Our reference: COM/2019/82
Your reference: Z16163

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

Date of decision notice: 15 June 2023

Applicant details

Applicant name:	HB QLD Pty Ltd
Applicant's contact details:	C/- Zone Planning Group PO BOX 3805 BURLEIGH HEADS QLD 4220

Application details

Application number:	COM/2019/82
Approval sought:	Development permit for Reconfiguring a lot (Impact assessment)
Details of proposed development:	5 into 208 lot subdivision (including 196 residential lots, 4 Open space (Environmental) lots, 5 Open space (Drainage) lots, 2 Open space (Recreation) lots and 1 utility lot)

Location details

Street address:	79 - 99 Courtney Drive, Upper Coomera Qld 4209
Real property description:	Lot 188 RP173728, Lot 189 RP173728, Lot 190 RP173728, Lot 191 RP173728, Lot 192 RP173728

Decision

Date of decision	9 June 2023
Decision details:	Under Delegated Authority, the Manager 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 approval	Development permit for Reconfiguring a lot (Impact assessment) for a 5 into 208 lot subdivision (including 196 residential lots, 4 Open space (Environmental) lots, 5 Open space (Drainage) lots, 2 Open space (Recreation) lots and 1 utility lot)

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:

- Application for Temporary Road / Footpath Closure to Open Cut Road – CoGC City Assets;
- Connections / disconnections: Application to work on the City's Infrastructure;
- Operational works – infrastructure;
- Operational works - landscape works (Private works);
- Operational works - vegetation clearing; and
- Permit for plumbing and drainage work

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

Properly made submissions

Properly made submissions were received. A list identifying the details of each principal submitter is attached.

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 four years.

Approved plans and drawings

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

Appeal rights

Applicant	You have appeal rights in relation to this decision. An appeal may be made against, as applicable: i the refusal of part of the development application; or ii a provision of the development approval; or iii 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.
Submitter (properly made)	You have appeal rights in relation to this decision. An appeal may be made against, as applicable: i the decision to give a development approval; or ii the decision to give an approval for a change application; or iii a provision of a development approval; or iv a failure to include a provision in the development approval.

	An appeal may be made to the extent that the decision or matter relates to, as applicable: i any part of the development application or change application that required impact assessment; or ii a variation request. An appeal must be started within 20 business days after this notice is given to you. An appeal may be made to the Planning and Environment Court. An appeal is started by lodging a notice of appeal with the registrar of the Planning and Environment Court. The notice of appeal must be in the approved form, succinctly state the grounds of the appeal and be accompanied by the required fee. An appellant to the Planning and Environment Court must give a copy of the notice of appeal, within 2 business days after the appeal is started, to the persons identified in section 230(3) of the *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.
Submitter (not properly made)	You do not have appeal rights in relation to this decision.

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

AUTHORISED BY

Adam Morris
Supervising Planner (North)
For the Chief Executive Officer
Council of the City of Gold Coast

enc:

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

Attach:

Stamped approved plans and drawings
Infrastructure charges notice for the approved development
List of principal submitters for properly made submissions
Appeal rights extracts

Conditions imposed by Assessment Manager

Reconfiguring a lot for 1 into 208 subdivision (196 residential lots, 4 open space (environmental) lots, 5 open space (drainage) lots, 2 open space (recreation) lots and 1 sewer pump station lot)

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 Plan sealing of all development stages much occur in a sequential order starting with Stage 1. Then Stage 2, Stage 3, Stage 4 and Stage 5.

Note: Other conditions within this development permit prescribe the specific timing requirement for the transfer of public assets and decommissioning of Park Lot 1012.

2 **Approved drawings**

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

Drawing Title	Author	Date	Drawing No.	Ver
Plan of Proposed Subdivision Overall – Courtney Drive, Upper Coomera (Described as Lots 188-192 on RP173728)	Bennett & Bennett	20/04/2023	171101_021_PRO	E
Plan of Proposed Subdivision Stage 1 – Courtney Drive, Upper Coomera (Described as Lots 188-192 on RP173728)	Bennett & Bennett	20/04/2023	171101_021_PRO	E
Plan of Proposed Subdivision Stage 2 – Courtney Drive, Upper Coomera (Described as Lots 188-192 on RP173728)	Bennett & Bennett	20/04/2023	171101_021_PRO	E
Plan of Proposed Subdivision Stage 3 – Courtney Drive, Upper Coomera (Described as Lots 188-192 on RP173728)	Bennett & Bennett	20/04/2023	171101_021_PRO	E
Plan of Proposed Subdivision Stage 4 – Courtney Drive, Upper Coomera (Described as Lots 188-192 on RP173728)	Bennett & Bennett	20/04/2023	171101_021_PRO	E
Plan of Proposed Subdivision Stage 5 – Courtney Drive, Upper Coomera (Described as Lots 188-192 on RP173728)	Bennett & Bennett	20/04/2023	171101_021_PRO	E

The conditions of this approval are to be read in conjunction with the attached stamped approved drawings. Where a conflict occurs between the conditions of this approval and the stamped approved drawings, the conditions of this approval shall take precedence.

3 **Approved Plans – Bushfire**

Undertake and maintain the development generally in accordance with the following plans, except where amended by the conditions below:

Hydraulics and Water Quality				
Plan Title	**Author**	**Date**	**Plan Reference No.**	**Ver**
Bushfire Management Plan, 79-99 Courtney Drive, Upper Coomera, Lots 188-192 on RP173728	Wollemo Eco-Logical Pty Ltd	31 March 2023	20130	V9

In particular:

i. Ensure that setbacks on all lots are in accordance with the specifications of Table 5: BAL Minimum Setback Requirements Summary – APZ's of the bushfire management plan.

4 **Approved Plans – Geotechnical Engineering**

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

Geotechnical Engineering				
Plan Title	**Author**	**Date**	**Plan Reference No.**	**Ver**
Geotechnical Report, Broadscale Geotechnical Investigation and Landslide Risk Assessment for Proposed Residential Subdivision, End of Courtney Drive, Upper Coomera	Pacific Geotech	10 January 2023	PG-4116A, 2022-12-13, GR VER 1	1

5 **Approved Plans – Hydraulics and water quality**

Undertake and maintain the development generally in accordance with the following plans, except where amended by the conditions below:

Hydraulics and Water Quality				
Plan Title	**Author**	**Date**	**Plan Reference No.**	**Ver**
Stormwater Management Plan, 79-99 Courtney Drive, Upper Coomera, Gallery Homes, November 2020, BC-16090	Biome Consulting Pty Ltd	16 November 2020	BC-16090	Version 3

The following amendments must be included:

i. For Basin D provide a heavy duty concrete ramp to the basin in lieu of the reinforced turf.

ii. Set the invert of the inlet pipe a minimum of 100mm above the surface level of the bioretention filter media

iii. For each combined bioretention and detention basin provide a non-return flap on all the subsoil pipes entering the detention control pits.

6 **Bushfire Management Plan** *(specific Condition)*

	Ensure the approved Bushfire Management Plan being "Bushfire Management Plan, 79-99 Courtney Drive, Upper Coomera, Lots 188-192 on RP173728, reference number 20130, Version 9 dated 31 March 2023 prepared by Wollemo Eco-Logical Pty Ltd" is to be supplied to each new lot owner upon the purchase of a property within the development.
7	**Bushfire Setback Covenant** *(specific Condition)* a Register an instrument of covenant with respect to bushfire setbacks on Lots 101, 216 to 223. i The purpose of the covenant is to ensure no habitable structures are built within the bushfire mitigation setback areas. b The details of the covenant must include: i The extent of the covenant area – preferably with reference to an approved drawing, or metes and bound description. ii What restrictions/ obligations apply with respect to the land the subject of the covenant – with reference to section 97A of the Land Title Act 1994 where the land is freehold. c Register the covenant at the same time as registering the plan of subdivision for each relevant stage.
Trunk Development Infrastructure	
8	**Necessary trunk infrastructure (not identified in the LGIP)** a Provide the following necessary trunk infrastructure (not identified in the LGIP), in accordance with the specified standard of service prior to a request is made to Council to approve the plan of subdivision: i. Sewer infrastructure from Courtney Drive through the site along Lot 186 RP173728 and Lot 187 RP173728 to connect to the Council's existing sewer network at Richardson Crescent generally as per the following asset identification numbers: • GPI34 – 150mm sewer main • GPI08B – 225mm sewer main • GPI08A (partial) – 225mm sewer (*in order to connect GPI08 to the existing sewerage network in Richardson Crescent)*

LGIP infrastructure item identified	Desired Standard of Service	Drawing Title & Drawing No	Author	Date	Ver
Sewer infrastructure	City Plan 4.4.2	Pimpama Sewerage Catchment Map Sheet D1_3 - 12.001 Page 12 of 15	Water and Waste	15 Nov 2019	1

b Comply with the process to provide the necessary trunk infrastructure contained within Schedule 1 of the Council of the City of Gold Coast Charges Resolution – "Schedule 1 – Process if the Council requires the cost of works to be determined through a tender process."

Note:

All other development infrastructure not identified above is non-trunk development infrastructure unless otherwise stated in another condition.

9	**Extra payment condition** a Pay to Council extra trunk infrastructure costs in the amount of $220,155.09, prior to registering the plan of subdivision of Stage 1 or the commencement of the use of Stage 1, whichever is the sooner.

b This condition has been imposed as the development will require additional emergency storage at sewer pump station SPS PA1 in the 2037 to 2066 Planning Horizon.

c The details of the trunk infrastructure for which the additional payment is required, are as follows:

i extra trunk infrastructure costs = base unit cost of emergency storage x V x adjustment factor x ((1+i)^n), where:

V = 19.14 kL, i.e., additional volume of emergency storage required (kL)

Base unit cost of emergency storage = 4,066.18 ($/kL) (calculated using Equation 13 of the Water and Sewerage Infrastructure Plan Detailed Cost Analysis (2014))

Adjustment factor = 1.5 (for overhead and contingency allowance)

i = 2.57% - indexation (10-year average of ABS 6247 roads and bridges index 3101 Queensland Table 17)

n = 25, i.e., the number of years the cost is being bought forward, from the beginning of the planning horizon year in which the additional storage is needed 2037, less the year the cost estimates rates were calculated from (2012).

d Instead of making the payment, elect to provide all or part of the trunk infrastructure detailed above. If this election is made, the requirements for providing the trunk infrastructure, and when it must be provided, are as follows:

i Be in accordance with the Water Supply Code of Australia – SEQ Service Providers Edition and WSAA Gravity Sewerage Code of Australia SEQ Service Providers Edition.

ii The construction of extra emergency storage of 19.14 kL at SPS PA1 is to be completed prior to registering the plan of subdivision of Stage 1 or the commencement of the use of Stage 1, whichever is the sooner

iii Construction must be coordinated with Council and with any upgrade identified in Council's Water Supply and Sewerage Infrastructure Plan for sewer pump station SPS PA1

iv The additional payment cost will be recalculated at time of payment to take into consideration changes to the unit cost rate for emergency storage, indexation and number of years between the base establishment coast and the years of payment.

Property

10 **Land transfer**

a Transfer at no cost to Council, the land identified below:

Land to be dedicated	Purpose	Drawing Title & Drawing No.	Author	Date	Ver
Lot 1001 (Environmental) 1261m^2 (Stage 1)	Conservation	Plan of Proposed Subdivision Overall Courtney Drive, Upper Coomera (Described as Lots 188-192 on RP173728), 171101_021_PRO	Bennett and Bennett	20/04/2023	E

Lot 1002 (Environmental) 3358m^2 (Stage 1)	Conservation	Plan of Proposed Subdivision Overall Courtney Drive, Upper Coomera (Described as Lots 188-192 on RP173728), 171101_021_PRO	Bennett and Bennett	20/04/2023	E
Lot 1003 (Drainage) 1005m^2 (Stage 1)	Drainage Reserve	Plan of Proposed Subdivision Overall Courtney Drive, Upper Coomera (Described as Lots 188-192 on RP173728), 171101_021_PRO	Bennett and Bennett	20/04/2023	E
Lot 1004 (Recreation) 3102m^2 (Stage 1)	Recreation – non trunk	Plan of Proposed Subdivision Overall Courtney Drive, Upper Coomera (Described as Lots 188-192 on RP173728), 171101_021_PRO	Bennett and Bennett	20/04/2023	E
Lot 1005 (Drainage) 3456m^2 (Stage 1)	Drainage Reserve	Plan of Proposed Subdivision Overall Courtney Drive, Upper Coomera (Described as Lots 188-192 on RP173728), 171101_021_PRO	Bennett and Bennett	20/04/2023	E
Lot 1006 (Drainage) 1.023ha (Stage 2)	Drainage Reserve	Plan of Proposed Subdivision Overall Courtney Drive, Upper Coomera (Described as Lots 188-192 on RP173728), 171101_021_PRO	Bennett and Bennett	20/04/2023	E
Lot 1007 (Conservation) 4700m^2	Conversation	Plan of Proposed Subdivision Overall Courtney Drive, Upper Coomera (Described as Lots 188-192 on RP173728), 171101_021_PRO	Bennett and Bennett	20/04/2023	E
Lot 1008 (Environmental)	Conservation	Plan of Proposed Subdivision Overall Courtney	Bennett and	20/04/2023	E

16226m^2 (Stage 3)		Drive, Upper Coomera (Described as Lots 188-192 on RP173728), 171101_021_PRO	Bennett		
Lot 1009 (Drainage) 3532m^2 (Stage 4)	Drainage Reserve	Plan of Proposed Subdivision Overall Courtney Drive, Upper Coomera (Described as Lots 188-192 on RP173728), 171101_021_PRO	Bennett and Bennett	20/04/2023	E
Lot 1010 (Recreation) 1344m^2 (Stage 4)	Recreation – non trunk	Plan of Proposed Subdivision Overall Courtney Drive, Upper Coomera (Described as Lots 188-192 on RP173728), 171101_021_PRO	Bennett and Bennett	20/04/2023	E
Lot 1011 (Environmental) 6042m^2 (Stage 4)	Conservation	Plan of Proposed Subdivision Overall Courtney Drive, Upper Coomera (Described as Lots 188-192 on RP173728), 171101_021_PRO	Bennett and Bennett	20/04/2023	E
Lot 1012 (Utility – Pump Station) 181m^2 (identified in Stage 4 however, will not be transferred until plan sealing of Stage 5 is complete and the infrastructure is decommissioned) (see Condition 27)	Utility	Plan of Proposed Subdivision Overall Courtney Drive, Upper Coomera (Described as Lots 188-192 on RP173728), 171101_021_PRO	Bennett and Bennett	20/04/2023	E

b Transfer the land identified above at the same time as registering the plan of subdivision for each relevant stage with the exception of:

i. Lot 1006 cannot be accepted off maintenance until plan sealing of Stage 3 has occurred. To be clear, 1006 cannot be handed over to Council until all works associated with the transfer of Lot 1007 has been completed

ii. Lot 1012 cannot be transferred until the time of registering the plan of subdivision for Stage 5 as referenced in Condition 27 – Decommission Park Lot 1012.

iii. The Applicant must maintain all future public open space until such time they are transferred to Council and accepted off maintenance.

c This condition attaches to the land the subject of the development approval and binds the owner(s) of the land and the owners' successors in title (even after the time when the land transfer is required to be registered). Therefore, if this condition is not complied with at the time required by this condition, the owner(s) of the land and other owners' successors in title continue to be obligated to transfer the land in accordance with this condition and must do so within 40 business days of becoming aware on the non-compliance with this condition.

11 **Requirement to register easement**

a Register the following easements in favour of Council for the purpose stated below in accordance with the WSAA Gravity Sewerage Code of Australia – SEQ Edition.

i "Sewerage" easement wide over all proposed gravity sewerage infrastructure within private property

ii "Sewerage" easement minimum 1m wide from a proposed lot's front property boundary to connect to any sewerage easement at the rear of a proposed lot for any lot that contains a maintenance structure. This easement is to facilitate access to the infrastructure

12 **Requirement to register easement/s**

a Register an easement for drainage in favour of Council where inter-allotment drainage is required specifically for Lot 119-121 and Lot 193 generally in accordance with the drawings listed below:

Drawing Title	Author	Date	Drawing No.	Ver
Plan of Proposed Subdivision Overall – Courtney Drive, Upper Coomera (Described as Lots 188-192 on RP173728)	Bennett & Bennett	20/04/2023	171101_021_PRO	E

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) must be fully completed and signed by the owner of the burdened land and benefitting land and submitted with the plan when the plan is submitted to Council for endorsement.

c Registration of the easement must occur at the same time as registering the plan of subdivision for the applicable stage

d Ensure infrastructure is positioned in the centre of the easement.

e This condition attaches to the land the subject of the development approval and binds the owner(s) of the land and the owners' successors in title (even after the time when the easement is required to be registered). Therefore, if this condition is not complied with at the time required by this condition, the owner(s) of the land and the owners' successors in title continue to be obligated to register the easement in accordance with this condition and must do so within 40 business days of becoming aware on the non-compliance with this condition.

13 **Restrictions regarding Council easements and sewer and water supply 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 1 metre 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), with the exception of maintenance structures which must have unobstructed vertical clearance.
14	**Temporary Pump Station for Stages 2, 3 & 4** *(specific Condition)* a Construct a temporary pump station in the low point of the site (adjacent to Yuan Creek) which will pump to the top of MacKellar Dr and then gravitate into the existing Gordon Dr network. Temporary pump station to be constructed at no cost to Council. b Council will receive the temporary pump station as a 'gifted asset' and the Developer will provide a bond to cover the maintenance costs prior to its decommissioning. c Council will own and maintain the temporary pump station until decommissioning. Note: Refer to Condition 43 – Sewer reticulation
15	**Sewer Pump Station Decommissioning Plan & Gravity Sewer Construction Plan** *(specific Condition)* a Prepare and submit to Council a Sewer Pumping Station Decommissioning Plan, a Gravity Sewer Construction Plan and a quote outlining the costs of undertaking all the works outlined in the Plans certified by an RPEQ prior to survey plan endorsement of Stage 5 to the satisfaction of Council Officer's. b The Sewer Pumping Station Decommissioning Plan must include all aspects of the decommissioning process including, but not limited to, removal of any components from site, earthworks and site remediation, rising main decommissioning. c The Gravity Sewer Construction Plan must include all works associated with the construction of the future gravity sewer connection for the development. This is to include, but not limited to, design plans depicting the alignment, pipe materials and fittings as well as the connection details. d The quote provided must use current unit rates and be certified by an appropriately qualified RPEQ.
16	**Developer's Contribution for Temporary Sewer Pump Station** *(specific Condition)* a Provide contribution to Council in the form of an unconditional and irrevocable bank guarantee or cash in the amount as calculated from the QP-2243 planning assumptions to cover the operation and maintenance of the temporary pump station until the ultimate gravity solution is provided and the temporary sewer pump station and associated infrastructure is removed. b The contribution is to be calculated on 10 years of Operational and Maintenance costs (O&M) comprised of: i Annual O&M cost = 3% of capital value +(35x total installed kw) and ii Energy Cost; energy cost depends on site size. ➢ Small sites (<100MWh): 2021-22 - $0.27/kWH ➢ Large sites (>100MWh): 2022 - $0.22/kWH Note: The cost to be adjusted to add in the escalation year to date and the inflation. c. Provide the contribution prior to an 'on maintenance' inspection.
Amenity	
17	**Fixed screening requirements** (*specific condition)* a Screening must be provided to the sewer pump station and all electrical pad mounts.

	b Screening must be constructed using high quality materials and be located outside of any easement areas, to the satisfaction of Council. c The screening must not prevent necessary and convenient access for ongoing maintenance.
18	**Lighting to ensure pedestrian and community safety** *(specific condition)* Install and maintain lighting within the site boundary for all outdoor activity 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	
19	**Vegetation clearing** Obtain an operational works approval for vegetation clearing in accordance with the Vegetation management code of the City Plan, prior to the commencement of any works at no cost to Council and include in particular: i The approved MCU/ROL drawing. ii The approved bushfire management plan. iii A fauna management plan. iv A vegetation management plan. v A sediment and erosion control and construction management plan. vi A letter from a Department of Environment and Science (DES) approved spotter catcher and any necessary fauna management plan or a DES endorsed fauna translocation management plan.
20	**No damage to retained vegetation** Ensure all other existing vegetation is retained and not disturbed or damaged during implementation of the approved works.
21	**Landscaping works on private land** a Obtain an operational works approval for each relevant stage to landscape the parts of the site described below prior to a request is made to Council to approve the plan of subdivision of each relevant stage at no cost to Council and include in particular: i The extent of the required landscaping includes: a. Any entry statements/signage walls on private land. b. Planting to batters on lots 101, 222, 223, 217, 218, 221, 243, 291, 229-233, 295, 288-290. c. Planting to the benches within the tiered retaining walls wherever tiered retaining occurs. d. Frontage fencing where retaining walls face the street and the retaining walls exceed 1m height. e. Fencing for Lots 119-121 along the rear boundary where retaining exceeds 1m height. ii Planting to retaining wall tiers must include screening shrubs. iii Planting must be in accordance with the approved Bushfire Management Plan

iv Where retaining walls face the street and exceed 1m height, frontage fencing must be proposed atop the walls that incorporates a higher level of visual amenity than standard timber paling fencing; colours must be selected to complement the retaining wall colour and architectural improvements must be nominated (e.g., random battens). Where tiered retaining walls face the street, the fence must be located atop the upper retaining wall.

v Where retaining walls along the rear boundary interface with the adjoining properties (Lots 119-121) and exceed 1m height, rear fencing must be proposed atop the walls that incorporates a higher level of visual amenity than standard timber paling fencing; colours must be selected to complement the retaining wall colour and architectural improvements must be nominated (e.g., random battens). Where tiered retaining walls interface with the properties at the rear for Lots 119-121, the fence must be located atop the upper retaining wall.

vi Shrub species must be a minimum 200mm pot size at the time of planting.

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

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

c Carry out a 1 year maintenance period for the landscaping in tiered retaining walls that face the street and to the batter on lot 101 in accordance with the approved landscape plans; this maintenance period must be completed prior to approval of the plan of subdivision unless otherwise subject to an approved maintenance bond.

22 **Retaining walls on private land** *(specific Condition)*

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 / plain unfinished 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 / plain unfinished 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 / plain unfinished 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).

23 **Design outcome for Lot 121** *(specific condition)*

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 easter interface of Lot 121 must be a dark grey colour (standard / plain unfinished 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 / plain unfinished concrete colour is not acceptable).

b. 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 private 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.

c. Footings of the single tiered private 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.

d. Maintain the requirement to provide street trees in the verge (as required by Condition 25 – Landscaping works within public open spaces).

e. 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

24 **Landscaping works within public open spaces**

a Obtain an operational works approval for each relevant stage to landscape all public open space generally in accordance with the Statement of Landscape Intent listed below, prior to a request is made to Council to approve the plan of subdivision for each relevant stage at no cost to Council:

Drawing Title	Author	Date	Drawing No.	Ver
79-99 Courtney Drive, Upper Coomera, Qld SLI	Zone Landscape Architecture	November 2020	L19124	A
Open Space Management Plan 79-99 Courtney Drive, Upper Coomera	Biome	9 November 2020	BC-16090	3

and include in particular:

i Ensure street trees are planted within the road reserve of Courtney Drive and within the subject site in accordance with section 2.3 Street Tree Planting (page 9) of the SLI. *Eleaocarpus obovatus* to be substituted for *Melaleuca linarifolia* as a primary street tree.

ii Street trees located in accordance with City Plan Policy SC6.11.10 – Land development guidelines – Standard drawing 05-103 – Street tree planting set out guidelines for roadworks and City Plan Policy SC6.12.16 – Landscape works – Road Reserves

iii All street trees planted must be a minimum 100L bag size.

iv All vegetation species associated with the rehabilitation of the site to be in accordance with the approved rehabilitation plan.

v Vehicle exclusion bollards to be located on the boundary line between the road reserve and public open space in accordance with section 2.4 Fencing and Bollards plan (page 10 of the SLI).

vi Shade sail to be installed over the playground in Park Lot 1008.

vii Access infrastructure i.e., gates, bollards and fencing to be in accordance with SC6.11.10 – Land development guidelines Standard drawings

viii Details of fencing treatment to be utilised at the public/private interface, ensuring CPTED principles are demonstrated, unless where impractical i.e., acoustic fencing.

ix Cross sectional elevations of the public/private interface at a minimum of 4 different locations.

x Retention of existing vegetation.

xi Where trees are located near side boundaries or underground services, root containment systems must be utilised.

xii Trees must be a single-trunked canopy shade species able to attain a clear trunk height of 1800mm on maturity.

xiii Trees must be a minimum 2 metre distance laterally from the inlet gullies.

xiv All built structures and planning associated with an entry statement must be located within private property.

xv Provide annual maintenance costings for all landscape items on public land relevant to the development for the duration of the 'establishment' and 'on maintenance' periods.

xvi All batters treated in accordance with the Change to ground level and creation of new waterways code of the City Plan.

xvii Delete boardwalk shown in Park Lot 1009.

xviii Screening must be provided to the temporary sewer pump station and all electrical pad mounts. The screening must be constructed using high quality materials and be located outside of any easement area. The screening must not prevent necessary and convenient access for ongoing maintenance.

xix Pedestrian pathways within Park Lots to be 1.8m wide in accordance with SC6.11 – Land Development Guidelines (Table 5.12), not 1.5m wide as currently shown on SLI.

xx Within the first 1m of the higher order road reserve (road 4) immediately adjacent Lot 121, provide planting that will:

a. Include species arrangement and selection to provide coverage to at least ¾ of the height of the adjacent retaining wall and fence without hedging.

b. Include species arrangement and selection that will not grow wider than the space allocated and not require hedging to keep the footpath clear.

c. Include species arrangement and selection to maintain compliance with CPTED principles by not creating a place where a person could conceal themselves.

d. Where batters of drainage lots extend into adjacent conservation lots, these areas are to be in accordance with the approved Rehabilitation plan

b Construct and maintain the public open space identified above until the asset is accepted "off maintenance" by the City in accordance with the procedures in City Plan Policy SC6.11 – Land development guidelines, section 7 – Procedures.

c All works must be completed and approved by the City prior to plan sealing in accordance with the procedures in City Plan Policy SC6.11 – Land development guidelines, section 7 – Procedures.

25a **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

Retaining Wall Heights	Zone	03.12.20	L19124 – A101 to A105; Sheets 1-5	C

and include in particular:

i be Grade A standard sandstone block; and

ii redesign the access interface to the bushfire / maintenance trail

b The installation of retaining walls within the road reserve adjacent to Lot 29-35 SP305728 must not hinder access to the bushfire / maintenance trail

c All works must be completed and approved by the City prior to plan sealing of Stage 1 in accordance with the procedures in City Plan Policy SC6.11 – Land development guidelines, section 7 – Procedures.

25 **Safety anchor points Lot 1005** *(specific condition)*

a Safety anchor points to undertake safe maintenance access in accordance with the relevant Australian Standard within Park Lot 1005 and must include a safety fence located at the top and mid points of the batter run. The safety fence is to be designed in accordance with General Purpose Galvanised Tubular Handrail type fence on Standard Drawing No. 05-013 titled: Pedestrian barrier Galvanised Tubular Fencing. Final location and detail to be determined at Operational Works Public Landscape.

b All anchoring must be entirely within Lot 1005 and independent of any private structures / fencing on lots 110 - 118

26 **Decommissioning Park Lot 1012** *(specific condition)*

a The temporary Pump Station and all associated infrastructure within Park Lot 1012 must be removed prior to plan sealing of Stage 5.

b Park Lot 1012 must be amalgamated into Park Lot 1010 as one park for the purposes of recreation.

c An operational works public landscape application must be submitted for Park Lot 1012 addressing all rectification works to change the park function and purpose from a utility reserve to a non-trunk recreation park.

d Landscape embellishments (as a minimum) are to include bollards, turf and shade trees in accordance with City Plan policy SC6.11 – Land Development Guidelines.

e The operational works public landscape application must be submitted prior to the plan sealing of Stage 4 with all works carried out prior to plan sealing of Stage 5.

27 **Timing of dedication** *(specific condition)*

Lot 1006 cannot be accepted off maintenance until plan sealing of Stage 3 has occurred. To be clear, 1006 cannot be handed over to Council until all works associated with the transfer of Lot 1007 is completed and in off maintenance.

28 **Batters within Drainage Reserves** *(specific condition)*

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 Mortons 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.

29	**Batters associated with road corridors** *(specific condition)* 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 baters 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. b All batters associated with the road corridor of Road 4 adjacent to Lot 1008 are required to demonstrate the following: i. Where is it deemed necessary through a subsequent Operational works approval for Civil works for batters associated with the road corridor of Road 4 to extend into the adjoining Open space (Environmental) lots being 1008, 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-104, 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. c All batters associated with the eastern side of the Courtney Drive road corridor adjacent to Lot 1011 are required to demonstrate the following: i. Where is it deemed necessary through a subsequent Operational works approval for Civil works for batters associated with the eastern side of the Courtney Drive road corridor to extend into the adjoining Open space (Environmental) lots being 1011, the extent of batters within Lot 1011 must be generally in accordance with Mortons Urban Solutions Preliminary Earthworks Plans (drawing reference 36001-PRE-101, 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.
30	**Boundary fences** a Construct a boundary fence between open space/private land generally in accordance with section 2.4 Fencing and Bollards plan (page 10 of the SLI) and City Plan Policy SC6.11.5 – Land development guidelines – Public open space standards table 5.10. The boundary fence must be constructed prior to sealing of survey plans for the relevant stage. b The boundary fence must be: i A maximum of 1.2 metres in height if solid/non transparent construction; or ii A maximum of 1.8 metres in height if 50% transparent construction.
31	**Koala safe road design** *(specific condition)* Obtain an operational works approval for each relevant stage for the design and implementation of wildlife signage to minimise the risk of koala death or injury from vehicle strike in accordance with the Manual of Uniform Traffic Control Devices (MUTCD) prepared by the Department of Transport and Main Roads, prior to a request is made to Council to approve the plan of subdivision for each relevant stage: a Install High impact Wildlife Warning Sign with Target Board and 1300 ANIMAL (Koala) as recommended in the Transport and Road Use manual (TRUM) Volume 3, Part 8: Wildlife Signing Guidelines. a Install a minimum of two signs generally in accordance with the below locations: i. Stage 1 – adjacent to the southern boundary of the subject site within the road reserve adjacent to Lot 1002.

ii. Stage 4 – within the road reserve adjacent to Lot 1010 at the intersection with Road 7.

Engineering

32 Earthworks

a Obtain an operational works approval for each relevant stage for the design and construction of earthworks for proposed lots 139, 147, 160, 165, 168, 199, 217, 220, 226, 243, 248, 255 and 292 to achieve driveway access grades to the typical maximum designs as marked on the drawings listed below, prior to a request is made to Council to approve the plan of subdivision of each relevant stage at no cost to Council:

Drawing Title	Author	Date	Drawing No.	Ver
Driveway Grading Plan	Mortons Urban Solutions	09/11/2022	41901-ALL-SK004	A
Driveway Grading Typical Sections	Mortons Urban Solutions	13/02/2023	41901-ALL-SK005	C

and include in particular:

i The maximum gradient of the earthworks in the 5.5 metre setback areas for access to the lots listed above must not exceed the grades shown on the above listed drawings.

ii The earthworks must provide a minimum 4.0m wide formation area (to allow a 3.0 driveway) for access and must align with the proposed VXO location for the lots listed above, as shown on the above listed drawings.

b Construct the earthworks identified above at no cost to Council.

33 New roads

a Obtain an operational works approval for each relevant stage for the design and construction of new roads for each relevant stage marked on the drawings listed below prior to a request is made to Council to approve the plan of subdivision for each relevant stage at no cost to Council:

Drawing Title	Author	Date	Drawing No.	Ver
Plan of proposed subdivision overall Courtney Drive Upper Coomera	Bennet and Bennett	20/04/2023	171101-021-PRO	E

and include in particular:

i Road geometry (cross-section profile) and pavement depth for Roads 1 and 7 (and associated intersections) to a Residential Collector Street classification.

ii Road geometry (cross-section profile) and pavement depth for Roads 2 to 6, 8 and 9 to a Residential Access Street classification.

iii Both short access roads to lots 119 to 121 and lots 271 to 273 are to be constructed to a modified Residential Access Street classification, with one-way crossfall 5.5m wide carriageway on 12.5m wide road. The western verge being 2.5m in width and the eastern verge 4.5m in width (to accommodate both street trees and a 1.5m wide footpath).

iv Install physical barriers within both short access roads to lots 119 to 121 and lots 271 to 273 to restrict vehicular access vehicular access between Roads 4 and 8.

v The entries to both short access lanes are to be constructed as intersections with small kerb returns (3m maximum radius). Vehicular crossing type design is not acceptable.

vi All roads are required to have ‘barrier’ kerb and channel, including the short access

roads.

vii Kerb returns at all standard residential Access and Collector Street intersections are required to have a 6 metre maximum radius.

viii Road safety barriers to be provided for vehicle protection near steep embankments along frontages of proposed lots 1001, 1002 and 1005. The road safety barriers associated with Lot 1001 and Lot 1002 must be designed in a manner which does not impede maintenance access to unformed road / public drainage lots adjacent to southern property boundary of the premises.

b Construct and maintain the roads identified above at no cost to Council until the asset is accepted "off maintenance" by the City in accordance with the procedures in City Plan Policy SC6.11 – Land development guidelines.

34 Existing roads

a Obtain an operational works approval for the design and upgrade of Courtney Drive marked on the drawings listed below prior to a request is made to Council to approve the plan of subdivision for Stage 2 at no cost to Council:

Drawing Title	Author	Date	Drawing No.	Ver
Plan of proposed subdivision overall Courtney Drive Upper Coomera	Bennet and Bennett	20/04/2023	171101-021-PRO	E

and include in particular:

i Courtney Drive fronting the site (including to the northern end of lot 188 on RP173728) is required to be fully reconstructed (7.5m carriageway width) to a Residential Collector Street classification.

ii Barrier kerb and channel is required along the frontage of the site to Courtney Drive on the development side of the road (to the northern end of lot 188 on RP173728).

iii Barrier kerb and channel is required along the western side of Courtney Drive adjacent proposed lot 1006 and adjacent to lots 193 to 195 on RP173728. Note that an edge restraint on this bend in the road and in front of the stormwater detention basin is not acceptable.

iv Along the western side of Courtney Drive (adjacent lots 196 and 197 on RP173728), either a concrete edge restraint can be installed adjacent the 7.5m wide carriageway or a 1m wide sealed shoulder and line marked.

v Kerb returns at all intersections are required to have a 6 metre maximum radius.

vi Pavement depth must comply with a Residential Collector Street classification.

b Construct and maintain the road identified above at no cost to Council until the asset is accepted "off maintenance" by the City in accordance with the procedures in City Plan Policy SC6.11 – Land development guidelines.

35 Footpaths

a Obtain an operational works approval for each relevant stage for the design and construction of footpaths to the roads for each relevant stage marked on the drawings listed below, prior to a request is made to Council to approve the plan of subdivision at each associated stage (or as stated below) at no cost to Council:

Drawing Title	Author	Date	Drawing No.	Ver
Plan of proposed subdivision overall Courtney Drive Upper Coomera	Bennet and Bennett	20/04/2023	171101-021-PRO	E

and include in particular:

i 2 metre wide footpath required along one side of roads 2 to 9 and must be across the direct frontage of proposed lots 1002, 1003, 1004, 1007 and 1008.

ii 2 metre wide footpath required along the entire Northern side of Road 7.

iii 2 metre wide footpath required along at least one side of Roads 3, 4, 5, 6, 8 and 9.

iv 1.5 metre wide footpath linking Road 4 to Road 8 (adjacent to lots 119 to 121 and 271 to 273). Footpath is to be located within the Eastern verge. This verge is required to be 4.5m in width.

v 2 metre wide footpath required along one side of Mackellar Drive to the intersection of Gordon Drive (extension of the Road 4 footpath). This footpath must be provided prior to Council approving plan sealing for Stage 2.

vi 2 metre wide footpath required along Courtney Drive fronting the site (development side only starting at the northern end of lot 188 on RP173728). This footpath must be provided prior to Council approving plan sealing for Stage 2.

vii 2 metre wide footpaths required along both sides of Road 1.

viii 2 metre wide footpath required along the northern side of Rangeview Road (adjacent lot 999 on SP292346), linking the Road 1 footpath to the footpath at the intersection of Rangeview Road and Gordon Drive. This footpath must be provided prior to Council approving plan sealing for Stage 1.

b Construct and maintain the footpaths identified above at no cost to Council until the asset is accepted “off maintenance” by the City in accordance with the procedures in City Plan Policy SC6.11 – Land development guidelines.

36 Street lighting

a Install a street lighting system, including connections and energising to roads 1 to 9 and Courtney Drive fronting the site, marked on the drawings listed below prior to a request is made to Council to approve the plan of subdivision at each associated stage at no cost to Council.

Drawing Title	Author	Date	Drawing No.	Ver
Plan of proposed subdivision overall Courtney Drive Upper Coomera	Bennet and Bennett	20/04/2023	171101-021-PRO	E

b Obtain an operational works approval for the location of the street lights for each relevant stage.

c The street lighting system must:

i Achieve a minimum level of lighting in accordance with City Plan Policy SC6.11 – Land development guidelines.

ii Associated wiring must be installed underground.

iii Be acceptable to the electricity supplier (e.g., Energex) as ‘Rate 2 Public Lighting’.

iv Meet the requirements of the electricity supplier (e.g., Energex).

d Construct and maintain the street lighting system at no cost to Council until the asset is accepted “off maintenance” by the City in accordance with the procedures in City Plan Policy SC6.11 – Land development guidelines.

37 Electrical reticulation

Enter into a contractual agreement to design, construct and connect an electrical reticulation system at no cost to Council for each relevant stage of the subdivision and include in particular:

i Provide underground electricity to all proposed lots.

ii No additional poles and pole-mounted transformers are to be erected within public

	roads. iii Remove and place underground existing overhead electricity lines (up to and including 11kv lines) along the frontage of the site to Courtney Drive and traversing across Courtney Drive. iv Meet the requirements of the electricity supplier (e.g., Energex).
38	**Telecommunications network** Enter into a contractual agreement to design, construct and connect a telecommunications services network at no cost to Council for each relevant stage of the subdivision and include in particular: i Provide underground telecommunications to all proposed lots and pit and pipe infrastructure along public roads. ii 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. iii Meet the telecommunications industry standards (e.g., Telstra/NBN Co standards).
39	**Connection to Permanent survey marks** a Connect all proposed lots to permanent survey marks (PSM's) in accordance with City Plan Policy SC6.11 – Land Development Guidelines, and Guidelines for Creation and Submission of ADAC.xml Files. All proposed lots must be connected to at least 2 permanent survey marks for inclusion in the City of Gold Coast Contributed Assets register. b New permanent survey marks must comply with the requirements of City Plan Policy SC6.11 - Land Development Guidelines, and include in particular: i Be placed in locations to provide good coverage over the extent of the survey. ii Be levelled on the Australian Height Datum and fixed with horizontal coordinates to the Map Grid of Australia (MGA 94) to a suitable Horizontal Positional Uncertainty (PU) < 30mm or better, Conventional 4TH order for vertical accuracy in accordance with Department of Natural Resources and Mines guidelines. c Connect lots to permanent survey marks prior to a request is made to Council to approve the plan of subdivision for each relevant stage.
40	**Construction of vehicular crossing** a Prior to plan sealing of Stage 1, design and construct the vehicular crossing of Lot 119, 120 and 121 in a location consistent with Condition 2 – Approved plans, in accordance with the Driveways and vehicular crossings code of the City Plan. b Prior to plan sealing of Stage 3, design and construct the vehicular crossing of Lot 215, 216 and 217 in a location consistent with Condition 2 – Approved plans, in accordance with the Driveways and vehicular crossings code of the City Plan. c Prior to plan sealing of Stage 5, design and construct the vehicular crossing of Lot 270, 271, 272, 273, and 274 in a location consistent with Condition 2 – Approved plans, in accordance with the Driveways and vehicular crossings code of the City Plan. d Unless specified above, design and construct the vehicular crossing for each lot generally in accordance with the Driveways and vehicular crossing code of the City Plan.
41	**Rectification of Council's infrastructure** a Rectify any damage caused to Council infrastructure (including kerb, channelling, service pits, footpaths and water and sewer reticulation networks) prior to commencement of the use at no cost to Council. b Construct and maintain the rectified Council infrastructure at no cost to Council prior to commencement of the use.
Stormwater Drainage	
42	**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.
43	**Temporary Bioretention basin maintenance management plan** *(specific condition)* a Prepare and implement a temporary bioretention basin maintenance management plan (MMP) prior to plan sealing of each relevant stage. The temporary MMP must stay in place until such time as the bioretention basin associated with each relevant stage is accepted off-maintenance by Council. The MMP must be prepared by a Registered Professional Engineer Queensland (RPEQ) specialising in stormwater management in accordance with City Plan Policy SC6.11 City Plan Policy - Land Development Guidelines and with reference to the Water by Design document Maintaining Vegetated Stormwater Assets, Version 1 February 2012. b The MMP must include, but not necessarily be limited to, the following key information: i Design intent and description of the device(s). ii The location and specific dimensions of the device(s). iii Approved / designed water quality objectives. iv Water quality monitoring procedures. v Monitoring frequency. vi Specifications and procedures for device(s) maintenance. vii Plant and equipment access details for maintenance activities. viii Maintenance activity schedule defining frequency, area (m^2) per maintenance zone, hours, staff, plant and equipment, approximate costs per rotation, and per annum. ix Performance indicators / intervention levels / triggers for reactive maintenance. x Any necessary preventative maintenance measures. xi Acceptable solutions for specific items, i.e., acceptable plant species substitutions based on availability, hydraulic conductivity, water quality objectives, etc. xii Approximate lifecycle maintenance costs.
Sewer and Water Works	
44	**Sewer reticulation** a Obtain an Operational Works approval for each relevant stage for the design and construction of sewer reticulation system in order to connect each lot of the proposal to Council's sewer networks, generally as per the drawings listed below and prior to a request is made to Council to approve the plan of subdivision for each relevant stage, at no cost to Council and include in particular: The sewer servicing strategy for the proposed development is as follows: • Stage 1 – Sewer to gravitate to the east at the existing sewer infrastructure at Mackellar Drive into the existing Gordon Drive network as per the ultimate strategy. • Stages 2, 3 & 4 – Developer to construct, at no cost to Council, a temporary pump station in the low point of the site (adjacent to Yuan Creek) which will pump to the top of MacKellar Drive and then gravitate into the existing Gordon Dr network. • Stage 5 – Prior to plan sealing the last stage (i.e., Stage 5) of the development, the Developer shall remove the temporary pump station, decommission the rising main and deliver the ultimate gravity sewer connection to the east.

Drawing Title	Author	Date	Drawing No.	Issue

Sewer Reticulation Plan Sheet 01	*Morton Urban Solutions*	*13-04-22*	*41901-PRE-500*	B
Sewer Reticulation Plan Sheet 02	*Morton Urban Solutions*	*13-04-22*	*41901-PRE-501*	B
Sewer Reticulation Plan and Notes Sheet 03	*Morton Urban Solutions*	*16-12-21*	*41901-PRE-502*	F
Sewer Reticulation Plan and Notes Sheet 04	*Morton Urban Solutions*	*16-12-21*	*41901-PRE-503*	F
Sewer Reticulation Plan and Notes Sheet 05	*Morton Urban Solutions*	*16-12-21*	*41901-PRE-504*	F
Sewer Reticulation Plan and Notes Sheet 06	*Morton Urban Solutions*	*16-12-21*	*41901-PRE-505*	F

i. The operational works application for the temporary pump station must include submission of an Odour Impact Assessment Report for Council's review and approval.

ii. Provide a suitable end of line arrangement to facilitate subsequent stages to connect.

iii. Be in accordance with the WSAA Gravity Sewerage Code of Australia – SEQ Edition and the Water and Sewerage Connections Policy.

iv. The size of the sewer property service connections must be in accordance with Section 5.5.4 of the WSAA Gravity Sewerage Code of Australia – SEQ Service Providers Edition.

v. The sizing of the temporary pump station and the pressure sewer reticulation system must be in accordance with the WSAA Sewage Pump Station Code of Australia – SEQ Service Providers Edition.

vi. 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 screw-trap lid.

vii. Ensure all proposed buildings, deep landscaping, structures and footings are a minimum 1 metre clear of the property sewer connection.

viii. Remove / seal / cap redundant sewer property services.

Notes:

ix. An "Application Work on the City's infrastructure" form is required for the above works.

b Construct and maintain the sewer reticulation system at no cost to Council until the asset is accepted "off maintenance" by the City in accordance with the procedures in City Plan Policy SC6.11 - Land development guidelines, Section 6 – Water supply and sewerage reticulation standards, Section 7 – Procedures, Section 8.5 – As-constructed requirements, Section 9 - Specifications and Section 10 – Standard drawings.

45 **Water reticulation / connection**

a Obtain an Operational Works approval for each relevant stage for the design and construction of water reticulation system in order to connect each proposed lot to Council's potable water supply network, generally as per the drawing listed below and prior to a request is made to Council to approve the plan of subdivision, at no cost to Council and include in particular

Drawing Title	Author	Date	Drawing No.	Issue
Appendix 12. Water supply hydraulic model pipe layout	H2ONE PTY LTD	30 MAY, 2022	Appendix 12	E

i Provide a suitable end of line arrangement suitably located for subsequent stages to connect to.

ii Ensure the closed valves are highlighted on the Operational Works application drawings.

iii Be in accordance with the Water Supply Code of Australia – SEQ Service Providers Edition, and the Water and Sewerage Connections Policy.

iv The property service, water meter box and water meter must be provided fronting the lot it services. A connection application is required for these works.

v For a staged development, a property service water meter box and water meter (for construction purposes) must be provided for the subsequent stage prior to submitting to Council a request to approve plan sealing for the current stage.

vi Conduits are required to be installed to service the proposed development via trenchless technology (open cutting of the road is not permitted) to connect to Councils potable water supply network.

vii Water meters must be in accordance with the Metering Technical Specifications and Council's standard water meter drawings

viii Remove redundant water meters / connections.

Note:

An "Application Work on the City's infrastructure" form is required for the above works.

Solid Waste Management

46 **Temporary turn around at dead ends** *(specific condition)*

a Provide temporary turn arounds and any required temporary access easement at each dead end in the development which cater for the side lift waste collection vehicle to turn using a minimum 18m diameter cul-de-sac head at no cost to Council prior to a request is made to Council to approve the plan of subdivision of the relevant stage at no cost to Council.

b Turn around surface area must be constructed from an appropriate material capable of withstanding the fully loaded weight of the waste collection vehicle identified in City Plan Policy SC6.15 – Solid waste management.

47 **Bin bays** *(specific condition)*

Provide level concrete bins bays for the lots nominated as identified on the plans listed below prior to a request is made to Council to approve the plan of subdivision for each relevant stage at no cost to Council.

Plan Title	Author	Date	Plan Reference No.	Ver
Plan of Development Stage 1 Courtney Drive, Upper Coomera (Described as Lots 188-192 on RP173728)	BENNET + BENNET	20/04/2023	Sheet 2 of 6	E
Plan of Development Stage 5 Courtney Drive, Upper Coomera (Described as Lots 188-192 on RP173728)	BENNET + BENNET	20/04/2023	Sheet 6 of 6	E

Construction Management

48 **Certification of works - Bushfire Management**

Provide Council with certificates prepared by qualified expert(s) from the discipline(s) listed

below, confirming as follows:

Bushfire Management				
Certified document	**Certification date**	**Plan/ Drawing**	**Expert discipline**	**Requesting Council Section**
A compliance certificate statement	Prior to a request is made to Council to approve the plan of subdivision	Bushfire Management Plan for 77-99 Courtney Drive, Upper Coomera by Wollemi Eco-Logical dated 31 March 2023	A suitably qualified and experienced bushfire management consultant	Bushfire Assessment

The certification is to confirm:

Development is undertaken in accordance with the approved Bushfire Management Plan.

The certification is to also confirm:

i Specified Asset Protection / Radiation Zones are created and maintained between the building and the retained classified vegetation

ii Bushfire setback for Lots 101, and 216 to 223 are in accordance with the specifications of Table 5: BAL Minimum Setback Requirements Summary – APZ's of the bushfire management plan.

49 **Rehabilitation management plan**

a Obtain a Management Plan approval for each relevant stage for a Rehabilitation management plan generally in accordance with the Environmental significance overlay code of the City Plan and City Plan Policy SC6 – Environmental management plans, prior to any works commencing.

b The Rehabilitation management plan must be prepared by a suitably qualified professional.

c Implement the Rehabilitation management plan prior to plan sealing of each relevant stage at no cost to Council.

50 **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 a request is made to Council to approve the plan of subdivision for each relevant stage.	Endorsed Stormwater Management & Hydraulic Impact Assessment, 79-99 Courtney Drive, Upper Coomera, Gallery Homes, BC-16090"	Registered Professional Engineer Queensland (RPEQ)	Hydraulics & Water Quality

		prepared by Biome Consulting Pty Ltd, as identified within Condition 5		

The certification is to confirm:

Stormwater devices (quantity and quality) shown in the approved stormwater management plan and associated design drawings have been installed on-site in accordance with Council's approved stormwater management plan and are functioning as designed for each relevant stage.

Hydraulics and Water Quality

Certified document	Certification date	Plan/ Drawing	Expert discipline	Requesting Council Section
Engineering design drawing	At the time of lodgement of any development application for operational works (works for infrastructure) for each relevant stage	Endorsed Stormwater Management & Hydraulic Impact Assessment, 79-99 Courtney Drive, Upper Coomera, Gallery Homes, BC-16090" prepared by Biome Consulting Pty Ltd, as identified within Condition 5	Registered Professional Engineer Queensland (RPEQ)	Hydraulics and Water Quality

The certification is to confirm:

Submitted engineering drawings accurately reflect the stormwater management devices and drainage layout contained within the approved stormwater management plan for each relevant stage.

51 **Erosion and sediment control plan**

a Obtain a Management Plan approval for an Erosion and sediment control plan for each relevant stage generally in accordance with the Healthy waters code, City Plan Policy SC6.11 - Land development guidelines and State Planning Policy, July 2017 requirements, prior to any works commencing.

b The Erosion and sediment control plan must be prepared by a suitably qualified professional and include in particular:

i Demonstrate sediment control structures (e.g., sediment fence) will be placed at the base of all materials on site to mitigate any sediment runoff.

ii Demonstrate a perimeter bund and / or diversion drain will be constructed around the disturbed area to prevent any outside clean stormwater from mixing with polluted / contaminated stormwater.

iii The sediment basin(s) proposed for the construction phase is designed in accordance with Appendix B – Revision June 2018 of the Best Practice Erosion & Sediment Control (IECA Australasia, November 2008).

iv The sediment basin is designed to a standard which would achieve at least 80% of the average annual runoff volume of the contributing catchment treated (e.g., 80% hydrological effectiveness, Refer to SP 2017 Appendix 2 Table A)

v The sediment basin(s) and associated structures such as inlets, outlets and spillways are designed and constructed to be structurally sound for a 10% AEP rainfall event under normal circumstances.

vi A high-flow bypass system is included (if necessary) to prevent any potential re-suspension of accumulated sediment from the basin during major storm events.

vii Accumulated sediment from basins and other controls is removed within two months and disposed of appropriately without causing water contamination.

viii Demonstrate all polluted / contaminated water from the site, including dewatering discharge, will be 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.

ix Demonstrate all inspections for erosion and sediment control measures will be in accordance with the compliance procedures in City Planning Policy SC6.11 – Land development guidelines, section 4.5.17.1.2 – Compliance.

52 **Certification of works - Geotechnical Engineering**

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

Geotechnical Engineering

Certified document	Certification date	Plan/ Drawing	Expert discipline	Requesting Council Section
Retaining structures design	Prior to commencement of any works for each relevant stage	-	Registered Professional Engineer of Queensland (RPEQ) specialising in geotechnical engineering	Geotechnical Engineering

The certification is to confirm:

i All retaining structures on site / within each relevant stage are designed based on existing geotechnical conditions of the site taking into account all predicted surcharge loading.

ii All designed retaining structures on site / within each relevant stage achieve adequate stability with a long term factor of safety greater than or equal to 1.5 against geotechnical failure.

Geotechnical Engineering

Certified document	Certification date	Plan/ Drawing	Expert discipline	Requesting Council Section
Retaining structures construction	Prior to a request is made to Council to approve the plan of subdivision for each relevant stage		Registered Professional Engineer of Queensland (RPEQ) specialising in geotechnical engineering	Geotechnical Engineering

The certification is to confirm:

All constructed retaining structures on site / within each relevant stage achieved adequate stability with a long term factor of safety greater than or equal to 1.5 against geotechnical failure.

Geotechnical Engineering				
Certified document	**Certification date**	**Plan/ Drawing**	**Expert discipline**	**Requesting Council Section**
Batters design	Prior to commencement of any works for each relevant stage	-	Registered Professional Engineer of Queensland (RPEQ) specialising in geotechnical engineering	Geotechnical Engineering

The certification is to confirm:

All cut / fill batters associated with the proposed development for each relevant stage have been designed to achieve a long term factor of safety greater than or equal to 1.5 against failure.

Geotechnical Engineering				
Certified document	**Certification date**	**Plan/ Drawing**	**Expert discipline**	**Requesting Council Section**
Batters construction	Prior to a request is made to Council to approve the plan of subdivision for each relevant stage	-	Registered Professional Engineer of Queensland (RPEQ) specialising in geotechnical engineering	Geotechnical Engineering

The certification is to confirm:

All constructed cut / fill batters associated with the proposed development for each relevant stage have achieved a long term factor of safety greater than or equal to 1.5 against failure.

Geotechnical Engineering				
Certified document	**Certification date**	**Plan/Drawing**	**Expert discipline**	**Requesting Council Section**
Post-construction certification	Prior to a request is made to Council to approve the plan of subdivision for each relevant stage	-	Registered Professional Engineer of Queensland (RPEQ) specialising in geotechnical engineering	Geotechnical Engineering

The certification is to confirm:

All landslide risk mitigation measures recommended in the geotechnical report titled:

"Geotechnical Report, Broadscale Geotechnical Investigation and Landslide Risk Assessment for Proposed Residential Subdivision, End of Courtney Drive, Upper Coomera", prepared by Pacific Geotech, Ref: PG-4116A, 2022-12-13, GR VER 1, dated 10 January 2023, have been complied with and implemented on site / within each relevant stage.

Geotechnical Engineering

Certified document	Certification date	Plan/ Drawing	Expert discipline	Requesting Council Section
Landslide risk rating	Prior to a request is made to Council to approve the plan of subdivision for each relevant stage	-	Registered Professional Engineer of Queensland (RPEQ) specialising in geotechnical engineering	Geotechnical Engineering

The certification is to confirm:

Each lot on site / within each relevant stage achieves a landslide risk rating of 'low' or better and each lot is suitable for its intended purpose.

Geotechnical Engineering

Certified document	Certification date	Plan/ Drawing	Expert discipline	Requesting Council Section
Post construction earthworks certification	Prior to a request is made to Council to approve the plan of subdivision for each relevant stage	-	Registered Professional Engineer of Queensland (RPEQ) specialising in geotechnical engineering	Geotechnical Engineering

The certification is to confirm for each relevant stage:

i All earthworks are carried out in accordance with AS3798-2007: Guidelines on earthworks for commercial and residential developments.

ii Inspection and testing of all earthworks are carried out to Level 1 and the frequency of field density testing is in accordance with Table 8.1 of AS3798-2007.

iii Fill materials are placed in layers, watered if required and compacted to achieve the specified density ratio as specified in Table 5.1 – Minimum Relative Compaction of AS3798-2007.

53 **Certification of works - Subdivision Engineering**

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

Subdivision Engineering

Certified	Certification	Plan/	Expert	Requesting

document	date	Drawing	discipline	Council Section
Certificate for earthworks	Prior to a request is made to Council to approve the plan of subdivision at each associated stage	-	Registered Professional Engineer of Queensland (RPEQ)	Contributed Assets
The certification is to confirm: All works comply with the requirements of the earthworks condition.				

Subdivision Engineering				
Certified document	**Certification date**	**Plan/ Drawing**	**Expert discipline**	**Requesting Council Section**
Certificate for electricity supply	Prior to a request is made to Council to approve the plan of subdivision at each associated stage	-	An authorised supplier (e.g., Energex)	Contributed Assets
The certification is to confirm: Underground electricity supply is available to all proposed lots.				

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 a request is made to Council to approve the plan of subdivision at each associated stage	-	The authorised telecommunication carrier (e.g., Telstra, NBN Co)	Contributed Assets
The certification is to confirm: Underground telecommunication infrastructure will be installed in accordance with telecommunications industry standards (e.g., Telstra / NBN Co standards).				

Subdivision Engineering

Certified document	Certification date	Plan/ Drawing	Expert discipline	Requesting Council Section
Written confirmation for Permanent Survey Marks works	Prior to a request is made to Council to approve the plan of subdivision at each associated stage	-	Registered Cadastral Surveyor	Contributed Assets

The certification is to confirm:

That all lots are connected to permanent survey marks in accordance with the requirements contained within the permanent survey marks condition.

54 **Road names to be submitted**

Provide to Council for approval, specific road names and designation for all proposed roads generally in accordance with the Street Naming and Renaming of Existing Streets Policy, prior to a request is made to Council to approve the plan of subdivision at each associated stage at no cost to Council.

55 **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.

56 **Notice of works timetable**

Provide a Notice of works timetable for commencement of works to Council's Development Compliance section prior to commencement of any works for each relevant stage.

A copy of Council's Notice of works timetable is available on Council website.

57 **Dust management plan**

a Prepare and submit for approval a Dust management plan addressing construction activities prior to any works commencing for each relevant stage.

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.

58 **Noise management plan**

a Prepare and submit for approval a Noise management plan addressing construction activities prior to any works commencing for each relevant stage.

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.
59	**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 for each relevant stage. b The Construction management plan must be prepared by a suitably qualified professional and include in particular: i Provide hours of construction. ii Provide details on vehicle access (including responsibility for maintenance of the defined cartage route) during construction hours. iii Provide details on traffic management (including loading, unloading and cartage routes). iv Parking of vehicles (including on site employees and delivery vehicles). v Maintenance of safe pedestrian movement across the site's frontage/s (including people with disabilities). vi Provide details for the collection and control of Building waste and refuse disposal. vii Details on the presentation of hoarding to the street. viii Provide details for tree management. ix Demonstrate how the general public will be protected from construction activities. x Provide details on how the building site will be kept clean and tidy to maintain public safety and amenity. c Implement the Construction management plan during all construction works at no cost to Council.
60	**Haulage access/site management plan** a Prepare and implement 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 for each relevant stage. 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 Comply with the Haulage access/site management plan during all construction works at no cost to Council.
61	**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.
Advice Notes	
A	**Works in properties other than the development land** Where development works or works required to service the development require access, works or otherwise on land that is not part of the development approval, the applicant is solely responsible for obtaining consent and providing such with the "Application to work on City's infrastructure". Council will not become involved in any disputes arising from attempts to obtain neighbouring landowners' consent and assumes no responsibility for any impacts this has on the development. Council shall not be held responsible for any delays, complications or otherwise related to obtaining consent from neighbouring landowners as this is a civil matter to be resolved between the relevant parties.
B	**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.
C	**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, principal contractor or other relevant party. If further, more permanent repairs are required, such as replacement of water and sewer mains, the landowner, principal 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, principal contractor or other relevant party.
D	**Connections and disconnections** Any connection / disconnection to the existing water and sewerage networks will be at the applicant's cost. Prior to the connection / disconnection taking place, the applicant must obtain written approval from Water and Waste.

	Refer to Water and Sewerage Connections Policy, available on Council's website http://www.cityofgoldcoast.com.au
E	**No open trenching of the road pavement for water connections across / in roadways** Conduits must be installed to service the proposed development via trenchless technology 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
F	**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: **Environmental Assessment** - Operational works - vegetation clearing **Landscape Assessment** - Operational works - landscape works (Private works) **Plumbing and Drainage** - Permit for plumbing and drainage work **Subdivision Engineering** - Operational works - infrastructure **Water and Waste** - Operational works - infrastructure - Connections / disconnections: Application to work on the City's Infrastructure - Application for Temporary Road / Footpath Closure to Open Cut Road – CoGC City Assets 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).
G	**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.
H	**Indigenous cultural heritage legislation and duty of care requirement** The *Aboriginal Cultural Heritage Act 2003* ('**ACHA**') is administered by the Department of Seniors, Disability Services and Aboriginal and Torres Strait Islander Partnerships (DSDSATSIP). 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 DSDSATSIP's Cultural Heritage Coordination Unit on 1300 378 401 for further information on the responsibilities of developers under the ACHA.
I	**Infrastructure charges** Infrastructure charges are now levied under a Charges Resolution by way of an Infrastructure Charges Notice, which accompanies this decision notice.
J	**Properly made submissions** There were properly made submissions about the application. The name and address of the principal submitter for each properly made submission is attached to the decision notice.
K	**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.
L	**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.
M	**Fire ant control** A significant portion of the Gold Coast is 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.
N	**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.
O	**Bushfire management** A property notification will be applied to the lot / subsequent lots stating a bushfire management plan exists for the site and must be complied with at all times.
P	**Bushfire management** Queensland Fire and Emergency Services (QFES) provides further information regarding bushfire management and is available on https://www.qfes.qld.gov.au/
Q	**Vegetation protection** A property notification will be applied to the lot / subsequent lots stating the property includes protection and management of vegetation and/or associated habitat.
R	**Listing of Koala under EPBC Act** Koala populations in South East Queensland are listed under the Environment Protection and Biodiversity Conservation Act 1999 (*EPBC Act*) as a matter of national significance. All necessary approvals must be obtained prior to any works commencing on the site.
S	**Riverine Protection Permit** A Riverine Protection Permit under the Water Act 2000 may be required prior to any works commencing in the watercourse traversing / adjoining the site.
T	**Species Management Program** Where an animal breeding place has been identified and activities will tamper with the breeding place in order to complete the scope of works, a Species Management Program (SMP) is required. Further advice is found on: https://environment.des.qld.gov.au/licences-permits/plants-animals/species-management-

	program/
U	**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.
V	**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.
W	**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 COM/2019/82. A copy of Council's Decision Notice is available for viewing on Council's website www.cityofgoldcoast.com.au/pdonline
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 (COM/2019/82). A copy of Council's Decision Notice is available for viewing on Council's website www.goldcoastcity.com.au/pdonline
B	**Bushfire management** There are development approval conditions applicable in relation to bushfire management on this lot / subsequent lots. All property owner(s) must ensure compliance with these conditions. Refer to Council of the City of Gold Coast's Decision Notice COM/2019/82. A copy of Council's Decision Notice is available for viewing on Council's website www.goldcoastcity.com.au/pdonline
C	**Vegetation protection** There are development approval conditions applicable in relation to the protection and management of vegetation and/or associated habitat 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 COM/2019/82. A copy of Council's Decision Notice is available for viewing on Council's website www.goldcoastcity.com.au/pdonline
D	**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 COM/2019/82. A copy of Council's Decision Notice is available for viewing on Council's website www.cityofgoldcoast.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 Development permit for Reconfiguring a lot for a 5 into 208 lot subdivision (including 196 residential lots, 4 Open space (Environmental) lots, 5 Open space (Drainage) lots, 2 Open space (Recreation) lots and 1 utility lot)
Assessment benchmarks	The following assessment benchmarks applied to the proposed development: • Strategic framework; • Assessment benchmarks for particular Reconfiguring a lot (Walkable neighbourhoods) – Schedule 12 – Part 2 Assessment benchmarks • Rural zone code; • Rural residential zone code; • Airport environs overlay code; • Bushfire hazard overlay code; • Environmental significance overlay code; • Landslide hazard overlay code; • General development provisions code; • Healthy waters code; • Reconfiguring a lot code; • Transport code; and • Vegetation management code.
Relevant matters	The proposed development was assessed against, or had regard to, the following relevant matters: • City Plan (Version 10) which introduces the Courtney Drive investigation area and identifies the subject site within the Emerging communities zone. • The development is consistent with the Liveable Communities and Housing State Interest conveyed within the State Planning Policy; • The sites designation within the urban footprint; • That the development provides an appropriate environmental outcome and responds to site based constraints; and • The development will deliver much needed greenfield housing to support the current demand for housing in the City.

Matters raised in submissions

Issue	*How matter was dealt with*
<u>Signage</u> • Concern the public notification sign was not properly located	It is noted that the public notification process, and subsequent siting of the signage, was undertaken by an experienced consultant who specialises in carrying out the public notification process for development proposals during the development assessment process. As per subsection 4-7 of Schedule 3: Public notice requirements of the *Development Assessment Rules 2017*, the following requirements for placing a public notice on the premise apply: *4. "For placing a public notice on the premises, a public notice must be:*

(a) placed on, or within a reasonable distance of, the road frontage for the premises, ensuring that it is clearly visible from the road;
(b) mounted at least 300 millimetres above ground level;
(c) made of weatherproof material; and
(d) at least A0 size.

5. *If the premises has more than one road frontage, a public notice must be placed on each publicly accessible road frontage for the premises.*
6. *The applicant must maintain the public notice from the day it is placed on the premises until the end of the notification period.*
7. *For placing a public notice on the premises, road frontage for the premises, means—*
   (a) the boundary between the premises and any road adjoining the premises; or
   (b) if the only access to the premises is across other land, the boundary between the other land and any road adjoining the other land at the point of access."

A total of three signs were placed along the three road frontages of the site (Courtney Drive, Mackellar Drive and the unformed road in south east corner).

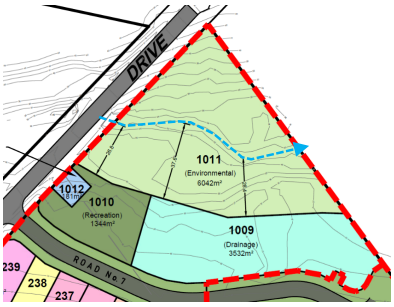
The Applicant provided officers with a Notice of Compliance material provided to Council by Real Property Signs on 11 December 2019, Public notification of the development was carried out in accordance with statutory requirements

<u>Environmental</u>

- Concern for the impact the development will have on local species (including koala and goanna)
- The development will adversely impact on the natural environment including Yaun Creek
- The site should only be considered for Nature based tourism and the assessment should take into consideration residents' intention for a nature based tourism development on the adjoining site/s

The subject site is identified to include matters of environmental significance as a local priority species (in isolation of other environmental values). In support of the application, the Applicant submitted an Ecological site assessment. The proposal seeks to retain the majority of the environmental significant vegetation within the subject site. The proposal supports a large environmental area within the south-western corner of the site as well as within proposed Lot 1006 to protect local species.

It is noted that a corridor comprising a minimum width of 60m is proposed to be rehabilitated and dedicated to Council as conservation public open space. The development seeks to protect the values of Yaun Creek and its environmental corridor. Furthermore, other forms of public open space (e.g., recreation park and drainage) adjoin the Yaun Creek corridor providing a combined open space corridor.



Yaun Creek within proposed Lot 1011 (Source: Bennett + Bennett)

Concern was raised as to the potential impact the development of the site may have on a possible future nature-based tourism facility on an adjoining site. What occurs on an adjoining site has no bearing on the subject site or the development proposed. Should an adjoining landowner seek to establish a nature based tourism facility on their property, an assessment against City Plan provisions would be required.

Development layout

- The development supports small lots which will ultimately result in on-street parking
- The proposed density is not reflective of the Courtney Drive precinct plan nor existing developments within the surrounding area
- Future ownership will be investor based and not locally owned

The proposed development seeks the establishment of 196 residential lots varying in size from 400m^2 – 1316m^2 as well as 5.444ha of open space. All allotments proposed wide frontages comprising minimum 12.5m widths (with the exception of lots located on inverted corners). The wide frontage creates a more open streetscape outcome and provides sufficient space on street for visitors to park their vehicles if necessary.

The subject site is identified within the Courtney west and south-east sub-precincts. As per Major amendment 2 and 3, Overall outcome 3(a) of the Emerging communities zone nominates a planned net residential density of:

- 11-14 dwellings per net hectare in the Courtney West sub-precinct; and
- 13-17 dwellings per net hectare in the Courtney South-East Sub-precinct.

The net developable area results in an overall net residential density of 20.4 dwellings per hectare being achieved (10.4 dwellings per hectare gross density). In consideration of the Upper Coomera (Courtney Drive) precincts, the proposal seeks a net density outcome of:

- 16.8 dwellings per net hectare in the Courtney West sub-precinct (by way of 25 lots); and
- 21.3 dwellings per net hectare in the Courtney South-east sub-precinct (by way of 171 lots).

Officers consider the prescribed density appropriate for the Courtney Drive west and south-East sub-precincts of the Emerging community zone for the following reasons:

- The proposal enhances the diversity of housing choice through the provision of a mix of lot sizes; and
- The proposal appropriately manages the transition of currently rural residential land to urban purposes through the provision of:
  - Essential urban infrastructure to all new residential lots;
  - A lot layout that factors in sufficient controls to manage risks from natural hazards (e.g., slope sensitive design, bushfire etc);
  - Sufficient public open space to cater for the demand generated by the proposed development;
  - A connected and legible public road layout that links Courtney Drive with the existing road network to the east; and
  - A subdivision layout that ensures matters of environmental

	significance present on the site are protected. The delivery of 196 residential lots helps to achieve the City's identified target of approximately 730 dwellings within the Courtney Drive precincts. The City Plan does not include provisions regarding ownership of future dwellings.
<u>Road network</u> • The road network layout will inhibit flow of traffic from existing residences	The alignment of the Courtney Drive extension through the site and connecting to the unformed road to the south-east was always visually shown as indicative on Council's earlier investigations. The adopted Courtney Drive Precinct Plan as per the City Plan Major Update 2 & 3 shows a road connection which generally follows the alignment of a current cadastral boundary (identified in red below). It is noted that this alignment is not fixed but rather identifies an intent for a road connection from the current Courtney drive cul-de-sac through the site and ultimately connecting to Reserve Road. The development proposes this connection to the south of which Officers have confirmed is acceptable.
<u>Delivery of infrastructure</u> • Sewer line	Concern from the adjoining landowner to the north was raised in terms of proposed sewer infrastructure alignment through their site. The development proposes to connect into two sewer lines. Stages 1 & 2 will connect to the south in the south east corner through the adjoining public open space and into Gordon Drive. The northern stages will ultimately connect through the adjoining allotments to the north into the main located in Richardson Crescent. Stages 2, 3 and 4 will utilise a temporary pump station. Officers have recommended conditions which does not allow for Stage 5 to complete plan sealing until the ultimate sewer infrastructure connecting to Richardson Crescent is delivered.
<u>Open space areas</u> • The recreational parks proposed are inadequate in size as they only equate to 3.5% of net area	It is noted the development proposes 4,450m^2 or recreation park in two locations. One adjoining Yaun Creek to the north of the site with the other adjoining conservation park in the south. The subject development proposes 196 residential lots which equates to 3,472m^2 of recreation park to be compliant with the provisions of the City Plan Reconfiguring a Lot Code.
<u>Orderly development</u> • The lodgement of the application is premature	It is noted that substantial planning studies, all endorsed by Council, have been undertaken to facilitate the Courtney Drive area being rezoned for urban development. The Courtney Drive Investigation Area was identified as Council's number 1 priority for urban land to support new urban land within the City's northern growth area of Upper Coomera. Furthermore, the draft City Plan Major Update 2, and then combined Major Updates 2 & 3, proposed the Courtney Drive Investigation Area to be rezoned to Emerging Community to facilitate its development as new suburban land. Both the Courtney Drive Investigation Area and the Courtney Drive Precinct (as descripted in the draft City Plan amendment package) have undergone public consultation with a clear intent for the land to be developed. It is noted; however, that whilst the application has been lodged to Council for assessment, approval of the development is not

sought until such time that Council can give regard to the upcoming scheme amendments.

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 development delivers a range of lot sizes and lot configurations that will support a mix of housing forms in an efficient and legible allotment configuration.
- The development layout supports a road network layout that provides connection through to the surrounding road network.
- The development delivers an extensive footpath network throughout supporting pedestrian connectivity.
- The development footprint is responsive to site based constraints including bushfire. Additional setbacks addressing the sites bushfire risk have been prescribed for Lot 101 and Lot 216-223.
- To support matters of environmental significance, the development facilitates the refabrication of Yaun Creek, by way of a 30 metre wide dedicated conservation buffer area, refabrication of a minor waterway along the western boundary, retention of priority species habitat (koala habitat), as well as greater than 70% of the mapped general priority vegetation retained within the subject site.
- Specific requirements for retaining walls have been included within the recommended to ensure a high-quality finish which positively contributes to the public realm.
- The development provides passive recreational areas for future residents. Park lot 1004 also includes a playground (with shade sails.
- Public landscaping requirements include the installation of street trees and landscaping of public open space areas.
- Specific conditions have been included requiring the developer to carry out earthworks for lots 139, 147, 160, 165, 168, 199, 217, 220, 226, 243, 248, 255 and 292 to ensure the necessary driveway gradient is provided for future lot owners.
- The requirement for the installation of wildlife signage for koalas within the development to minimise the risk of koala death or injury from vehicle strike.
- The development delivers necessary infrastructure including water and sewer infrastructure. Stage 2, 3 and 4 of the development will be serviced by a temporary sewer pump station. The developer agreed to conditions requiring monetary contribution for the cost of operating the temporary pump station. Conditions have been imposed requiring the delivery of ultimate trunk sewer infrastructure prior to plan sealing of Stage 5 in accordance with the City’s sewer servicing strategy.
- Stormwater is managed through the delivery of five open space (drainage lots) providing bio-retention basins. Due to the grade of batters within Lot 1005, to facilitate safe maintenance access, the

recommendation included the requirement for the delivery of safety anchor points.

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

Assessment benchmark	*Reasons for the approval despite non-compliance with benchmark*
Conflict with the Rural and Rural residential zone intent of City Plan (Version 6) through the delivery of an urban outcome • Strategic outcome 3.3.1(15) of the Creating liveable places theme; • Specific outcome 3.3.7.1(1) of the Rural residential areas element of the Creating liveable places theme; • Specific outcome 3.3.7.1(2) of the Rural residential areas element of the Creating liveable places theme; • Specific outcome 3.3.7.1(3) of the Rural residential areas element of the Creating liveable places theme; • Specific outcome 3.5.6.1(1) of the Rural production areas and rural enterprises element of the Strengthening and diversifying the economy theme; • Specific outcome 3.8.2.1(1) of the Landscape character element of A safe, well designed city theme; • Specific outcome 3.8.2.1(7) of the Landscape character element of A safe, well designed city theme; • Purpose of the Rural zone code (including the purpose of the Rural landscape and environment precinct); • Purpose of the Rural residential zone code; • Overall outcome 2(d)(i) of the Rural zone code; • Performance outcome PO6 of	Pursuant to Section 45 of the *Planning Act* 2016, the assessment manager may have regard to another statutory instrument which is amended after the development application is properly made. Officers have had regard to City Plan (Version 10) which includes the Upper Coomera investigation area. Major amendment 2 and 3 (identified as City Plan (Version 10)) was adopted by Council on 28 February 2023 with a commencement date of 4 July 2023. Officers acknowledge that Version 10 has not yet commenced, however, given that it has been adopted by Council, the planning intention of this area is clear in the Courtney Drive investigation area seeks to facilitate addition housing in the City consistent with the current identified housing shortage. The Upper Coomera investigation area was identified to accommodate future residential opportunities within the City. City Plan (Version 10) identifies the subject site within the Emerging community zone (rather than the current zone of Rural and Rural residential). Officers determined that the proposed development is responsive to the requirements of the Courtney south-east and Courtney west sub-precincts of the Upper Coomera (Courtney Drive) precinct of the Emerging community zone.

	the Rural zone code; • Overall outcome 2(d)(i) of the Rural residential zone code; • Overall outcome 2(d)(ii) of the Rural residential zone code; • Performance outcome PO7 of the Rural residential zone code; and • Performance outcome PO8 of the Rural residential zone code
Matters prescribed by a regulation	Assessment benchmarks for particular Reconfiguring a lot (Walkable neighbourhoods) – Schedule 12 – Part 2 Assessment benchmarks