Our reference: MCU/2021/603
Your reference: P0034524

Decision notice — approval (with conditions)
(Given under section 63(2) of the *Planning Act 2016*)

Date of decision notice: 9 September 2022

Applicant details

Applicant name:	Bam Property Group (Australia) Pty Ltd ATF FMF Property Trust
Applicant contact details:	C/- Urbis Pty Ltd LEVEL 2, 64 Marine Parade SOUTHPORT QLD 4215

Application details

Application number:	MCU/2021/603
Approval sought:	Development permit for a Material change of use (Code assessment)
Details of proposed development:	• Multiple dwelling (59 units); and • Food and drink outlet (Gross Floor Area ≤150m^2).

Location details

Street address:	99 – 101 Old Burleigh Road, Broadbeach Qld 4218
Real property description:	Lot 0 -5 BUP104138 and Lot 70 B8383.

Decision

Date of decision	8 September 2022
Decision details:	Under Delegated Authority, the Executive Coordinator Major Assessment of the City Development Branch of Council has resolved to Approve the development application 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 for: • Multiple dwelling (59 units); and • Food and drink outlet (Gross Floor Area ≤150m^2).

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:

- Building work
- Operational work
- Plumbing and drainage

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

Properly made submissions

Not applicable—No part of the application required public notification.

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

Plans and drawings

Plans and drawings are identified in the conditions imposed by Council as the Assessment manager. Approved drawings will be issued subject to the preparation and lodgement to Council of necessary amendments.

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 *Planning Act 2016*, 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 *Planning Act 2016.* 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 *Planning Act 2016* is attached to this notice, which sets out further information about the appeal rights.

For further information please contact Alex Glassington, Senior Planner on p: 07 5582 8866 or via email mail@goldcoast.qld.gov.au who will be pleased to assist.

AUTHORISED BY

Katelyn Eccles
Supervising Planner (Central)
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
Appeal rights extract

Conditions imposed by Council as Assessment manager

General

1 Timing

a All conditions of this development approval must be complied with at no cost to Council at all times unless otherwise stated in another condition.

b Where the timing in a condition is prior to commencement of the use and a Building Format Plan is lodged for approval, the timing in the condition changes from being prior to commencement of the use to being prior to the earlier of the commencement of the use and approval of the plan of subdivision. This timing requirement prevails despite any inconsistency with the timing requirement in another condition.

2 Approved drawings

a Undertake and maintain the development generally in accordance with the following drawings as amended in red by Council:

Drawing Title	Author	Date	Drawing No.	Ver
Basement 3	Ferrochow	11.08.2022	DA.097	E
Basement 2	Ferrochow	11.08.2022	DA.098	F
Basement 1	Ferrochow	11.08.2022	DA.099	F
Ground Level	Ferrochow	11.08.2022	DA.100	G
Level 1	Ferrochow	11.08.2022	DA.101	F
Level 2	Ferrochow	11.08.2022	DA.102	F
Level 3	Ferrochow	11.08.2022	DA.103	F
Levels 4 – 21	Ferrochow	11.08.2022	DA.104	F
Level 22	Ferrochow	11.08.2022	DA.122	E
Level 23-43	Ferrochow	11.08.2022	DA.123	E
Level 44	Ferrochow	11.08.2022	DA.144	D
Level 45	Ferrochow	11.08.2022	DA.145	D
Level 46	Ferrochow	11.08.2022	DA.146	D
Roof Plan	Ferrochow	11.08.2022	DA.147	B
Materiality	Ferrochow	11.08.2022	DA.411	D
Materiality	Ferrochow	11.08.2022	DA.412	D
East Elevation	Ferrochow	11.08.2022	DA.501	E
North Elevation	Ferrochow	11.08.2022	DA.502	E
South Elevation	Ferrochow	11.08.2022	DA.503	E
West Elevation	Ferrochow	11.08.2022	DA.504	E
Section A	Ferrochow	11.08.2022	DA.601	F
Section B	Ferrochow	11.08.2022	DA.602	E
Protection of amenity	Ferrochow	11.08.2022	IR.201	C
Screening details	Ferrochow	11.08.2022	IR.463	B

b The conditions of this approval are to be read in conjunction with the 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.

3 **Approved Plans**

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

Health and Regulatory Services				
Plan Title	**Author**	**Date**	**Plan Reference No.**	**Ver**
Proposed Mixed Use Development 99 & 101 Old Burleigh Road Broadbeach	Acoustic Works	11 November 2021	2021469	R01G

Water and Waste				
Plan Title	**Author**	**Date**	**Plan Reference No.**	**Rev**
Waste Management Plan	GGEnviro	2/11/2021	GGA21-0207	A

Hydraulics and Water Quality				
Plan Title	**Author**	**Date**	**Plan Reference No.**	**Ver**
99 -101 Old Burleigh Road Broadbeach - Conceptual Stormwater Management Plan	Burchills Engineering Solutions Pty Ltd.	3rd November 2021	BE210274-RP-SCMP-00	00

Property

4 **Requirement to register easement**

a. Register the following easements for the purpose stated below in accordance with the WSAA Water Supply Code of Australia – SEQ Edition and City of Gold Coast's Standard Water Meter Drawings.

   i "Water Supply" easement over all Council water meter assemblies – This item can be volumetric with a minimum 2.4m from slab to above the meter assembly

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 at the same time as registering the survey plan or prior to commencement of use whichever is the sooner.

d. Ensure water infrastructure is positioned appropriately within the easement as per Council's Standard Water Meter Drawings.

a. 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.

5 **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 distance of 1.2 horizontal metres from Council infrastructure. c. Ensure all proposed buildings, deep landscaping, structures and footings are a minimum 300mm clear of the property sewer connection. d. Ensure a minimum 2.4 metres unobstructed vertical clearance from the finished surface level above Council sewerage infrastructure including the property inspection opening (IO). e. Ensure a minimum 2.4 metres unobstructed vertical clearance from finished surface / slab level above the Council water meter assembly.
6	**Private infrastructure** a Ownership, operation and maintenance of the following private infrastructure is to vest at all times with Body Corporate and/or legal authority. i Stormwater management devices and infrastructure monitor and managed in accordance with the approved maintenance management plan (MMP), as conditioned elsewhere within this Decision Notice. ii Gross pollutant trap (GPT) ensuring it functions for its intended purpose. 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.
Amenity	
7	**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 and servicing areas b. Service equipment c. Mechanical ventilation d. Refrigeration units e. Storage areas for machinery, materials, vehicles or the like.
8	**Nuisance** Undertake and operate the development in a manner that causes no detrimental effect upon surrounding premises by reason of noise nuisance, lighting nuisance or other such emissions.
9	**Hours of operation and loading and unloading** a Undertake all activities associated with the operation of the Food and Drink Outlet use only between the hours of 6:00 am to 10:00 pm. b Conduct loading and unloading activities between the hours of 7:00 am to 6:00 pm only. c Ensure communal open space activities are used between the hours of 7:00 am to 10:00 pm only.
10	**Lighting to ensure pedestrian and community safety** *(specific condition)* Install and maintain lighting within the site boundary for all car parking areas, outdoor activity areas (i.e. communal or staff areas), and along all on-site pedestrian pathways, at no cost to Council. The design and construction of the lighting system must: a Meet minimum requirements of Australian Standard AS/NZS1158.3.1: 2005 Pedestrian area (Category P) lighting. b Meet the relevant requirements of the electricity supplier (e.g. Energex). c Be installed prior to the commencement of the use and maintained at all times. d Include vandal resistant structures such as high mounted lighting, anti-tamper screws, weather resistant bulkhead fitting, and robust material to withstand severe weather conditions.

Environmental and Landscaping

11 Landscaping works

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:

Drawing Title	Author	Date	Drawing No.	Ver
Statement of Landscape Intent	URBIS	19.07.22	P0034538	B

and include in particular:

i Feature tree planting species at ground level must be *Araucaria columnaris.*

ii Tree species must be a minimum bag size of 200L at the time of planting.

iii Palm species must be a minimum 3 metres in trunk height at the time of planting.

iv Shrub species must be a minimum 300mm pot size at the time of planting.

v Screening shrubs must be able to achieve a minimum height of 3 metres at maturity.

vi Cascading species must be trained down the face of the wall/structure they are intended to grow down and have a minimum fall of 500mm at the time of planting.

vii Climbing species must be trained to the trellis and be a minimum 500mm in height at the time of planting.

viii 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.

ix Pandanus species must be ex-ground, a minimum 3 metres in height and multi headed at the time of planting.

x Planter boxes where trees are to be planted must possess a minimum surface area of 6m². Tree species must be chosen which are suitable for root zones growing in confined planting locations.

xi Planter boxes containing tree species potentially exposed to prevailing winds or funnelled wind must be designed with root plate anchorage strengthening considerations or similar to prevent failure.

xii An automatic irrigation system must be provided to all podium planter boxes.

xiii 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 depths and surface treatments.

xiv Include frontage fencing as shown on the approved stamped drawings, the subject of this application.

xv Provide a draft copy of a Community Management Statement (CMS) that states ongoing maintenance of the communal landscaping and podium planters will be undertaken by the Body Corporate or a private contractor on behalf of the Body Corporate.

xvi All road reserve turf must be repaired and replaced if damaged.

xvii Retain and protect existing street trees within the public road reserve fronting the subject site on Old Burleigh Road and Amrick Avenue.

b. Construct and maintain the private landscaping identified above at no cost to Council at all times.

12 Maintenance of podium planters *(specific condition)*

The Community Management Statement (CMS) must state that ongoing maintenance of the communal landscaping and podium planters is to be undertaken by the Body Corporate or by a private contractor on behalf of the Body Corporate.

A copy of the draft CMS must be provided to Council prior to the issue of a Development permit for Operational work – landscape work.

13	**Acid sulfate soils management plan** a Obtain a Management Plan approval for an Acid sulfate soils management plan generally in accordance with the Acid sulfate soils overlay code of the City Plan and City Plan Policy SC6.2 – Acid sulfate soils management, to implement acid sulfate soils control measures at no cost to Council, prior to any works commencing. b The Acid sulfate soils management plan must be prepared by a suitably qualified professional. c Implement the Acid sulfate soils management plan during construction works at no cost to Council.
Transport	
14	**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 127 car parking spaces and a standing area for 6.4 m Small Rigid Vehicle, comprising: • 120 parking spaces for residents. • 6 freely accessible parking spaces for residential visitors. • 1 freely accessible parking space for staff/visitors of the commercial use. ii All spaces are drained, sealed and line marked. iii Clearly identified signage and directional markings including: • Signage, within the site and visible from the frontage roads, identifying that visitor car parking is accessed from Armrick Avenue. • Signage and line marking indicating 'visitor parking' and 'cafe parking' for visitor and commercial spaces. • Signage and line marking indicating 'small car' for small car spaces. • Delineation and signage indicating 'turn around' for the turnaround bay. b Undertake and maintain the off street vehicle and parking facilities at no cost to Council at all times. c The off-street parking facilities must only be used for vehicle parking.
15	**Off street bicycle parking facilities** a Design and construct off street bicycle parking facilities at no cost to Council, generally in accordance with the Transport code of the City Plan and include in particular: i A total of 59 security level B (resident), 1 security level B (staff) and 7 security level C (visitor) bicycle parking spaces. ii Signs and line marking to give direction to visitor bicycle parking to be visible to cyclists upon entering the site in accordance with AS2890.3. Signage and line marking is to be provided along the route and where bicycle parking is provided. b Undertake and maintain all works prior to commencement of the use at no cost to Council at all times.
16	**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 A vehicle, or 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, other than a 6.4 m Small Rigid

	Vehicle which is permitted to undertake a reverse manoeuvre into the site. iv The largest vehicle permitted on the site is a 6.4 Small Rigid Vehicle. The dimensions of the vehicle are to be generally in accordance with AS2890.2.
17	**Off street vehicle circulation management system – Basement levels 1 & 2** Design, construct, implement and maintain a 'warning light system' to manage vehicle circulation within basement levels 1 and 2, at no cost to Council, prior to commencement of the use, generally in accordance with the Transport code of the City Plan and include in particular: i The vehicle circulation management system must include vehicle sensors, flashing 'warning' lights (accompanied by signage) and hold lines. ii The system must be installed at the location/s generally shown on the approved drawings. iii Vehicle detectors must be installed to detect vehicles circulating within basement levels 1 and 2. iv A 'warning' light shall flash when triggered by a vehicle sensor, to alert drivers to an approaching vehicle. v Signage shall advise drivers to 'prepare to give way' at hold lines when the light flashes. vi Flashing 'warning' lights shall be located in line of sight to hold lines.
18	**Off street ramp signal management system – Podium levels 1 & 2** Design, construct, implement and maintain a signalised ramp management system to manage vehicle circulation within podium levels, at no cost to Council, prior to commencement of the use, generally in accordance with the Transport code of the City Plan and include in particular: i The ramp signal management system must be installed at the location/s generally shown on the approved drawings. ii Vehicles entering the site must be given priority to avoid queuing to the public road. iii Vehicle detectors must be installed to detect vehicles entering the site, and prior to all ramps, for each direction of travel. iv Signal lanterns must be visible from all hold line locations. v The ramp signal management system must be configured so that vehicles are only required to pass at locations where a hold line is shown on the approved drawings.
19	**Tandem and small car spaces** *(specific condition)* a Each pair of tandem car parking spaces shall be allocated to a single dwelling only. b Small car parking spaces shall be allocated to dwellings as secondary parking spaces only (i.e. in addition to the allocation of 'standard' car parking space).
Engineering	
20	**Existing road network infrastructure** a Obtain an operational works approval for undertaking changes within the road reserve, prior to commencement of the use, at no cost to Council, and include in particular: i Old Burleigh Road - relocation of the traffic island, and associated line marking and signage, located on the western side of Old Burleigh Road (currently located just south of the crossover to Lot 0BUP104138). The island, signage and line marking shall be relocated relative to the location of the proposed crossover from Old Burleigh Road. The relocated infrastructure shall be retained in order to perform a similar function to the existing infrastructure (i.e. to deflect vehicles around the parking lane). ii Armrick Avenue - modification of line marking, and relocation of signage, associated with the existing loading zone located on the northern side of Armrick Avenue (fronting Lot 70B8383). Modification includes a reduction in the length of the loading zone to accommodate development access from Armrick Avenue.

	b Undertake the works identified above at no cost to Council.
21	**Footpaths** a. Obtain an operational works approval for the design and construction of all footpaths listed below, prior to commencement of the use, at no cost to Council and include in particular: i Reconstruction of existing pathways, for the full site frontages to Old Burleigh Road and Armrick Avenue, to achieve (minimum) 1.5 m wide pathways (unless existing pathways are already a minimum of 1.5 m wide). ii Minimum 1.5 m wide pathways, located within the verges of Old Burleigh Road and Armrick Avenue, connecting the development's proposed pedestrian access points to the public footpaths. b. Construct and maintain the footpaths identified above at no cost to Council until the asset is accepted "off maintenance" in accordance with the procedures in City Plan Policy SC6.11 – Land development guidelines, section 2 – Transport network standards, section 7 – Procedures, section 8.5 – As-constructed requirements, section 9 - Specifications and section 10 – Standard drawings.
22	**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.
23	**Existing structures and services** a Prior to commencement of works, identify all structures and services (i.e. electrical pillars, water metres/hydrants, telecommunication infrastructure) within pedestrian infrastructure areas (i.e. footpaths, outdoor dining, bike racks) that impede pedestrian accessibility, and where required, obtain the necessary approvals from the relevant public utility authority to have these structures and services removed/relocated at no cost to Council. b Ensure removal/relocation of these structures and services occurs prior to commencement of the use at no cost to Council. c Construct and maintain the identified Council infrastructure at no cost to Council prior to a request is made to Council to approve the commencement of the use.
24	**Driveways and vehicular crossings** Obtain an operational works approval for the design and construction of the driveway and vehicular crossing, prior to a request is made to Council to approve the plan of subdivision/commencement of the use at no cost to Council and include in particular: i Construct and position to enable the maintenance of a public road and road verge, and not cause any obstruction to pedestrians or vehicular traffic. ii Not cause damage to vehicles or road infrastructure. iii Provide effective access between the road and the property. iv Provide hydraulic capacity to allow stormwater flow towards the closest stormwater infrastructure.
25	**Gross Pollutant Traps (GPTs)** Install a GPT (hydrocarbon and litter separator) within the basement carpark, to treat water before it discharges to Council's stormwater network prior to commencement of the use.
26	**Electrical reticulation** Enter into a contractual agreement to design, construct and connect an electrical reticulation system at no cost to Council and include in particular:

	a. Provide underground electricity to the subject 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).
27	**Telecommunications network** Enter into a contractual agreement to design, construct and connect a telecommunications services network at no cost to Council and include in particular: a. Provide underground telecommunications to the subject 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).
Stormwater Drainage	
28	**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
29	**Maintenance of stormwater proprietary treatment devices** *(specific condition)* a. A site-specific stormwater quality improvement devices (SQID) maintenance management plan (MMP) must be prepared by a suitably qualified professional consistent with the maintenance requirements of the devices in the proposed treatment train. The MMP must be submitted to Council for approval prior to the commencement of the use. The approved MMP must be included in the Body Corporate by-laws or Community Management Plan. The MMP must address the following: i The MMP must include all associated costs related to the device (e.g., installation, inspection and replacement/maintenance, certifications, reporting, health and safety plans, training, area of land required to install the device etc.). ii The MMP must include the lifecycle cost of the proposed treatment devices. b. In case of failure to achieve the designed pollutant load reduction target during the operational phase of the development, the owner/body corporate must be responsible to replace the proprietary device (e.g. filter cartridges) with an appropriate treatment system in accordance with Council's WSUD guidelines (SC6.11 City Plan Policy - Land development guidelines, Section 4.5.4) at no cost to Council.
30	**Monitoring or endorsement of the proprietary treatment devices** *(specific condition)* a The owner or the legal entity of the development must carry out monitoring the performance of the proprietary stormwater treatment devices as adopted in the approved stormwater management plan for two years at no cost to Council. The monitoring results must demonstrate achievement of water quality objectives of the City Plan. An annual report of the monitoring and subsequent results must be prepared by a suitably qualified professional (RPEQ or equivalent) specialised in stormwater and must be submitted to Council. b Alternatively, certification or an endorsed letter from Stormwater Australia confirming similar or better performance of the adopted proprietary device must be submitted to Council by 1 January 2023. The performance must be based on field testing results undertaken in accordance with the Stormwater Quality Improvement Device Evaluation Protocol (SQIDEP) prepared by Stormwater Australia. c Where either of the above documents are not submitted, the adopted device must be replaced with an alternative stormwater treatment system acceptable to Council within three months from 1 January 2023, at no cost to Council.

Sewer and Water Works	
31	**Sewer connection** Obtain an operational works approval for the design and construction of a sewer connection for the proposal to Council's sewer network at the existing 150mm main in Armrick Avenue, 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 Service Providers Edition and the Water and Sewerage Connections Policy. ii The development is permitted with a single sewer connection to Council's sewerage network. iii The size of the sewer property service connection must be 150mm in accordance with Section 5.5.4 of the WSAA Gravity Sewerage Code of Australia – SEQ Service Providers Edition iv Where an inspection opening (IO) is to be located in a hardstand area, the inspection opening shall be brought to surface and provided with a trafficable screwtrap lid. v Provide the inspection opening (IO) 300mm from the property boundary (verge side). vi Ensure all proposed buildings, deep landscaping, structures and footings are a minimum 300mm clear of the property sewer connection. vii Remove / seal / cap redundant sewer property services. *Note:* *An "Application Work on the City's infrastructure" form is required for the above works.*
32	**Water connection** Obtain an operational works approval for the design and construction of a water connection for the proposal to Council's potable water supply network at the existing 100mm main in Armrick Avenue, prior to commencement of the use at no cost to Council and include in particular: i The development is permitted with a single potable water connection (and single master meter) to Council's water network ii The development is permitted with a single fire water connection (and single master meter) to Council's water network – if required iii Be in accordance with the Water Supply Code of Australia – SEQ Service Providers Edition, and the Water and Sewerage Connections Policy. iv Provide a flange at 300mm on the water property service (verge side). v Council's ownership of the above ground on-lot water meters includes the typical meter assembly in accordance with City of Gold Coast Meter Standard Drawings bounded by the gate valves. vi The requirements described above must be clearly identified on the Operational Works drawings. vii Water meters must be in accordance with the Metering Technical Specifications and the Water and Sewerage Connections Policy. viii Remove redundant water meters / connections. *Note:* An "Application Work on the City's infrastructure" form is required for the above works. Private infrastructure is from the flange installed at 300mm from property boundary on the water service to the inlet valve of Council's above ground on-lot water meter assembly.
33	**Sub-metering** Provide individual sub-metering for each lot / unit including common property generally in accordance with the Metering Technical Specifications and the Water and Sewerage Connections Policy.
34	**Fire loading** Fire loading must not exceed 15L/s for 4hours.

Solid Waste Management	
35	**Bin type, storage capacity and storage points** Provide the following equipment to service the development in accordance with the approved Waste Management Plan prior to commencement of the use at no cost to Council: **Residential Use Bulk Bins** • 1 x 2000L general waste bulk bin and 1 x 2000L recycle bulk bin **Commercial Use Bulk Bins** • 1 x 660L general waste bulk bin and 1 x 660L recycle bulk bin
36	**Storage point / waste room – bulk bins** Design the bin storage point prior to the use commencing and in accordance with City Plan Policy SC6.15 - Solid waste management at no cost to Council: a. No steps or lips on bin-carting route. b. Hose cock for bin washing. c. Concrete slab graded to drainage point within the storage point. d. Drainage point connected to sewerage network with trade waste requirements. e. Adequate artificial lighting f. Barrier to separate the residential and commercial bins
37	**Servicing point – Bulk bins** Construct the bin servicing point prior to use commencing and in accordance with City Plan policy SC6.15 – Solid waste management, including: a. Hardstand with a solid concrete base or acceptable equivalent b. Screened c. Positioned on a level pad within the site, level with the kerbside and adjacent to a driveway or other approved crossover on public roadway Connected to the crossover by a concrete path so that the bin can be manoeuvred for servicing without lifting the bin over raised surfaces
38	**Waste chute** a. Provide protection in the waste storage room from objects falling through the waste chute which enables a person to safely access the storage room, prior to the use commencing at all times at no cost to Council. b. Fitted with a shutter at the base of the chute for closing off the chute manually during bin exchange and automatically in case of fire. c. Fitted with dual chute system.
Construction Management	
39	**Certification of works – Transport Assessment** Provide Council with certificates prepared by qualified expert(s) from the discipline(s) listed below, confirming as follows:

Transport Assessment

Certified document	Certification date	Plan/ Drawing	Expert discipline	Requesting Council Section
Certified Traffic	Prior to	-	Traffic	Transport

Engineering letter	commencement of use		Engineering	Assessment

The certification is to confirm:

i A vehicle circulation management system has been installed and is operational within basement levels 1 and 2, consistent with the 'Off street vehicle circulation management system – Basement levels 1 & 2' condition.

ii A signalised ramp management system has been installed and is operational for access to/from and within podium levels, consistent with the 'Off street ramp signal management system – Podium levels 1 & 2' condition.

40 Certification of works - Hydraulics and Water Quality

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

Hydraulics and Water Quality

Certified document	Certification date	Plan/ Drawing	Expert discipline	Requesting Council Section
Post construction certification	Prior to commencement of the use	"99-101 Old Burleigh Road Broadbeach – Conceptual Stormwater Management Plan", dated 3rd November 2021 prepared by Burchills Engineering Solutions Pty Ltd.	Registered Professional Engineer Queensland (RPEQ)	Hydraulics & Water Quality

The certification is to confirm:

All stormwater devices (quantity and quality) shown in the approved stormwater management plan and associated design drawings have been installed on-site and are functioning as designed.

Hydraulics and Water Quality

Certified document	Certification date	Plan/ Drawing	Expert discipline	Requesting Council Section
Agreement to remove hydrocarbons for GPT	Prior to commencement of the use	-	The Owner/ Body Corporate	Hydraulics & Water Quality

The certification is to confirm:

An agreement is entered into with the appropriately licensed waste removal entity, for the removal of hydrocarbons / waste.

Hydraulics and Water Quality

Certified	Certification	Plan/	Expert	Requesting Council

document	date	Drawing	discipline	Section
Long – term maintenance agreement	Prior to commencement of the use	"99-101 Old Burleigh Road Broadbeach – Conceptual Stormwater Management Plan", dated 3rd November 2021 prepared by Burchills Engineering Solutions Pty Ltd.	The owner/ Body corporate for the development	Development compliance
The certification is to confirm: An agreement has been entered into with a proprietor or an appropriate entity for the life of the development for the long-term maintenance of the stormwater propriety treatment devices. The certification is to also provide: A copy of the agreement.				

Hydraulics and Water Quality				
Certified document	**Certification date**	**Plan/ Drawing**	**Expert discipline**	**Requesting Council Section**
Confirmation of cartridge replacement	Every year once the use has commenced for the life of the development.	"99-101 Old Burleigh Road Broadbeach – Conceptual Stormwater Management Plan", dated 3rd November 2021 prepared by Burchills Engineering Solutions Pty Ltd.	Registered Professional Engineer Queensland (RPEQ)	Development compliance
The certification is to confirm: Cartridges within the stormwater propriety treatment devices have been replaced and are functioning as designed.				

Hydraulics and Water Quality				
Certified document	**Certification date**	**Plan/ Drawing**	**Expert discipline**	**Requesting Council Section**
Performance of the proprietary treatment devices	Prior to commencement of the use	"99-101 Old Burleigh Road Broadbeach – Conceptual Stormwater Management Plan", dated 3rd November 2021 prepared by Burchills	Registered Professional Engineer Queensland (RPEQ)	Hydraulics & Water Quality

		Engineering Solutions Pty Ltd.		

The certification is to confirm:

The treatment train including the proprietary device will achieve pollutants removal efficiency to satisfy Council's water quality objectives as outlined in City Plan Policy SC6. 11 Land development guidelines.

41 **Certification of works – Water and Waste (Solid Waste Management)**

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

Water and Waste

Certified document	Certification date	Plan/ Drawing	Expert discipline	Requesting Council Section
• Waste Management compliance report; • Dual Waste chute and construction; • Waste servicing point and bin carting route; • Waste storage room design and construction.	Prior to commencement of the use	Waste Management Plan by GGEnviro, job number GGA21-0207, dated 2/11/2021, revision A.	Registered Professional Engineer of Queensland (RPEQ) or a Level 1 Licensed Building Certifier	Water and Waste

The certification is to confirm:

i The development has been designed and constructed in accordance with the approved Waste Management Plan and complies with City Plan Policy SC6.15 – Solid waste management.

ii The dual waste chute complies with the manufacturer's specifications and City Plan Policy SC6– Solid waste management.

42 **Certification of works - Geotechnical Engineering**

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

Geotechnical Engineering

Certified document	Certification date	Plan/ Drawing	Expert discipline	Requesting Council Section
Basement excavation retention design certification	Prior to the issue of a development permit for building works	-	Registered Professional Engineer of Queensland (RPEQ) specialising in geotechnical engineering	Geotechnical Engineering

The certification is to confirm:

i The basement excavation retention system has been adequately designed based on existing geotechnical conditions of the site.

ii Detailed stability analyses have been carried out for the designed basement excavation retention system.

iii The designed basement excavation retention system achieves a factor of safety of at least 1.5, the calculated retention wall movements and rotations are within acceptable limits, and the basement excavation/construction including any dewatering will not cause any adverse effects on the stability and integrity of the adjacent buildings, properties and infrastructure.

iv A site-monitoring plan is in place for the entire basement excavation/construction period and for a post-construction period of at least three months in order to monitor and detect impact on the stability and integrity of the adjacent properties/structures.

v A contingency plan is in place in case any sign of instability on the adjacent properties/structures is identified or detected during the basement excavation/construction period.

Geotechnical Engineering

Certified document	Certification date	Plan/ Drawing	Expert discipline	Requesting Council Section
Post- construction certification	Immediately after completion of the basement structure up to natural ground level	-	Registered Professional Engineer of Queensland (RPEQ) specialising in geotechnical engineering	Development Compliance

The certification is to confirm:

i All geotechnical engineering works in relation to the basement excavation/construction were supervised.

ii The basement excavation/construction has been satisfactorily carried out and there are no visible signs or monitored data indicating any adverse effects on the stability and integrity of the adjacent buildings, properties and infrastructure.

43 Certification of works – Landscape Assessment

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

Operational Works – Landscape Assessment

Certified document	Certification date	Plan/ Drawing	Expert discipline	Requesting Council Section
Certificates and evidence of planter box construction	Prior to commencement of landscape works	-	Suitably qualified person	Landscape Assessment

The certification must include photographs and is to confirm:

The waterproofing and drainage cell has been installed for all landscape areas/planter boxes generally in accordance with the *Australian Standard AS4654.2 – 2012 - Waterproofing Membranes for External Above-Ground Use, Section 2.13 Planter Boxes* and the Landscape Architect specifications.

44 Certification of works - Subdivision Engineering

Provide Council with certificates prepared by qualified expert(s) from the discipline(s) 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: a. Electricity supply is available to 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: a. Telecommunication infrastructure will be undertaken and installed in accordance with telecommunications industry standards (e.g. Telstra / NBN Co standards).				

45 **Certification of works – Environmental Assessment**

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

Environmental Assessment				
Certified document	**Certification date**	**Plan/ Drawing**	**Expert discipline**	**Requesting Council Section**
Acid sulfate soil management plan	Within 5 days of completion of earthworks or prior to commencement of use, whichever occurs first.	-	Suitably qualified Acid sulfate soil professional	Environmental planning
The certification is to confirm: a. All works have been undertaken in accordance with the approved acid sulfate soil management plan. b. The certification is to also provide a copy of all the verification testing results and applied liming rates.				

46 **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	Expert discipline	Requesting Council Section
Acoustic compliance report	Prior to commencement of the use	Proposed Mixed Use Development 99 & 101 Old Burleigh Road Broadbeach; Prepared by: Acoustic Works; Dated: 11 November 2021; ref: 2021469; Ver: R01G	Acoustic Engineer	Health and Regulatory Services

The certification is to confirm:

a. The development has been designed and constructed in accordance with the approved Acoustic Report.

47 **Construction documentation drawings – Architecture and Urban Design** *(specific condition)*

a Prepare and submit for approval a set of construction documentation drawings generally in accordance with the approved drawings, the subject of this approval prior to the issue of a Development Permit for Building Work.

b The construction documentation drawings must be prepared by a suitably qualified professional and include in particular.

- i Detailed floor plans, elevations, sections, material and colour palette showing how the design intent illustrated in the approved drawings the subject of this approval will be constructed.
- ii Construction details and sections of the podium façade including feature stone cladding, metal bronze vertical batten screening, integrated planter boxes, including all external materials listed in the Materials and Colour Palette.
- iii Construction details and sections of the tower façade including all curvilinear and tapered forms with distinct recesses and protrusions, large balconies located around the perimeter and feature profiles, tinted glazing, expressed slab edges, aluminium clad columns, feature vertical batten screens, variety of materials and colours listed in the Materials and Colour Palette.
- iv Construction details and sections of the screening to all mechanical plant equipment, substation and service areas.

c The construction documentation drawings approved in accordance with this condition must form part of an approval for a Development Permit for Building Work.

48 **Sand management plan**

a. Prepare and submit for approval a Sand management plan generally in accordance with the Coastal Erosion Hazard Overlay Code prior to any works commencing.

b. The Sand management plan must be prepared by a suitably qualified professional and include in particular.

- i Outline actions to ensure excavated sand is cleaned, treated, placed, levelled and stabilised.

	ii Ensure sand is cleaned using a 20mm sieve to remove all material other than clean sand. iii Ensure sand is delivered and deposited to (identify relevant beach). c. Contact Council's City Assets Branch to engage an officer (supervisor) nominated by Council. The Sand management plan must include details (e.g. name and position) of the officer who will be employed for the duration of the sand excavation and deposition at no cost to Council. d. Prior to the commencement of sand extraction and deposition, sufficient security must be provided to Council to ensure the sand is sieved and placed on an ocean beach in accordance with Council requirements and appropriate beach protection and/or restoration measures are used. e. The estimate total quantity of the sand must be calculated and supplied to the officer identified above to ensure a security value is included in the plan. i Implement the Sand management plan prior to any works commencing at no cost to Council.
49	**Dewatering management plan** a. Obtain a Management Plan approval for a Dewatering management plan generally in accordance with the Guidelines for Dewatering Management Plan prior to any works commencing. b. The Dewatering management plan must be prepared by a suitably qualitied professional and include in particular: i Purpose for dewatering (i.e.: an explanation why dewatering is required). ii Dewatering technique (i.e.: wellpoint, deep well, open hole etc.). iii Anticipated dewatering flow rate and total dewatering duration. iv Controls (i.e.: settling tank, turbidity curtain etc.) and method of effluent discharge. v Measures and techniques to manage noise, vibration and odour issues. vi Measures and techniques to manage geotechnical stability issues. vii Contingency plan in case of emergency situation. viii Engineering specifications for dewatering effluent treatment (i.e. air-stripper, carbon filtration etc.) and details for an analytical monitoring program to ensure effluent will meet water quality release standards described in Tables 1 & 2, where dewatering is conducted in a contaminated area. ix Monitoring program to ensure effluent will comply with applicable water quality release standards described in Tables 1 & 2 of the guidelines. x Baseline assessment of the existing environment (i.e. fauna, water quality) that will receive the discharge. xi Include background levels of Iron and Chlorine to ensure if the development sites are having issues with turbidity, the iron levels are not excessive to cause visual amenity issues and detriment to the aquatic ecosystem. xii Strategy for monitoring and managing any impacts during the life and after closure of the project. xiii The point of discharge to the storm water system and to any waterway or water body. xiv Hydrogeological and hydrological assessment of the project area to estimate quantity and quality of water to be discharged. xv Verification the quality of discharge water will comply with the receiving water duration and frequency of the discharge. xvi Seasonal variability of the receiving water quality. xvii Assessment of the viability of treating or recycling wastewater. xviii Location of all treatment pads. c. Implement the Dewatering management plan during construction works at no cost to Council.

50	**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. xi. Where works are proposed to occur between May 2022 and 31 December 2022, provide evidence that consultation has occurred with the City's Transport and Traffic Branch for the management of construction impacts on the City's works for the adjoining Oceanway project. c. Implement the Construction management plan during all construction works at no cost to Council.
51	**Vibration management plan** a. Prepare and submit for approval a Vibration management plan addressing basement construction activities in accordance with the City's Basement Construction Vibration Guideline prior to any works commencing. b. The Vibration management plan must be prepared by a suitably qualified professional. c. Comply with the approved Vibration management plan and sections 4.2 and 4.5 of the Basement Construction Vibration Guideline. d. Vibration levels must not exceed the levels in the approved Vibration management plan. *Note:* *Vibration monitoring may be required to be carried out at no cost to Council to determine compliance with the approved vibration management plan or the Guideline.*
52	**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.

53	**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.
54	**Haulage access/site management plan** a. Prepare and submit for approval a Haulage access/site management plan generally in accordance with the Change to ground level and creation of new waterways code of the City Plan prior to any works commencing. b. The Haulage access/site management plan must be prepared by a suitably qualified professional and include in particular. i. Address the provision of vehicle barrier(s) along the frontages of the land to ensure vehicles use approved crossovers. ii. Provide Loading/unloading operations. iii. Address nuisance from dust, noise, vibration, smoke and material tracked onto public roads as a result of hauling and filling operations and how complaints will be addressed. iv. Identity measures and work practices to ensure the site will be maintained in a clean and tidy state at all times including collection, storage and disposal of all waste materials. v. Identify measures and work practices to ensure non- recyclable debris transported from the site is disposed of at an approved waste facility. Combustion of any material is not permitted on the subject site without prior approval of Council. vi. Identify measures and work procedures to ensure gravel access areas to the site, transport dust covers and shake (hose) down areas are in place to control both on-site dust nuisance and contamination of external properties, roadways and receiving waterways. c. Implement the Haulage access/site management plan during all construction works at no cost to Council.
55	**Transport of soil/fill/excavated material** During the transportation of soil and other fill/excavated material: a. All trucks hauling soil, or fill/excavated material must have their loads secure and covered. b. Any spillage that falls from the trucks or their wheels must be collected and removed from the site and streets along which the trucks travel on a daily basis. c. Prior to vehicles exiting the site, measures must be taken to remove the soil from the wheels of the vehicles to prevent soil and mud being deposited on public roads.
56	**Pre-start inspection** Arrange a pre-start inspection prior to the commencement of building works for the bin storage and bin servicing point **Purpose** | **Council contact**

	Discuss Water and Waste and Council approval requirements and expectations through the construction phase	inspections@goldcoast.qld.gov.au

57 **Hold point inspection**

Arrange a hold point inspection to complete the requirements identified in City Plan Policy SC.6.11 – Land development guidelines the City Plan for the following:

Purpose	Hold Point	Council contact
Bin storage point	Within 5 business days of the bin storage point being completed.	Water and Waste INSPECTIONS@goldcoast.qld.gov.au
Confirm Waste chute has been installed in the approved location and operates as designed.	Within 5 business days of the waste chute being completed.	Water and Waste INSPECTIONS@goldcoast.qld.gov.au
Confirm works for the bin storage and servicing point have been undertaken in accordance with the approved MCU drawings.	Within 5 business days of bin servicing point and vehicle access being completed.	Water and Waste INSPECTIONS@goldcoast.qld.gov.au

58 **Supervision of works – Geotechnical Engineering**

During construction of any works the following professionals must be appointed to supervise the below described actions:

Geotechnical Engineering	
Expertise required of the suitably qualified professional	**Actions to be overseen by the professional**
Registered Professional Engineer of Queensland (RPEQ) specialising in geotechnical engineering	Supervise all geotechnical engineering works in relation to the proposed basement excavation/construction and ensure no adverse effects on the stability and integrity of the adjacent buildings, properties and infrastructure.

59 **Supervision of works – Environmental Assessment**

During construction of any works the following professionals must be appointed to supervise the below described actions:

Environmental Assessment	
Expertise required of the suitably qualified professional	**Actions to be overseen by the professional**
A suitably qualified and experienced acid sulfate soil professional	Supervise the excavation and treatment of all acid sulfate soils.

60 **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.

61 **Notice of works timetable**

	Provide a Notice of works timetable for Commencement of work to Council's Development Compliance section prior to commencement of any works. A copy of Council's Notice of works timetable is available on Council website http://www.goldcoast.qld.gov.au/documents/fa/fm579_notice-of-works.pdf
62	**Erosion and sediment control** a. Undertake Erosion and sediment control measures generally in accordance with the Healthy waters code of the City Plan and ensure: i Sediment control structures e.g.: a sediment fence is placed at the base of all materials imported on site to mitigate sediment run-off. ii A perimeter bund and/or diversion drain is constructed around the disturbed areas to prevent any outside clean stormwater from mixing with polluted polluted/contaminated stormwater. iii All polluted/contaminated water from the site, including dewatering discharge, is treated to achieve the water quality objectives in Table 8.2.1 of the Queensland Water Quality Guidelines (DERM September 2009) prior to discharging from the site. iv Inspections for erosion and sediment control measures occur in accordance with the compliance procedures in City Planning Policy SC6.11 – Land development guidelines, Section 4.5.17.1.2 – Compliance.
Plumbing and Drainage Act 2018	
63	**Plumbing and drainage works** Obtain a permit for all plumbing and drainage work prior to any compliance assessable work commencing. *Note:* *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).*
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	**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 Sewerage Connections Policy, available on Council's website http://www.cityofgoldcoast.com.au
C	**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: **City Assets** - Operational works - vehicle access works **Landscape Assessment** - Operational works - landscape works

	Plumbing and Drainage - Permit for plumbing and drainage work **Water and Waste** - Operational works - infrastructure - Connections / disconnections: Application to work on the City's Infrastructure **Arboriculture Assessment** - Operational works – vegetation clearing **Transport Assessment** - Operational works – 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).
D	**Works/access within public open space land** a This development approval does not allow for the following activities within the adjoining public open space land being Reserve Land: i. Undertake any construction activity. ii. Gain access for construction purposes. iii. Store or place any materials, vehicles, machinery associated with construction activity. b Owner's permission must be gained from City of Gold Coast – City Assets Branch if any of the above is to occur within public land.
E	**Council water and sewer mains to be protected during site works** The developer is responsible at all times for ensuring that Council's water and sewerage infrastructure is protected during construction activities on site. This may require physical protection measures to be put in place during works such as deliveries, moving heavy equipment into and out of the site, or when doing works in close proximity to water and sewer assets. Where Council water and sewer infrastructure is damaged during construction, Council will undertake immediate repairs and any costs associated with these repairs will be charged to the landowner, principle contractor or other relevant party. If further more permanent repairs are required, such as replacement of water and sewer mains, the landowner, principle contractor or other relevant party will first be given an opportunity to complete these works (other approvals may be required), or Council will undertake these works and pass the costs on to the landowner, principle contractor or other relevant party.
F	**Water meter sizing** All water meters 50 mm in diameter or larger must be installed aboveground and on lot and require an Operational works approval and an easement over the water meter arrangement. Unrestricted access to the water service (including meters) must be provided at all times. Refer to Water and Metering Technical Specifications, available on Council's website http://www.cityofgoldcoast.com.au
G	**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.
H	**No open trenching of the road pavement for water connections across / in roadways** Conduits must be installed to service the proposed development by thrust boring the road (open cutting of the road is not permitted) to connect to Council's potable water supply network. In certain circumstances approval of open trenching of the road may be allowed, subject to Council approval. Refer to Water and Sewerage Connections Policy, available on Council's website http://www.cityofgoldcoast.com.au
I	**Design, Constructability and Minor change applications** The application has been approved based on the information provided by the consultant. Water and Waste are not liable for any design or constructability issues experienced on-site. All necessary steps must be taken prior to construction to validate the information in the designs, including locating services. Should any changes be required to the design to ensure it can be constructed in compliance with relevant engineering standards; a Minor Change application (Section 78 of the *Planning Act 2016*) must be submitted and approved by Council prior to lodging a request for a Pre-Start meeting.
J	**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.
K	**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.
L	**Indigenous cultural heritage legislation and duty of care requirement** The *Aboriginal Cultural Heritage Act 2003* ('**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.
M	**Infrastructure charges** Infrastructure charges are now levied under a Charges Resolution by way of an Infrastructure Charges Notice, which accompanies this decision notice.
N	**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 liming 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 commended 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 *Environment Protection Act 1994* 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 *Survey and Mapping Infrastructure Act 2003.* 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.
O	**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.
P	**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 *Biosecurity Act 2014* 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.
Q	**Gold Coast Airport approval of building and/or structure height** Any building or structure (including construction crane or other temporary equipment) in the City extending to a height of 110 metres or more above ground level must be notified to Gold Coast Airport Pty Ltd.
R	**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 *Commonwealth Disability Discrimination Act (1992)* and the Disability (Access to Premises – Buildings) Standards 2010.
S	**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.
T	**Design, Constructability and Minor change applications** The application has been approved based on the information provided by the consultant. Water and Waste are not liable for any design or constructability issues experienced on-site. All necessary steps must be taken prior to construction to validate the information in the designs, including locating services. Should any changes be required to the design to ensure it can be constructed in compliance with relevant engineering standards; a Minor Change application (Section 78 of the *Planning Act 2016*) must be submitted and approved by Council prior to lodging a request for a Pre-Start meeting.
U	**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.
V	**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.
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/2021/603).
B	**Noise/Acoustic** There are development approval conditions applicable in relation to acoustic issues 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/2021/603). A copy of Council's Decision Notice is available for viewing on Council's website www.goldcoastcity.com.au/pdonline
C	**Development controls** There are development approval conditions applicable on this land in perpetuity and will attach to the lot/subsequent lots. These conditions may include development controls including but not limited to building setbacks, driveway location, building design, which are applicable to future development over the 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/2021/603). 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 for a Multiple dwelling (59 Units) and Food and drink outlet.
Assessment benchmarks	The following assessment benchmarks applied to the proposed development: • High density residential zone code. • Acid sulfate soils overlay code; • Airport environs overlay code; • Coastal erosion hazard overlay code; • Light rail urban renewal area overlay code. • High-rise accommodation code; • Commercial design code; • Driveways and vehicular crossings code; • General development provisions code; • Healthy waters code; • Solid waste management code; and • Transport code.
Relevant matters	Not applicable – Code assessment
Matters raised in submissions	Not applicable – Code assessment
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: • The assessment has established that the proposed development provides built form, scale and intensity which are considered to be appropriate for the Frame area of the Light rail urban renewal overlay code and the High density residential zone. The subject site is located within proximity to existing infrastructure and services and delivers housing choice within the urban renewal corridor. • The proposed form is considered to be consistent with the desired future character of the local area in particular height contrast with setbacks and site cover, where site cover and building intensity reduces for the mid and upper portion of the tower. The proposed development is considered to reflect the 'high intensity urban environment' as sought within the Frame area, while being designed to respect the existing residential amenity of surrounding properties. • Overall, the proposed scale of the development is considered to be consistent with the high intensity built form envisaged within the zone and within the Frame area of the Light rail urban renewal area, whilst being sympathetic to the character of the area. • The Food and drink outlet is small scale and standalone. Although not explicitly for the local catchment, the nature of the services provided for by Food and drink outlets will naturally

	service the local catchment.
Matters prescribed by a regulation	Not applicable