

Our reference: MCU/2018/58

Decision notice—approval (with conditions)

(Given under section 63(2) of the *Planning Act 2016*)

Date of decision notice: 3 April 2020

Applicant details

Applicant name: Sandson Pty Ltd
Applicant contact details: C/- Urban Planning Services Pty Ltd
PO Box 2091
SURFERS PARADISE QLD 4217

Application details

Application number: MCU/2018/58
Approval sought: Material Change of Use (impact assessment)
Details of proposed development: Residential care facility (90 beds)

Location details

Street address: 202 Baileys Mountain Road, Upper Coomera Qld 4209
Real property description: Lot 58 SP191940

Decision

Date of decision 2 April 2020
Decision details: Under Delegated Authority, the Manager of the City Development Branch of Council has resolved to approve the development in full with conditions.

Referral agency(s) for the application

Not applicable – no part of the application required referral.

Details of the approval

Development permit Material change of use (impact assessment) for a Residential care facility (90 beds).

Conditions

The conditions that have been imposed by Council, as Assessment manager, are enclosed.

Further development permits

The following development permits are required to be obtained before the development can be carried out:

- Operational works - vegetation clearing
- Operational works - landscape works
- Operational works – public landscape works
- Operational works – infrastructure
- Connections and disconnections: Application to work on the City's infrastructure
- Permit for plumbing and drainage work

Notwithstanding the above, other approvals/development permits may be required.

Properly made submissions

Properly made submissions were received from the following principal submitters:

Name of principal submitter	Residential or business address	Electronic address (if provided)
Wallace-Mitchell	82 Simpsons Road CURRUMBIN WATERS QLD 4223	awm272@yahoo.com
Damian Baker	31 Courtney Drive UPPER COOMERA QLD 4209	damian@bakergc.com

Currency period for the approval (section 85 of the *Planning Act 2016*)

In accordance with section 85 of the *Planning Act 2016*, this approval has a currency period of six years

Approved plans and drawings

Approved plans and drawings are attached and are identified in the conditions imposed by Council as the Assessment manager.

Appeal rights

Applicant	You have appeal rights in relation to this decision. An appeal may be made against, as applicable: • the refusal of part of the development application; or • a provision of the development approval; or • if a development permit was applied for, the decision to give a preliminary approval. An appeal must be started within 20 business days after this notice is given to you. An appeal may be made to the Planning and Environment Court or, for certain matters which are identified in section 1(2) of Schedule 1 of the <i>Planning Act 2016</i>, to a development tribunal. An appeal is started by lodging a notice of appeal with the registrar of the Planning and Environment Court or a development tribunal, as applicable. The notice of appeal must be in the approved form, succinctly state the grounds of the appeal and be accompanied by the required fee. An appellant to the Planning and Environment Court must give a copy of the notice of appeal, within 10 business days after the appeal is started, to the persons identified in section 230(3) of the <i>Planning Act 2016</i>. A person who is appealing to the Planning and Environment Court must comply with the rules of the court that apply to the appeal. An extract of Chapter 6, Part 1 and Schedule 1 of the <i>Planning Act 2016</i> is attached to this notice, which sets out further information about the appeal rights.
Submitter (properly made)	You have appeal rights in relation to this decision. An appeal may be made against, as applicable: • the decision to give a development approval; or • the decision to give an approval for a change application; or • a provision of a development approval; or • a failure to include a provision in the development approval.

	An appeal may be made to the extent that the decision or matter relates to, as applicable: • any part of the development application or change application that required impact assessment; or • a variation request. An appeal must be started within 20 business days after this notice is given to you. An appeal may be made to the Planning and Environment Court. An appeal is started by lodging a notice of appeal with the registrar of the Planning and Environment Court. The notice of appeal must be in the approved form, succinctly state the grounds of the appeal and be accompanied by the required fee. An appellant to the Planning and Environment Court must give a copy of the notice of appeal, within 2 business days after the appeal is started, to the persons identified in section 230(3) of the <i>Planning Act 2016</i>. A person who is appealing to the Planning and Environment Court must comply with the rules of the court that apply to the appeal. An extract of Chapter 6, Part 1 and Schedule 1 of the <i>Planning Act 2016</i> is attached to this notice, which sets out further information about the appeal rights.
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For further information please contact Sue Wilkinson, Town Planner on p: 07 5582 8866 or via email mail@goldcoast.qld.gov.au who will be pleased to assist.

AUTHORISED BY



Karley Lawler
Supervising Town Planner (North)
 For the Chief Executive Officer
 Council of the City of Gold Coast

enc:

Conditions imposed by Council as Assessment manager
 Statement of reasons (given under section 63(4) of *Planning Act 2016*)

Attach:

Stamped approved plans and drawings
 Infrastructure charges notice for the approved development

Conditions imposed by Council as Assessment manager

General																																																																															
1	Timing All conditions of this development approval must be complied with at no cost to Council at all times unless otherwise stated in another condition.																																																																														
2	Approved drawings Undertake and maintain the development generally in accordance with the following drawings: <table><tr><th>Drawing Title</th><th>Author</th><th>Date</th><th>Drawing No.</th><th>Ver</th></tr><tr><td>Proposed Site Plan</td><td>N.G. Sanders + Associates Pty Ltd</td><td>18/03/20</td><td>19111/CD-01/DA3</td><td>-</td></tr><tr><td>Proposed Ground Floor Plan</td><td>N.G. Sanders + Associates Pty Ltd</td><td>18/03/20</td><td>19111/CD-02/DA3</td><td>-</td></tr><tr><td>Proposed First Floor Plan</td><td>N.G. Sanders + Associates Pty Ltd</td><td>18/03/20</td><td>19111/CD-03/DA3</td><td>-</td></tr><tr><td>Proposed Roof Plan</td><td>N.G. Sanders + Associates Pty Ltd</td><td>18/03/20</td><td>19111/CD-04/DA3</td><td>-</td></tr><tr><td>Proposed Elevations</td><td>N.G. Sanders + Associates Pty Ltd</td><td>18/03/20</td><td>19111/CD-05/DA3</td><td>-</td></tr><tr><td>Proposed Sections</td><td>N.G. Sanders + Associates Pty Ltd</td><td>18/03/20</td><td>19111/CD-06/DA3</td><td>-</td></tr><tr><td>Proposed Car Parking Plan</td><td>N.G. Sanders + Associates Pty Ltd</td><td>18/03/20</td><td>19111/CD-07/DA3</td><td>-</td></tr><tr><td>Proposed Perspective Views</td><td>N.G. Sanders + Associates Pty Ltd</td><td>10/02/20</td><td>19111/CD-08/DA1</td><td>-</td></tr><tr><td>Impact Analysis Plan</td><td>N.G. Sanders + Associates Pty Ltd</td><td>18/03/20</td><td>19111/CD-09/DA3</td><td>-</td></tr><tr><td>Development Summary</td><td>N.G. Sanders + Associates Pty Ltd</td><td>18/03/20</td><td>19111/CD-10/DA3</td><td>-</td></tr><tr><td>Typical Aged Care Suite Plans</td><td>N.G. Sanders + Associates Pty Ltd</td><td>06/02/20</td><td>19111/CD-11/DA1</td><td>-</td></tr><tr><td>External Colour Schedule (1 of 3)</td><td>N.G. Sanders + Associates Pty Ltd</td><td>06/02/20</td><td>19111/CD-12/DA1</td><td>-</td></tr><tr><td>External Colour Schedule (2 of 3)</td><td>N.G. Sanders + Associates Pty Ltd</td><td>06/02/20</td><td>19111/CD-13/DA1</td><td>-</td></tr><tr><td>External Colour Schedule (3 of 3)</td><td>N.G. Sanders + Associates Pty Ltd</td><td>06/02/20</td><td>19111/CD-14/DA1</td><td>-</td></tr></table>				Drawing Title	Author	Date	Drawing No.	Ver	Proposed Site Plan	N.G. Sanders + Associates Pty Ltd	18/03/20	19111/CD-01/DA3	-	Proposed Ground Floor Plan	N.G. Sanders + Associates Pty Ltd	18/03/20	19111/CD-02/DA3	-	Proposed First Floor Plan	N.G. Sanders + Associates Pty Ltd	18/03/20	19111/CD-03/DA3	-	Proposed Roof Plan	N.G. Sanders + Associates Pty Ltd	18/03/20	19111/CD-04/DA3	-	Proposed Elevations	N.G. Sanders + Associates Pty Ltd	18/03/20	19111/CD-05/DA3	-	Proposed Sections	N.G. Sanders + Associates Pty Ltd	18/03/20	19111/CD-06/DA3	-	Proposed Car Parking Plan	N.G. Sanders + Associates Pty Ltd	18/03/20	19111/CD-07/DA3	-	Proposed Perspective Views	N.G. Sanders + Associates Pty Ltd	10/02/20	19111/CD-08/DA1	-	Impact Analysis Plan	N.G. Sanders + Associates Pty Ltd	18/03/20	19111/CD-09/DA3	-	Development Summary	N.G. Sanders + Associates Pty Ltd	18/03/20	19111/CD-10/DA3	-	Typical Aged Care Suite Plans	N.G. Sanders + Associates Pty Ltd	06/02/20	19111/CD-11/DA1	-	External Colour Schedule (1 of 3)	N.G. Sanders + Associates Pty Ltd	06/02/20	19111/CD-12/DA1	-	External Colour Schedule (2 of 3)	N.G. Sanders + Associates Pty Ltd	06/02/20	19111/CD-13/DA1	-	External Colour Schedule (3 of 3)	N.G. Sanders + Associates Pty Ltd	06/02/20	19111/CD-14/DA1	-
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The conditions of this approval are to be read in conjunction with the attached stamped approved drawings. Where a conflict occurs between the conditions of this approval and the stamped approved drawings, the conditions of this approval shall take precedence.																																																																															

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Approved Plans

Undertake and maintain the development generally in accordance with the following plans:

Plan Title	Author	Date	Plan Reference No.	Ver
Concept Rehabilitation Management Plan, Baileys Mountain Road, Upper Coomera, Lot 58 on SP191940,	Saunders Havill Group	23 March 2020	8781 E 01 CRMP B - 8781 E 09 CRMP B 8781 E A01 CRMP B - 8781 E A03 CRMP B	B
Queensland Fire and Emergency Services (QFES) cover sheet including endorsed Bushfire Management Report FM 3812-3 for Sandson PTY LTD at 202 Baileys Mountain Road Upper Coomera	Eldon Bottcher Architect Pty Ltd	23/03/2020	FM 3812-3	—
Acoustic Report	Acoustic works	11 February 2020	2018200	R01C
Waste Management Plan	MRA Environmental	February 2020	MRA19-175	Final

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Amended Plans

Prepare and submit amendments to the plans listed below for confirmation they constitute the approved plans for the purposes of this development approval. All amended plans must be prepared / endorsed by a registered professional engineer (RPEQ) and submitted to Council for approval, prior to commencement of any works on site:

The following amendments must be included:

Hydraulics and Water Quality				
Plan Title	Author	Date	Plan Reference No.	Ver
"202 Baileys Mountain Road, Upper Coomera, Site Based Stormwater Management Plan"	Arcadis Australia Pacific Pty Ltd	24 March 2020	F0002-10022603-AAR	05

• Unless otherwise accepted by Council, the batter slope of the drainage corridor along Baileys Mountain Road must be 1V:3H or flatter;

• Provide representative cross-sectional information of the entire drainage corridor up to the downstream part of recreational linkage park (preferably at 15m spacing), clearly indicating maximum water depths during the 1% AEP storm and the corresponding batter slopes. The plan must also clearly indicate the safety fences along both sides of the drainage corridor in accordance with Section 5.4.3.9 of LDG;

• Provide details of a cross-drainage structure/s at the interface between the drainage corridor and the recreational linkage park;

• Provide confirmation with necessary plan / drawing that stormwater runoff from the upstream properties, that is traversing the site in the pre-development condition, will be managed through the proposed development without causing any adverse impact

	external to the site; Update the hydraulic modelling accordingly and demonstrate no hydraulic impact external to the site; For any overflow, demonstrate that the flood safety of the cross-drainage structure/s will not be compromised (e.g., $d \leq 250\text{mm}$, $d \cdot v \leq 0.40\text{m}^2/\text{s}$).												
Trunk Development Infrastructure													
5	Necessary trunk infrastructure (LGIP identified) a. Provide the following necessary trunk infrastructure (LGIP identified) prior to commencement of the use: Recreation linkage park <table><tr><th>LGIP infrastructure item identified</th><th>Desired Standard of Service</th><th>Drawing Title & Drawing No</th><th>Author</th><th>Date</th><th>Ver</th></tr><tr><td>LL_046 - Old Coach Linkage 4 - Land & Embellishment for Recreation Linkage – 2,397 m²</td><td>Recreation Linkage - Land Development Guidelines</td><td>Site Plan 19111/CD-01/DA3</td><td>N.G. Sanders and Associates</td><td>18 March 2020</td><td>-</td></tr></table> b. Comply with the process to provide the necessary trunk infrastructure contained within Schedule 1 of the Council of the City of Gold Coast Charges Resolution. Note: All other development infrastructure not identified above is non-trunk development infrastructure unless otherwise stated in another condition.	LGIP infrastructure item identified	Desired Standard of Service	Drawing Title & Drawing No	Author	Date	Ver	LL_046 - Old Coach Linkage 4 - Land & Embellishment for Recreation Linkage – 2,397 m ²	Recreation Linkage - Land Development Guidelines	Site Plan 19111/CD-01/DA3	N.G. Sanders and Associates	18 March 2020	-
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6	Necessary trunk infrastructure (not identified in the LGIP) Provide the following necessary trunk infrastructure (not identified in the LGIP), in accordance with the specified standard of service prior to registration of a survey plan: Land dedication for realignment of Baileys Mountain Road <table><tr><th>LGIP infrastructure item identified</th><th>Desired Standard of Service</th><th>Drawing Title & Drawing No</th><th>Author</th><th>Date</th><th>Ver</th></tr><tr><td>Land dedication for realignment of Baileys Mountain Road associated with LGIP trunk infrastructure INT_011 (Reserve Road/Old Coach Road Intersection Upgrade) Approx. 3062.3m² of land</td><td>Delivery by Council</td><td>Proposed Land Requirement LOT 58 SP191940 Dwg. AAAAAA.010.SAP No.-20160917-01</td><td>M. Smith (for Infrastructure Delivery Branch, City Infrastructure)</td><td>17/09/2016</td><td>-</td></tr></table> a. Comply with the process to provide the necessary trunk infrastructure contained within	LGIP infrastructure item identified	Desired Standard of Service	Drawing Title & Drawing No	Author	Date	Ver	Land dedication for realignment of Baileys Mountain Road associated with LGIP trunk infrastructure INT_011 (Reserve Road/Old Coach Road Intersection Upgrade) Approx. 3062.3m ² of land	Delivery by Council	Proposed Land Requirement LOT 58 SP191940 Dwg. AAAAAA.010.SAP No.-20160917-01	M. Smith (for Infrastructure Delivery Branch, City Infrastructure)	17/09/2016	-
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	Schedule 1 of the Council of the City of Gold Coast Charges Resolution – “Schedule 1 – Process if the Council requires the cost of works to be determined through a tender process.” <i>Note:</i> <i>The applicant is invited to enter into an infrastructure agreement with the City to provide certainty to both parties in respect of the above requirements and timing of the provision of any refund and/or offset.</i> <i>All other development infrastructure not identified above is non-trunk development infrastructure unless otherwise stated in another condition.</i>																		
7	Extra payment condition a Pay to Council extra trunk infrastructure costs in the amount of \$43,137.55, prior to commencement of the use. b This condition has been imposed as the development will require additional emergency storage at sewer pump station SPS PA1 in the 2037 to 2066 Planning Horizon. c The details of the trunk infrastructure for which the additional payment is required, are as follows: i extra trunk infrastructure costs = base unit cost of emergency storage x V x adjustment factor x ((1+i)^n), where: V = 3.1 kL, i.e. additional volume of emergency storage required (kL) Base unit cost of emergency storage = 5,490.76 (\$/kL) (calculated using Equation 13 of the Water and Sewerage Infrastructure Plan Detailed Cost Analysis(2014)) Adjustment factor = 1.5 (for overhead and contingency allowance) i = 2.12% - indexation (10 year average of ABS 6247 roads and bridges index 3101 Queensland Table 17) n = 25, i.e. the number of years the cost is being bought forward, from the beginning of the planning horizon year in which the additional storage is needed 2037, less the year the cost estimates rates were calculated from (2012). d Instead of making the payment, elect to provide all or part of the trunk infrastructure detailed above. If this election is made, the requirements for providing the trunk infrastructure, and when it must be provided, are as follows: i Be in accordance with the SEQ Water Supply & Sewerage Design and Construction Code (SEQ WS&S D&C Code). ii The construction of extra emergency storage of 3.1 kL at SPS PA1 is to be completed prior to commencement of the use. iii Construction must be coordinated with Council and with any upgrade identified in Council's Water Supply and Sewerage Infrastructure Plan for sewer pump station SPS PA1.																		
Property																			
8	Land transfer a Transfer at no cost to Council, the land identified below: <table><tr><th>Land to be dedicated</th><th>Purpose</th><th>Drawing Title & Drawing No.</th><th>Author</th><th>Date</th><th>Ver</th></tr><tr><td>Open Space (Conservation) 10,112m²</td><td>Conservation (Non-trunk)</td><td>Proposed Site Plan, 19111 CD-01/DA3</td><td>NG Sanders and Associates Pty Ltd</td><td>18-03-2020</td><td>-</td></tr><tr><td>Recreation Linkage (Trunk)</td><td>Recreation Linkage</td><td>Proposed Site Plan, 19111 CD-</td><td>NG Sanders and Associates</td><td>18-03-2020</td><td>-</td></tr></table>	Land to be dedicated	Purpose	Drawing Title & Drawing No.	Author	Date	Ver	Open Space (Conservation) 10,112m ²	Conservation (Non-trunk)	Proposed Site Plan, 19111 CD-01/DA3	NG Sanders and Associates Pty Ltd	18-03-2020	-	Recreation Linkage (Trunk)	Recreation Linkage	Proposed Site Plan, 19111 CD-	NG Sanders and Associates	18-03-2020	-
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	Infrastructure) 2,397m ²	(Trunk)	01/DA3	Pty Ltd		
	Conveyance channel along Baileys Mountain Road	Drainage Reserve	Post developed stormwater catchment plan, Drawing: DA- 00-305 05	Arcadis Australia Pacific Pty Limited	23 March 2020	05
	b Transfer the land identified above prior to commencement of the use. c This condition attaches to the land the subject of the development approval and binds the owner(s) of the land and the owners' successors in title (even after the time when the land transfer is required to be registered). Therefore if this condition is not complied with at the time required by this condition, the owner(s) of the land and other owners' successors in title continue to be obligated to transfer the land in accordance with this condition and must do so within 40 business days of becoming aware on the non-compliance with this condition.					
9	Private infrastructure a. Ownership, operation and maintenance of the following private infrastructure is to vest at all times with the Body Corporate and /or legal authority: i. Stormwater quality management devices (bioretention basins) and associated infrastructure monitored and managed in accordance with the maintenance management plan (MMP), as conditioned in the 'Bioretention basin maintenance management plan' specific condition in this decision notice. b. At any time the Council's corresponding infrastructure network is altered, the private infrastructure must be altered to be commensurate with Council's network, at no cost to Council.					
10	Requirement to register easement/s a Register an easement for the purposes of "Water Supply" for protecting and affording Council access to Council's infrastructure in favour of Council over all Council water infrastructure within private property in accordance with the City of Gold Coast's Standard Water Meter Drawings. b The terms of the easement must include: - i The responsibilities of the Grantor / Grantee for ongoing maintenance. - ii Standard terms document 707918364 must be referenced on Form 9 – easement document. - iii Easement plans and associated documents (i.e.: Form 9 – easement document and general consent form 18) must be fully completed and signed by the owner of the burdened land (and any mortgagees, if necessary) and benefitting land before they are submitted to council for endorsement. c Registration of the easement must occur prior to commencement of the use. d Ensure water infrastructure is positioned appropriately within the easement as per Council's Standard Water Meter Drawings. e This condition attaches to the land the subject of the development approval and binds the owner(s) of the land and the owners' successors in title (even after the time when the easement is required to be registered). Therefore if this condition is not complied with at the time required by this condition, the owner(s) of the land and the owners' successors in title continue to be obligated to register the easement in accordance with this condition and must do so within 40 business days of becoming aware of the non-compliance with this condition.					

11	Restrictions regarding Council easements and infrastructure a No building work or deep landscaping is permitted over or within any Council public utility easement. b Ensure all proposed buildings, structures and footings are a minimum 1 metre clear of the property sewer connection. c Ensure a minimum 2.4 metres unobstructed vertical clearance from the finished surface level.										
Amenity											
12	Hours of operation and loading and unloading Conduct loading and unloading activities between the hours of 7:00 am to 6:00 pm on Monday to Sundays, public holidays included.										
13	Screening of visually offensive components Locate and screen the following components of the development so that they are not visible from any road to which the site has frontage, adjoining premises or otherwise on display from any public thoroughfare or vantage point: a Refuse storage areas b Service equipment c Mechanical ventilation d Refrigeration units e Storage areas for machinery, materials, vehicles or the like.										
Environmental and Landscaping											
14	Landscaping works within public open spaces a Obtain an operational works approval to landscape all public open space generally in accordance with the Statement of Landscape Intent listed below, prior to commencement of the use at no cost to Council: <table border="1"><thead><tr><th>Drawing Title</th><th>Author</th><th>Date</th><th>Drawing No.</th><th>Ver</th></tr></thead><tbody><tr><td>Landscape Concept Package – Residential Care Centre 202 Baileys Mountain Road, Upper Coomera</td><td>SK Saunders Havill Group, UPS, BDA</td><td>March 2020</td><td>8781LCD</td><td>G</td></tr></tbody></table> and include in particular: i A 15m wide recreation linkage directly abutting the conservation buffer. ii 2.5m wide concrete pedestrian pathway. iii All vegetation species associated with the rehabilitation of the site to be in accordance with the approved rehabilitation plan. iv Vehicle exclusion bollards to be located on the boundary line between the road reserve and public open space (conservation). v Access infrastructure ie: gates, bollards and fencing to be in accordance with SC6.11.10 – Land development guidelines Standard drawings vi Details of fencing treatment to be utilised at the public/private interface, ensuring CPTED principles are demonstrated, unless where impractical ie: acoustic fencing. vii Cross sectional elevations of the public/private interface at a minimum of 4 different locations. viii Retention of existing vegetation. ix All built structures and planning associated with an entry statement must be located within private property. x Provide annual maintenance costings for all landscape items on public land	Drawing Title	Author	Date	Drawing No.	Ver	Landscape Concept Package – Residential Care Centre 202 Baileys Mountain Road, Upper Coomera	SK Saunders Havill Group, UPS, BDA	March 2020	8781LCD	G
Drawing Title	Author	Date	Drawing No.	Ver							
Landscape Concept Package – Residential Care Centre 202 Baileys Mountain Road, Upper Coomera	SK Saunders Havill Group, UPS, BDA	March 2020	8781LCD	G							

	relevant to the development for the duration of the ‘establishment’ and ‘on maintenance’ periods. xi All batters treated in accordance with the Change to ground level and creation of new waterways code of the City Plan. b Construct and maintain the public open space identified above until the asset is accepted “off maintenance” by the City in accordance with the procedures in City Plan Policy SC6.11 – Land development guidelines, section 7 – Procedures.										
15	Landscaping works on private land a. Obtain an operational works approval to landscape the site and the adjoining road verge generally in accordance with the Statement of Landscape Intent listed below, prior to commencement of the use at no cost to Council: <table border="1"><thead><tr><th>Drawing Title</th><th>Author</th><th>Date</th><th>Drawing No.</th><th>Ver</th></tr></thead><tbody><tr><td>Landscape Concept Package - 8781</td><td>Saunders Havill Group</td><td>March 2020</td><td>Sheets 1 - 14</td><td>G</td></tr></tbody></table> and include in particular: i 50% of tree species must be a minimum bag size of 100L with the remainder 45 litre at the time of planting. ii A minimum 5 metre dense landscape buffer within the site must be planted along the boundary of the proposed future Baileys Mountain road resumption. The landscape gardens must incorporate dense screen plantings and larger tree plantings. iii Unless otherwise stated in these conditions, shrub species must be a minimum 200mm pot size at the time of planting. iv Unless otherwise stated in these conditions, screening shrub species must be a minimum 300mm pot size at the time of planting and be able to achieve a minimum height of 3 metres at maturity. v Boundary screening shrub species must be a minimum 45 litre pot size at the time of planting. vi Tree species planted with root zones adjacent to structures must have root control barriers and/or structure strengthening systems installed. Full demonstration of these systems is required. vii An automatic irrigation system must be provided to all podium planter boxes. viii Include a maintenance management plan relating to the trellis/climbing plant/green roof/green wall systems. The maintenance management plan must: a. Provide detailed information on how these vegetative systems will be safely access for maintenance. b. Stipulate a maintenance schedule for these systems. c. Provide details on the minimum standards to which these systems must be maintained. d. Describe actions to be taken if the system does not function as intended. ix The locations and cross section of all proposed bio-retention systems as required by the sites approved Stormwater Management Plan and identify: a. Proposed filter media depth of 700mm and surface treatments. x Include frontage fencing as shown on the approved stamped plans, the subject of this application. Frontage fencing must be highly softened by landscaping such as open style pool fencing, or fencing which is set back behind screening shrubs. xi All road reserve turf must be repaired and replaced if damaged.	Drawing Title	Author	Date	Drawing No.	Ver	Landscape Concept Package - 8781	Saunders Havill Group	March 2020	Sheets 1 - 14	G
Drawing Title	Author	Date	Drawing No.	Ver							
Landscape Concept Package - 8781	Saunders Havill Group	March 2020	Sheets 1 - 14	G							

	b. Construct and maintain the private landscaping identified above at no cost to Council at all times.
16	Arborist Report – Tree Assessment and Tree Management Plan a Tree Assessment and Tree Management Plan must be submitted for all trees to be removed and retained along the interface of site works. b The Tree Assessment and Tree Management Plan must be submitted to Council in conjunction with an Operational Works – Vegetation Clearing application and Operational Works – Change to Ground Level application. c The plan is to be prepared by a qualified Arborist with a minimum Australian Qualification Framework (AQF) Level 5 in Arboriculture. d All tree management procedures within the plan are to be in accordance with the Australian Standard AS4970 - 2009 <i>Protection of trees on development sites</i>. The Tree Assessment and Tree Management Plan must contain the following information: - An appraisal of the health and vigour of protected size vegetation, including stage of growth, predicted gross morphology, crown framework and extent of root system. - Tree site plan of suitable scale to proposed development layout plans indicating all required Tree Protection Zones (TPZ) and Structural Root Zones (SRZ) for the protected size vegetation immediately adjacent to the proposed area of works. - Details of all proposed vegetation works (including retention works) to ensure the survival, ongoing health and vigour of retained vegetation given proximity to buildings, earthworks and areas where works are to be undertaken including any necessary reductions (crown, thinning, root truncations) to accommodate footings and foundations, and protective devices (protective fences, root curtains/barriers) to minimise construction impacts.
17	Vegetation clearing Obtain an operational works approval for vegetation clearing in accordance with the Vegetation management code of the City Plan at no cost to Council: and include in particular: - The approved bushfire management plan. - The approved material change of use plan. - A vegetation management plan and fauna management plan in accordance with City Plan Policy SC6.8 – Environmental management plans. - An Arborist Report – Tree Assessment and Management Plan. - A sediment and erosion control and construction management plan.
18	Boundary fences a Construct a boundary fence between open space/private land generally in accordance with City Plan Policy SC6.11.5 – Land development guidelines – Public open space standards table 5.10. The boundary fence must be constructed prior to commencement of the use. b The boundary fence must be: - A maximum of 1.2 metres in height if solid/non transparent construction; or - A maximum of 1.8 metres in height if 50% transparent construction.
Transport	
19	Off street vehicle and car parking facilities a. Design and construct off street vehicle facilities at no cost to Council prior to the commencement of the use, generally in accordance with the Transport code of the City

	Plan and include in particular: i. A total of 60 car parking spaces and 1 Medium Rigid Vehicle (MRV) service bay comprising: - o 30 staff and 30 visitor car parking spaces - o 1 MRV service bay. ii. All spaces are drained, sealed and line marked. iii. Clearly identified signage and directional markings including: - o Signage within the site directing entering motorists to visitor parking locations. - o Delineation of parking spaces for people with disabilities. - o Signage and line marking indicating 'visitor parking' and 'staff parking' for visitor and staff spaces. b. Undertake and maintain the off street vehicle and parking facilities at no cost to Council at all times.
20	Off street vehicle facilities (<i>specific condition</i>) Security gates must remain open to allow vehicular access for employees and visitors during business hours.
21	Loading and unloading (excluding waste collection vehicles) Loading and unloading of service vehicles must be undertaken generally in accordance with the Transport code of the City Plan and include in particular: - i Loading and unloading of any vehicle servicing the development must be conducted wholly within the site. - ii Any vehicles waiting to be loaded or unloaded must stand entirely within the site. - iii All vehicles must enter and exit the site in a forward gear.
Engineering	
22	Electrical reticulation Design, construct and connect an electrical reticulation system at no cost to Council and include in particular: - a Provide underground electricity from the existing power pole/s within public roads to the subject site and building/s. - b No additional poles and pole-mounted transformers are to be erected within public roads. - c Meet the requirements of the electricity supplier (e.g. Energex).
23	Telecommunications network Design, construct and connect a telecommunications services network at no cost to Council and include in particular: - a Provide underground telecommunications to the subject site and building/s, lead-in conduits and equipment space/s in a suitable location within the building/s, to suit the carrier of choice. - b All new pit and pipe infrastructure required to be installed along public road(s), must be suitably sized to cater for future installation of fibre optic cables. - c Meet the telecommunications industry standards (e.g. Telstra/NBN Co standards).
24	Construction of vehicular crossing Design and construct the vehicular crossing generally in accordance with the Driveways and vehicular crossing code of the City Plan.
25	Rectification of Council's infrastructure a Rectify any damage caused to Council infrastructure (including kerb, channelling, service pits, footpaths and water and sewer reticulation networks) prior to commencement of the

	use at no cost to Council. b Construct and maintain the rectified Council infrastructure at no cost to Council prior to commencement of the use.
Stormwater Drainage	
26	Overland flow paths and hydraulic alterations a. Leave unaltered the overland flow paths on the site, such that the characteristics of existing overland flows on other properties remain uninhibited and unchanged. b. The development must not: i. Increase peak flow rates downstream from the site ii. Increase flood levels external to the site iii. Increase duration of inundation external to the site that could cause loss or damage
27	Bioretention basin maintenance management plan (<i>specific condition</i>) a Prepare and implement a bioretention basin maintenance management plan (MMP) prior to the commencement of the use. The MMP must be prepared by a Registered Professional Engineer Queensland (RPEQ) specialising in stormwater management in accordance with City Plan Policy – SC6.11 Land Development Guidelines and with reference to the Water by Design document Maintaining Vegetated Stormwater Assets, Version 1 February 2012. b The MMP must include, but not necessarily be limited to, the following key information: - i Design intent and description of the device(s). - ii The location and specific dimensions of the device(s). - iii Approved / designed water quality objectives. - iv Water quality monitoring procedures. - v Monitoring frequency. - vi Specifications and procedures for device(s) maintenance. - vii Plant and equipment access details for maintenance activities. - viii Maintenance activity schedule defining frequency, area (m2) per maintenance zone, hours, staff, plant and equipment, approximate costs per rotation, and per annum. - ix Performance indicators / intervention levels / triggers for reactive maintenance. - x Any necessary preventative maintenance measures. - xi Acceptable solutions for specific items, i.e. acceptable plant species substitutions based on availability, hydraulic conductivity, water quality objectives, etc. - xii Approximate lifecycle maintenance costs.
Sewer and Water Works	
28	Sewer reticulation a Obtain an Operational Works approval for the design, construction of a connection of a property connection to connect the proposal to Council's sewer network, prior to commencement of the use at no cost to Council and include in particular: - i Be in accordance with the WSAA Gravity Sewerage Code of Australia – SEQ Edition and the Water and Sewerage Connections Policy. - ii The size of the sewer property service connection must be in accordance with Section 5.5.4 of the WSAA Gravity Sewerage Code of Australia – SEQ Edition - iii Remove/seal/cap redundant sewer property services. b Construct and maintain the sewer reticulation system at no cost to Council until the asset is accepted "off maintenance" by the City in accordance with the procedures in City Plan Policy SC6.11 - Land development guidelines, Section 6 – Water supply and sewerage reticulation standards, Section 7 – Procedures, Section 8.5 – As-constructed

	requirements, Section 9 - Specifications and Section 10 – Standard drawings.															
29	Water reticulation a Obtain an operational works approval for the design, construction and connection of a property connection to connect the proposal to Council’s potable water supply network, prior to commencement of the use at no cost to Council and include in particular: - i Be in accordance with the Water Supply Code of Australia – SEQ Service Providers Edition, and the Water and Sewerage Connections Policy. - ii Conduits are required to be installed to service the proposed development by thrust boring the road (open cutting of the road is not permitted) to connect to Councils potable water supply network. - iii Remove redundant water meters / connections. b Construct and maintain the water reticulation system at no cost to Council until the asset is accepted “off maintenance” by the City in accordance with the procedures in City Plan Policy SC6.11 – Land development guidelines Section 6 – Water supply and sewerage reticulation standards, Section 7 – Procedures, Section 8.5 – As-constructed requirements, Section 9 - Specifications and Section 10 – Standard drawings.															
30	Sub-metering Provide individual sub-metering for each unit including common property generally in accordance with the Metering Technical Specifications and the Water and Sewerage Connections Policy, and in particular; a) Retirement Facility: All independent living units to be individually sub-metered; b) Residential Care Facility (Class 9C): Units classified as Class 9C do not require individual sub-meters; the units must be serviced from one sub-meter.															
31	Fire loading Fire loading must not exceed 7.5 L/s for 2 hours duration.															
Construction Management																
32	Certification of works - Hydraulics and Water Quality Provide Council with certificates prepared by qualified experts from the disciplines listed below, confirming as follows: <table><tr><th colspan="5">Hydraulics and Water Quality</th></tr><tr><th>Certified document</th><th>Certification date</th><th>Plan/ Drawing</th><th>Expert discipline</th><th>Requesting Council Section</th></tr><tr><td>Post construction certification</td><td>Prior to commencement of the use</td><td>“202 Baileys Mountain Road, Upper Coomera, Site Based Stormwater Management Plan” prepared by Arcadis Australia Pacific Pty Limited (Version 05), dated 24 March 2020</td><td>Registered Professional Engineer Queensland (RPEQ)</td><td>Hydraulics & Water Quality</td></tr></table> The certification is to confirm: All stormwater devices (quantity and quality) shown in the (to be) approved stormwater management plan and associated design drawings have been installed on-site in	Hydraulics and Water Quality					Certified document	Certification date	Plan/ Drawing	Expert discipline	Requesting Council Section	Post construction certification	Prior to commencement of the use	“202 Baileys Mountain Road, Upper Coomera, Site Based Stormwater Management Plan” prepared by Arcadis Australia Pacific Pty Limited (Version 05), dated 24 March 2020	Registered Professional Engineer Queensland (RPEQ)	Hydraulics & Water Quality
Hydraulics and Water Quality																
Certified document	Certification date	Plan/ Drawing	Expert discipline	Requesting Council Section												
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	accordance with Council's approved stormwater management plan and are functioning as designed.															
33	Certification of works - Bushfire Management Provide Council with certificates prepared by qualified expert(s) from the discipline(s) listed below, confirming as follows: <table border="1"><thead><tr><th colspan="5">Bushfire Management</th></tr><tr><th>Certified document</th><th>Certification date</th><th>Plan/ Drawing</th><th>Expert discipline</th><th>Requesting Council Section</th></tr></thead><tbody><tr><td>Form 16 – Inspection Certificate/ Aspect Certificate/ QBCC Licensee Aspect Certificate</td><td>Prior to the issue of a Building Final</td><td>Queensland Fire and Emergency Services (QFES) cover sheet including endorsed Bushfire Management Report FM 3812-3 for Sandson PTY LTD at 202 Baileys Mountain Road Upper Coomera, prepared by Eldon Bottcher Architect PTY LTD dated 23/03/2020</td><td>Appropriate person identified on Form 16 – Inspection Certificate/ Aspect Certificate/ QBCC Licensee Aspect Certificate</td><td>Bushfire Assessment</td></tr></tbody></table> The certification is to confirm: Development is undertaken in accordance with the approved Bushfire Management Plan. The certification is to also confirm: - i Specified Asset Protection / Radiation Zones are created and maintained between the building and the retained classified vegetation. - ii All access routes are able to remain clear of obstacles, to provide safe and effective egress in the event of a bushfire.	Bushfire Management					Certified document	Certification date	Plan/ Drawing	Expert discipline	Requesting Council Section	Form 16 – Inspection Certificate/ Aspect Certificate/ QBCC Licensee Aspect Certificate	Prior to the issue of a Building Final	Queensland Fire and Emergency Services (QFES) cover sheet including endorsed Bushfire Management Report FM 3812-3 for Sandson PTY LTD at 202 Baileys Mountain Road Upper Coomera, prepared by Eldon Bottcher Architect PTY LTD dated 23/03/2020	Appropriate person identified on Form 16 – Inspection Certificate/ Aspect Certificate/ QBCC Licensee Aspect Certificate	Bushfire Assessment
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Certification of works - Health and Regulatory Services

Provide Council with certificates prepared by qualified expert(s) from the discipline(s) listed below, confirming as follows:

Health and Regulatory Services

Certified document	Certification date	Plan/ Drawing	Expert discipline	Requesting Council Section
Acoustic compliance report	Prior to commencement of the use	Acoustic Report prepared by Acoustic Works dated 11 February 2020 (reference: 2018200 R01C)	Acoustic Engineer	Health and Regulatory Services

The certification is to confirm:

The development has been designed in accordance with the established noise criteria and recommendations outlined in an approved Acoustic Report.

Health and Regulatory Services

Certified document	Certification date	Plan/ Drawing	Expert discipline	Requesting Council Section
Waste Management compliance report	Prior to commencement of the use	Waste Management Plan prepared by MRA Environmental dated February 2020 (reference: MRA19-175)	Suitably qualified person	Health and Regulatory Services

The certification is to confirm:

The development has been designed and constructed in accordance with the recommendations outlined in an approved Waste Management Plan.

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Certification of works - Subdivision Engineering

Provide Council with certificates prepared by qualified experts from the disciplines listed below, confirming as follows:

Subdivision Engineering

Certified document	Certification date	Plan/ Drawing	Expert discipline	Requesting Council Section
Certificate for electricity supply	Prior to commencement of the use	-	An authorised supplier (e.g. Energex)	Development Compliance

The certification is to confirm:

Underground electricity supply is available to the development site and all proposed dwellings.

Subdivision Engineering

Certified document	Certification date	Plan/ Drawing	Expert discipline	Requesting Council Section
Contractual agreement (e.g. Agreement Advice or Completion Letter from Telstra. Alternatively, a copy of Master Development Agreement or Small Development Agreement from NBN Co).	Prior to commencement of the use	-	The authorised telecommunication carrier (e.g. Telstra, NBN Co)	Development Compliance

The certification is to confirm:

Underground telecommunication infrastructure will be installed in accordance with telecommunications industry standards (e.g. Telstra / NBN Co standards).

36	Erosion and sediment control - a Obtain a Management Plan approval for an Erosion and sediment control plan generally in accordance with the <i>Best Practice Erosion & Sediment Control</i> (IECA Australasia, November 2008) and in consistent with the State Planning Policy (SPP 2017) prior to any works commencing. - b The Erosion and sediment control plan must be prepared by a suitably qualified professional (Certified Practitioner in Erosion and Sediment Control or Registered Professional Engineer Queensland with experience and training in erosion and sediment control) and include in particular: i. ensure that all reasonable and practicable measures are implemented to minimise short and long-term erosion and adverse effects of sediment transport. Also ensure that the proposed control measures will achieve 80% hydraulic effectiveness as required by the SPP (Refer to SPP 2017 Appendix 2 Table A); ii. relate to each phase of works (including clearing, earthworks, civil construction, services installation and landscaping/rehabilitation) and detail the type, location, sequence and timing of measures and action to effectively minimise erosion, manage flows and capture sediment; iii. the results of all soil investigations undertaken for the site and on which the ESCP is based; iv. be consistent with current best practice standards taking into account of all environmental constraints including erosion hazard, season, climate, soil and proximity to waterways; v. monitoring requirements, and clearly outline the need to adjust or maintain erosion and sediment control and site management practices to achieve the above requirements; and vi. contingency measures in case of failure to achieve the water quality objectives. - c Implement the Erosion and sediment control plan prior to any works commencing at no cost to Council.
37	Availability of approved plans, drawings and reports Retain a copy of this decision notice and stamped approved plans, drawings and reports on site at all times during construction. Any contractors undertaking approved work (including tree removal or relocations) must be directly provided with a copy of these conditions and instructed as to the need to comply with them.
38	Dust management plan - a Prepare and submit for approval a Dust management plan prior to any works commencing. - b The Dust management plan must be prepared by a suitably qualified professional and include in particular. - i Provide details of sources of dust and particulate emissions. - ii Identify the measures and work practices to be implemented ensuring the release of dust and particulate matter from construction activities does not cause an 'environmental nuisance' (within the meaning of that term set out in the Environmental Protection Act 1994) at any sensitive receptor stated in schedule 1 of the Environmental Protection (Noise) Policy 2008. - iii Identify the procedures to be adopted for monitoring and reporting air emissions. - iv Provide details of complaint response procedures that will be adopted. - v Identify the procedures to be adopted for revision and review of the dust management plan. - c Implement the Dust management plan during all construction works at no cost to Council.

39	Noise management plan - a Prepare and submit for approval a Noise management plan addressing construction activities prior to any works commencing. - b The Noise management plan must be prepared by a suitably qualified professional and include in particular. - i Provide details of expected noise sources. - ii Identify the measures and work practices to be implemented to ensure noise from construction activities does not cause an ‘environmental nuisance’ (within the meaning of the term set out in the Environmental Protection Act 1994) at any sensitive receptor stated in schedule 1 of the Environmental Protection (Noise) Policy 2008. - iii Identify the measures and work procedures to monitor noise emissions. - iv Provide details of complaint response procedures. - v Identify procedures to monitor and review the noise management plan. - c Implement the Noise management plan prior to any works commencing at no cost to Council.
40	Construction management plan - a Prepare and submit for approval a Construction management plan generally in accordance with the Guidelines for Construction Management Plans prior to any works commencing. - b The Construction management plan must be prepared by a suitably qualified professional and include in particular. - i Provide hours of construction. - ii Provide details on vehicle access (including responsibility for maintenance of the defined cartage route) during construction hours. - iii Provide details on traffic management (including loading, unloading and cartage routes). - iv Parking of vehicles (including on site employees and delivery vehicles). - v Maintenance of safe pedestrian movement across the site’s frontage/s (including people with disabilities). - vi Provide details for the collection and control of Building waste and refuse disposal. - vii Details on the presentation of hoarding to the street. - viii Provide details for tree management. - ix Demonstrate how the general public will be protected from construction activities. - x Provide details on how the building site will be kept clean and tidy to maintain public safety and amenity. - c Implement the Construction management plan during all construction works at no cost to Council.
Plumbing and Drainage Act 2018	
41	Plumbing and drainage works Obtain a permit for all plumbing and drainage work prior to any compliance assessable work commencing. <i>Note:</i> <i>A permit for plumbing and drainage works does not approve the discharge of trade waste to Council’s sewerage system. The generator of trade waste must complete an application for approval to discharge trade waste to Council’s Sewerage System (available on Council’s website).</i>
Advice Notes	

A	Development infrastructure Development infrastructure required to be provided in implementing this development approval is non-trunk development infrastructure unless otherwise stated in a condition of the approval.			
B	Stormwater A property notification will be applied to the lot/subsequent lots stating a stormwater management plan exists for the site and must be complied with at all times.			
C	Bushfire management A property notification will be applied to the lot / subsequent lots stating a bushfire management plan exists for the site and must be complied with at all times.			
D	Connections and disconnections Any connection/disconnection to the existing water and sewerage networks will be at the applicant's cost. Prior to the connection/disconnection taking place, the applicant must obtain written approval from Water and Waste. Refer to Water and Sewer Connections Policy Procedure, available on Council's website http://www.cityofgoldcoast.com.au			
E	Separate service connection points Should a volumetric subdivision be pursued, separate water supply services will need to be designed and constructed to each of the different uses (e.g. commercial / residential), or to each of the volumetric lots created, so as to ensure that all lots within the site have separate service connection points. Internal services will need to be managed through the Building Management Statement.			
F	Connections to, alteration or realignment of Council infrastructure Where development works require the connection to, alteration, removal or realignment of Council infrastructure or impact on other public utility infrastructure (e.g. telecommunications, electricity and gas), the applicant must obtain the necessary approvals from the relevant public utility authority prior to works commencing. Connection to, alteration, removal or realignment of Council infrastructure includes (but is not limited to) fire hydrants, water service meters, sewer maintenance hole covers, stormwater drainage infrastructure, reinstatement of maintenance hole covers, stormwater drainage infrastructure, crossovers, footpaths, road pavement, kerb and channel, kerb ramps, medians, traffic islands, road furniture, signage and line-marking.			
G	Water meter sizing All water meters 50 mm in diameter or larger must be installed aboveground and on lot and will require an operation works approval. An unrestricted access to the water service (including meters) must be provided at all times. Refer to Water and Sewer Metering Technical Specifications, available on Council's website: http://www.cityofgoldcoast.com.au			
H	Further development permits / compliance permits Further development permits and/or compliance permits from Council are required to facilitate the development of the approved works identified in this decision notice. These include: <table><tr><td>Environmental Assessment</td></tr><tr><td>- Operational works - vegetation clearing</td></tr><tr><td>Landscape Assessment</td></tr></table>	Environmental Assessment	- Operational works - vegetation clearing	Landscape Assessment
Environmental Assessment				
- Operational works - vegetation clearing				
Landscape Assessment				

	- Operational works - landscape works
	Open Space Assessment
	- Operational works – public landscape works.
	Plumbing and Drainage
	- Permit for plumbing and drainage work
	Water and Waste
	- Operational works - infrastructure - Connections and disconnections: Application to work on the City's infrastructure
	A copy of this decision notice and accompanying stamped drawings / plans must be submitted with any subsequent application identified above. Subsequent development applications (i.e.: Operational works) will be assessed in accordance with the City Plan Version at the time of lodgement (excluding instances where Variation / Preliminary approval exists).
I	Operational Works meeting prior to lodgement Council's Water and Waste Development Services team encourage contact to discuss any water and sewer matters of significance prior to the submission of an application for Operational Works. Contact GCWDA@goldcoast.qld.gov.au to arrange a meeting.
J	Listing of Koala under EPBC Act Koala populations in South East Queensland are listed under the Environment Protection and Biodiversity Conservation Act 1999 (<i>EPBC Act</i>) as a matter of national significance. All necessary approvals must be obtained prior to any works commencing on the site.
K	Riverine Protection Permit A Riverine Protection Permit under the Water Act 2000 may be required prior to any works commencing in the watercourse traversing / adjoining the site.
L	Species Management Program Where an animal breeding place has been identified and activities will tamper with the breeding place in order to complete the scope of works, a Species Management Program (SMP) is required. Further advice is found on: https://environment.des.qld.gov.au/licences-permits/plants-animals/species-management-program/
M	Compliance with conditions Once this development approval takes effect, the conditions attach to the land and are applicable in perpetuity. It is a development offence to contravene a development approval, including any of its conditions.
N	Indigenous cultural heritage legislation and duty of care requirement The <i>Aboriginal Cultural Heritage Act 2003</i> ('ACHA') is administered by the Department of Aboriginal and Torres Strait Islander Partnerships (DATSIP). The ACHA establishes a duty of care to take all reasonable and practicable measures to ensure any activity does not harm Aboriginal cultural heritage. This duty of care: a Is not negated by the issuing of this development approval; b Applies on all land and water, including freehold land;

	c Lies with the person or entity conducting an activity; and d If breached, is subject to criminal offence penalties. Those proposing an activity involving surface disturbance beyond that which has already occurred at the proposed site must observe this duty of care. Details of how to fulfil this duty of care are outlined in the duty of care guidelines gazetted with the ACHA. The applicant should contact DATSIP's Cultural Heritage Coordination Unit on (07) 3405 3050 for further information on the responsibilities of developers under the ACHA.
O	Infrastructure charges Infrastructure charges are now levied under a Charges Resolution by way of an Infrastructure Charges Notice, which accompanies this decision notice.
P	Properly made submissions There were properly made submissions about the application. The name and address of the principal submitter for each properly made submission is attached to the decision notice.
Q	Applicant responsibilities The applicant is responsible for securing all necessary approvals and tenure, providing statutory notifications and complying with all relevant laws. Nothing in this decision notice alleviates the need for the applicant to comply with all relevant local, State and Commonwealth laws and to ensure appropriate tenure arrangements have been made where the use of/reliance upon land other than that owned by the applicant is involved. Without limiting this obligation, the applicant is responsible for: - a Obtaining all other/further necessary approvals, licences, permits, resource entitlements etc by whatever name called required by law before the development the subject of this approval can be lawfully commenced and to carry out the activity for its duration. - b Providing any notifications required by law (by way of example only, to notify the administering authority pursuant to the <i>Environment Protection Act 1994</i> of environmental harm being caused/threatened by the activity, and upon becoming aware the premises is being used for a 'notifiable activity'). - c Securing tenure/permission from the relevant owner to use private or public land not owned by the applicant (including for access required by conditions of approval). - d Ensuring existing survey marks, including cadastral marks at property corners, i.e pegs or cadastral reference marks in the road reserve (permanent surveys marks, buried iron pins, and various marks in concrete or bitumen structure) are not interfered with. A Consulting Cadastral Surveyor must be contacted if survey marks are disturbed or destroyed during any works in relation to this or related approvals, to investigate and determine if any further action is required. More information on interference with survey marks is available under Section 42 of the <i>Survey and Mapping Infrastructure Act 2003</i>. - e Ensuring the correct siting of structures on the land. An identification survey demonstrating correct siting and setbacks of structures may be requested of the applicant to ensure compliance with this decision notice and applicable codes. - f Providing Council with proof of payment of the Portable Long Service Leave building construction levy (or proof of appropriate exemption) where the total value of the building and construction works exceeds \$150,000 (excluding GST). Acceptable proof of payment is a Q.Leave –Notification and Payment Form approved by the Authority. Proof of payment must be provided before Council can issue a development permit for the Operational works. This is a requirement of section 77(1) of the Building and Construction Industry (Portable Long Service Leave) Act 1991. - g Making payment of any outstanding Council rates and charges applicable to the development site prior to the lodgement of subdivision plans. - h Obtaining any necessary local government/state approvals where works require the installation of temporary ground anchoring into adjacent Road Reserves. Where ground anchoring is proposed into an adjacent private property, approval from the relevant

	property owners(s) is required.
R	Weeds, pest animals and ants Biosecurity Queensland of the Department of Agriculture and Fisheries leads the Government's efforts to prevent, respond to and recover from pests and diseases threatening agricultural prosperity, the environment, social amenity and human health. All landscape materials, including but not limited to, soils, mulch, grass, gravel, potted or ex-ground plants, pavers and timber used in landscape treatments must be free from weeds, pest animals and ants.
S	Fire ant control Northern suburbs of the Gold Coast are within Fire Ant Biosecurity zone 2 and must remain vigilant for the presence of fire ants. Under the <i>Biosecurity Act 2014</i> individuals and organisations whose activities involve the movement or storage of fire ant carriers have a general biosecurity obligation to take all reasonable steps to ensure they do not spread fire ants. Movement of a fire ant carrier from within the fire ant biosecurity zone may need a biosecurity instrument permit. More information is available on the Department of Agriculture and Fisheries website www.daf.qld.gov.au/plants/weeds-pest-animals-ants/invasive-ants/fire-ants.
T	Incorporation of Equitable Access at the Detailed Design Stage All public spaces and facilities within the development must provide equitable access, including continuous accessible paths of travel, in compliance with the <i>Commonwealth Disability Discrimination Act (1992)</i> and the Disability (Access to Premises – Buildings) Standards 2010.
Property Notifications	
A	Stormwater There are development approval conditions applicable in relation to stormwater management on this lot/subsequent lots. All property owner(s) must ensure compliance with these conditions. Refer to Council of the City of Gold Coast's Decision Notice (MCU/2018/58). A copy of Council's Decision Notice is available for viewing on Council's website www.goldcoastcity.com.au/pdonline
B	Private stormwater drainage corridor The legal entity/body corporate must maintain the western and southern drainage corridors as identified on Drawing: DA-00-305 05, titled post developed stormwater catchment plan, prepared by Arcadis Australia Pacific Pty Limited for the intended purpose at all times. Refer to Council of the City of Gold Coast's Decision Notice (ROL/2018/58). A copy of Council's Decision Notice is available for viewing on Council's website www.goldcoastcity.com.au/pdonline
C	Bushfire management There are development approval conditions applicable in relation to bushfire management on this lot / subsequent lots. All property owner(s) must ensure compliance with these conditions. Refer to Council of the City of Gold Coast's Decision Notice MCU/2018/58. A copy of Council's Decision Notice is available for viewing on Council's website www.goldcoastcity.com.au/pdonline

Statement of reasons (given under section 63(4) of the *Planning Act 2016*)

Details of proposed development The proposed development is for a Material change of use (impact assessment) for a Residential care facility (90 beds).

Assessment benchmarks The following assessment benchmarks applied to the proposed development:

- Strategic framework
- Rural residential zone code
- Bushfire hazard overlay code
- Environmental significance overlay code
- Landslide hazard overlay code
- Multiple accommodation code
- Driveways and vehicular crossings code
- General development provisions code
- Healthy waters code
- Solid waste management code
- Transport code
- Vegetation management code

Relevant matters The proposed development was assessed against, or having regard to, the following relevant matters:

- Economic and planning need

Matters raised in submissions

<i>Issue</i>	<i>How matter was dealt with</i>
No detail provided to objection, except for a photograph of a koala.	The objection is taken to relate to the impact of the proposed development on the environmental values. As discussed above, the proposal includes the dedication of an environment corridor that will protect and rehabilitate environmental values on the site.
Objection to additional traffic on Baileys Mountain Road and congestion this may create at the existing intersection with Old Coach Road. It is noted the planned realignment of Baileys Mountain Road appears a safe and sensible arrangement.	The nature of the proposed development is not expected to result in a significant increase in traffic on Baileys Mountain Road as traffic will be associated with staff and visitors only. As the amended design is for a Residential care facility, the 'high care' residents of the facility are not expected to generate traffic.
Objection to the road and services which stop at the proposed building allowing	The design of future development in the Upper Coomera Investigation Area is not yet

no way for other properties to link into the on-going development in this area. "They are effectively locked out."	determined as the proposed amendments to the City Plan are still under review. The applicant is responsible for providing services to their development site. Future road connections and the delivery of services to the surrounding area are not precluded by the development.
No objection to the proposed height limit or type of industry.	Noted. The amended proposal provides a building height which is considered to be 'low rise' in appearance and consistent with building heights permitted in the surrounding area.

Reasons for decision

An assessment of the development application was carried out against the assessment benchmarks listed above and was determined to comply. A summary of the main reasons for the decision are as follows:

- There is a demonstrated economic need for aged care facilities in the northern Gold Coast and the development provides housing choice and responds to a need for aged care accommodation in the Upper Coomera area;
- The applicant has responded to Council's advice by substantially reducing the overall scale, height, density and site cover of the development and has provided an amended design which is considered responsive to the local context and surrounding rural residential amenity and character;
- The site is well located at the edge of the existing urban area of Upper Coomera in close proximity to a wide range of facilities and services including public transport. The proposed development is in a position where it provides a transition from urban developments in the adjacent Medium density residential zone into the rural residential areas to the west and south;
- The proposed building form presents as a 'low-rise' residential development in appearance and is of a height which is generally consistent with the surrounding rural residential area;
- The building setbacks and extensive landscaped setting of the development support the desired future appearance of the area and assist to preserve the reasonable amenity expectations of surrounding residents;
- The proposed Residential care facility is essentially a quiet residential land use by nature which will not disturb the amenity of the adjacent rural residential properties;
- The environmental values on the site will be preserved and enhanced by the extensive areas of open space in the form of

the environmental corridor, recreation linkage park and landscaped private open space.

Compliance with assessment benchmarks

The proposed development did not comply with some of the assessment benchmarks listed above; however, despite this it was still approved for the reasons listed below.

<i>Assessment benchmark</i>	<i>Reasons for the approval despite non-compliance with benchmark</i>
Strategic framework intent for rural residential areas as very low intensity environments.	The development responds to a need for aged care facilities. The proposal has been amended to provide a design that responds to the rural residential location and supports the amenity and character of the area. The proposal is considered to have a low rise appearance although the pitched roof form exceeds the height.
Non-compliance with PO4 (height) and PO5 (density), and the purpose and overall outcomes (2)(a)(ii), (b)(vi) and (c)(vi) of the Rural residential zone code which intend <i>very low intensity</i> development in the zone.	
Non-compliance with AO2 of the Bushfire hazard overlay code as a Residential care facility is not an intended land use in a bushfire hazard area.	The building is set back a minimum of 15m from the environmental corridor. The applicant has lodged a Bushfire Management Plan which identifies that only less flammable species will be planted within 20m of the building. Bushfire Assessment and Planning officers have determined that the development complies with PO2 and complies with the Bushfire hazard overlay code.
Non-compliance with AO10 of the General development provisions code as the application does not address all requirements relating to stormwater drainage.	An 'amended plans' condition is recommended requiring an amended stormwater management plan to address outstanding issues.
Non-compliances with the Transport code: • AO1 of the Transport code in relation to car parking supply; • AO5 of the Transport code in relation to servicing; • AO13 of the Transport code in relation to the external pedestrian path.	Transport Assessment have determined that: • The car parking provided is acceptable to meet the needs of the development; • Conditions of approval require that service vehicles are restricted in size to a Medium Rigid Vehicle; • External pedestrian paths

	are not required as this will be addressed with the upgrading of Baileys Mountain Road.
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