

INFORMATION REQUEST RESPONSE

PROPOSAL: Development Permit for a Reconfiguration of a Lot (Code Assessment).

SITE ADDRESS: 17 Courtney Drive, Upper Coomera – Lot 182 on RP156422

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DOCUMENT CONTROL

Information Request Response	
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1. INTRODUCTION

This Development Application ('**Development Application**') seeks the Council of City of Gold Coast (the '**Council**') approval for a Development Permit for a Reconfiguration of a Lot (**Code Assessment**).

In accordance with the Planning Act 2016 (the 'PA'), Council has issued as follows:

- A Confirmation Notice was issued on **25 January 2023**, which stated that an Information Request would be issued.
- An Information Request was issued on **9 February 2023**, which stated further information was required.

Accordingly, this Information Request Response represents a full response to all issues raised in Council's Information Request. The Applicant's formal Information Request Response is provided as follows.

2. COUNCIL INFORMATION REQUEST ITEMS

2.1. Planning Assessment

1 Amended plans

City officers request the applicant to amend the plan titled Proposal Plan by Trilogy Survey Solutions to remove any reference to existing structures on Proposed Lot 1.

RESPONSE ✓

In response to **item 1**, reference to the existing structures on Lot 1 have not been removed for the following reasons:

- The existing dwelling and associated structures are to remain on lot 1 and provide a contextual reference to the new lot boundaries and existing site characteristics.
- The removal of existing structures is an onerous request for a reconfiguration of a lot especially when compared to the several examples of Reconfiguration of a Lot processed and approved by Council not requiring the removal of existing structures on plans, under the current City Plan (version 9), including but not limited to:
 - 587 Reserve Road, Upper Coomera (ROL/2019/55). The proposal did not include this request and was for a Reconfiguration of a Lot.
 - 11 Herbert Street, Upper Coomera (ROL/2019/83). This information request was issued 4 October 2019 and did not include the same request and is for a comparable proposal.
 - 50 Courtney Drive, Upper Coomera (ROL/2022/83). This information request was issued 25 August 2022 and did not include the same request and is for a comparable proposal.
 - 7-11 Marion Road, Upper Coomera (ROL/2022/76). This information request was issued 10 August 2022 and did not include the same request and is for a comparable proposal.

This is our complete response to the above information request item.

2.2. Geotechnical Engineering

2 Request for a geotechnical report

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

- a. *The report should provide a site-specific landslide risk assessment for the Proposed Lot 2. The risk assessment should be based on surface and subsurface geotechnical information of the site. The report should demonstrate that the Proposed Lot 2 achieves a 'Low' risk of landslide. If the report determines any lot with a 'Moderate' or worse risk rating, it should recommend appropriate and adequate risk mitigation measures to reduce the risk rating to 'Low' or better;*

- b. *The report should include certification from a Registered Professional Engineer of Queensland (RPEQ) specialising in geotechnical engineering confirming that the Proposed Lot 2, achieves a landslide risk rating of 'low' or better and is suitable for its intended use; and*
- c. *The report should provide appropriate and adequate restrictions on any earthworks including excavation/cutting and filling in order to maintain long-term stability of the proposed lots.*

RESPONSE ✓

In response to **item 2**,

- The site plan 'Proposal Plan' has been amended to reflect which parts of the site are identified by the Landslide Hazard Overlay. The proposed building envelope is shown on these plans as **outside** identified areas.
- The proposed building envelope is **outside** land identified on the Landslide Hazard Overlay, with all building work to occur within this proposed envelope. As a result of this, any building work on site will not be impacted by Landslide hazard.
- The risk to people from a landslide hazard is minimal as the proposed development will be constructed outside of the land identified on the Landslide Hazard Overlay.
- The proposed development does not feature any applications for building work. When a dwelling with associated structures is to be developed on-site, onus will be on the builder to get certification from a Registered Professional Engineer of Queensland (RPEQ) as per industry standard.
- A Geotechnical Report is an onerous request for a reconfiguration of a lot especially when compared to the several examples of Reconfiguration of a Lot processed and approved by Council not requiring a Geotechnical Report under the current City Plan (version 9), including but not limited to:
 - 31 Herbert Street, Upper Coomera (ROL/2022/114). The proposal did not include this request and was for a Reconfiguration of a Lot.
 - 359 Hotham Creek Road, Willow Vale (ROL/2020/119). The proposal did not include this request and was for a Reconfiguration of a Lot.

In light of the above justification, as the development features a building envelope outside of land identified on the Landslide Hazard Overlay, and given that this building parcel is not impacted, a Geotechnical Report should not be required.

This is our complete response to the above information request item.

2.3. Subdivision Engineering**3 Upgrade Roadworks are required on Courtney Drive**

Officers consider that in order to demonstrate compliance with the applicable assessment benchmarks, upgrade roadworks at the full frontage of the site to Courtney Drive are necessary. Both Proposed Lots 1 and 2 are located within the Rural residential zone. The Courtney Drive frontage of the site has a pavement of two coating seal bitumen surface with table drainage systems. This section of Courtney Drive does not comply with the Rural residential street profile which is required to consist of a pavement of Asphalt Concrete (AC) with kerb & channel. As such, the proposed development is not considered to comply with Performance outcome PO1 of the General development provisions code and Performance outcome PO15 of the Reconfiguring a lot code.

To demonstrate compliance with the identified assessment benchmarks, the applicant is requested to submit amended plans demonstrating that the full frontage of the Courtney Drive frontage will be upgraded to a 'Rural Residential Collector Street' classification. The new kerb & channel shall be installed at 3.75m measuring from the centre of existing pavement. In addition, existing pavement shall be upgraded to 'Rural Residential Collector Street' classification (including surface) from the existing centre of pavement to new kerb & channel at the full frontage (subdivision side only).

Officers note – the above information request requirements reflect the current City Plan requirements for the site within the Rural residential zone. Officers acknowledge there are planned future upgrades for Baileys Mountain Road with some future planning in place for the ultimate upgrades on Courtney Drive which are yet to be finalised. Officers are prepared to facilitate discussions with the Traffic and Transport branch to determine the most appropriate outcome as necessary for this proposal.

RESPONSE ✓

In response to **item 3**, as there is a clear conflict between the City Plan and planned upgrades it is requested that Council Officers facilitate discussions with the Traffic and Transport branch to determine the most appropriate outcome as necessary for this proposal.

This is our complete response to the above information request item.

4 An amended ROL Plan showing requested setback area

Transport & Traffic Branch advises that Baileys Mountain Road (including the intersection of Baileys Mountain Road and Courtney Drive) will be upgraded. The lands (Parcel B) marked on the drawing listed below will be affected areas for road upgrading:

Drawing Title	Author	Date	Drawing No. & Page No.	Ver.
Arterial Road – Baileys Mountain Road Upper Coomera Preliminary Design	City of Gold Coast	11/06/2020	27144.P306 & 7 of 12	A

The drawing identifies that a portion of the site is required to be dedicated along both site frontages (identified as Parcel B). The applicant is advised that the area identified as Parcel B on the Courtney Drive frontage is minor (approx. 50m² in size) and it is considered that the design of the road upgrades can be rectified during construction to remove the requirement for resumption of this area. As such, no dedication along the Courtney Drive frontage is required. Resumption is only required along the Baileys Mount Road frontage.

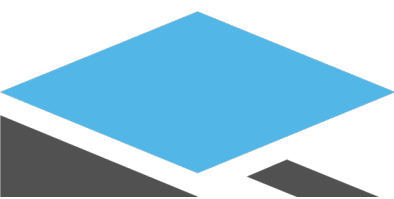
In this instance, the applicant is required to submit an amended ROL Plan to reflect areas of parcel B within the site as outside of the proposed building setback areas. In addition, indicative vehicle access point for Proposed Lot 2 should be as close as possible to the proposed common boundary of both Proposed Lots 1 and 2.

RESPONSE ✓

In response to **item 4**, the following amendments have been made:

- Proposal Plan has been amended to show which aspect of the site is impacted by upgrades to Bailey Mountain Road as per Proposed Road Resumption drawing 27144.P306.
- Proposal Plan has been amended to show that the vehicle access point for Proposed Lot 2 is as close as feasible to the common boundary of both Proposed Lots 1 and 2.
- Following discussions with the Traffic and Transport team, it was confirmed the proposed land resumption will be compensated via a Transport Network Infrastructure offset against the levied charges on the Infrastructure Charge Notice.

This is our complete response to the above information request item.



2.4. Environmental Planning & Bushfire Assessment

5 Amended Plans

The Applicant has not provided sufficient detail for Environmental officers to fully assess the proposed development. As such, the following amendments are requested to submitted drawings:

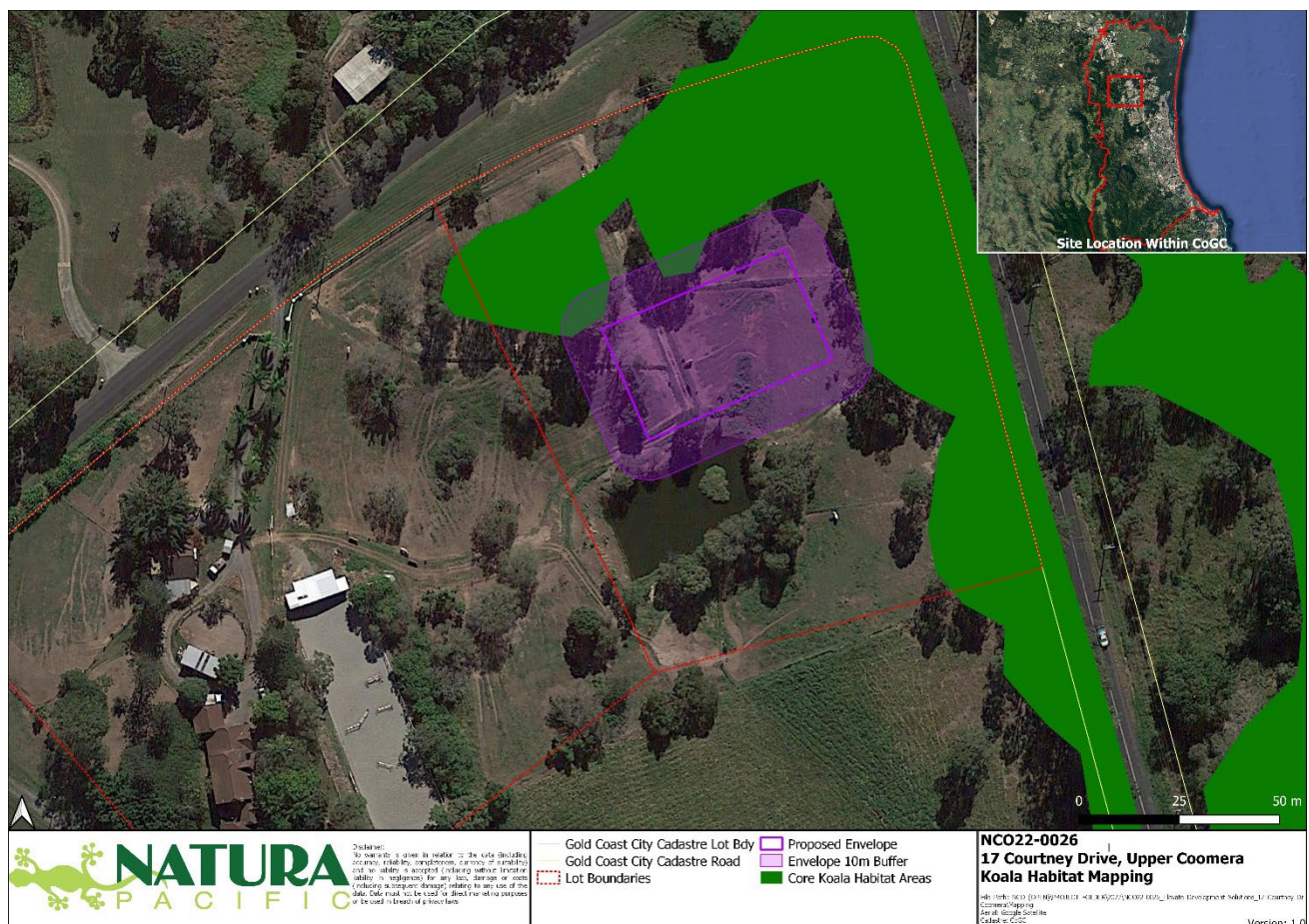
- a. *A nominated building envelope for Lot 2 with the inclusion of associated impacts (i.e., effluent and bushfire mitigation). It is recommended that the nominated building envelope avoids mapped matters of environmental significance and mapped state koala habitat. The building envelope must be responsive of setback requirements of the Rural residential zone with the consideration of the future road upgrades.*

If more than 500m2 of mapped state koala habitat is required to be removed, a referral to the State Assessment and Referral Agency (SARA) is required under Schedule 10, Part 10, Division 3 of the Planning Regulation 2017.

RESPONSE ✓

In response to **item 5**, the following amendments have been made:

- The Proposal Plan has been amended to reflect a nominated building envelope which avoids mapped matters of environmental significance and mapped state koala habitat.
- Additional mapping is provided below by Natura Pacific, further showcasing where the development parcel is in relation to Core Koala Habitat, highlighting that the building envelope is **outside** identified core habitat.
- A referral to the State Assessment and Referral Agency (SARA) has been facilitated.



This is our complete response to the above information request item.

6 Covenant and Rehabilitation Management Plan

To ensure compliance is achieved with Performance outcome PO25 and PO26 of the Environmental significance overlay code, the Applicant is requested to prepare and submit a Covenant and Rehabilitation Management Plan, prepared in accordance with SC6.8 City Plan policy – Environmental management plans. Officers recommend that the eastern boundary line (frontage to Baileys Mountain Road) that is mapped with koala habitat is nominated as a covenant area with rehabilitation works aiming to enhance the represented pre-clearance Regional Ecosystem 12.11.24. The covenant area is to exclude the planned future road upgrade requirements as identified within Item 4 above (referred as Parcel B within the abovementioned drawing).

RESPONSE ✓

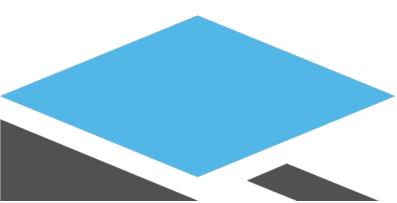
In response to **item 6**, a Covenant and Rehabilitation Management Plan is requested to be conditioned if considered necessary.

This is our complete response to the above information request item.

3. CONCLUSION

With reference to the *Planning Act 2016*, this is a full and complete response to the Information Request issued by City of Gold Coast Council in relation to this Code Assessable Development Application.

Should you have any further questions during the assessment of this Development Application then please do not hesitate to contact Mr Scott Barrett on telephone number 0413 742 555.

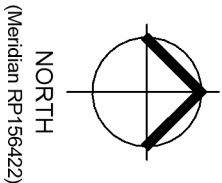


Development Summary

Site Area: 3 341 ha
No. Exist Lots: 1
RP Description: Lot 182 on RP156422
No. Proposed Lots: 2
Total Area of New Road: N/A
Local Authority: Gold Coast City Council
Existing Encumbrances: NIL
Proposed Encumbrances: NIL

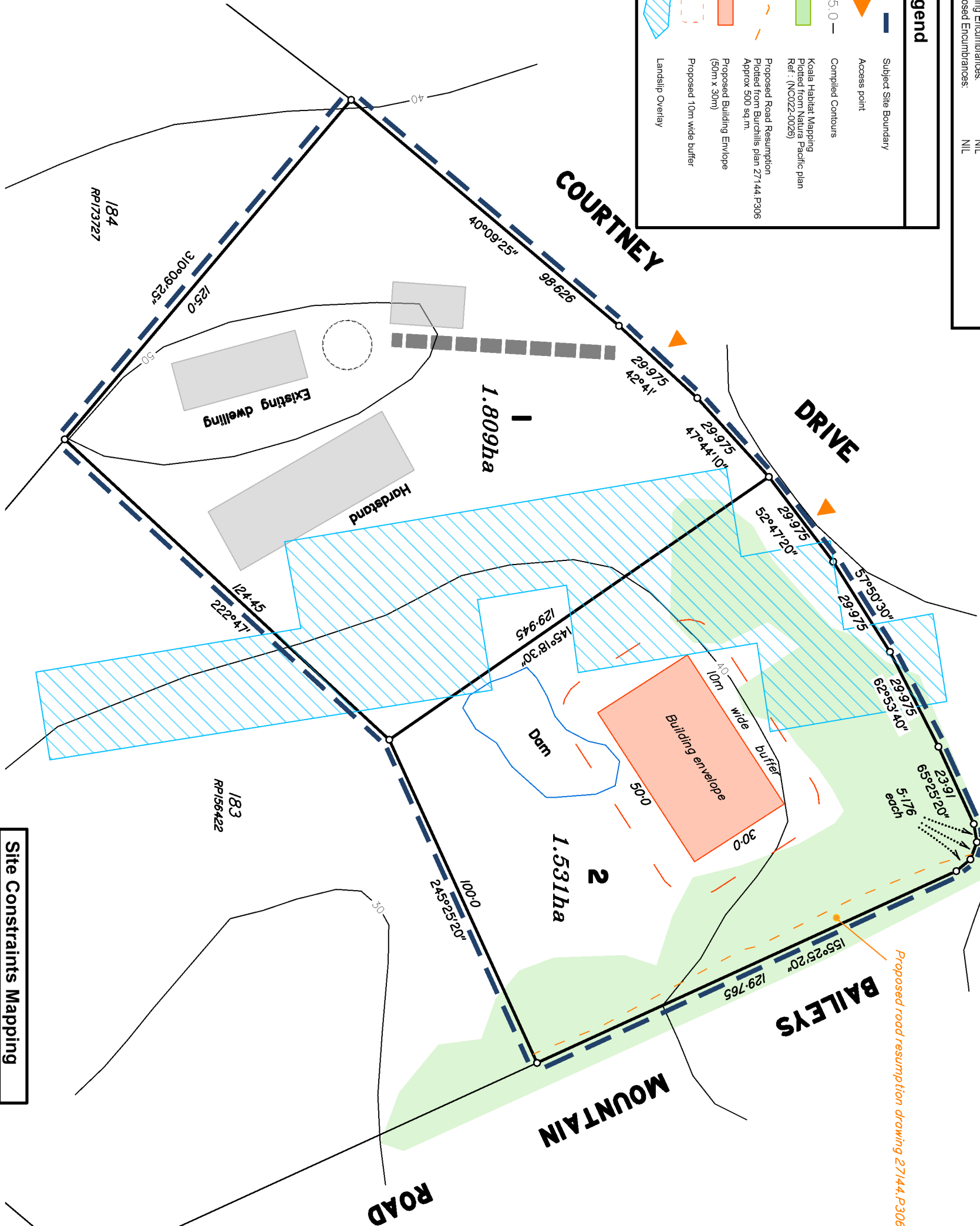
Property Boundaries

The property boundaries and the dimensions shown on this plan have been compiled from registered survey plan RP156422. The bearings shown on this plan are on the meridian of that survey plan.
Proposed boundaries are subject to local authority approval.



Legend

- Subject Site Boundary
- Access point
- 45.0 Compiled Contours
- Koala Habitat Mapping Plotted from Natura Pacific plan Ref: (NC022-0026)
- Proposed Road Resumption Plotted from Burchills plan 27144.P306 Approx 500 sq.m.
- Proposed Building Envelope (50m x 30m)
- Proposed 10m wide buffer
- Landslip Overlay



Site Constraints Mapping

The site constraints including the proposed road resumption, koala mapping extents, landslip overlay, etc have been digitised from plans as noted in the "Legend" above.
No responsibility is taken for the accuracy of these plans, or the currency of each, which may be subject to review or change by the relevant authorities.

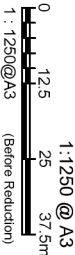


SURVEY SERVICES CADASTRAL / TITLING ADVICE
GOLD COAST
0431 400 670
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Revision: Notes:

Proposal Plan
17 Courtney Drive
Upper Coomera

Scale:



Drawing No: TSS-221051-001-F

Date: 15 / 2 /2023

Client: Elevate Development Solutions

Notes

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Trilogy Survey Solutions accept no responsibility for the misuse or misunderstanding of information contained on this plan. Anyone referring to the plan must make their own judgements and site analysis to determine if the information is current and correct.
Contours and improvements plotted from Queensland Globe

Improvement / Site Contours

The improvements on site have been plotted from aerial imagery and are indicative only.
Contours shown are indicative only and have been compiled from Queensland Globe.