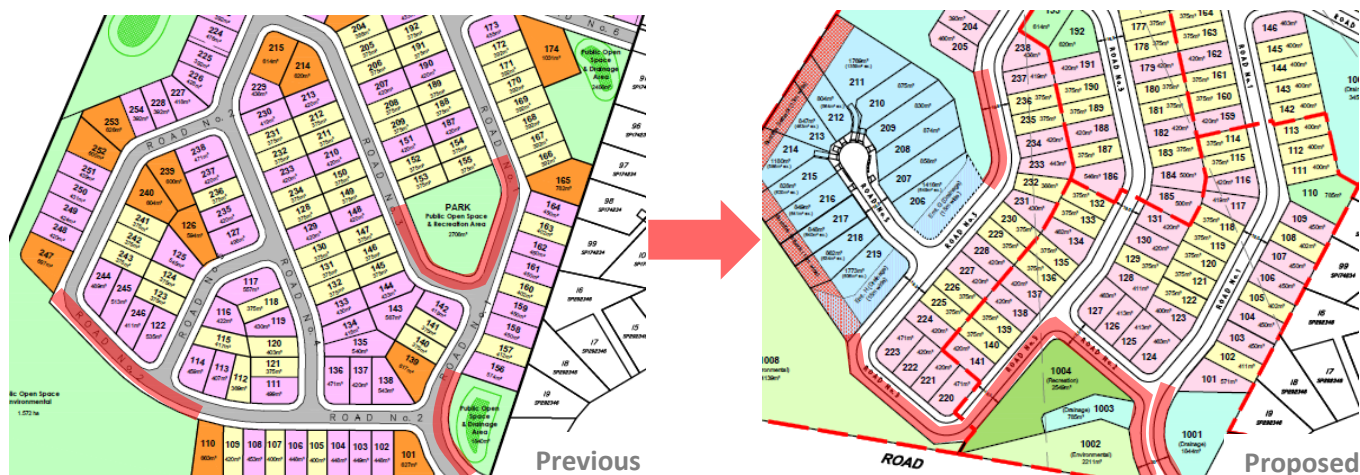
The development layout has undergone an extensive review in light of the matters raised by Council in the Information Request and a revised layout is now proposed. During the review process, consideration was given to the extent of road fronting public open space areas and increased road adjoining these areas has subsequently been incorporated where possible.

All areas of public open space (e.g. recreation, drainage, environmental) have been provided with road fronting the open space with focus given to the most significant areas of open space areas being Yaun Creek corridor and recreation area in the north western area, and environmental and recreation park in the southern area. It is noted that both of these areas incorporate the development's recreation park which enjoy a minimum of two road frontages enhancing accessibility to these open space areas, creation of vistas through the development site to the open space, and ensure casual surveillance is achieved (refer below comparative images of road fronting park). Where a private allotment adjoins open space (which is not an

unreasonable outcome) permeable fencing treatment is proposed to create a sense of openness and increase visual access in to / out of the open space areas (refer revised SLI provided in **Attachment 2**).



Comparison of the extent of road frontage to public open space in the northern area – Yaun Creek corridor (road frontage shown in red)



Comparison of the extent of road frontage to public open space in the southern area (road frontage shown in red)

D. Fauna movement infrastructure

Where road crossings over the green space network are required (i.e. the road which crosses over the southern boundary), fauna movement infrastructure must be provided.

RESPONSE

Please refer to the revised Ecological Assessment prepared by Biome and provided in **Attachment 1** which addresses this matter. Please also refer to the below comments as detailed in Biome's response letter dated 6 November 2019.

An amended Ecological Assessment has been prepared to reflect the revised plan of development. This report includes recommendations for the installation of an underpass to allow for fauna movement within the site south eastern waterway corridor.

OPEN SPACE ASSESSMENT

A. Open space design – Amalgamate Park Lots 1004, 1005 and 1006

- i. Application assessment previously provided by Open Space Assessment required the extension of lots 247 to 252 to the boundary of Lot 193 RP173728 with the deletion of the fire trail on proposed park lots.
- ii. Council's Draft Concept Plan details "Local Road and Multi-Use Track Adjacent to Bushfire Hazard Areas within the vicinity and relative alignment of Road 2". This land is classified as "Highly constrained" due to steep slope and elevation. Lots within, and to the west of the subject site, contain High to Very high bushfire hazard areas.
- iii. Essentially a delineation road has been identified within the Draft Concept Plan which separates the development footprint from the areas containing high bushfire hazard areas and matters of environmental significance including: mapped waterways, Koala habitat areas and a small portion of regulated vegetation (being Least Concern Regional Ecosystem 12.11.5e/12.11.5a being *Corymbia citriodora* subsp. *variegata*, *Eucalyptus siderophloia*, *E. major* open forest on metamorphics +/- interbedded volcanics).
- iv. As such all plans are requested to be amended to delete lots 101 to 110, and lots 216 to 247 (as identified in Figure 2 on the following page) to align with the Draft Concept plan. This will create a continuous public open space lot which addresses bushfire management requirements, protects matters of environmental significance and scenic amenity. This will also ensure compliance with the following aspects of the City Plan including:
 - Specific outcome (2) and (9) of the Green space network of the Strategic framework;
 - AO6.1 of the Bushfire hazard overlay code;
 - PO23 Environmental significance overlay code; and
 - PO22 of the Reconfiguration of a Lot code



Figure 2: Lots recommended to be deleted (highlighted in yellow)

- v. Further to this and to reiterate the previous Open Space Assessment memo retaining walls have been shown adjacent to or within proposed public open space. To comply with SC6.11 – Land development guidelines section 3 – Change to ground level ` standards all retaining walls will be requested to be wholly setback within private allotments where they are adjacent to proposed public open space.

RESPONSE

This item requests open space (conservation and drainage) located in the south western area of the site to be amalgamated for bushfire purposes. It is considered the amalgamation of these areas is not necessary and site constraints can be mitigated without doing so. Please refer to the below responses to the above items (i)-(v).

- (i) Previous Lots 247 to 252 are no longer proposed. This area of the development has undergone a detailed review in order to address / respond to matters raised by various internal referrals within this Information Request. The new lot configuration proposed for this area of the site incorporates bushfire buffers within the private allotments and rear boundaries adjoining the site's western boundary have been extended the full extend to this common boundary.
- (ii) The development layout has been designed giving regard to the draft Concept Plan and the site constraints. The south western area of the site is identified as the Courtney West Precinct which confirms that development is acceptable in this area '...subject to acceptable resolution of bushfire hazard through a management plan at development assessment stage and relies on the ability for amalgamation of sites to address bushfire management'. The submitted Bushfire Management Plan recommends acceptable bushfire mitigation to the lots within the site most at risk of potential bushfire hazard. This has been achieved by a combination of buffer setback areas (within private allotments) to boundaries adjoining bushland open space and BAL rates applicable to the built form. Review of the City Plan Major Update 2 and 3 amendment package includes a 'note' stating, '...extent of development within Courtney West sub-precinct may be constrained by bushfire hazard unless an acceptable precinct wide mitigation approach is provided. Development in all sub-precincts is subject to a bushfire risk management plan'. It is considered the development has responded on the bushfire constraints and an acceptable mitigation approach has been incorporated.
- (iii) It is noted that no such delineation road has been included on the Upper Coomera (Courtney Drive) Precinct Plan to this effect. Instead, the abovementioned 'note' makes provision for an alternate arrangement by way of a precinct wide mitigation approach to bushfire being implemented and the requirement for a bushfire management plan. Furthermore, all ecologically significant values of the site have been retained and are protected within this area by way of proposed public open space.
- (iv) The provision of a continuous area of public open space along the site's south western and southern boundaries is not considered necessary to achieve the intent of the draft Concept Plan or the currently advertised the Upper Coomera (Courtney Drive) Precinct, whilst mitigating impacts associated with site constraints and protecting ecological values. Nonetheless, the development layout has undergone review and changes have been made to increase the area of public open space (conservation, recreation, drainage) along the full length of the southern boundary. As detailed in Item 11 above, the south western waterway is proposed to comprise a reprofiled and positioned naturalised waterway connecting into the drainage open space adjoining the western boundary.
- (v) All retaining walls are proposed to be retained within private allotments outside public open space.

In accordance with Section 13.2 of the *Development Assessment Rules 2017* this letter and attachments constitute a response to all of the information requested and the statutory public notification process will now commence. As mentioned above, we submit that the below and attached information, together with that provided with the application submission, provides sufficient information for Council to continue its assessment and favourably determine the application.

We trust this information is sufficient for your purposes; however, should you require any further details or clarification please do not hesitate to contact Nicole Webb on (07) 5562 2303.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'D. Geyer', with a stylized flourish at the end.

DAVID GEYER | DIRECTOR
ZONE PLANNING GROUP