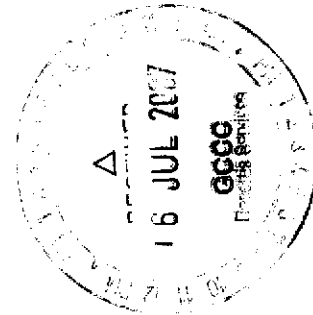


OUR REF: 4221 DRH/DMJ
YOUR REF: PN289803/01/DA2 (MCU2700123)

13th July 2007

The Chief Executive Officer
Gold Coast City Council
PO Box 5042
GOLD COAST MAIL CENTRE QLD. 9729



ATTENTION: JIMMY DUNCAN – IMPLEMENTATION & ASSESSMENT BRANCH

Dear Jimmy,

**RE: REQUEST FOR A NEGOTIATED DECISION NOTICE – MATERIAL CHANGE OF
USE APPLICATION (INDUSTRY – BUILDING 7) AT CHRISTENSEN ROAD,
STAPYLTON (LOT 334 ON SP311668)**

Reference is made to the following correspondence:

- Council's Decision Notice dated 18th June 2007 and received by this Office on 22nd June 2007 via letter; and
- Our letter dated 2nd July 2007 suspending the applicant appeal period.

Pursuant to Section 3.5.17 of the *Integrated Planning Act 1997*, we request a Negotiated Decision Notice based on the following conditions issued by Council.

Condition 1(a) – Development in Accordance with Plans (Crossovers)

Please find attached to Appendix A of this letter an amended drawing, being 063044 A1202/P1 focussing over the Front Entry Part Plan. As such, the crossover has been amended as per Gold Coast Council crossover drawings (Type 7). We trust this information meets the requirements of Council, and request this condition to be deleted from the Decision Notice.

Condition 1(b) – Development in Accordance with Plans (Articulated Vehicles)

Please find attached to Appendix A of this letter an amended drawing, being 063044 A1202/P1 focussing over the Front Entry Part Plan. The Articulated Vehicle (AV) turning circle has been provided to demonstrate that such vehicles can enter and exit the site without compromising the safety of parked cars. We trust this information meets the requirements of Council, and request this condition to be deleted from the Decision Notice.

Condition 27(a) – Proposed Change of Plant Species

The plant species *Melaleuca linariifolia* specified by GCCC is not suitable for the electric fences the Applicant utilises on their developments along Christensen Road, for the primary reason that this plant may eventually grow into the electric fencing device (Also, see overleaf regarding proposed change of fencing).

Qualified landscape architect Mark Baldock has provided horticultural reasons that the suggested species are unsuitable in this instance. His comments are provided in Appendix A of this letter, which are more consistent with nearby buildings in the estate. We request Council to amend this condition to enable consistency with the comments of Mark Baldock.

Condition 27(b) – Proposed Change of Fencing

The 1800mm high tubular pool-type fencing proposed along the Christensen Road frontage does not provide a satisfactory outcome for the development, nor the estate as a whole.

The Yatala Enterprise Area Local Area Plan Place code considers a range of design outcomes, and not just pool fencing. An additional outcome for the Applicant is to maintain a uniform design standard throughout the industrial estate. The utilisation of a pool fence compromises this consistency, and will detract from the appearance being achieved.

At present, the estate contains four (4) other buildings in the vicinity of Building 7. Each building uses a 2100mm high black chain wire fence. These fences have electric devices attached for added security (See photos in Appendix B of this letter). Pool fences cannot be electrified thereby reducing the ability of tenants to secure their property and businesses.

Finally, pool fencing is triple the cost of the normal black chain wire fence. The photos in Appendix B of this letter illustrate examples of fencing in the estate. When combined with landscaping and colour coding of each building (refer to approved plans), they are visually appealing whilst retaining direct views into each allotment.

We request Council to either delete this condition, or otherwise provide an amendment that allows a 2100mm high black chain wire fence with electrification device to be constructed.

Application fee

Find attached a cheque for \$ 1,029.30, made payable to Gold Coast City Council, being 30% of the current application fee for an industry (\$ 3,431.00).

On the basis of the above and the attached information, we kindly request Council assess this request for a negotiated decision notice in accordance with the requirements of the *Integrated Planning Act 1997*.

Should you have any queries regarding the above, please do not hesitate to contact the undersigned or Mr. David Hansen.

Yours faithfully,

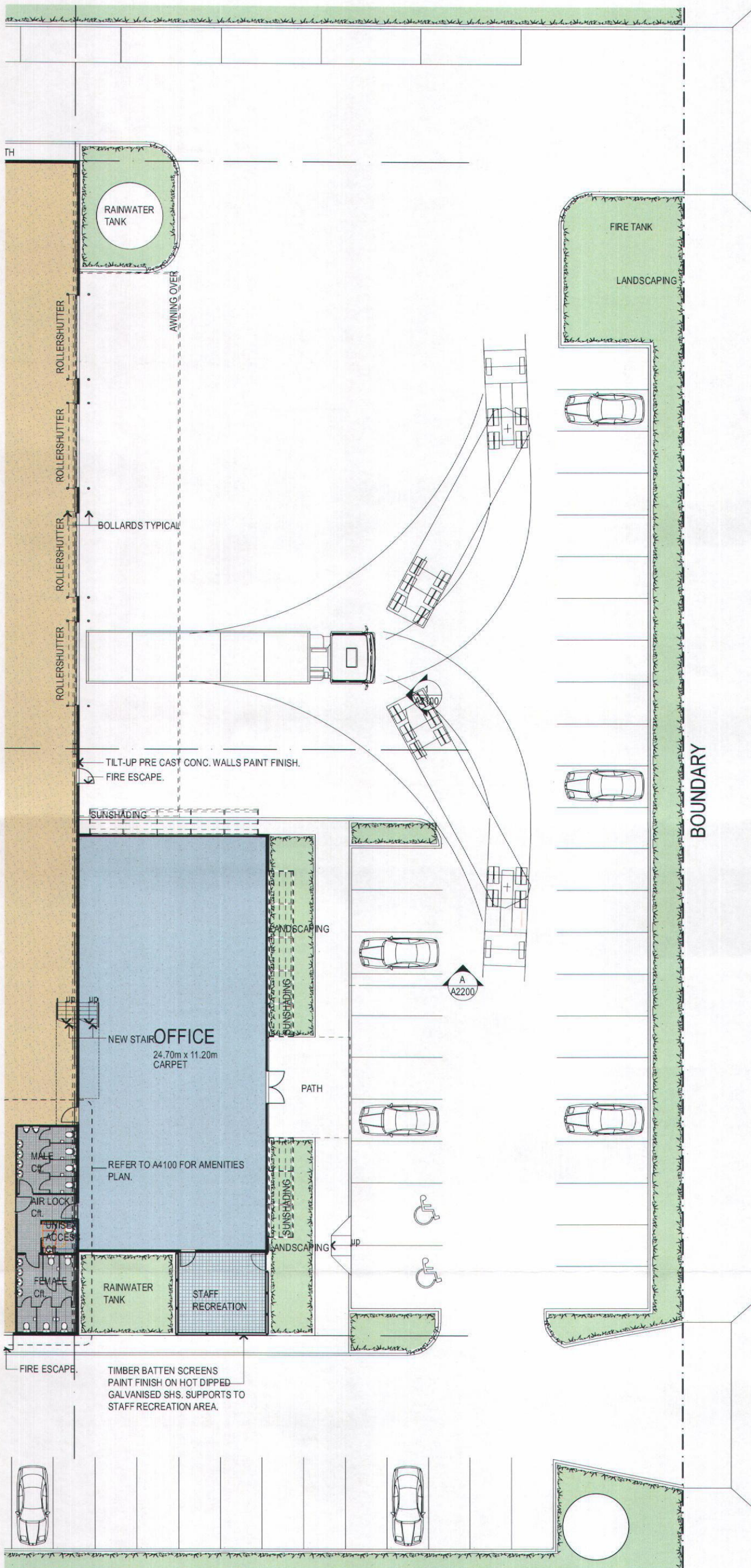
GASSMAN DEVELOPMENT PERSPECTIVES PTY. LTD.



.....
DEAN M. JONES

Cc: Michael Scammells – MS Projects

APPENDIX A – DRAWING 063044 A1202/P1 (ARTAS)



P1	29.06.07	ISSUED FOR DEVELOPMENT APPROVAL	PB	AM
Issue	Date	Description	Int	App
Revision				



Sydney
Suite 402
410 Elizabeth Street
Surrey Hills NSW 2010
T 02 9211 9669
F 02 9211 9665

Melbourne
Brisbane
Launceston
Burnie

Internet
www.artas.com.au

E-mail
info@artas.com.au

Project Title

Industry Development Building 7 at Christensen Road Stapylton for Yatala Central Business Park

Drawing Title

Building 7 Front Entry Part Plan

Plot Date
29/06/2007

Checked
CA

Drawn
PB

Project Number

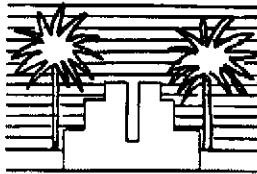
063044 A1202/P1

Drawing Number

P R E L I M I N A R Y

Use figured dimensions in preference to scaled dimensions. All dimensions to be verified on site.
©COPYRIGHT These drawings and designs and the copyright there of are the property of Artas Architects and must not be used, retained or copied without the written permission of Artas Architects. (a.b.n. 33 050 405 963)

APPENDIX B – LETTER FROM MARK BALDOCK LANDSCAPE ARCHITECT



Mark Baldock

Landscape Architect

B.App.Sc. Blt.Env, Grad.Dip.L.Arch.

ABN 64 164 576 431

P.O. Box 373

Annerley Q. 4103

Ph: (07) 3848 8436

Fax: (07) 3848 8436

Email: baldock@bigpond.net.au

11 July 2007

Mr. Michael Scammels
MS Projects Pty Ltd
PO Box 1163
Coorparoo DC Qld 4151

Dear Mr. Scammels

Re: Landscape conditions for Lot 7, Christensen Road, Yatala Qld

Thanks for your recent email regarding the landscaping conditions. You asked for my comments regarding the conditions by the council.

I was wondering if the council could approve another species other than *Melaleuca linariifolia*, as I thought this tree might spread out too low and grow into the electric fence, which could cause problems in the future. I chose *Melaleuca quinquinervia* as I believe it grows taller and upright and would hopefully not grow into the electric fence. Other possible trees I can think of could include *Grevillea baileyana*, *Stenocarpus sinuatus*. They may require some trimming if the branches spread into the fence, but they grow more upright with the foliage higher up the trunk. The trees I propose may not cast as much shade but would require less maintenance.

I hope this will help to finalise the conditions of approval.

Yours faithfully

Mark Baldock

APPENDIX C – IMAGES OF FENCING IN CLOSE PROXIMITY TO BUILDING 7







GOLD COAST CITY COUNCIL

COPY

ADMINISTRATION CENTRE, GOLD COAST, QUEENSLAND

SURFERS PARADISE TELEPHONE: (07) 55 816000 FAX: (07) 55 816346 NERANG TELEPHONE: (07) 55 828211 FAX: (07) 55 963653

Gold Coast City Council

GOLD COAST CITY COUNCIL

PAGE 1

FAX INVOICE RECEIPT

ABN: 84 858 549 460

DATE 18/07/07

REGISTER 1014

FAX INV. NO. 10137673

TIME 10:03:27

DEVICORP QLD PTY LTD

FAX INV. DATE

18/07/07

C/- CASSMAN DEVELOPMENT PERSPECTIVES

L334 SP311560

PO BOX 392

BEENLEIGH 4207

Allocations

REVENUE FEES OTHER FEES AND CHARGES REF: 223355

ACCOUNT 90280 MISCELLANEOUS FEES MATERIAL CHANGE OF

USE APPLICATION 2700522

Value	GST	Price
1,029.30	0.00	1,029.30

Total Amounts:	1,029.30	0.00	1,029.30
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Which consists of:

MAIL-CHQ PROCESSING 200000

Total Tenders:

1,029.30

1,029.30

IF THIS PAYMENT LEAVES AN AMOUNT OUTSTANDING IN ACCORDANCE WITH COUNCIL'S RECORDS, IT WILL NOT REPRESENT FULL AND FINAL SETTLEMENT OF THE DEBT.