

Date: 15 December 2023
Contact: Craig Morse
Location: City Development
Telephone: (07) 5582 8926
Your reference:
Our reference: OPW/2023/1350

Hb QLD Pty Ltd
C/- Mortons-Urban Solutions
PO BOX 2484
SOUTHPORT QLD 4215

Dear Sir/Madam

Information Request

I refer to the development application lodged by:
Hb QLD Pty Ltd

in relation to development of land/premises described as:
Lot 191 RP173728, Lot 192 RP173728 – 97 Courtney Drive, Upper Coomera Qld 4209

Council of the City of Gold Coast (Council) officers have reviewed the development application and supporting information and determined that further information is required to properly assess the application.

Pursuant to sections 13.2 and 13.3 of the Development Assessment Rules under the *Planning Act 2016*, the applicant may respond to this information request by giving to the assessing authority:

- 1 all of the information requested below; or
- 2 part of the information requested below; or
- 3 part of the information requested below together with a notice advising the assessing authority that it must proceed with the assessment of the application; or
- 4 a notice stating that none of the information requested below will be provided; or
- 5 a notice stating that none of the information requested below will be provided together with a notice advising the assessing authority that it must proceed with the assessment of the application.

You are advised that pursuant to section 13.1 of the Development Assessment Rules, the period for the applicant to respond to this information request is three (3) months of the date of this letter.

If no response is provided or only part of the information is provided to this request within the three (3) month period, Council will continue its assessment of the application based on the information submitted.

It would be in the applicant's best interest to address all of the information requested.
Please note that the provision of sufficient information to properly assess an application is a requirement for a favourable decision.

INFORMATION REQUEST

CIVIL

1. Portable Long Service Levy (QLeave)

QLeave has advised that the \$150,000 threshold includes all work associated with the project and is not only limited to the work subject to this OPW. Therefore, under section 73 of the **Building and Construction Industry (Portable Long Service Leave) Act 1991**, the applicant may be required to pay the portable long service levy for the site.

In accordance with section 77(2) of the abovementioned act, Council cannot issue a development permit for Operational Works unless it has sighted -

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

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

If the applicant believes this to be incorrect, please contact QLeave directly on levies@qleave.qld.gov.au or compliance@qleave.qld.gov.au or 1300 753 283.

2. Compliance with overriding approval

The overriding approval references compliance with specific plans. However, these plans have not been included with the application to assess against. The applicant must demonstrate compliance with the following conditions:

- a Condition 25a – Retaining walls in public land
- b Condition 28 – Batters within Drainage Reserves
- c Condition 29 – Batters within road corridors
- d Condition 32 – Earthworks

3. Stormwater

The applicant is requested to provide the following additional information/clarification:

- a The applicant is requested to confirm that no basin work is proposed as part of this application.
- b Stormwater line 01/1 to 02/1 does not show how much cover will be provided under Road 02. The applicant is requested to show cover of the stormwater line that complies with QUDM requirements.
- c The submitted stormwater calculation indicates there will be bypass flows in the minor storm. The applicant is requested to confirm that the pipe sizing caters for the design storm for the development.

4. Roadwork

The applicant must provide the following additional information:

- a Linemarking plans in accordance with MUTCD requirements for Council's review and approval.
- b Demonstrate road names have been approved by Council.

ENVIRONMENTAL

5. Watercourse - natural channel design

Conditions (2, 5, 49) of the Decision Notice for COM/2019/82 require a natural channel design and rehabilitation of the primary watercourse that flows through Drainage Lot 1007 and into Drainage Lot 1006.

The applicant is requested to amend the drawings to clearly demonstrate the following within Drainage Lot 1007 and Drainage Lot 1006:

- a natural channel design incorporating 'chain of ponds' for the primary watercourse, and
- b potential for rehabilitation of the natural channel design consistent with the Statement of rehabilitation intent by Biome Consultancy Pty Ltd, November 2020 .

OPEN SPACE

6. Park Lot 1007 Natural Channel Design

- a A minor tributary of Yaun Creek located in the southwestern portion of the subject site is proposed to be reconstructed and realigned. Park Lot 1007 will contain this realigned and reconstructed waterway channel.
- b A number of plans including the Statement of Landscape Intent, Rehabilitation Management Plan and Stormwater Management Plan within presented final designs to support a natural channel design with riffles and ponds, and selected locations for larger boulders to act as energy dissipators within Park Lot 1007.
- c The current OPW plans do not provide an indication that this will be achieved rather a straight rock lined channel with uniform depth and 1:2 batters.
- d The applicant is requested to demonstrate that the final design will achieve a reconstructed natural waterway which will also support the planting of a number of plant strata including larger canopy trees (Melaleuca and Casuarina) as well as shrub and understory species in accordance with the proposed hydraulic function such as nil impedance of the low flow channel.



Example Image of Rock Lined Swale

Figure 1: bulk earthworks plans showing contours and water flow for Park Lot 1007 as well as landscape treatment for drainage swale.

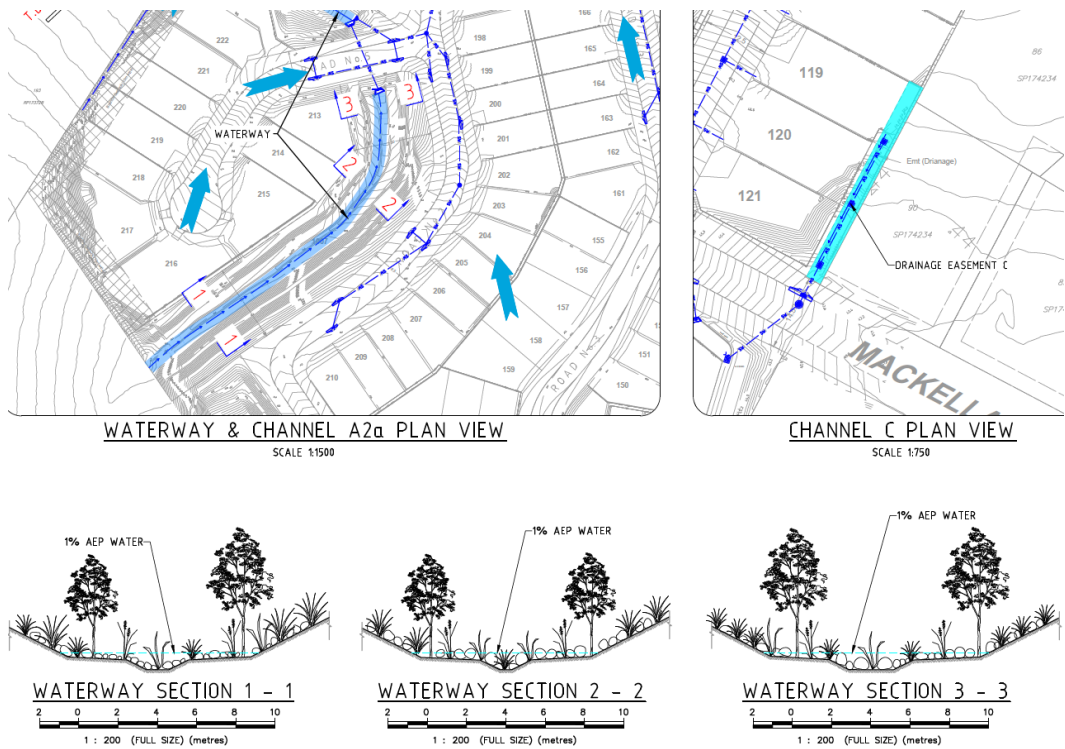


Figure 2: conceptual cross sectional elevations of reconstructed waterway.



Figure 3: Statement of Landscape Intent for Park Lot 1007.

WATER & WASTE

7. Amended plans

To ensure that achievable and final conditions can be provided in accordance with the *Planning Act* and the aforementioned standards, Water and Waste requests that the Applicant provides the following:

- a An amended drawings package to include the appropriate number and spacing of trench stops on the proposed gravity sewer main in accordance with SEQ-SEW-1206-1 and Table 9.1 of WSAA Gravity Sewerage Code of Australia (WSA02).
- b Amend the drawings to include a long section of the proposed water supply mains and the location of any proposed bends, fittings, and proposed property service connections. The long-section drawing shall note the clearances provided between the proposed asset and any other services, including but not limited to sewer, stormwater, carriageways, electrical, and communications services. Trench stops and concrete bulkheads are to be proposed and spaced in accordance with Table 7.5 of the WSA03 code.

Advice Note

The applicant is advised that should Council give further advice about the application (in accordance with s35 of the DA Rules) to resolve outstanding items not adequately addressed within the information request response, the applicant will be requested to complete a 'Notice to Stop the Current Period' for the above mentioned application until the items within the further advice are adequately addressed. Alternatively, the applicant may choose to provide a reasonable extension to the Decision period, as advised by the Assessment manager. If the applicant does not stop the Current Period or provide a reasonable extension to the Decision period, Council officers will proceed with assessing and deciding the application based on the information provided in the information request response, which could result in an unfavourable recommendation by Council officers.

Notice to Stop the Current Period Form:

<https://dsdmipprd.blob.core.windows.net/general/Applicanttemplate9.0-Noticeaboutstoppingthecurrentperiod.doc>

DA Rules extract:

s35.1 An assessment manager or concurrence agency for the application may, at any time before the application is decided, give further advice about the application to the applicant.

s35.2 Further advice may include advice about how the applicant may change the application.

Response format

As this application was lodged electronically, please direct all future correspondence regarding this application in the required PDF format i.e.:

- **Supporting documents** (separate the supporting documents into individual PDF appendices)
- **Plans** (combine as one single PDF)
- **Specialist reports** (separate each specialist report into individual PDF appendices)

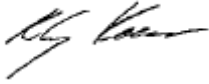
Do not password protect the PDF.

The electronic response should be forwarded to mail@goldcoast.qld.gov.au with the Assessment Manager Craig Morse copied into the email [cmorse](#)
Please note, all development applications are publicly viewable on the Council's City of Gold Coast's PD Online: cityofgoldcoast.com.au/pdonline

Contacting us

Should you wish to clarify any issues contained in this letter, please do not hesitate to contact Planning Assessment on 07 5582 8866.

Yours faithfully



Antony Kocsmar
Supervisor Operational Works
For the Chief Executive Officer
Council of the City of Gold Coast