



Our Reference: 41901-01 [ID 951362]
Council Reference: OPW/2023/311

**Civil Engineering
Project Coordination**

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1 August 2023

MUS Pty Ltd t/as:
Mortons - Urban Solutions
ABN: 39 116 375 065

City Development
Council of the City of Gold Coast
PO Box 5042
GCMC Qld 9729

Attention: Nathan Seiler

Dear Nathan

Re: Response to Information Request for Operational Works Development Permit Application; over Lots 188, 190, 191, 192 RP173728, 79 Courtney Drive, Upper Coomera

On behalf of our Client *HB Land Qld Pty Ltd* we make the following response to Council's Information Request, dated 17 April 2023 for the abovementioned Development Application; as allowed by s13.2 of the Development Assessment Rules for the *Planning Act (2016)*.

OPERATIONAL WORKS ASSESSMENT

Item 1 Portable Long Service Leave Payment

In accordance with section 77(2) of the Building and Construction Industry (Portable Long Service Leave) Act 1991, Council cannot issue a development permit for Operational Works unless it has sighted -

- i. *An approved form issued by the Authority that clearly shows –*
 1. *That the levy or the first instalment of the levy has been paid; or*
 2. *That an exemption from payment of the levy exists in relation to the work; or*
 3. *That an exemption from immediate payment of the levy exists in relation to the work; or*
- ii. *Written advice from the Authority stating something mentioned in paragraph (a).*

Please provide evidence that section 75 of the Act with respect to payment of the levy has been complied with

Please see attached a copy of the QLeave Notification and payment Confirmation for S343351.

Item 2 Consistency with Overriding ROL Approval and Conditions

This operational works has been submitted prior to the approval of overriding ROL. Provide confirmation that all conditions of ROL have been reviewed and the proposed OPW is consistent with the overriding approval. Please note that, a subsequent information request maybe required to address any outstanding issues a result of assessment of proposed development to the overriding approval.

GOLD COAST (HEAD OFFICE)

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Please see attached a copy of the ROL Decision Notice date 20th June 2023 and as a consequence of this approval, we have updated the plans in accordance with the conditions of approval. Whilst this has generally been footpaths and the change to the road in front of lots 119 to 121 this has required the updating of several drawings in the set. As such we have provide a complete set of drawings with the updates. Please see attached a revised set of drawings numbers 41901-01-000 to 710.

Item 3 Requirement of ROL Conditions for Retaining Structure

A. Retaining walls on private land

- a. Retaining walls on private land must be of concrete sleeper construction and generally comply with the heights, locations and tiering extent indicated in the drawings listed below:

Drawing Title	Author	Date	Drawing No.	Ver
Retaining Wall Heights	Zone	03.12.20	L19124 – A101 to A105; Sheets 1-5	C

- b. Concrete sleeper retaining walls that face a public street must be a dark grey colour (standard concrete colour is not acceptable) and have a split face, stone, or wood pattern finish (unless otherwise approved by Council). These requirements also apply to the upper eastern facing retaining wall on lot 119, 120 and 121.
- c. Concrete sleeper retaining walls along the rear boundary of Lot 110 – 118 must be a dark grey colour (standard concrete colour is not acceptable) and have a split face, stone or wood pattern finish (unless otherwise approved by Council).
- d. All other concrete sleeper retaining walls must have a dark grey colour (standard concrete colour is not acceptable).
- e. Tiered retaining walls must have a minimum bench width of 1 metre, measured from the face of the lower retaining wall to the face of the upper retaining wall.
- f. Footings of the single tiered retaining wall must be setback a minimum 0.2 metres from the property boundary as required by the Land Development Guidelines (LDG) of City Plan (unless otherwise required for landscape treatments).

B. Design outcome for Lot 121

- a. Retaining walls must be constructed in accordance with the following requirements:
- i. Retaining walls for Lot 121 on private land must be of concrete sleeper construction and generally comply with the heights, locations and tiering extent indicated in the drawings listed below:

Drawing Title	Author	Date	Drawing No.	Ver
Lot 121 – Option 2	Mortons Urban Solutions	03.06.22	41901-ALL-SK002	A

- ii. *Include a single tier retaining wall up to 2.3 metres in height.*
 - iii. *Concrete sleeper retaining walls along the southern and western interface of Lot 121 must be a dark grey colour (standard concrete colour is not acceptable) and have a split face, stone, or wood pattern finish (unless otherwise approved by Council).*
 - iv. *Concrete sleeper retaining walls along the eastern interface of Lot 121 must have a dark grey colour (standard concrete colour is not acceptable).*
- a. *Provide a 5.5 metre wide verge (adjacent to Road No. 4) to facilitate a 1 metre wide public landscaping buffer adjacent to the property boundary to screen the retaining wall. The landscape buffer is to be delivered at the cost of the developer and maintained until the off-maintenance period by when it will be transferred to Council for on-going maintenance.*
 - b. *Footings of the single tiered retaining wall must be setback a minimum 0.2 metres from the property boundary as required by the Land Development Guidelines (LDG) of City Plan (unless otherwise required for landscape treatments).*
 - c. *Maintain the requirement to provide street trees in the verge (as required by Condition 25 – Landscaping works within public open spaces).*
 - d. *Fencing must be provided atop the single tier retaining wall that is a maximum 1.8m height, constructed of hardwood posts, hardwood rails and 50mm hardwood battens, with a 50mm gap between the battens; the fence must be coated with an exterior timber stain or oil.*

Please refer to drawing No 41901-01-064 Rev B for the retaining walls located on Lot 121 with details relating to colour and type nominated on the 41901-01-070 Rev B. The 5.5m wide road reserve has been nominated and shown on drawing 41901-01-100 Rev C, we note fencing will be addressed as part of the landscape OPW.

C. Retaining Walls in Public Land

- a. *Obtain an operational works approval for Stage 1 for retaining walls within the road reserve adjacent to Lot 29-35 SP305728 generally in accordance with the height and location indicated in the drawings listed below, prior to a request is made to Council to approve the plan of subdivision for Stage 1 at no cost to Council:*

Drawing Title	Author	Date	Drawing No.	Ver
<i>Retaining Wall Heights</i>	<i>Zone</i>	<i>03.12.20</i>	<i>L19124 – A101 to A105; Sheets 1-5</i>	<i>C</i>

And include in particular:

- i. be Grade A standard sandstone block; and*
- ii. redesign the access interface to the fire / maintenance trail.*

Please refer to drawing No 41901-01-060 Rev B updating the wall type with details shown on 41901-01-070A Rev A. It is noted that the fire trail access has been revised to tie into the existing fire trail.

WATER & WASTE ASSESSMENT

Item 4 Sewer Reticulation Assessment

- a. *Sewer reticulation Plan Sheet 01 – 41901-01-500-A.
Confirm if structure 10/03 is a maintenance structure or a dead end cap. Update longitudinal section plan (sewer reticulation profiles sheet 03 – 41901-01-532 – A).*
- b. *Sewer reticulation profiles sheet 03 – 41901-01-532-A.
Drop (x) for structure 08/03 is not supported as it does not meet minimum invert depth requirements.*

Please refer to drawing No 41901-01-532 nominates structure 10/03 as a receiving manhole with a stub that has an endcap for future pump station in stage 2, we note that no changes have been made to this plan.

We note that the X drop nominated at 08/03 is for the branch line 6 which can be seen of sewer profile for line 6 on drawing No 41901-533 Rev B.

Item 5 Water Reticulation Assessment

- a. *Water reticulation Plan Sheet 01 – 41901-01-700-A.
Update "Project specific water notes" point (a) to include class of conduit.*
- b. *Water – General Comments
Show connection details drawing for live connection areas.*

Please refer to drawing No 41901-01-700 and 701 Rev B showing the updated water notes and details of the live connections.

ENVIRONMENTAL ASSESSMENT

Item 6 Amended Plans

Lot 1001 and 1002 are identified as Open Space for environmental conservation purposes. These lots are to facilitate fauna movement and protect matters of environmental significance on site. The submitted plans, titled Operational Works Stage 01, prepared by Mortons Urban Solutions, dated March 2023 indicate that earthworks occur in these lots. The applicant is requested to prepare and submitted amended earthworks plans to demonstrate that no earthworks are to occur in these lots.

We note that Condition 29a of the ROL Approval dated 20 June 2023 now overrides this request and therefore the plans have not been amended, please see below Condition 29a. The drawings provided are compliant with the ROL condition.

29	Batters associated with road corridors (<i>specific condition</i>) a All batters associated with the road corridor of Road 1 being an extension to Rangeview Road adjacent to Lot 1001 and Lot 1002 are required to demonstrate the following: i. Where is it is deemed necessary through a subsequent Operational works approval for Civil works for batters associated with the road corridor of Road 1 (extension of Rangeview Road) to extend into the adjoining Open space (Environmental) lots being 1001 and 1002, the extent of batters within Lot 1001 and Lot 1002 must be generally in accordance with Mortons Urban Solutions Preliminary Earthworks Plans (drawing reference 36001-PRE-105, Rev E dated 16/12/2021) and earthworks associated with the batters must be reflected within the approved rehabilitation management plan as per Condition 49.
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OPEN SPACE ASSESSMENT

Item 7 Overriding Approval

Provide a copy of the Decision Notice for COM/2019/82 and demonstrate compliance with COM/2019/82.

Please see attached a copy of the ROL Decision Notice date 20th June 2023 and as a consequence of this approval, we have updated the plans in accordance with the conditions of approval. Please see attached a revised set of drawings numbers 41901-01-000 to 710.

Item 8 Batters within Lot 1005

In pre-lodgement meeting discussions between the applicant and Council a batter design of maximum 1:2 batters of generally 2m high was agreed to, with a 1m bench in-between each batter, to facilitate safe pedestrian access for Council staff and contractors. Whilst this is generally in accordance with this design the applicant is requested to demonstrate the following:

- a. *No batters of a steeper grade than 1:2 within Park Lot 1005. All batters must be 1:2 or less;*
- b. *Provide a 1m wide maintenance access bench to any 1:2 batters that are 2m high;*
- c. *Include a 1m maintenance access bench provided between the change in batter grade at the 50m contour level; and*
- d. *Provide a 3m wide maintenance access track around the bio-basin.*

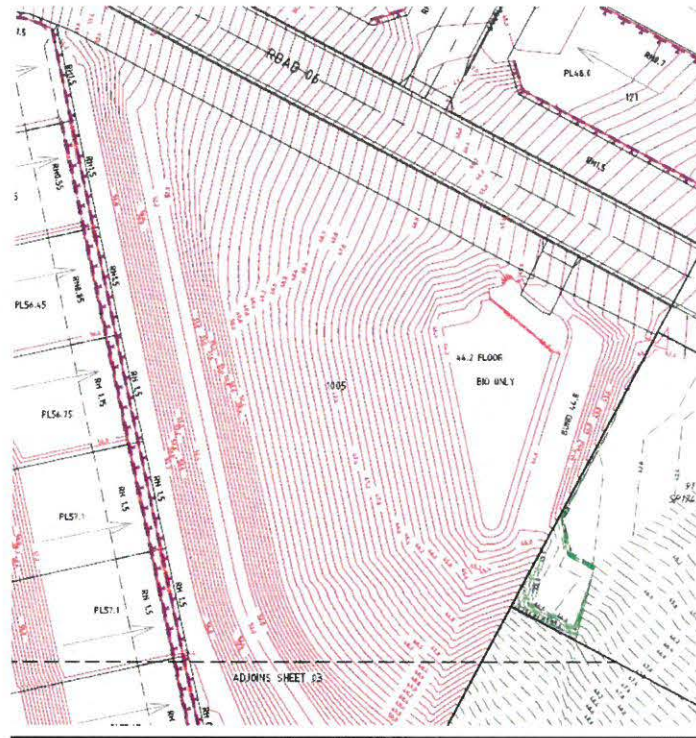


Figure 1: batters within Park Lot 1005.

During the ROL phase of the development approval, it was agreed within correspondence between Mr Antony Kocsmar and Mr Brad Comley dated 3rd September 2020, council advised the following:

"City officers have discussed the options presented for park lot 1005 and option 2 can be accepted from an Open Space assessment perspective. This however, does not negate the need for the applicant to demonstrate that compliant access can be achieved to the basin floor or perimeter in accordance with the Land Development Guidelines / Water by Design."

The following response by Mr Comley was provided in relation to basin access.

"LOT 1005"

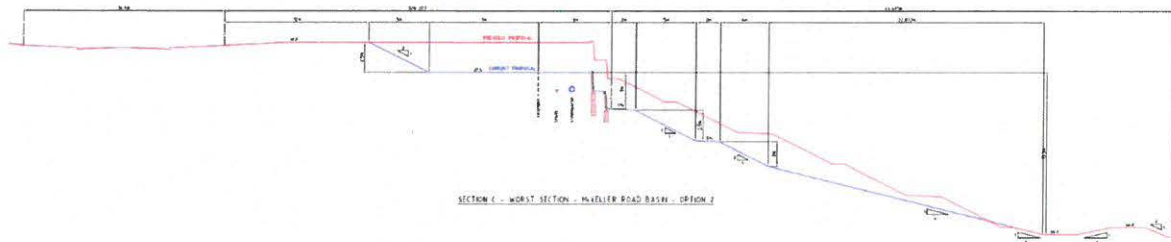
We acknowledge your acceptance of the Option 2 proposal for Lot 1005. We will ensure that this design is incorporated into the revised documentation.

With regards to access maintenance please refer to the attached Section C plan.

Access to Basin Floor

- Access to the basin floor is provided via a 2.5 m wide concrete 1:4 ramp (In accordance with Table 4.25 of the LDG); and
- Access to > 40% of the perimeter has been achieved via a combination of a 3 m wide basin bund and a 0.75 wide access bench. (In accordance with Table 4.26 of the LDG)."

Option 2 is shown below, and this is the basis of the current OPW design. As shown the maximum batter grade is 1:2 and the benches are provided as per the agreed position. Acceptance of this outcome has been reflected within the ROL decision notice under condition 25 being Safety Anchor points.



Section C is shown below:



The OPW drawings are consistent with the above access for the basin and are as per the Council's Land Development Guidelines.

Item 9 Batters within Drainage Reserve 1003

In pre-lodgement meeting discussions between the applicant and Council a batter design of maximum 1:2 batters of generally 2m high was agreed to, with a 1m bench in-between each In accordance with condition 26 of the overriding approval the applicant is requested to amend plans to ensure all batters associated with park lot drainage reserve Lot 1003:

- a. *Not extend into the adjacent Park lots dedicated for the purposes of recreation (non- trunk) or conservation.*
- b. *Batters associated with each Bio basin within the drainage reserve be fully contained within each lot.*

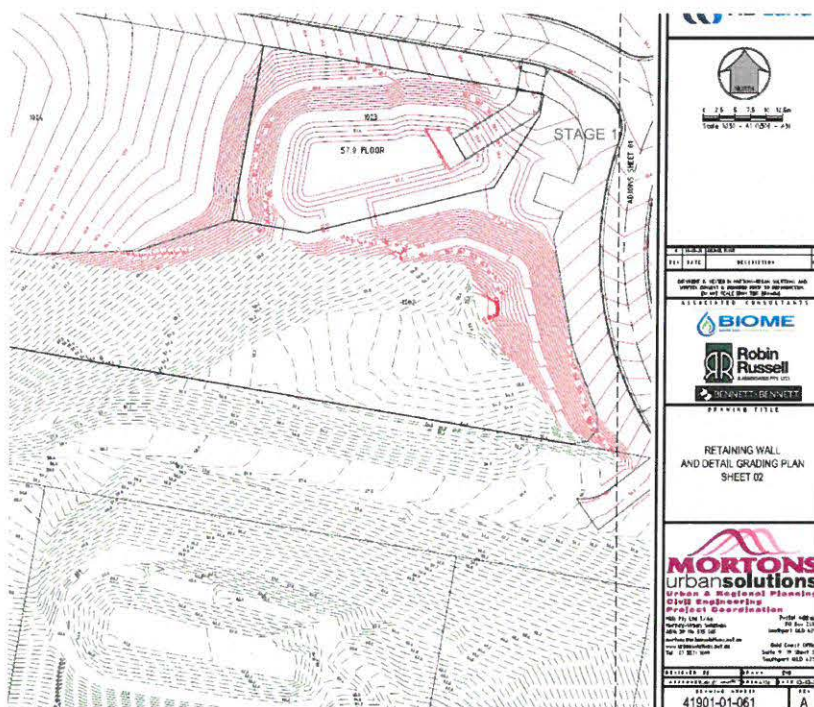


Figure 2: batters extending from Park Lot 1003 drainage reserve extending into Park Lot 1004

We note that Condition 28a of the ROL Approval dated 20 June 2023 now overrides this request and therefore the plans have not been amended as they are compliant with the condition. Please see below Condition 28a.

28	Batters within Drainage Reserves <i>(specific condition)</i>
a	All batters associated with Open space (Drainage) lots being Lot 1003 and Lot 1009 are required to demonstrate the following:
i.	Where it is deemed necessary through a subsequent Operational works approval for Civil works for batters to extend into the adjoining Open space (Environmental) lot being Lot 1002 and 1011, the extent of batters within adjacent lot 1002 and 1011 must be generally in accordance with Morton's Urban Solutions Preliminary Earthworks Plans (drawing reference 36001-PRE- 101-105, Rev E dated 16/12/2021) and earthworks associated with the batters must be reflected within the approved rehabilitation management plan as per Condition 49.

In addition to the above condition the client's planners provided correspondence and calculations to council confirming that the adjacent open space (lot 1004 and 1010) complied with the council's park design guidelines as parks provided have a grade of 1:10 or less for more than 80% of their total area, thus making the batter encroachment from lot 1003 acceptable.

In accordance with s13.2 of the DA Rules, we advise that we are providing a response to all the information requested and request that Council as the Assessment Manager continue to proceed with assessment of the application.

If you have any queries in relation to this matter, please telephone Ursula Weeks of our office on (07) 5571 1099.

Yours faithfully



John Harrison
Mortons – Urban Solutions
(UW)

Encl. Attachment 1:	QLeave Notification & Payment Confirmation
Attachment 2:	ROL Decision Notice dated 20 th June 2023
Attachment 3:	MUS Drawings 41901-01-000 to 710 and transmittal

c.c. HB Land Pty Ltd