



SARA reference: 2506-46392 SRA
Council reference: MCU/2025/79

12 August 2025

Chief Executive Officer
Gold Coast City Council
mail@goldcoast.qld.gov.au

Dear Sir/Madam

SARA response – 203 Ashmore Road, Benowa

(Referral agency response given under section 56 of the *Planning Act 2016*)

The development application described below was confirmed as properly referred by the State Assessment and Referral Agency (SARA) on 5 June 2025.

Response

Outcome:	Referral agency response with conditions.
Date of response:	12 August 2025
Advice:	Advice to the applicant is in Attachment 1 .
Reasons:	The reasons for the referral agency response are in Attachment 2 .

Development details

Description:	Preliminary approval for a Material change of use (Impact assessment) for a Mixed use development, including a variation request pursuant to Section 61 of the <i>Planning Act 2016</i> to vary the effect of the local planning instrument being City Plan (Version 11), in accordance with the Benowa Gardens Plan of Development.
SARA role:	Referral Agency
SARA trigger:	Planning Regulation 2017: <ul style="list-style-type: none">Schedule 10, Part 9, Division 4, Subdivision 1, Table 1, Item 1 – Development impacting on state transport infrastructure.
SARA reference:	2506-46392 SRA
Assessment Manager:	Gold Coast City Council
Street address:	203 Ashmore Road, Benowa
Real property description:	Lot 822 on RP839746
Applicant name:	Benowa Gardens Holding Pty Ltd ATF Benowa Gardens Trust

Applicant contact details: c/- Urbis Ltd
goldcoastoffice@urbis.com.au

Human Rights Act 2019 considerations: A consideration of the 23 fundamental human rights protected under the *Human Rights Act 2019* has been undertaken as part of this decision. It has been determined that this decision does not limit human rights.

Representations

An applicant may make representations to a concurrence agency, at any time before the application is decided, about changing a matter in the referral agency response (s. 30 Development Assessment Rules). Copies of the relevant provisions are in **Attachment 3**.

A copy of this response has been sent to the applicant for their information.

For further information please contact Elly Wong, A/Senior Planning Officer on (07) 5644 3215 or via email SEQSouthPlanning@dsdilgp.qld.gov.au who will be pleased to assist.

Yours sincerely



Ashleigh Slater
Acting Manager - Planning Services (SEQ South)

cc Benowa Gardens Holding Pty Ltd ATF Benowa Gardens Trust c/- Urbis Ltd, goldcoastoffice@urbis.com.au

enc Attachment 1 - Referral agency conditions
Attachment 2 - Advice to the applicant
Attachment 3 - Reasons for referral agency response
Attachment 4 - Representations about a referral agency response provisions
Attachment 5 - Documents referenced in conditions

Attachment 1—Referral agency conditions

(Under section 56(1)(b)(i) of the *Planning Act 2016* the following conditions must be attached to any development approval relating to this application) (Copies of the plans and specifications referenced below are found at Attachment 5)

No.	Conditions	Condition timing
Preliminary approval for a Material change of use		
Schedule 10, Part 9, Division 4, Subdivision 1, Table 1, Item 1 (Planning Regulation 2017) — The chief executive administering the Planning Act 2016 nominates the Director-General of the Department of Transport and Main Roads to be the enforcement authority for the development to which this development approval relates for the administration and enforcement of any matter relating to the following condition(s):		
1.	<p>(a) Retain or relocate/reinstate the following existing bus stops:</p> <ul style="list-style-type: none"> • 'Benowa Rd at Benowa Gardens, Benowa' (ID: 302246) along the Benowa Road frontage of the site. • 'Ashmore Rd near Benowa Rd hail 'n' ride, Benowa' (ID: 313826) on the Ashmore Road frontage of the site. <p>(b) Any relocated/reinstated bus stop in part (a) of this condition, must be in accordance with the following:</p> <ul style="list-style-type: none"> • Chapter 5 – 'Bus Stop Infrastructure' of the Department of Transport and Main Roads TransLink Public Transport Infrastructure Manual 2015. • Signage Manual – Bus Network Infrastructure, TransLink Division, Department of Transport and Main Roads. • AS1742.11 – Manual of uniform traffic control devices, Part 11: Parking controls. • the Disability Standards for Accessible Public Transport 2002 made under subsection 31(1) of the <i>Disability Discrimination Act 1992</i>. • the Transport Operations (Road Use Management – Road Rules) Regulation 2009, in particular stopping at intersections. • Gold Coast City Council standards. 	(a) and (b) Prior to the commencement of use
2.	<p>Any external roadworks on Benowa Road and Ashmore Road, including the Benowa Road/Ashmore Road intersection, must be designed and constructed in accordance with the following to accommodate a single unit rigid bus of 14.5m in length:</p> <ul style="list-style-type: none"> • Department of Transport and Main Roads Road Planning and Design Manual, 2nd Edition, Volume 3 – Guide to Road Design (Parts 3, 4-4C and 6). • Austroads Guide to Road Design (Parts 3, 4-4C and 6). • Austroads Design Vehicles and Turning Path Templates. • Queensland Manual of Uniform Traffic Control Devices, Part 13: Local Area Traffic Management and AS 1742.13 Manual of Uniform Traffic Control Devices – Local Area Traffic Management. • Chapter 2 - Planning and Design, Section 2.3.2 Bus Route Infrastructure of the Department of Transport and Main Roads 	Prior to the commencement of use

No.	Conditions	Condition timing
	Public Transport Infrastructure Manual 2015.	
3.	<p>Provide pedestrian entries to the development from Benowa Road, Ashmore Road and Carrara Street and an open gallery space at ground/retail level generally in accordance with the following plans:</p> <ul style="list-style-type: none"> • Floor plan – Basement 2 (Retail), prepared by Neylan Architecture, dated February 2025, drawing number DA.03. • Floor plan – Basement 1 (Retail), prepared by Neylan Architecture, dated February 2025, drawing number DA.04. • Floor plan – Shopping centre, prepared by Neylan Architecture, dated February 2025, drawing number DA.05. 	Prior to the commencement of use, and where on site, and to be maintained at all times
4.	<p>(a) Submit a detailed drawing prepared by a Registered Professional Engineer of Queensland (RPEQ) to the Land Management team, South Coast region (scr.calm@tmr.qld.gov.au) within the Department of Transport and Main Roads demonstrating that a taxi rank will be located, either on-street or on-site in close proximity to an accessible pedestrian entry to the supermarket.</p> <p>(b) The dedicated taxi rank required in part (a) of this condition must include the following:</p> <ul style="list-style-type: none"> (i) A minimum zone capacity for the concurrent parking of one (1) x maxi taxi (5.38m in length) and 1 x standard taxi, parallel to kerb with left hand side boarding. (ii) The taxi rank designed (but not dedicated) for accessibility in accordance with: <ul style="list-style-type: none"> • AS2890.5 - Parking facilities, Part 5: On-street parking; • AS1428.1 - Design for access and mobility; • AS2890.6 – Parking Facilities, Part 6: Off-street parking for people with disabilities; • Chapter 7 – Taxi Facilities of the <i>Public Transport Infrastructure Manual 2015</i>; and • the Disability Standards for Accessible Public Transport 2002 - subsection 31(1) of the <i>Disability Discrimination Act 1992</i>; (iii) Two taxi zone signs R5-21, placed at either end of the rank, and taxi zone line marking in accordance with AS1742.11 – Manual of uniform traffic control devices, Part 11: Parking controls. (iv) Lighting in accordance with AS/NZS 1158.3.1 – Lighting for Roads and Public Spaces, Part 3.1: Pedestrian Area (Category P) Lighting – Performance and Design Requirements. (v) Access and hardstand, and shelter with seats, for waiting and boarding/alighting passengers. <p>(c) Undertake the taxi rank works generally in accordance with parts (a) and (b) of this condition.</p>	<p>(a) and (b) Prior to the approval of a development permit application for a material change of use for Stage 1</p> <p>(c) Prior to the commencement of use for Stage 1</p>

Attachment 2—Advice to the applicant

General advice	
1.	Terms and phrases used in this document are defined in the <i>Planning Act 2016</i> , its regulation or the State Development Assessment Provisions v3.2 (SDAP). If a word remains undefined it has its ordinary meaning.

Attachment 3—Reasons for referral agency response

(Given under section 56(7) of the *Planning Act 2016*)

The reasons for SARA's decision are:

The proposed development has been assessed against and complies with State code 6: Protection of state transport network of the SDAP, with conditions. In particular, the proposed development:

- does not create a safety hazard for users of state transport infrastructure or public passenger services by increasing the likelihood or frequency of a fatality or serious injury;
- does not result in a worsening of the physical condition or operating performance of the state transport network;
- does not compromise the state's ability to cost-effectively construct, operate and maintain state transport infrastructure;
- provides public passenger transport infrastructure to enable development to be serviced by public passenger transport;
- provides safe and direct access to public passenger transport infrastructure or active transport infrastructure, including access by cycling and walking.

Material used in the assessment of the application:

- The development application material and submitted plans.
- *Planning Act 2016*.
- Planning Regulation 2017.
- SDAP, version 3.2, as published by SARA.
- Development Assessment Rules.
- SARA DA Mapping system.
- Section 58 of the *Human Rights Act 2019*.

Attachment 4—Representations about a referral agency response

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Development Assessment Rules—Representations about a referral agency response

The following provisions are those set out in sections 28 and 30 of the Development Assessment Rules¹ regarding **representations about a referral agency response**

Part 6: Changes to the application and referral agency responses

28 Concurrence agency changes its response or gives a late response

- 28.1. Despite part 2, a concurrence agency may, after its referral agency assessment period and any further period agreed ends, change its referral agency response or give a late referral agency response before the application is decided, subject to section 28.2 and 28.3.
- 28.2. A concurrence agency may change its referral agency response at any time before the application is decided if—
- (a) the change is in response to a change which the assessment manager is satisfied is a change under section 26.1; or
 - (b) the Minister has given the concurrence agency a direction under section 99 of the Act; or
 - (c) the applicant has given written agreement to the change to the referral agency response.²
- 28.3. A concurrence agency may give a late referral agency response before the application is decided, if the applicant has given written agreement to the late referral agency response.
- 28.4. If a concurrence agency proposes to change its referral agency response under section 28.2(a), the concurrence agency must—
- (a) give notice of its intention to change its referral agency response to the assessment manager and a copy to the applicant within 5 days of receiving notice of the change under section 25.1; and
 - (b) the concurrence agency has 10 days from the day of giving notice under paragraph (a), or a further period agreed between the applicant and the concurrence agency, to give an amended referral agency response to the assessment manager and a copy to the applicant.

¹ Pursuant to Section 68 of the *Planning Act 2016*

² In the instance an applicant has made representations to the concurrence agency under section 30, and the concurrence agency agrees to make the change included in the representations, section 28.2(c) is taken to have been satisfied.

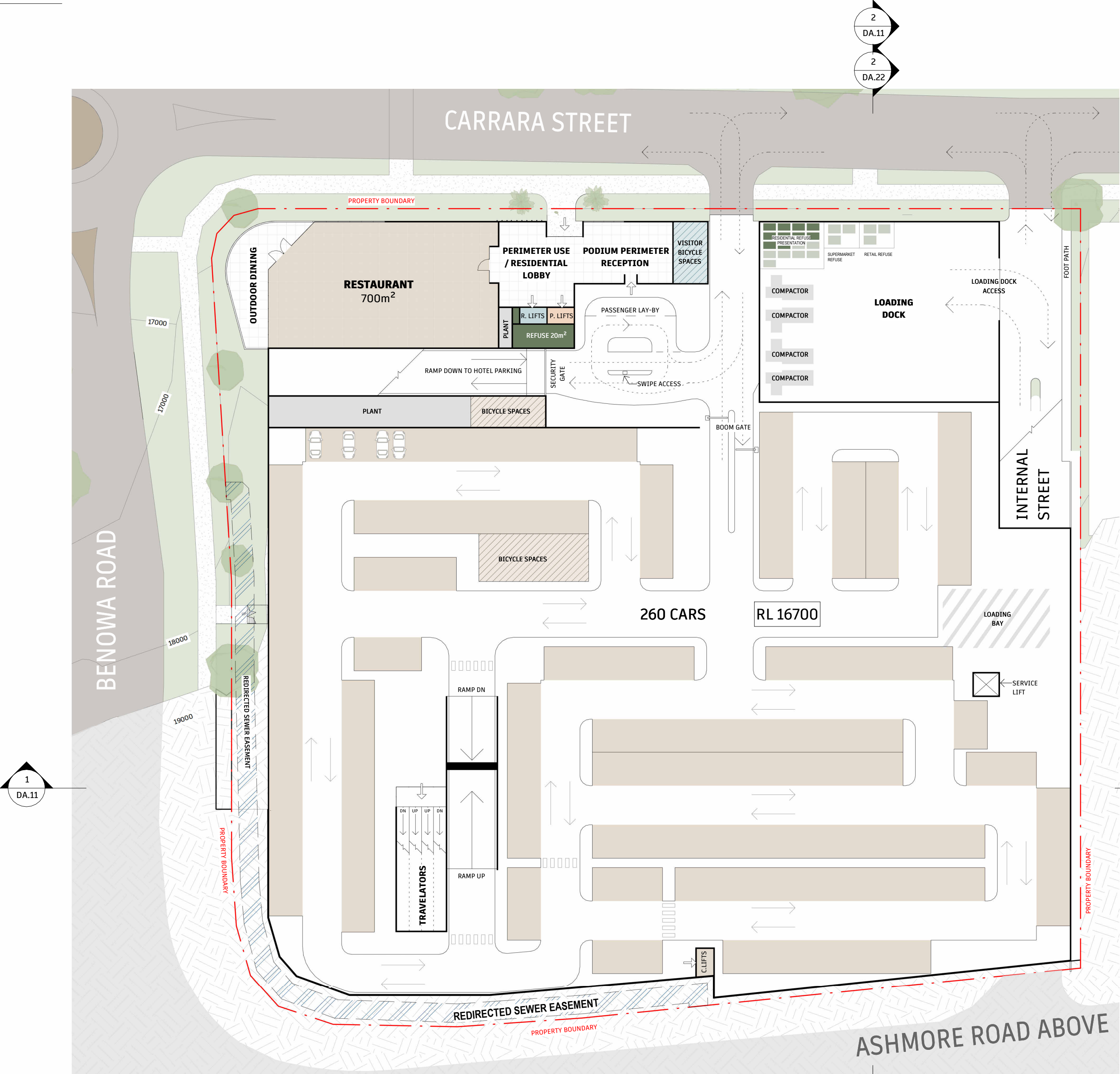
Part 7: Miscellaneous

30 Representations about a referral agency response

30.1. An applicant may make representations to a concurrence agency at any time before the application is decided, about changing a matter in the referral agency response.³

³ An applicant may elect, under section 32, to stop the assessment manager's decision period in which to take this action. If a concurrence agency wishes to amend their response in relation to representations made under this section, they must do so in accordance with section 28.

FLOOR PLAN-BASEMENT 2 (RETAIL)



LEGEND

RETAIL
STAFF BICYCLE PARKING
COMMERCIAL
RESIDENTIAL
VISITOR BICYCLE PARKING
COMMUNITY OUTDOOR
REFUSE
PERIMETER USE

CARPARKING

RETAIL	
BASEMENT 3	190 CARS
BASEMENT 2	260 CARS
BASEMENT 1	250 CARS
TOTAL RETAIL CARPARKS	700 CARS

RESIDENTIAL	
LEVEL 2	220 CARS
LEVEL 3	270 CARS
TOTAL RESIDENTIAL CARPARKS	490 CARS

PERIMETER USE	
BASEMENT 3	270 CARS
TOTAL PERIMETER USE CARPARKS	270 CARS

TOTAL CARPARKS	1,460
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BICYCLE PARKING

STAFF	
BASEMENT 2	100 SPACES
TOTAL STAFF SPACES	100 SPACES

VISITOR	
BASEMENT 2	86 SPACES
BASEMENT 1	114 SPACES
TOTAL STAFF SPACES	200 SPACES

TOTAL BICYCLE SPACES	300
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PLANS AND DOCUMENTS referred to in the REFERRAL AGENCY RESPONSE

SARA ref:

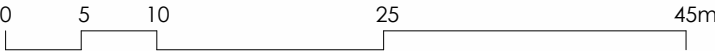
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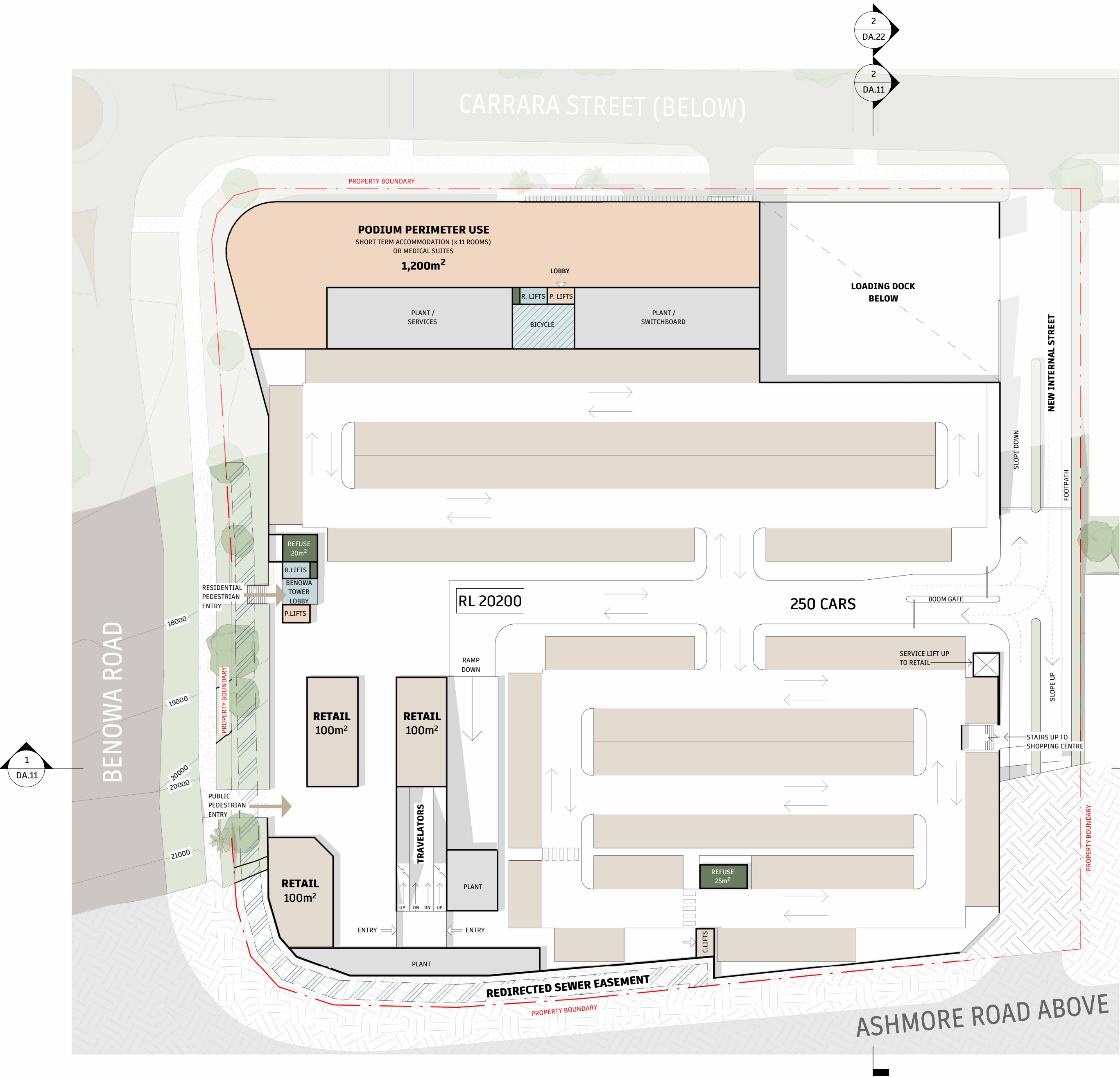
12 August 2025

BASEMENT 2 CARPARK - RETAIL

1:500



FLOOR PLAN-BASEMENT 1 (RETAIL)



BASEMENT 1 CARPARK - RETAIL

1:500

LEGEND

RETAIL
STAFF BICYCLE PARKING
COMMERCIAL
RESIDENTIAL
VISITOR BICYCLE PARKING
COMMUNITY OUTDOOR
REFUSE
PERIMETER USE

CARPARKING

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SARA ref: 2506-46392 SRA

Date: 12 August 2025

FLOOR PLAN-SHOPPING CENTRE

