

Date: 4 March 2025
Contact: Indu Duwal
Location: City Development
Telephone: 5581 7110
Our reference: OPW/2025/175

Victo Construction Pty Ltd
19 Gateway Ct
COOMERA QLD 4209

Dear Sir/Madam

Information Request

I refer to the development application lodged by:
Victo Construction Pty Ltd

in relation to development of land/premises described as:
Lot 117 SP316137 – 28 Eastridge 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

Landscape Assessment

1. Provide an Amended Landscape Plan

The applicant is requested to revisit the landscape design and to submit an Amended Landscape Plan which comply with condition 10 of the related MIN/2024/208 associated with a parent approval MCU/2022/525 incorporating:

- a. Pursuant to condition 10 a) viii) the applicant is requested to amend the planting plan and planting schedule to show the Carissa species planted along the frontage at one (1) metre centres to comply with the condition.
- b. Pursuant to condition 10 a) vii) large canopy trees must be planted at 6 metre centres within the frontage garden bed. In this regard, the number of trees proposed on the OPW plan does not match with the approved Statement of Landscape Intent (SLI) document. Hence, please amend the OPW plan as per the approved document and referenced condition.
- c. Officers seek a clarification regarding the missing tree adjacent to the fire hydrants and in between the car parking area located at the western boundary of the site.
- d. Officers seek a clarification regarding the missing shrubs species around the storm water file inlet area located at south-western corner of the site in accordance with the approved SLI document. Hence, please nominate the plant species and update the planting schedule accordingly.

2. Qleave

The applicant has partially filled out Part 7 – Further Details of the submitted DA Form 1 relating to the portable long service leave levy. The applicant has provided the amount paid, the date paid and QLeave levy number. However, the applicant has not provided evidence that the portable long service levy has been paid for Council's records.

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

- 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).

The applicant is therefore requested to provide evidence that section 75 of the Act with respect to payment of the levy has been complied with. Specifically, the applicant is requested to provide the Notification and payment confirmation form.

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 Indu Duwal copied into the email iduwal@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.

Yours faithfully

A handwritten signature in black ink, appearing to read 'D. Price', with a stylized flourish at the end.

David Price
Senior Landscape Planner
For the Chief Executive Officer
Council of the City of Gold Coast
I.D.