

Date: 20 February 2026
Contact: Sue Wilkinson
Location: City Development
Telephone: 07 5582 8866
Your reference: Q25388
Our reference: MCU/2026/34

VPH07 Pty Ltd A.C.N. 690 603 591
C/- Zone Planning QLD
PO BOX 3805
BURLEIGH HEADS QLD 3805

Dear Sir/Madam

Confirmation Notice and Information Request – Assessment Manager

(Confirmation Notice given under section 2 and Information Request given under section 12 of the Development Assessment Rules)

I refer to the development application lodged by:

Applicant name: VPH07 Pty Ltd A.C.N. 690 603 591
Applicant contact details: C/- Zone Planning QLD
PO BOX 3805
BURLEIGH HEADS QLD 3805

in relation to development of land/premises described as:

Street address: 167-191 Christensen Road South, STAPYLTON QLD 4207
Real property description: Lot 304 SP329491

CONFIRMATION NOTICE

The development application described below was properly made to the Council of the City of Gold Coast (Council) on 6 February 2026

Application number: MCU/2026/34

Approval(s) sought: Development permit for a Material change of use (code assessment) for Industry (15 tenancies)

This development application is not a development application to carry out a development under a superseded planning scheme. However, the overarching categorising instrument in effect over the premises is the M38 Industrial Estate Place Code, and not the City Plan.

Nature of development proposed: Industry (15 tenancies)

Council's Project Team

The assessment of this application will be undertaken by the following Council project team.

Assessment Manager Sue Wilkinson Planner (07) 5582 8680 swilkinson@goldcoast.qld.gov.au	Planning Coordinator Adam Morris Coordinator Planning Assessment North (07) 5667 3856 asmorris@goldcoast.qld.gov.au	Transport Planning Eslam Hassan Transport Engineer (07) 5581 1735 ehassan@goldcoast.qld.gov.au
Civil Engineering Fatema Akram Senior Civil Engineer (07) 5582 8102 fakram@goldcoast.qld.gov.au	Environmental and Bushfire Assessment Karen Vigoya Ortiz A/Senior Environmental Assessment Officer (07) 5582 8238 KVIGOYAORTIZ@goldcoast.qld.gov.au	Landscape and Open Space Karl Cvelbar Senior Landscape Planner (07) 5528 2151 kcvelbar@goldcoast.qld.gov.au
Plumbing and Drainage Matt Merigan Senior Plumbing and Drainage Inspector (07) 5582 8671 mmerigan@goldcoast.qld.gov.au		

Referral Agencies

There are no referral agencies identified for this development application.

Information Request

You have stated on the approved form that you agree to accept an information request in accordance with Part 3 of the Development Assessment Rules.

Public Notification

Public Notification is not required for this development application.

Development Infrastructure

Non trunk development infrastructure

This development application has not identified proposed trunk infrastructure. The proposal will be assessed on the basis that you are not proposing trunk infrastructure for the networks listed below:

- Transport
- Recreation Facilities
- Stormwater
- Water Supply
- Wastewater

INFORMATION REQUEST

Council has reviewed your development application for the premises previously described and determined that the following additional information is needed to assess the application:

Planning Assessment

1. Inconsistencies between documentation lodged

There are a number of minor inconsistencies in the documentation between the planning report, code assessment and plans. For example, in relation to PC25, the code assessment against the M38 Industrial Estate Place Code identifies a proposed 3m wide front landscape buffer whereas the proposal plans indicate a landscape buffer with a minimum width of 1.5m. The assessment against PC43 identifies a single vehicular crossover whereas the proposal plans show two vehicular crossovers.

The applicant is requested to review and update the documents and plans to ensure consistency between them in relation to the proposed development and any changes as a result of this information request.

2. Amended drawings/plans

Information request items will necessitate changes to the development footprint as currently proposed. Please be advised this will have impacts to proposed built form to accommodate necessary development infrastructure/requirements.

The applicant is requested to provide amended drawings and plans to reflect the items identified below.

Bushfire Assessment

3. Bushfire hazard assessment and management plan

AS1.1.3 of the Bushfire Management Areas Constraint Code

The proposed development is identified as having a Low and Medium Potential Bushfire Hazard Rating on the Gold Coast Planning Scheme 2003 - Potential Bushfire Hazard Areas Overlay Map. Under the Bushfire hazard overlay of the City Plan Version 13, the site is identified within the Medium bushfire hazard and Potential bushfire impact buffer.

The applicant is requested to provide a written bushfire hazard assessment prepared by a suitably qualified and experienced bushfire management consultant confirming that the site is not contained within a bushfire hazard area and accordingly, specific fire mitigation measures are not mandated for the development in accordance with Acceptable Solution 1.1.3 of the Gold Coast Planning Scheme 2003 - Bushfire Management Areas Constraint Code.

If a bushfire management consultant confirms that the proposed development is within a bushfire hazard area including the potential bushfire impact buffer, the applicant is requested to comply with the Acceptable Solutions or Performance Criteria of the Gold Coast Planning Scheme 2003 - Bushfire Management Areas Constraint Code.

Where a Bushfire Management Plan (BMP) is required, the BMP is to be prepared in accordance with Planning Scheme Policy 9 – Guidelines for Preparing Fire Management Plans and City Plan Policy – SC6.3 Bushfire management plans.

Please note that the bushfire assessment undertaken as part of the Preliminary approval prepared in 2012 is no longer considered valid as it was prepared over 13 years ago and may not reflect the current site conditions.

Please note - The City will not accept management or maintenance of adjacent public land for the purpose of mitigating the subject premises' bushfire hazard risk.

Landscape and Open Space

4. Building setback to proposed public open space

AS4.3 of the M38 Industrial Estate Place Code

AS4.3 of the M38 Industrial Estate Place Code requires a 3m setback from the common boundary of public open space which includes a fence and landscape buffer strip. Further to this PC14 and PC15 requires buildings to be sited to prevent potential conflicts between uses and a clear separation between public access areas and areas set aside to service the building. Further to this, condition 50 of MIN/2023/64 requires retaining walls to be setback from the public open space by 600mm in accordance with Planning Scheme Policy 11 - Land Development Guidelines.

The current proposal shows built to boundary tenancies for 1 to 11 with tilt walls and block retaining walls, with 12 to 15 showing boulder retaining walls to proposed public open space (Lot 904) to be dedicated as part of COM/2023/82. A chainmesh fence appears to be already constructed on the boundary which would appear to require any proposed maintenance of the buildings to be undertaken from within the development site.

The applicant is requested to demonstrate through amended plans how the buildings will be maintained and adequately setback from proposed Lot 904 to be dedicated as public open space for conservation purposes in accordance with existing conditions of approval as well as the M38 Industrial Estate Place Code. All bushfire management requirements requested as part of Bushfire Assessment information request items are to be undertaken within the development footprint and not impact upon proposed Lot 904.

Please Note: this may have considerations to the bushfire assessment information request item above.

5. Landscape design

Condition 10 of COM/2023/82 requires a landscape buffer width of 1.5m and an average of 3m along the frontage of the subject site. Proposed car park lengths are only 4.9m as opposed to standard length of 5.4m. As such parked cars will overhang into the front 1.5m garden bed severely constraining the ability to successfully establish plants within the proposed garden beds. It is requested that the applicant amend the car park lengths to 5.4m and introduce wheel stops so that compliance with Condition 10 can be achieved.

Overhang into the frontage landscaping buffer will not be supported.

Further to this, batters to the constructed bioretention basin have not been approved as part of OPW/2023/1493 Private Landscape OPW Stage 3. The Statement of Landscape Intent (SLI) does not propose landscape treatment to the bioretention basin batters.

It is requested that the SLI is amended to clearly detail a minimum 1.5m wide landscape buffer along the subject site frontage clear of car parking. All other relevant plans are requested to also reflect this. Include the landscape treatment of the balance of bio-basin areas not approved as part of OPW/2023/1493 within the amended SLI.

Transport

6. M38 Industrial Estate Place Code

Vehicular parking PC8

To comply with AS8.1.2 of the M38 Industrial Estate Place Code, the development must provide car parking spaces in accordance with Table AS8.1.2.

The proposal comprises 15 Medium Impact Industry tenancies with a total Gross Floor Area (GFA) of 4,457.3m² and a Total Use Area (TUA) of 3,688.7m².

Council officers acknowledge that the definition of TUA under the Transport Code and GFA under the Gold Coast Planning Scheme 2003 are broadly comparable for the purposes of parking demand assessment. Based on the applicable parking rates under AS8.1.2 and the proposed development yield, a total of 72 car parking spaces is required. The development proposes 66 car parking spaces, resulting in a shortfall of 6 spaces.

It is noted that the applicant seeks to rely on a performance-based assessment under Performance Criterion PC8. However, the information submitted to date does not sufficiently justify the reduced parking provision, particularly having regard to:

- The overall scale of the development (15 industrial tenancies).
- The uncertainty associated with future tenancy mix and car parking requirements.
- The anticipated workforce size, including the expected number of staff per tenancy.
- The likely visitor parking demand associated with the proposed industrial uses.

To demonstrate compliance with the PC8/AS8.1.2 of the M38 Industrial Estate Place code, the applicant is requested to either:

- a. Amend the proposal to provide a minimum of 72 compliant on-site car parking spaces in accordance with AS8.1.2; or
- b. Submit a robust performance-based assessment addressing PC8 of the M38 Industrial Estate Place Code. Any such assessment must include:
 - i. Identification of the intended or likely future users and the types of industrial land uses anticipated to occupy the tenancies.
 - ii. An evaluation of the anticipated number of staff per tenancy and the overall peak staff generation for the site.
 - iii. An assessment of expected visitor parking demand associated with the proposed industrial uses.

7. Car Parking, Access and Transport Integration Constraint Code (Gold Coast '03 Planning Scheme)

Design of car parking areas and car park space – PC3/ AS3.1

To comply with AS3.1 of the Car Parking, Access and Transport Integration Constraint Code, the proposed car parking facilities must be designed to comply with the requirements of AS2890.1:2004.

To demonstrate compliance with the abovementioned standards, the applicant is therefore requested to submit amended drawings addressing the following changes:

- a. Provide fully dimensioned car parking spaces in accordance with AS2890.1 requirements.
Officers note that the proposed car parking bays are 5.0 metres in length, which does not meet the minimum bay length required under AS2890.1.

8. Car Parking, Access and Transport Integration Constraint Code (Gold Coast '03 Planning Scheme)

Loading bay and set down area and design service vehicle requirements PC13 / PC14

To comply with AS14.1 of the Car Parking, Access and Transport Integration Constraint Code, the development must be designed to accommodate an Articulated Vehicle (AV) in accordance with Table to Acceptable Solution AS14.1. Given the site area exceeds 4,000m², provision of a dedicated service bay designed for an AV is required with restricted manoeuvring access from Christensen Road South is permitted.

The current proposal nominates a Heavy Rigid Vehicle (HRV) as the design vehicle and provides a corresponding service bay. While it is acknowledged that the applicant has advised that the proposed tenancy sizes (approximately 186m²–328m²) are unlikely to generate demand for Articulated Vehicle servicing, no substantive traffic or operational assessment has been submitted to justify this assumption.

As such, council officers are not supportive of the provision of HRV in lieu of AV given the overall scale of the development (15 tenancies) and the uncertainty regarding future tenancy mix and servicing requirements.

To demonstrate compliance, the applicant is requested to submit a swept path assessment, generated by AutoTURN or similar software for a standard Articulated Vehicle entering the site, manoeuvring within the site, and exiting the site. The assessment must demonstrate a minimum 500mm clearance to all obstructions, including buildings, landscaping, and parked vehicles.

9. Car Parking, Access and Transport Integration Constraint Code (Gold Coast '03 Planning Scheme)

Access to car park areas – PC9/AS9.1

AS9.1 of Car Parking, Access and Transport Integration Constraint Code requires all car park areas to have unrestricted accesses by employees or visitors.

The submitted plans indicate the provision of security gates at the vehicle driveway. However, no information has been provided to demonstrate how unrestricted vehicular access will be achieved.

Therefore, the applicant is requested to demonstrate how compliance with AS9.1 will be met.

Advice Note:

The applicant is advised that, in the event of approval, council officers intend to impose a condition of approval requiring both gates to remain open during hours of operation

Response Due Date

The due date for providing the requested information is 20 May 2026.

To assist Council with finalising the assessment of this development application, can you please advise whether you intend to:

- a) Provide all of the information requested;
- b) Provide part of the information requested; or
- c) Not provide any of the information requested.

Notwithstanding the above, as Council's assessment of this development application will be based on the information provided, it is recommended that you provide all of the information requested. If Council has not received a response to the information requested from you on or before the above due date (or a further agreed period), it will be taken as if you have decided not to respond to the information request and Council will continue with the assessment of your application without the information requested.

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 Sue Wilkinson copied into the email swilkinson@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 'Adam Morris', written in a cursive style.

Adam Morris

Coordinator Planning North

For the Chief Executive Officer

Council of the City of Gold Coast