

Date: 28 January 2025
Contact: Natasha Sidabutar
Location: City Development
Telephone: 5582 8121
Your reference: 6338
Our reference: COM/2024/372

Fpi Queensland Pty Ltd
C/- Gassman Development Perspectives
PO BOX 392
BEENLEIGH QLD 4207

Dear Sir/Madam

Information Request

I refer to the development application lodged by:
Fpi Queensland Pty Ltd

in relation to development of land/premises described as:
BAL Lot 505 SP316171 – 1 Highlands Street, STAPYLTON QLD 4207

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

Planning Assessment

1. Car parking

As identified within the submitted transport impact assessment, the car parking provision is considerably short of Acceptable Solution AS8.1.1 of the M38 Industrial Estate Place Code. The applicant has provided justification that a Warehouse use would require limited staff less than that of other industrial uses.

Given that there is no end user proposed at this time, including a parking provision that would fall short of the requirements of other industrial uses does not facilitate flexible reuse of the built form for future development. Given flexible use of the limited industrial land is highly sought to support the industrial economy, placing physical restrictions by way of a shortfall in car parking is not supported by City officers.

The table of development Table A – Yatala Enterprise Area Local Area Plan Table of Development (as modified) – Material change of use identifies Self Assessable land uses within Precinct B (General Impact Business and Industry) including but not limited to the following:

- Low impact industry
- Manufacturer's shop
- Service industry

Given that the above industrial uses are Self Assessable and intended for the site, the justification that the estimated Warehouse car parking requirements are less than that of other industrial uses is considered to conflict with the intent of the Land Use Classification Plan and associated table of development. The justification provided does not meet Performance Criteria PC8. The applicant is requested to amend the current proposal to include car parking provision that allows for flexible industrial use of the site as intended by the M38 Industrial Estate Place Code. This is discussed further in the following Information request items.

Transport Assessment

2. Car parking

M38 Industrial Estate Place Code

Vehicular parking – PC8 C

To comply with AS8.1.1, the proposed development requires 84 off-street car parking spaces. The proposal represents a significant parking shortfall, with only 47 car parking spaces proposed. The information provided in the *Transport Impact Assessment* does not provide sufficient justification to meet PC8.

Given that the end users and specific operations for the proposed development are unknown, the applicant is requested to demonstrate compliance with the prescribed parking rate.

Alternatively, suitable and sufficient justification shall be provided to demonstrate that the expected parking demand will be fully accommodated on-site, in accordance with PC8 noting the above identified noncompliance with the Performance Criteria.

Water and Waste Assessment

3. Water Network Capacity

A water capacity assessment is required to confirm if any augmentations to Council's potable water and sewer network are required as a result of the proposed development.

To ensure that all approval conditions are achievable and final in accordance with the Planning Act, and the City Plan, Council requests the following information be submitted to Council:

- a A potable water supply network capacity assessment for the proposed development. The capacity of the existing system (considering other existing development approvals) must be assessed and any required augmentation works shall be identified as a result of the development's additional water usage. The assessment must adhere to the *SEQ Water Supply and Sewerage Design and Construction Code* and the *Water Supply and Sewerage Infrastructure Plan*.

Advice Note: The applicant should liaise with Council to obtain the current model for potable water (please contact Uttam Saha, Coordinator Network Planning on telephone (07) 5582 8929)

Operational Works Assessment

4. 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.

5. Change to ground level and creation of new waterbodies

Treatment to fill and retaining wall – AS13.1 & AS13.2/PC13

Demonstrate that the batters and any retaining walls do not create a negative visual impact on the area.

Specifically, earthworks batters within private property are to have a maximum slope of 1:2 and benching is to be undertaken where any proposed freestanding batter exceeds 2.5m. The applicant is required to provide levels for the batter heights and gradients in a percentage form. Demonstrate that these batters are compliant with Land Development Guidelines Table 3.3 or justify why an alternative is safe and should be acceptable to Council.

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 Natasha Sidabutar copied into the email nsidabutar@goldcoast.qld.gov.au
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.



Natasha Sidabutar
A/Senior Planner
For the Chief Executive Officer
Council of the City of Gold Coast