

g a s s m a n
**development
perspectives** | surveyors
| planners
| designers

OUR REF: 1396

14th March 2007

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



ATTENTION: RACHEL DUNCAN

RE: REQUEST TO CHANGE AN EXISTING DEVELOPMENT APPROVAL – EXTENSION OF THE CURRENCY PERIOD FOR RECONFIGURATION OF A LOT APPLICATION (4 MANAGEMENT LOTS) – CHRISTENSEN ROAD, STAPYLTON - LOT 334 ON W311668.

On the 6th December 2006, an Extension to the Currency Period for a Subdivision at Christensen Road, Stapylton was lodged. Since this time, we have never heard any acknowledgement from Council.

To assist with the status of this application, we have attached the following:

- Our covering letter dated 6th December 2006, containing all relevant forms, land owner's consent, cheque and appendices;
- Council's Tax Invoice for \$296.00 dated 6th December 2006, being the prescribed fee in the matter.

Further to my email dated 28th February 2007, we kindly request Council the status of this application. The development would have lapsed on the 12th December 2006, however it is our understanding it has indeed not lapsed, given that the Extension of Time application was lodged before this date, and the Tax Invoice demonstrates the application is with Council.

Should you require any further information, please do not hesitate to contact the undersigned or Mr. David Hansen.

Yours Faithfully,

GASSMAN DEVELOPMENT PERSPECTIVES PTY. LTD.

.....
DEAN M. JONES

GGCC-IMU



1189509



GOLD COAST CITY COUNCIL

ORIGINAL

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

PAGE 1

DEVELOPMENT PERSPECTIVES

P O BOX 392

BEENLEIGH QLD 4207

TAX INVOICE

RECEIPT

TAX INV. DATE
06/12/06

ABN: 84 858 548 460
DATE 06/12/06
REGISTER 1102
TAX INV. NO. 9536859
TIME 15:39:49

L334 W311668
CHRISTENSEN RD STAPYLTON
PN184435/02/DA1

Allocations

REVENUE FEES OTHER FEES AND CHARGES ACCOUNT 58524 FEES-
SUBDIVISIONS

Value	GST	Price
296.00	0.00	296.00

Total Amounts:	296.00	0.00	296.00
----------------	--------	------	--------

Which consists of:

CHEQUE

010669

Total Tendered:

296.00
296.00

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

Job: 1396.

original in
receipt file
in safe.

PLEASE SCAN	
REF	DATE
1396	12/12
SCANNED BY	
DATE	11-12-06



OUR REF: 1396-96 DRH
COUNCIL REF: PN184435/02/DA1

6th December 2006

PLEASE SCAN	
REF	DATE
1396	6/12
SCANNED BY	DATE
	6/12

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

ATTENTION: RACHEL DUNCAN – IMPLEMENTATION AND ASSESSMENT BRANCH

Dear Rachel,

RE: REQUEST TO CHANGE AN EXISTING DEVELOPMENT APPROVAL – EXTENSION OF THE CURRENCY PERIOD FOR RECONFIGURATION OF A LOT APPLICATION (4 MANAGEMENT LOTS) – CHRISTENSEN ROAD, STAPYLTON - LOT 334 ON W311668.

Pursuant to Sections 3.5.22 of the *Integrated Planning Act 1997*, we hereby lodge a request to extend the currency period to an existing development approval in relation to the above land on behalf of our client, MS Projects Pty. Ltd.

There are no proposed changes to the conditions or approval of the application, and therefore Sections 3.5.33, 3.5.24 and 6.1.35A of IPA does not apply. To the best knowledge of the applicant, no concurrence or building referral agencies were triggered.

The justification for the proposed extension is that to date, the road proposed through the site in the original application has been constructed to Council Standards. However, the road is not declared as open to the public. As the finalisation of the four allotment subdivision and public opening of Christensen Road relies upon the conditions of this development application, it is a necessary requirement to ensure the application remains current.

As such, we request an extension of two (2) years which will provide sufficient time to finalise the development.

This application consists of the following components:

- IDAS Form 2 – Request to Change an Existing Approval;
- Decision Notice issued by Gold Coast City Council – 10th December 2002 and dated 12th December 2002;
- Images showing the constructed road; and,
- Our Client's cheque for \$ 296.00, this being the prescribed application fee for the application.

Fee Calculation:

Item	
Item 1: ROL Application Amendments – Extension of Time on an Approved Application (Currency Period) Calculation: 20% of current land use application fee (up to a maximum of \$6,900) *Source – GCCC Regulatory Fees and Charges 2006/07.	\$ 370.00 x 4 = \$ 1480.00 x 0.2 = \$ 296.00
TOTAL	\$ 296.00

Four (4) copies of this application have been forwarded for assessment.

Should you require any further information, 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 Pty. Ltd.

APPENDIX A
IDAS FORM 2 – REQUEST TO CHANGE AN
EXISTING APPROVAL AND ASSESSMENT
CHECKLIST

Form 2 Development Application

idas

Request to change an existing approval

Description of land

All land the subject of the application must be identified.

Advice for completing Q1

A description of the land is not required in relation to a mobile or temporary environmentally relevant activity.

Advice for completing Q2 and Q3

Provide the information from the existing approval that is the subject of this request for change

Advice for completing Q4

Q4 applies if development is proposed in a water body or watercourse

Advice for completing Q5

Most land can be identified by a lot on plan description. These details can be obtained from title documents or through the local government.

However, if the land on which the development is proposed does not have a lot on plan description (i.e. the development is proposed in a water body or watercourse) –

- (i) provide the lot on plan description for the adjoining/adjacent land; or
- (ii) provide GPS coordinates where there is no adjoining/adjacent land (i.e. in Moreton Bay).

Advice for completing Q9

Q9 does not apply if the development is proposed within a water body or watercourse

Advice for completing Q10

Q10 only applies if development is proposed within a local government area. Tidal areas are below high water mark and are not within a local government's area.

Advice for completing Q11

Q11 only applies if development is proposed on strategic port land or a strategic port land tidal area.

For more information refer to Guide 11

Development on strategic port land

Note: These details will be included in the original decision notice for the approval you now wish to modify.

1. Street address (including house number, street name, suburb/locality name & postcode) (if applicable)
Christensen Road, Stapylton
2. Number on existing development permit or preliminary approval sought to be changed:
One
3. Date issued:
10th December 2002
4. Name of water body or watercourse, within which the development is proposed: (if applicable)
Not Applicable
5. Lot on plan description (eg. Lot 123 on RP 4567) / GPS coordinates
Lot 334 on W311668
6. The above description is for: (tick applicable box)
☒ (i) the land on which the development is proposed; or
☐ (ii) the land adjoining the water body or watercourse, within which the development is proposed; or
☐ (iii) the water body or watercourse.
7. Shop / tenancy number: (if applicable)
Not Applicable
8. Storey / level: (if applicable)
Not Applicable
9. Total area of land: (m² / ha)
23.876 hectares
10. Local government area in which the land is situated (eg. Brisbane, Esk, Hervey Bay, Woocoo etc.) (if applicable)
Gold Coast City Council
11. Port authority for the strategic port land or strategic port land tidal area on which the development is proposed (eg. Port of Brisbane, Port of Townsville) (if applicable)
Not Applicable

Applicant details

Clearly identify who is making the application. The applicant need not be the owner of the land.

When signing and lodging this application

The applicant is responsible for ensuring the information provided is correct. The assessment manager, any referral agency and the Chief Executive (where applicable) will rely on this information when assessing and deciding the application.

If the applicant is a company

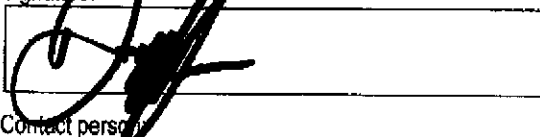
A contact person must be shown. All correspondence will be mailed to this address.

12. Name:

Michael Scammells (MS Projects P/L)
C/- David Hansen (Gassman Development Perspectives)

13. Postal address:

PO Box 392 BEENLEIGH QLD 4207

14. Signature:

15. Date:

6-12-06

16. Contact person:

David Hansen

17. Telephone number:

(07) 3807 3333

18. Mobile number: (if applicable)

Not Applicable

19. Fax number: (if applicable)

(07) 3287 5461

20. Email address: (if applicable)

drhansen@gassman.com.au

Land owner's consent (if applicable)

Section 3.5.24(3) of the IPA requires that the land owner's consent must be provided if the person making the request to change an existing approval is not the land owner.

For information about land owners refer to Guide 1 Making an IDAS development application.

Land owner's consent is not required for a mobile or temporary ERA.

If an owner has signed this form as applicant, their signature is not required again in this section.

If there are multiple owners, the consent of each owner is required.

21. Land owner's consent:

Name in Full	Signature	Date
(i) See Attached Consent Form		
(ii)		
(iii)		
(iv)		

Resource entitlement (if applicable)

Sections 3.5.22(4) & (5), 3.5.24(3B) & (3C), and 3.5.33(3B) & (3C) of the IPA may require the written agreement of a resource manager if the request involves a prescribed State resource, if when the request was made a development application for the approval would have required evidence of resource entitlement under section 3.2.1(5) of the IPA.

22. At the time of the request, would a development application for the approval have required evidence of resource entitlement?

☒ NO - go to Q24

☐ YES - go to Q23

23. Is this request accompanied by the written agreement of the chief executive from whom the evidence is required? (tick the applicable box)

☒ NO - the written agreement of the chief executive must accompany this request

☐ YES

Nature of the request

Any person may request to modify an existing approval.

24. This request is for:

☒ An extension of the relevant period for the development approval (s 3.5.22)

☐ To change or cancel conditions (s 3.5.33)

☐ To change the development approval (other than a change of a condition) (s 3.5.24)

☐ A change to conditions of a rezoning approval given under the P&E Act (s 6.1.35A)

25. Provide details of, & justification for, the proposed modification

To date, the new road through the site has been constructed to Council Standards. However, the road is not declared as open to the public. As the finalisation of the four allotment subdivision and public opening of Christensen Road relies upon the conditions of this development application, it is a necessary requirement to ensure the application remains current. As such, Gassman Development Perspectives is continuing to work with the Department of Natural Resources and Water to open the road.

Concurrence agencies

Under s3.5.22(1)(a) & 3.5.24(1)(a) of IPA, a copy of this request must be forwarded to each concurrence agency for the previous application prior to lodgement of this form with the assessment manager.

Note: "No" will always apply to a request to change conditions of a rezoning approval given under the P&E Act.

26. Did the previous application involve concurrence agencies or building referral agencies?

☒ NO

☐ YES - list the concurrence agencies who have been sent a copy of the request for modification

(i)

(ii)

(iii)

Plans and documents

An application should be accompanied by details to support the proposal & enable the assessment manager, referral agencies and any person viewing the application during public scrutiny or public notification to understand the scope of the proposal and any potential impact.

27. Plans/drawings/reports accompanying this application:

Plan / Drawing / Report Number	Title	Date
1396-96-P	Proposed Reconfiguration	29-04-2002

OFFICE USE ONLY (applicable to assessment manager)

DATE RECEIVED		REFERENCE NUMBER/S	
---------------	--	--------------------	--

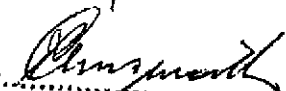
With reference to an approved Development Application PN184435/02/DA1 issued by Gold Coast City Council on the 10th December 2002 for a one-into-four allotment reconfiguration of a lot, we, as land owners, hereby provide consent to the proposed Extension of Time on an Approved Application (Currency Period).

Burnside Developments Pty Ltd
A.C.N. 105 562 883

Signature: 

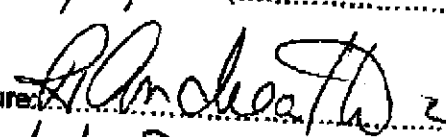
Date: 5/12/06

Burnside Developments Pty Ltd
A.C.N. 105 562 883

Signature: 

Date: 4/12/06

Yellowstone Investments Pty Ltd
A.C.N. 105 568 465

Signature: 

Date: 1st Dec 2006

Yellowstone Investments Pty Ltd
A.C.N. 105 568 465

Signature: 

Date: 1st Dec 2006

Form 1 Development Application

idas

IDAS Assessment Checklist

(Formerly the "Referrals Checklist")

IMPORTANT NOTE FOR ALL APPLICANTS:

1. This checklist was formerly referred to as the "Referrals Checklist". Some of the 'Guides' to using the IDAS Application Forms continue to refer to this document as the "Referrals Checklist". The name of this checklist was changed from 25 July 2005 to more accurately describe its function.
2. Under the IPA and IDAS framework, an application may require assessment by the local Council and/or certain Queensland State entities (e.g. Environmental Protection Agency, Dept. of Natural Resources, Mines and Water, Queensland Heritage Council etc.).
3. This checklist is provided to assist applicants to determine when an application requires assessment by a Queensland State entity and may also assist the applicant to determine the assessment manager¹ for the application.
4. Therefore, the completion of **all questions** in section 1 of this checklist is **mandatory** for all applications (other than those requiring the completion of Parts A & B only).
5. It is the responsibility of the applicant to accurately complete this checklist.
6. Depending on the nature of the application, an applicable State entity may be either the assessment manager or an IDAS referral agency for the application.
7. The assessment manager for the application will rely on the information provided in this checklist (as well as any material lodged in support of the application) to identify any applicable referral agencies for the application in the Acknowledgement Notice. The assessment manager will also rely on this information when identifying if the application triggers referral coordination².
8. To assist you in answering the following questions a series of guides are available free from the IPA website www.ipa.qld.gov.au. Guide 25 explains the role of the IDAS Assessment Checklist in the IDAS application process, and its relationship to the Form 1 development application.
9. Any other parts of Form 1 that this checklist requires to be completed are available from the Council or the applicable State entity, or can be downloaded free from www.ipa.qld.gov.au.
10. Section 2 on page 10 provides advice about the referrals that can be required for applications for building work assessable against the *Building Regulation 2006*.

SECTION 1 - STATE ASSESSMENT (completion mandatory)

Note: The following state assessment triggers apply to development other than for building work assessable against the *Building Regulation 2006*.

Environmentally relevant activity

For more information refer to Guide 4.

Unless you answered "none of the above" to Q1, the application requires assessment by the administering authority³.

If an entity, other than the administering authority, is the assessment manager for the application, the administering authority is a concurrence agency for the application in relation to this matter.

Note: An application involving ERA 19 and/or 20 will also require completion of Part K of Form 1 for approval where an allocation under the *Water Act 2000* is required.

1. The application involves: (tick applicable box/es)

- ☐ (i) an environmentally relevant activity (ERA) for which a code for environmental compliance has **not** been made - complete Part G of Form 1
- ☐ (ii) a mobile or temporary ERA for which a code of environmental compliance has **not** been made - complete Part G of Form 1
- ☒ (iii) none of the above

State-controlled road matters

For more information refer to Guide 3.

Unless you answered "none of the above" to Q2, the application triggers referral to the Department of Main Roads (DMR) as a referral agency.

In certain circumstances DMR will be an advice agency, while in other circumstances DMR will be a concurrence agency.

Schedule 2 of the IP Regulation will assist you to determine where DMR is an advice or concurrence agency for the application.

2. The application involves: (tick applicable box/es)

- ☐ (i) development on land **contiguous**⁴ to a State controlled road and for -
- ☐ (a) **material change of use** assessable against the planning scheme;
- ☐ (b) **reconfiguring a lot** unless -
- the total number of lots is not increased; and
 - the total number of lots abutting the State-controlled road is not increased;
- ☐ (c) **operational work** (not associated with a material change of use assessable against the planning scheme or reconfiguring a lot mentioned in (b) above)-
- associated with access to a State-controlled road; or
 - for filling or excavation; or
 - involving the redirection or intensification of site stormwater from the land, through a pipe with a cross-sectional area greater than 625 cm² that directs stormwater to a State-controlled road.

¹ The assessment manager is responsible for assessing and deciding an IDAS application. The assessment manager for an application is prescribed in schedule 8A of the IPA.

² For additional information refer to Guide 6 'Does my application trigger the referral coordination process?'

³ The 'administering authority' may be either the Environmental Protection Agency, the relevant local government (for a devolved ERA) or the Queensland Department of Primary Industries and Fisheries (for a delegated ERA).

⁴ Land contiguous to a State-controlled road is defined in schedule 14 of the IP Regulation to mean land - if part of the land is within 100m of the State-controlled road; or that is part of a future State-controlled road.

State-controlled road matters (cont)

- ☐ (ii) development on land **not contiguous** to a State-controlled road and -
- ☐ (a) **material change of use** -
 - assessable against the local government's planning scheme; and
 - mentioned in schedule 5 of the IP Regulation and exceeding the thresholds set by that schedule;
 - ☐ (b) **reconfiguring a lot** for a purpose mentioned in schedule 5 of the IP regulation and exceeding the thresholds set by that schedule;
 - ☐ (c) **operational work** (not associated with a material change of use assessable against the planning scheme or reconfiguring a lot mentioned in (b) above)-
 - assessable against the local government's planning scheme; and
 - mentioned in schedule 5 of the IP Regulation and exceeding the thresholds set by that schedule.
- ☒ (iii) none of the above

Clearing vegetation

For more information refer to Guide 12.Unless you answered "none of the above" to Q3, the application requires assessment by the Department of Natural Resources Mines and Water (NRMW).

If an agency other than NRMW is the assessment manager for the application, NRMW is a concurrence agency for the application in relation to this matter.

If you ticked Q3(i) or (ii), your application requires referral to NRMW for assessment regardless of whether vegetation clearing is proposed or not.

3. The application involves: (tick applicable box/es)

- ☐ (i) **material change of use** -
- (a) assessable against the planning scheme;
 - (b) on a lot containing -
 - a category 1, 2 or 3 area shown on a property map of assessable vegetation; or
 - if there is no property map of assessable vegetation for the lot - remnant vegetation;
 - (c) where the existing use of the land is a rural or environmental use; and
 - (d) where the size of the land is 2 hectares or larger - complete Part J of Form 1
- ☐ (ii) **reconfiguring a lot** -
- (a) on a lot containing a category 1, 2 or 3 area shown on a property map of assessable vegetation or, if there is no property map of assessable vegetation for the lot, remnant vegetation;
 - (b) where the size of the lot before the reconfiguration is 2 hectares or larger;
 - (c) where 2 or more lots are created; and
 - (d) where the size of any lot created is 25 hectares or smaller - complete Part J of Form 1
- ☐ (iii) **operational work** -
- (a) for the clearing of native vegetation where the vegetation clearing is made assessable under Schedule 8 of the IPA; and
 - (b) not associated with a material change of use assessable against the planning scheme mentioned in (i) or reconfiguring a lot mentioned in (ii) - complete Part J of Form 1
- ☒ (iv) none of the above.

Strategic port land

For more information refer to Guide 11.

If you ticked (i) - the relevant Port Authority is the assessment manager for the application.

If you ticked (ii) Queensland Transport is a concurrence agency for the application.

4. The application involves:

- ☐ (i) development on strategic port land as defined in the *Transport Infrastructure Act 1994* (TI Act) - complete Part I of Form 1
- ☐ (ii) a **material change of use** that is **inconsistent** with the land use plan approved under the TI Act for the strategic port land - complete Part I of Form 1
- ☒ (iii) none of the above

Acid sulfate soils

For more information refer to Guide 10.Unless you answered "none of the above" to Q5, the application requires assessment by Department of Natural Resources Mines and Water (NRMW).

If an agency other than NRMW is the assessment manager for the application, NRMW is a concurrence agency for the application in relation to this matter.

5. The application involves development on land situated in an identified⁵ local government area and where the surface of the land is: (tick applicable box)

- ☐ (i) below 20m AHD⁶ and the development will involve the excavation of 1000m³ or more of soil or sediment at or below 5m AHD, or
- ☐ (ii) at or below 5m AHD and the development will involve filling the site with 1000m³ or more of material
- ☒ (iii) none of the above

⁵ The identified local government areas are: Ayrakun, Bowen, Brisbane, Broadbeach, Bundaberg, Burdekin, Burka, Burnett, Caboolture, Cairns, Calliope, Caloundra, Cardwell, Carpentaria, Cook, Coolum, Douglas, Fitzroy, Gladstone, Gold Coast, Hervey Bay, Finchinbrooke, Isis, Johnstone, Livingstone, Logan, Mackay, Maroochy, Maryborough, Mirum Vale, Mornington, Noosa, Pine Rivers, Rockliffe, Redland, Rockhampton, Sarina, Thuringowa, Tiaro, Torres, Townsville, Whitsunday.

⁶ Australian Height Datum (AHD).

Major hazard facilities or possible major hazard facilitiesFor more information refer to Guide 17.

If you answered "YES" to Q6, the application requires assessment by the Department of Emergency Services (DES).

If an agency other than DES is the assessment manager for the application, DES is a concurrence agency for the application in relation to this matter.

6. Does the application involve a **material change of use** for a major hazard facility or possible major hazard facility as defined under the *Dangerous Goods Safety Management Act 2001*?

☒ NO☐ YES - complete Part L of Form 1**Water related development under the Water Act 2000**For more information about items (a) - (d), refer to Guide 15. For more information about item (e), refer to Guide 14 Does my application involve assessment of a referable dam?

Unless you answered "none of the above" to Q7, the application requires assessment by the Department of Natural Resources Mines and Water (NRMW).

If an agency other than NRMW is the assessment manager for the application, NRMW is a concurrence agency for the application in relation to this matter.

7. The application involves:

☐ (i) **operational work**, for taking or interfering with water under the *Water Act 2000*, that is: (tick applicable box/es)☐ (a) in a watercourse, lake or spring, or from a dam constructed on a watercourse (eg. a pump, gravity diversion, stream re-direction, weir or dam) - complete Part K₂, K₃, K₄, K₆, or K₈ of Form 1 whichever is applicable;☐ (b) for an artesian bore anywhere in the State, no matter what the use - complete Part K₁ of Form 1;☐ (c) for a subartesian bore, in declared groundwater area⁷, for use for purposes other than stock and/or domestic use - complete Part K₁ of Form 1;☐ (d) for a subartesian bore, in certain declared groundwater area, for use for stock and/or domestic purposes - complete Part K₁ of Form 1;☐ (e) for constructing a referable dam⁸ or that will increase the storage capacity of a referable dam by more than 10% - complete Part K₅ of Form 1; or☐ (f) for taking or interfering with overland flow water - complete Parts K₈ and G of Form 1☒ (ii) none of the above.**Removal of quarry material from a watercourse**For more information refer to Guide 16.

If you answered "YES" to Q8, the application requires assessment by the Department of Natural Resources Mines and Water (NRMW).

If an agency other than NRMW is the assessment manager for the application, NRMW is a concurrence agency for the application in relation to this matter.

Note: Part G of Form 1 is required to be completed as the activity of removing quarry material from a watercourse is also an Environmentally Relevant Activity (ERA).

8. Does the application involve development for the removal of quarry material from a watercourse⁹ requiring an allocation notice under the *Water Act 2000*?

☒ NO☐ YES - complete Parts K₇ and G of Form 1

⁷ The declared groundwater areas are listed in Guide 13 Development in a declared catchment area.

⁸ Referable dam is defined under the *Water Act 2000*.

⁹ Watercourse is defined in sch 10 of the IPA.

Operational works in a tidal area or coastal management district

For more information refer to Guide 18. For more information about prescribed tidal work in local government tidal areas refer to Guide 24.

Unless you answered "none of the above" to Q9, the application requires assessment by the Environmental Protection Agency (EPA).

If an agency other than EPA is the assessment manager for the application, EPA is a concurrence agency for the application in relation to this matter.

Local government is the assessment manager for all prescribed tidal work.

9. The application involves **operational work** that is: (tick the applicable box/es)

- ☐ (i) **tidal work**¹⁰ as defined under the *Coastal Protection and Management Act 1995* (the Coastal Act) that is not prescribed tidal work – complete Part M of Form 1; or
- ☐ (ii) tidal work that is **prescribed tidal work**¹¹ other than in a canal¹² – complete Part P of Form 1; or
- ☐ (iii) carried out within a **coastal management district** under the Coastal Act and for – complete Part M of Form 1 if any box/es (a) to (i) below are ticked.
- ☐ (a) constructing or installing works in a watercourse between MHS and HAT (i.e. other than those works in tidal water) where the development has been determined not to be assessable against the *Water Act 2000*;
- ☐ (b) constructing a canal¹² intended to be connected to tidal waters;
- ☐ (c) constructing an artificial waterway;
- ☐ (d) reclaiming land under tidal water;
- ☐ (e) disposing of dredge spoil or other solid waste material in tidal water;
- ☐ (f) interfering with quarry material on State coastal land above high-water mark;
- ☐ (g) draining or allowing drainage or flow of water or other matter across State coastal land above high-water mark;
- ☐ (h) removing or interfering with coastal dunes on land, other than State coastal land, that is in an erosion prone area and above high-water mark;
- ☐ (i) constructing a bank or bund wall to establish a ponded pasture on land, other than State coastal land, above high-water mark; or
- ☒ (iv) none of the above.

Operational work below high water mark

For more information refer to Guide 18. For more information about prescribed tidal work in local government tidal areas refer to Guide 24.

Unless you answered "none of the above" to Q10, the application triggers referral to Queensland Transport (QT) (Maritime Safety Qld) as a concurrence agency.

Local government is the assessment manager for all prescribed tidal work.

10. The application involves **operational work** that is: (tick the applicable box/es)

- ☐ (i) **tidal work**¹³ as defined under the *Coastal Protection and Management Act 1995* (the Coastal Act) that is not prescribed tidal work – complete Part M of Form 1; or
- ☐ (ii) tidal work that is **prescribed tidal work**¹⁴ – complete Part P of Form 1; or
- ☐ (iii) carried out within a coastal management district¹⁵ under the Coastal Act and for –
- ☐ (a) disposing of dredge spoil or other solid waste material in tidal water – complete Part M of Form 1;
- ☐ (b) reclaiming land under tidal water – complete Part M of Form 1; or
- ☐ (c) constructing a canal¹⁶, if the canal is associated with reconfiguring a lot – complete Part M of Form 1;
- ☒ (iv) none of the above.

Coastal management

For more information refer to Guide 18.

Unless you answered "none of the above" to Q11, the application requires assessment by the Environmental Protection Agency (EPA).

If an agency other than EPA is the assessment manager for the application, EPA is a concurrence agency for the application in relation to this matter.

11. The application involves: (tick the applicable box/es)

- ☐ (i) a **material change of use** assessable under a planning scheme **involving operational work** carried out completely or partly in a coastal management district¹⁵
- ☐ (ii) a **material change of use** assessable under a planning scheme **involving building work**, carried out completely or partly in a coastal management district that is –
- the construction of a new premises with a GFA¹⁷ of at least 1000m²
 - the enlargement of the GFA of existing premises by more than 1000m²
- ☐ (iii) **reconfiguring a lot** assessable under schedule 8 of the IPA where the land is situated completely or partly in a coastal management district
- ☐ (iv) **reconfiguring a lot**¹⁸ assessable under schedule 8 of the IPA and in connection with the construction of a canal¹⁶ – complete Part M of Form 1
- ☒ (v) none of the above

10. Tidal work is defined in sch 10 of the IPA.

11. Prescribed tidal work is defined in the *Coastal Protection and Management Regulation 2003* and includes certain tidal works completely or partly within a local government tidal area.

12. Canal means canal as defined under the *Coastal Protection and Management Act 1995*.

13. Tidal work is defined in sch 10 of the IPA.

14. Prescribed tidal work is defined in the *Coastal Protection and Management Regulation 2003* and includes certain tidal works completely or partly within a local government tidal area.

15. Coastal management district is defined in sch 10 of the IPA and means a coastal management district under the *Coastal Protection and Management Act 1995*, other than an area declared as a coastal management district under section 47(2) of that Act.

16. Canal means canal as defined under the *Coastal Protection and Management Act 1995*.

17. GFA is defined in sch 14 of the IPA to mean the gross floor area. For a definition of how to calculate GFA, go to the planning scheme against which the application is being assessed.

18. Under s117 of the *Coastal Protection and Management Act 1995*, an application for reconfiguration, where the reconfiguration is associated with the construction of an artificial waterway, must be accompanied by the application for the operational works to construct the artificial waterway.

Development within the limits of a port

For more information refer to Guide 18. For information about prescribed tidal work refer to Guide 24.

If you answered "YES" to Q12, the application triggers referral to the Port Authority.

The Port Authority is a concurrence agency if the development is –

- within 200m of a shipping channel or an entry and exit shipping corridor for the port
- within 1000m of a swing basin, a commercial shipping wharf, a mooring, anchorage or spoil grounds;
- within 1000m of a planned port facility identified in a land use plan approved under the Transport Infrastructure Act 1994.

In all other situation the Port Authority is an advice agency.

12. Does the application involve development below high water mark¹⁹ and within the limits of a port under the Transport Infrastructure Act 1994?

☒ NO

☐ YES – complete Part M of Form 1, or Part P of Form 1 if the work is prescribed tidal work

Marinas

For more information refer to Guide 18. For information about whether a marina is prescribed tidal work refer to Guide 24. The local government is the assessment manager for all prescribed tidal work.

If you answered "YES" to Q13, the application triggers referral to Queensland Fire and Rescue Service as an advice agency.

13. Does the application involve **operational work** that is tidal work for a marina²⁰ with more than 6 vessel berths?

☒ NO

☐ YES – complete Part M of Form 1, or Part P of Form 1 if the tidal work is prescribed tidal work

Tidal works in strategic port land tidal areas

For more information refer to Guide 18.

Unless you answered "NO" to Q14, the relevant Port Authority is the assessment manager for the application and the Environmental Protection Agency (EPA) and Queensland Transport (QT) are concurrence agencies for the application.

14. Does the application involve tidal works within a strategic port land tidal area²¹?

☒ NO

☐ YES – complete Part M of Form 1

Heritage

For further information refer to Guide 19.

If you answered "YES" to Q15, the application triggers referral to the Queensland Heritage Council as concurrence agency for the application.

15. Does the application involve development in a heritage registered place as defined under the Queensland Heritage Act 1992?

☒ NO

☐ YES – complete Part C of Form 1

Declared catchment areas

For more information, including a list of the declared catchment areas within Queensland, refer to Guide 13.

Unless you answered "none of the above" to Q16, the application requires assessment by the Department of Natural Resources Mines and Water (NRMW).

If an agency other than NRMW is the assessment manager for the application, NRMW is a concurrence agency for the application in relation to this matter.

16. The application is in an area declared to be a catchment area under the Water Act 2000 and involves: (tick the applicable box/es)

☐ (i)

reconfiguring a lot if any lot resulting from the reconfiguration is less than 16 hectares;

☐ (ii)

development assessable against the planning scheme involving the establishment or expansion of a waste water disposal system, other than a disposal system for carrying out an environmentally relevant activity under the Environmental Protection Act 1994;

☒ (iii)

none of the above

Contaminated land

Applications involving material change of use and/or reconfiguring a lot may trigger this referral.

For more information refer to Guide 5.

Unless you answered "none of the above" to Q17, the application requires assessment by the Environmental Protection Agency (EPA). If an agency other than EPA is the assessment manager for the application, EPA will be a concurrence agency for the application in relation to this matter.

17. The application involves: (tick the applicable box/es)

☐ (i)

reconfiguring a lot for which all of part of the premises are –

(a) premises mentioned in the IPA, schedule 8, part 1, table 2 –

- item 5, including the exemption otherwise provided for by paragraph (d);
- item 6, including the exemption otherwise provided for by paragraph (e); or
- item 7, including the exemption otherwise provided for a mining activity or petroleum activity; or

(b) in an area for which an area management advice has been given for unexploded ordnance – complete Part N of Form 1

☐ (ii)

a material change of use –

(a) made assessable under the IPA, schedule 8, part 1, table 2, items 5 to 7; or

(b) assessable against the planning scheme and if all or part of the premises is in an area for which an area management advice has been given for unexploded ordnance – complete Part N of Form 1

☒ (iii)

none of the above

¹⁹ High water mark is defined in the Coastal Protection and Management Act 1995 and means the ordinary high water mark at spring tide.

²⁰ Marina is defined in the Transport Operations (Maritime Pollution) Regulation 1995.

²¹ Strategic port land tidal areas are the areas generally 50 metres seaward of high water mark adjacent to strategic port land.

Electricity infrastructure

For more information refer to schedule 2 of the IP Regulation.

Unless you answered "none of the above" to Q18, the application triggers referral to the agency to which the easement is granted in favour of an advice agency.

18. The application involves: (tick the applicable box/es)

- ☐ (i) **reconfiguring a lot** where any part of the lot is –
- subject to an easement in favour of a distribution entity or transmission entity under the *Electricity Act 1994* and the easement is for a transmission grid or supply network under that Act; or
 - situated within 100m of a substation site;
- ☐ (ii) a **material change of use**, assessable against a planning scheme and not associated with reconfiguring a lot if –
- any part of the premises is subject to an easement in favour of a distribution entity or transmission entity under the *Electricity Act 1994* and the easement is for a transmission grid or supply network under that Act; and
 - any structure or work that is the natural and ordinary consequence of the use is, or will be, located wholly or partly in the easement;
- ☐ (iii) a **material change of use**, assessable against a planning scheme and not associated with reconfiguring a lot if any part of the premises is situated within 100m of a substation site;
- ☐ (iv) **operational work** that is filling or excavation assessable against the planning scheme, not associated with reconfiguring a lot, if –
- any part of the premises is subject to an easement in favour of a distribution entity or transmission entity under the *Electricity Act 1994* and the work is located wholly or partly in the easement;
 - the work is located wholly or partly within 10m of a substation site;
- ☒ (v) none of the above.

Land designated for community infrastructure

Applications involving development on land designated for community infrastructure may trigger this referral.

For more information refer to schedule 2 of the IP Regulation.

If you answered "YES" to Q18, the application requires assessment by the chief executive of the department administering the Act authorising the development for the designated purpose.

If an agency other than the designator is the assessment manager for the application, the designating agency will be a concurrence agency for the application in relation to this matter.

19. Does the application involve development assessable against the planning scheme and on land designated for community infrastructure?

- (i) intended to be supplied by a public sector entity; and
- (ii) on land not owned by or on behalf of the State; and
- (iii) other than development –
- (a) for the designated purpose; or
 - (b) carried out by, or on behalf of, the designator.

☒ NO

☐ YES

SEQ Regional Plan

For more information refer to schedule 2 of the IP Regulation.

Refer to Chapter 2, part 5A and schedule 10 of the Integrated Planning Act 1997, and schedule 2 of the Regulatory Provisions for relevant definitions.

Unless you answered 'none of the above' to Q20, the application requires assessment by the Office of Urban Management (OUM).

20. The application involves (tick applicable box/es) -

- ☐ (i) a **material change of use** of premises -
- (a) in a **Major Development Area** in the Urban Footprint for -
- ☐ (i) an **urban activity** -
- ☐ in an area included in a structure plan where the IPA, section 3.1.6 applies;
- ☐ in an area not included in a structure plan where -
- the IPA, section 3.1.6 applies to the application for the material change of use; or
 - the premises exceeds 10,000m²; or
 - the gross floor area (GFA) on the premises will exceed 10,000m²; or
 - impact assessment is required under the relevant planning scheme
- ☐ (ii) **intensive animal husbandry**; or
- ☐ (iii) residential development involving a **rural residential purpose**
- (b) in the **Regional Landscape and Rural Production Area** for -
- ☐ (i) an **urban activity** and not specified in section 2.4(2); or
- ☐ (ii) residential development involving a **rural residential purpose** and not specified in section 2.6(2)
- (c) in the **Rural Living Area** for an urban activity and not specified in section 2.8(2);
- (d) in the **Investigation Area** for -
- ☐ (i) an **urban activity** and not specified in section 2.10(2);
- ☐ (ii) residential development involving a **rural residential purpose** and not specified in section 2.12(2); or
- ☐ (iii) **intensive animal husbandry**
- ☐ (ii) **reconfiguring a lot** -
- On land in a **Major Development Area** in the Urban Footprint that is:
- (a) not included in a structure plan; and
- (b) not specified in section 3.1(2).
- ☒ (iii) none of the above

Fisheries matters

For more information refer to schedule 2 of the IP Regulation.

Unless you answered 'none of the above' to Q21, the application requires assessment by the Department of Primary Industries and Fisheries (DPI&F).

If an agency other than DPI&F is the assessment manager for the application, DPI&F is a concurrence agency for the application in relation to items (i) - (iv) and an advice agency in relation to item (v).

21. The application involves (tick the applicable box/es)

- ☐ (i) an assessable **material change of use** for aquaculture - complete Part O₁ of Form 1;
- ☐ (ii) assessable **operational work** that is the construction or raising of a **waterway barrier** - complete Part O₃ of Form 1;
- ☐ (iii) assessable **operational work** completely or partly within a declared fish habitat area - complete Part O₂ of Form 1;
- ☐ (iv) assessable **operational work** that is the removal, destruction or damage of a marine plant - complete Part O₂ of Form 1;
- ☐ (v) development assessable under the IPA, schedule 8, part 1, on land that adjoins a declared fish habitat area;
- ☒ (vi) none of the above.

Integration of land use and public transport

For more information refer to Guide 23, schedule 8A of the IPA, & schedule 2 of the IP Regulation.

Unless you answered "none of the above", the application triggers referral to QT as a concurrence agency.

22. The application involves: (tick the applicable box(es))—

- ☐ (i) a **material change of use** assessable against the planning scheme for a purpose mentioned in schedule 13C of the IP Regulation and exceeding the thresholds set by that schedule.
- ☐ (ii) **reconfiguring a lot**—
- ☐ (a) on land that is completely or partly within a public transport corridor, and the total number of lots increases;
 - ☐ (b) on land that is completely or partly within a future public transport corridor or an airport's public safety area;
 - ☐ (c) on land that is within 400m of a public passenger transport facility or a future public passenger transport facility, and the total site area is 5000m² or greater;
 - ☐ (d) for a residential purpose within the 25 ANEF contour for an airport;
 - ☐ (e) for a residential purpose resulting in 100 or more allotments.
- ☐ (iii) **operational work** assessable against the planning scheme, but not associated with a material change of use mentioned in (i) above or reconfiguring a lot mentioned in (ii) above, on land that—
- ☐ (a) is completely or partly within a public transport corridor or a future public transport corridor;
 - ☐ (b) will result in work that encroaches into an airport's operational airspace.
- ☒ (iv) none of the above.

Railway safety and efficiency

For more information refer to Guide 23, schedule 8A of the IPA & schedule 2 of the IP Regulation.

Unless you answered "none of the above", the application triggers referral to QT as a concurrence agency.

23. The application involves: (tick the applicable box(es))—

- ☐ (i) a **material change of use** assessable against the planning scheme for a purpose mentioned in schedule 13D of the IP Regulation and exceeding the thresholds set by that schedule.
- ☐ (ii) **reconfiguring a lot**—
- ☐ (a) on land that is completely or partly within a future public transport corridor, future railway land or a railway tunnel easement;
 - ☐ (b) on land that is within 400m of a Citytrain passenger railway station or a future Citytrain passenger railway station, and the total site area is 5000m² or greater;
 - ☐ (c) on land that abuts rail corridor land, commercial corridor land or future railway land, and the total number of lots increases;
 - ☐ (d) on land that abuts rail corridor land, commercial corridor land or future railway land and an easement abutting the corridor or future railway land is created;
 - ☐ (e) on land that is completely or partly within 100m of, and abutting an approach to, a railway level crossing, and the total number of lots increases;
 - ☐ (f) for a residential purpose resulting in 100 or more allotments.
- ☐ (iii) **operational work** assessable against the planning scheme, but not associated with a material change of use mentioned in (i) above or reconfiguring a lot mentioned in (ii) above, involving extracting, excavating or filling greater than 50m³, on land that—
- ☐ (a) is completely or partly within rail corridor land or commercial corridor land, and the work is not for rail transport infrastructure or other rail infrastructure;
 - ☐ (b) is completely or partly within future railway land, or a railway tunnel easement;
 - ☐ (c) abuts rail corridor land, commercial corridor land or future railway land, and the work is within 25m of the railway boundary.
- ☒ (iv) none of the above.

Moonie to Brisbane pipeline

For more information refer to schedule 20 of the IP Regulation.

Unless you answered "none of the above", the application triggers referral to the holder of pipeline licence No 1 issued under the Petroleum Act 1923, currently Santos QNT Pty Ltd, for advice.

24. The application involves the easement for the construction or operation of the Moonie to Brisbane strategic pipeline, and involves: (tick the applicable box(es))—

- ☐ (i) a **material change of use** assessable against the planning scheme and not associated with reconfiguring a lot, and any structure or work will be located wholly or partly in the easement.
- ☐ (ii) **reconfiguring a lot**
- ☐ (iii) **operational work** assessable against the planning scheme, that is filling, excavation, compaction, drilling, boring or piling not associated with a reconfiguring a lot, and the work is located wholly or partly in the easement.
- ☒ (iv) none of the above.

Koala habitat area

For more information, refer to Guide 26 and schedule 2 of the IP Regulation.

Unless you answered "none of the above", the application requires referral to the Environmental Protection Agency as a concurrence agency.

25. The application involves: (tick the applicable box/es) —

- ☐ (i) a **material change of use** of premises in a koala conservation area or koala sustainability area made assessable under a planning scheme, that is not for a domestic activity and will result in —
- ☐ (a) clearing of native vegetation over an area greater than 2500m²;
 - ☐ (b) a new building and any reasonably associated structure with a total footprint greater than 1000m²;
 - ☐ (c) an extension to an existing building and any reasonably associated structure if the extension has a total footprint greater than 1000m²;
 - ☐ (d) extracting gravel, rock or sand from an area greater than 5000m²;
 - ☐ (e) excavating or filling an area greater than 5000m²;
 - ☐ (f) additional traffic in a koala conservation area or koala sustainability area, between 6p.m. on a day and 6a.m. on the following day.
- ☐ (ii) **reconfiguring a lot** in a koala conservation area or koala sustainability area that will result in —
- ☐ (a) an increased number of lots;
 - ☐ (b) clearing of native vegetation over an area greater than 2500m².
- ☐ (iii) **operational work** in a koala conservation area or koala sustainability area made assessable under Schedule 8, Part 1, Table 4, items 1A to 1G (not associated with reconfiguring a lot mentioned in (ii) above) that will result in the clearing of native vegetation over an area greater than 2500m².
- ☐ (iv) **operational work** in a koala conservation area or koala sustainability area made assessable under a planning scheme (not associated with a material change of use mentioned in (i) or reconfiguring a lot mentioned in (ii) above) that is not for a domestic activity and will result in —
- ☐ (a) clearing of native vegetation over an area greater than 2500m²;
 - ☐ (b) extracting gravel, rock or sand from an area greater than 5000m²;
 - ☐ (c) excavating or filling an area greater than 5000m².
- ☒ (v) none of the above.

Referral coordination

An information request requires referral coordination if the application involves —

- (i) 3 or more concurrence agencies; or
- (ii) a facility or area assessable under a planning scheme and prescribed in schedule 7 or 8 of the IP Regulation; or
- (iii) development which is subject to an application for preliminary approval mentioned in s3.1.6 of the IPA.

For more information go to Guide 2 and Guide 6.

26. Does the application trigger referral coordination?

- ☒ NO
- ☐ YES, as the application: (tick the applicable box/es)
- ☐ (i) triggers 3 or more concurrence agencies;
 - ☐ (ii) involves a **material change of use** made assessable under a planning scheme and prescribed in schedule 7 of the IP Regulation;
 - ☐ (iii) involves a **material change of use** (other than a dwelling house, outbuilding or farm building) made assessable under a planning scheme, or **reconfiguring a lot**, in an area prescribed in schedule 8 of the IP Regulation;
 - ☐ (iv) is for a preliminary approval mentioned in s3.1.6 of the IPA

Referral agency responses prior to lodgement

Under s3.3.2 of IPA a referral agency may give a referral agency response on a matter within its jurisdiction about a proposal before an application for the proposal is made to the assessment manager.

This is commonly the case where an application requires referral to a building referral agency (eg. Qld Fire and Rescue Service).

27. Did a referral agency give a referral agency response under s3.3.2 of the IPA **before** the application was made to the assessment manager?

- ☒ NO
- ☐ YES - attach a copy of the referral agency/s response/s

PLEASE NOTE: The assessment manager may refuse to accept an application, which, at the time of lodgement, fails to provide the completed IDAS Assessment Checklist (if applicable).

OFFICE USE ONLY (applicable to assessment manager)

DATE RECEIVED

REFERENCE NUMBER/S

SECTION 2 – BUILDING REFERRALS (completion not mandatory)

Below is a list of the referrals that can apply to an application for building work assessable against the *Building Regulation 2006*. This section of the IDAS Assessment Checklist is provided for **advice only**. This section of the IDAS Assessment Checklist is **not** required to be completed and lodged with an application for building work assessable against the *Building Regulation 2006* only.

Special fire services - generally For more information go to schedule 2 table 1 and schedule 2A of the <i>IP Regulation</i> . Assessment period 15 days. No response is a deemed refusal.	1. An application may trigger referral to Qld Fire and Rescue Services as an advice agency if the building work requires special fire services mentioned in schedule 2A part 1 of the <i>Integrated Planning Regulation 1998</i> (IP Regulation) or includes an alternative solution assessed against the performance requirements of the Building Code of Australia.
Fire safety for budget accommodation For more information go to schedule 2 of the <i>IP Regulation</i> .	2. An application may trigger referral to Qld Fire and Rescue Services as an advice agency if the building work the subject of the application requires the installation of a fire safety system for a budget accommodation building.
Spray painting For more information go to schedule 2 of the <i>IP Regulation</i> .	3. An application may trigger referral to the Department of Industrial Relations (DIR) as a concurrence agency if the application involves a workplace incorporating spray painting.
Retail meat premises For more information go to schedule 2 of the <i>IP Regulation</i> .	4. An application may trigger referral to Safe Food Qld as a concurrence agency if the application involves a retail meat premises.
Private health facilities For more information go to schedule 2 of the <i>IP Regulation</i> .	5. An application may trigger referral to the Department of Health as a concurrence agency if the application involves a private health facility.
Workplace area less than 2.3m² For more information go to schedule 2 of the <i>IP Regulation</i> .	6. An application may trigger referral to the Department of Industrial Relations (DIR) as an advice agency if the application involves a work place area less than 2.3m ² .
Land contiguous to a State-controlled road For more information go to schedule 2 of the <i>IP Regulation</i> .	7. An application may trigger referral to the Department of Main Roads as a concurrence agency or advice agency if the application involves land contiguous to a State-controlled road.
Pastoral workers accommodation For more information go to schedule 2 of the <i>IP Regulation</i> .	8. An application may trigger referral to the Department of Industrial Relations (DIR) as a concurrence agency if the application involves pastoral workers accommodation.
Child care centre For more information go to schedule 2 of the <i>IP Regulation</i> .	9. An application may trigger referral to the Department of Communities as a concurrence agency if the application involves a childcare centre.
Coastal development For more information go to schedule 2 of the <i>IP Regulation</i> .	10. An application may trigger referral to the Environmental Protection Agency (EPA) as a concurrence agency if the application involves land completely or partly seaward of a coastal building line ²² .
Heritage For more information go to schedule 2 of the <i>IP Regulation</i> .	11. An application may trigger referral to the Heritage Council as a concurrence agency if the application involves a heritage registered place.
Fisheries matters For more information go to schedule 2 of the <i>IP Regulation</i> .	12. An application may trigger referral to the Department of Primary Industries and Fisheries (DPI&F) as a concurrence agency if the application involves assessable building work in a declared fish habitat area; or as an advice agency if the application involves assessable building work on land that adjoins a declared fish habitat area.
Integration of land use and public transport For more information go to schedule 2 of the <i>IP Regulation</i> .	13. An application may trigger referral to Queensland Transport as a concurrence agency if the application involves existing or future public transport corridors, or airport operational airspace ²³ .
Railway safety and efficiency For more information go to schedule 2 of the <i>IP Regulation</i> .	14. An application may trigger referral to Queensland Transport as a concurrence agency if the application involves future railway land.

NOTE: CONCURRENCE AGENCY ASSESSMENT PERIODS

The local government, as the concurrence agency, is required to assess and provide a response for the following building applications within a prescribed time. For applications relating to design and siting (17, 18 & 19), and building work for removal or rebuilding (23), the assessment period is 5 days. For all other applications the assessment period is 15 days. If no response is received from the local government for an application, it is taken to be a deemed refusal. However for amenity and aesthetics impact of particular building work for a single detached class 1a or class 10 building or structure (15), no response is taken to be a deemed approval.

Amenity and aesthetic impact of particular building work for single detached class 1 building or class 10 building or structure For more information go to schedule 2 table 1 of the <i>IP Regulation</i> . Assessment period 15 days. No response is a deemed approval.	15. An application will trigger a referral to the local government if it is : • for a single detached class 1 building or class 10 structure; and • the local government has declared by resolution the following: – the appearance of the building or structure will have an extremely adverse impact on the amenity of the locality; and – the appearance of the building or structure would be in extreme conflict with the character of the locality.
---	--

²² Coastal building lines are prescribed under the *Coastal Protection and Management Act 1995*.

²³ Operational airspace is as defined in State Planning Policy 1/02 "Development in the Vicinity of Certain Airports and Aviation Facilities"

Whether particular buildings may be occupied for residential purposes For more information go to schedule 2 table 1 of the <u>IP Regulation</u>. Assessment period 15 days. No response is a deemed refusal.	16. An application to use an existing building that is not class 1, 2, 3 or 4 for residential purposes may trigger a referral to the local government as the concurrence agency.
Design and siting For more information go to schedule 2 table 1 of the <u>IP Regulation</u>. Assessment period 5 days. No response is a deemed refusal.	17. An application may trigger referral to the local government as the concurrence agency if the building work does not comply with the performance criteria of parts 11 and 12 of the Queensland Development Code. 18. An application may trigger referral to the local government as the concurrence agency if the building work does not comply with the qualitative statement for building clearance and site cover. 19. An application may trigger referral to the local government as the concurrence agency if the building work does not comply with the qualitative statement for performance criteria 4, 5, 7, 8 or 9 of the Queensland Development Code, part 11 or 12.
Fire safety in particular budget accommodation buildings For more information go to schedule 2 table 1 of the <u>IP Regulation</u>. Assessment period 15 days. No response is a deemed refusal.	20. An application may trigger referral to the local government as the concurrence agency to determine the building will comply with the fire safety standard under the <i>Building Act 1975</i> when the building work has been completed.
Higher risk personal appearance services For more information go to schedule 2 table 1 of the <u>IP Regulation</u> and the QDC part 15. Assessment period 15 days. No response is a deemed refusal.	21. An application may trigger referral to the local government as the concurrence agency to determine if the building work • complies with the performance criteria of the Queensland Development code part 15; and • the work does not comply with an acceptable solution stated in the part.
Building work for residential service For more information go to schedule 2 table 1 of the <u>IP Regulation</u> and the QDC part 20. Assessment period 15 days. No response is a deemed refusal.	22. An application for building work for premises in which residential care service under the <i>Residential Services (Accreditation) Act 2002</i>, section 4, is conducted, or is proposed to be conducted, will trigger referral to the local government as the concurrence agency.
Building work for removal or rebuilding For more information go to schedule 2 table 1 of the <u>IP Regulation</u>. Assessment period 5 days. No response is a deemed refusal.	23. An application for the removal and/or rebuilding at another site of a building or other structure, will trigger referral to the local government as the concurrence agency.
Building work for rainwater tank in designated rainwater tank area For more information go to schedule 2 table 1 of the <u>IP Regulation</u> and the QDC part 25. Assessment period 15 days. No response is a deemed refusal.	24. An application may trigger referral to the local government as the concurrence agency to determine if the building work or structure complies with the relevant performance criteria if - • Under the <i>Building Regulation 2006</i>, a rainwater tank is proposed to be installed as part of relevant building work, in a designated rainwater tank area; and • Under the Queensland Development Code, part 25, the rainwater tank does not include an acceptable solution for a relevant performance criteria.

APPENDIX B

COPY OF DECISION NOTICE ISSUED BY
GOLD COAST CITY COUNCIL

Date: 12 December 2002
Contact: Rachel Duncan
Location: Nerang
Telephone: (07) 5582 8487
Your Reference: 1396-96 DRH
Our Reference: PN184435/02/DA1

RECEIVED			
REF	DATE	SEARCHED	SERIALIZED
1396	10 APR 2003	✓	✓
B.G.	✓	D.N.	
D.H.	✓	P.A.	
G.C.		A.M.	
E.M.		T.H.	
K.F.			



I J McDonald & Sons Pty Ltd
C/- Gassman & Associates Pty Ltd
PO Box 392
BEENLEIGH QLD 4207

PLEASE SCAN	
REF	DATE
1396	30-11-06
SCANNED BY	SH
DATE	30/11

Dear Sir

DECISION NOTICE
RECONFIGURING A LOT (4 MANAGEMENT LOTS)
LOT 334 ON W 311668 - CHRISTENSEN ROAD, STAPYLTON
I J McDONALD & SONS PTY LTD

In regard to the above application for the issue of a Development Permit for Reconfiguring a Lot (subdivision to create 4 Management lots) you are advised that approval was granted by Council under Delegated Authority on 10 December 2002, subject to the following conditions:

DEVELOPMENT IN ACCORDANCE WITH PLANS

- 1 An amended plan/s and details shall be submitted generally in accordance with the Plan No.1396-96-P, drawn by Gassman & Associates Pty Ltd and dated 29 April 2002, showing the following modifications:
 - a Road Reserve widening (dedication) to achieve a twenty-three (23) metre road reserve for the full length of Christensen Road within the site. Please note that a 23.0 metre reserve (Industrial Collector Street) is required as the site is over 8.0 hectares in area.
 - b Road Reserve dedication, suitable for an industrial cul-de-sac, at the end of Christensen Road.

Such plan/s and details shall be submitted and approved by the Chief Executive Officer prior to the issue of a development permit for the carrying out of operational work, or if an application for operational work is not required, prior to the commencement of the use the subject of this approval.

Such plan/s and details, when approved by the Chief Executive Officer shall become the endorsed plan forming part of this approval and a stamped copy will be returned to the applicant.

DECISION NOTICE

EARTHWORKS

- 2 Design and construct all earthworks (including filling within lots, revetment walling and rock protection works to batters) as required in order to achieve the proposed subdivision. Surface levels are to be finished such that on completion of both primary and secondary settlement, not less than the design finished surface levels are achieved. In addition to the above requirements, all batters (regardless of whether they are retained or freestanding) must achieve a factor of safety of not less than 1.5 against slip circle failure in the long-term condition.
- 3 In the design of this development, recognition is to be given to the natural topography. Cutting and filling is to be kept to an absolute minimum and the subdivision layout should complement the existing topography to leave areas of visual impact in their natural state. Where cutting is considered necessary, the maximum depth of cut should not exceed 0.6 metres without prior approval.

ROADWORKS

- 4 Design and construct all roads and associated works (including stormwater drainage) within and bounding the subdivision to the road classification as listed below:
 - a Christensen Road within the site shall be classified as an Industrial Collector Street, including an Industrial cul-de-sac adjacent to the eastern boundary of the site. The design should also take into consideration possible future internal Industrial Access Streets that may be constructed off Christensen Road.
 - b Christensen Road, between the existing constructed road (adjacent Lot 6 RP839721) and the western boundary of the site shall be classified as an Industrial Collector Street. However, in this section, only the two moving lanes and gravel shoulders (1.5 metres wide) will be required to be constructed.
 - c Design and construct an appropriate intersection adjacent to Lot 6 RP839721 in accordance with Council's Land Development Guidelines. The design is to ensure appropriate sight distances are provided.
 - d Traffic Management design in accordance with Council's standards and Queensland Transports publication "Manual of Uniform Traffic Control devices".
- 5 Dedication, free of cost to Council, of land required for road widening purposes to the requirements of the Chief Executive Officer. Amount of widening required to be generally in accordance with Council Drawing No. T0194.
- 6 All lots within and affected by the subdivision shall have safe vehicular access.
- 7 Design and construct concrete footpaths 1.2 metre wide as follows:
 - Along the full frontage of lots 1 to 4 (ie. Along both sides of Christensen Road within the site).

DECISION NOTICE

STORMWATER DRAINAGE

- 8 Design and construct all underground road and inter-allotment stormwater drainage works and overland flow paths connected with the subdivision.

WATER SUPPLY

- 9 Design and construct water reticulation to all lots within the subdivision. This is to include the following:
 - a Any external works necessary to connect to Council's reticulation system at a point nominated by Council;
 - b An overall water reticulation schematic plan and network analysis for the proposed subdivision;

SEWERAGE

- 10 Design and construct sewerage reticulation to all lots within the subdivision. This is to include the following:
 - a Any external works necessary to connect to Council's reticulation system at a point nominated by Council;

STREET LIGHTING

- 11 Design and install streetlights to all roads within and bounding the subdivision and to all footpaths/bikeways within park and road reserves associated with the subdivision (including connections and energising) at no cost to Council (i.e. at Energex Rate 2). This also includes the provisions of lighting to feeder roads to the site where required.

OPEN SPACE MANAGEMENT

- 12 The applicant shall dedicate to Council a minimum buffer distance of forty (40) metres from the top of the high bank of Sandy Creek, or greater distance that includes all land that would be inundated by a Q100 flood event as surveyed by a suitably qualified hydraulic engineer. The applicant must liaise with Council Officers of the Environmental Assessment Section to determine the location of the high bank prior to detailed survey commencing.
- 13 An open space management plan shall be submitted and approved prior to the sealing of plans for the management lot subdivision. The open space management plan shall be in accordance with Part 2 of the Landscape Strategy - Landscape Works Documentation Manual.
- 14 All works on the land to be dedicated as public open space shall be undertaken at no cost to Council to the satisfaction of the Chief Executive Officer prior to the sealing of survey plans for the management lot subdivision.

DECISION NOTICE

STORMWATER MANAGEMENT

- 15 The Stormwater Management Plan Christensen Road Stapylton (Reconfiguration of Lot 244 on W311668), report number J8094/R1 dated October 2002 and prepared by Lawson & Treloar P/L is approved.
- 16 Detailed stormwater management plans generally in accordance with the approved Stormwater Management Plan (Stormwater Management Plan Christensen Road Stapylton, report number J8094/R1 dated October 2002 and prepared by Lawson & Treloar P/L) and the Council's Draft Stormwater Management and Water Quality Guidelines (2002) shall be submitted and approved in conjunction with any future Reconfiguration of Lot applications over management lots 1 - 4.

LANDSCAPE WORKS

- 17 Detailed Landscaping Plans (prepared by a qualified landscape architect or similar design professional) shall be submitted and approved prior to landscape works commencing on the site, and such works being constructed prior to Council's endorsement of the survey plans for the management lot subdivision or otherwise accepted by the Council.
- 18 The detailed Landscape Plans (see attached information sheet) are to comply with Part 2 of the Landscape Strategy: Landscape Works Documentation Manual - September 2002 and include landscape works in the public open space buffer area adjacent to Sandy Creek including weed removal, rehabilitation and replanting of areas.

HYDRAULICS

- 19 A preliminary flood study report for the local catchment area, indicating the Q100 flood level is required to be submitted for Lots 3 and 4, (located on the southern side of Lot 224 on W311668 and adjacent to the creek), in conjunction prior to sealing of survey plans.

INFRASTRUCTURE CHARGES

- 20 Payment of contributions shall be made towards water supply headworks and/or sewerage headworks, to be assessed on the basis of approved building plans or approved subdivision plans relevant to the proposed development. The contributions are due for payment prior to the date of sealing of registrable plans of subdivision, whichever occurs first. The contributions shall be calculated in accordance with the rates in force at the time of payment.

SURVEY

- 21 Provide standard permanent survey marks levelled in Australian Height Datum (derived) and fixed to Australian mapping grid (derived) co-ordinates where available at locations approved by the Chief Executive Officer or in accordance with guidelines adopted by Council.
- 22 The land shown as landscape buffer on the subdivision proposal plan shall be dedicated to the Crown as park at no cost to Council.

DECISION NOTICE

- 23 Dedication, free of cost to Council, of land required for road widening purposes as follows:
- a) Widening of Christensen Road, within the site, to achieve a road reserve width of 23 metres.
 - b) Widening at the eastern end of the site to allow the construction of an Industrial cul-de-sac and associated verges.
- 24 Provide "as constructed" data for the constructed infrastructure works certified by a qualified engineer in both hard copy and digital (floppy disc) formats.
- 25 Any existing private services and Council infrastructure that traverse proposed property boundaries shall be relocated accordingly. Submit to Council an 'as constructed' drawing of all services and infrastructure, certified by a licensed surveyor, to confirm that they lie within the relevant proposed lot. Where Council Infrastructure is required to be relocated, an 'Operational Works' application is to be submitted to and approved by Council prior to works commencing on-site.

GENERAL

- 26 Submit evidence indicating that low voltage electricity is available to all lots within the subdivision. Any existing overhead lines and poles within or bounding the site are to be removed. In supplying power to the site, no additional poles will be permitted to be erected. Alternatively, the applicant is to provide evidence that an agreement has been entered into with Energex for provision of same.
- 27 Written confirmation from an approved telecommunications agency must be provided to Council indicating that satisfactory arrangements have been made for the provision of telephone services to all lots within the subdivision.
- 28 The building(s) shall be substantially completed prior to the sealing of survey plans and a licensed surveyor shall certify that the buildings have been set out and lie within the relevant lot. Alternatively, survey plans may be sealed prior to lodging of building plans for approval by the Chief Executive Officer or his delegate provided that appropriate bonding is lodged. Prior to Council granting a certificate of classification, the applicant shall ensure a licensed surveyor certifies the building(s) lie within the relevant lot.
- 29 Unless otherwise specified, all works required in conjunction with this approval shall be designed, constructed and carried out in accordance with Council's Land Development Guidelines, Standard Specifications and Drawings, and shall be supervised and certified by the consulting engineer as complying with the approved drawings and relevant codes.

GENERAL ADVICE - Please note that this is not a condition

That the applicant be advised that nothing in this decision notice alleviates the need to observe all relevant legislation, Council's Planning Schemes and Local Laws.

The applicant be advised that an Operational Works application(s) shall be made pursuant to the Integrated Planning Act 1997 for all works required by the above Development Permit prior to any works commencing on site.

DECISION NOTICE

The applicant be advised that payment of outstanding Council rates and charges will be required prior to the lodgement of survey plans.

If the Applicant notifies Council in writing that the decision is accepted without dispute and they will not exercise any right of appeal to the Court in respect of this decision, this Decision Notice may be taken to be the Development Approval.

Appeal rights exist in respect of the Council's decision and copies of Section 4.1.27 to 4.1.30 of the Integrated Planning Act 1997 are attached.

Should you wish to clarify any of the above points, please do not hesitate to contact Rachel Duncan on the above number.

Yours faithfully

for



Ian Glew

MANAGER STATUTORY PLANNING

Enc

PN184435/02/DA1.

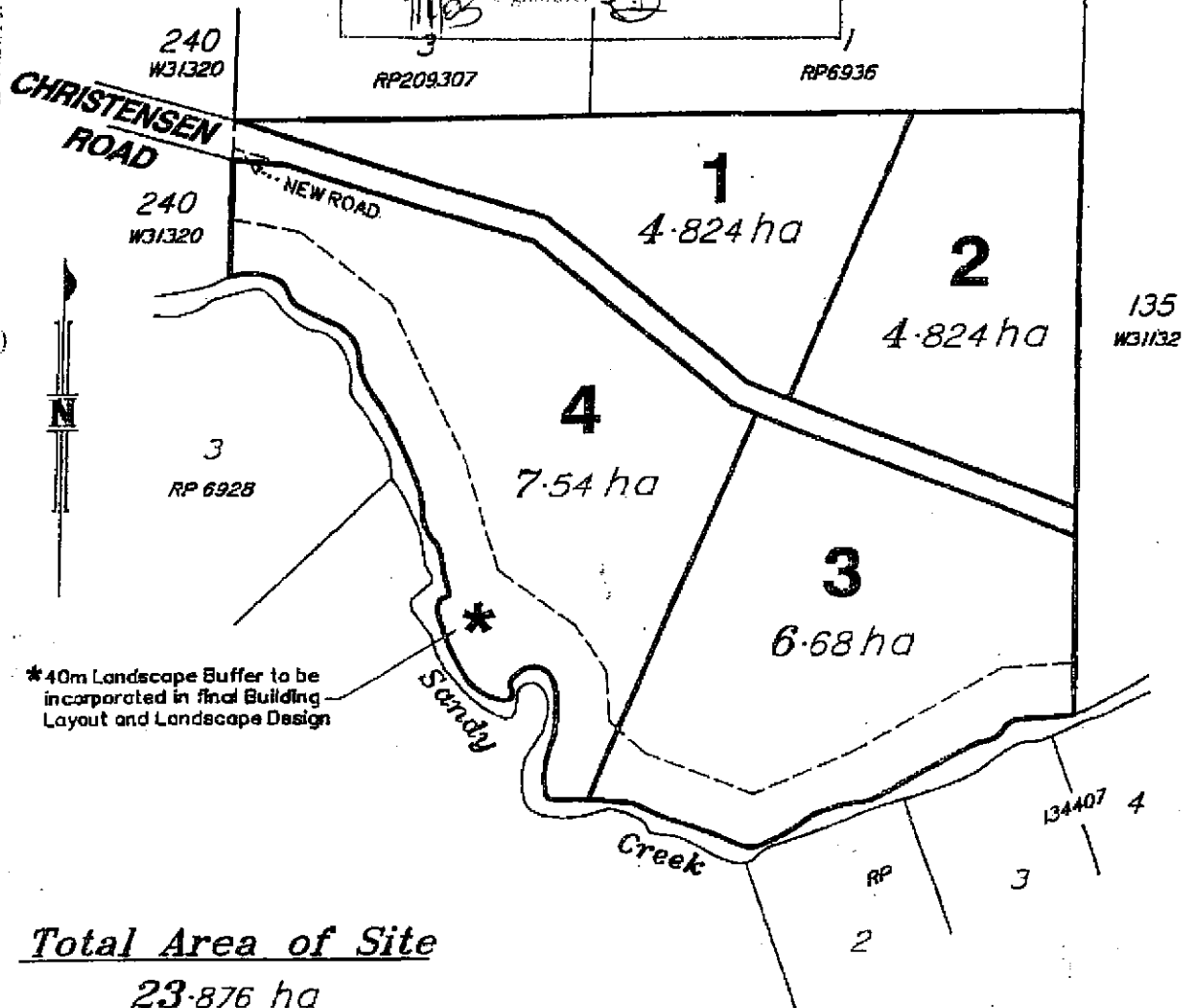
Gassman & Associates Pty. Ltd. hereby grants permission for the Local Authority to reproduce all relevant information contained herein for the purposes stated in the Integrated Act 1997. It should be noted that the granting of this consent by the copyright holder does not sign away copyright approval granted under the Commonwealth Copyright Act 1968.

All Areas and Dimensions shown are approximate only and are subject to Survey and Council approval.

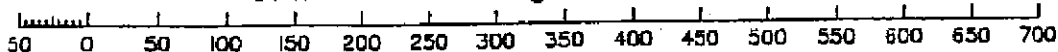
PN184435/02/DA1

APPROVED

Date: 9/1/03 Signature: [Signature]



Scale 1:5000 - Lengths are in Metres.



PROJECT
Proposed Reconfiguration

CLIENT
The McDonald Group of Companies

GASSMAN & ASSOCIATES PTY LTD
ACN 010 752 358



LEVEL DATUM N/A **SCALE** 1:5000

ORIGIN N/A **Surveyed:**

PROPOSED RECONFIGURATION

Cancelling Lot 334 on W311668.

LICENSED SURVEYORS AND DEVELOPMENT CONSULTANTS

Beenleigh Professional Centre
Cnr Monia & Cameron Streets
BEENLEIGH Q. 4207
P.O. Box 382 BEENLEIGH 4207
Telephone: (07) 3807 3333
Mobile: 041 788 7077
Fax: (07) 3887 5881
Email: mail@gassman.com.au

Plan No. 1396-96-P **Drawn:** SKK

Ref. No. 1396-96 **Designed:** GLC

Parish: ALBERT **County:** Ward

Local Authority: Gold Coast City Council

Division 8 – Appeals to court relating to development applications

Appeals by applicants

- 4.1.27 (1)** An applicant for a development application may appeal to the court against any of the following –
- (a) the refusal, or the refusal in part, of a development application;
 - (b) a matter stated in a development approval, including any condition applying to the development, and the identification of a code under section 3.1.6;**
 - (c) the decision to give a preliminary approval when a development permit was applied for;
 - (d) the length of a currency period;
 - (e) a deemed refusal
- (2)** An appeal under subsection (1)(a) to (d) must be started within 20 business days (the “**applicant’s appeal period**”) after the day the decision notice or negotiated decision notice is given to the applicant.
- (3)** An appeal under subsection (1)(e) may be started at any time after the last day a decision on the matter should have been made.

**** Section 3.1.6 (Preliminary approval may override local planning instrument)**

Appeals by submitters

- 4.1.28** (1) A submitter for a development application may appeal to the court about –
- (a) the giving of a development approval, including any conditions (or lack of conditions) or other provisions of the approval; or
 - (b) the length of a currency period for approval.
- (2) The appeal must be started within 20 business days **(the “submitter’s appeal period”)** after the day the decision notice or negotiated decision notice is given to the submitter.
- (3) If a person withdraws a submission before the application is decided, the person may not appeal the decision.
- (4) If an application involves both impact assessment and code assessment, appeal rights for submitters are available only for the part of the application involving impact assessment.

Appeals by advice agency submitters

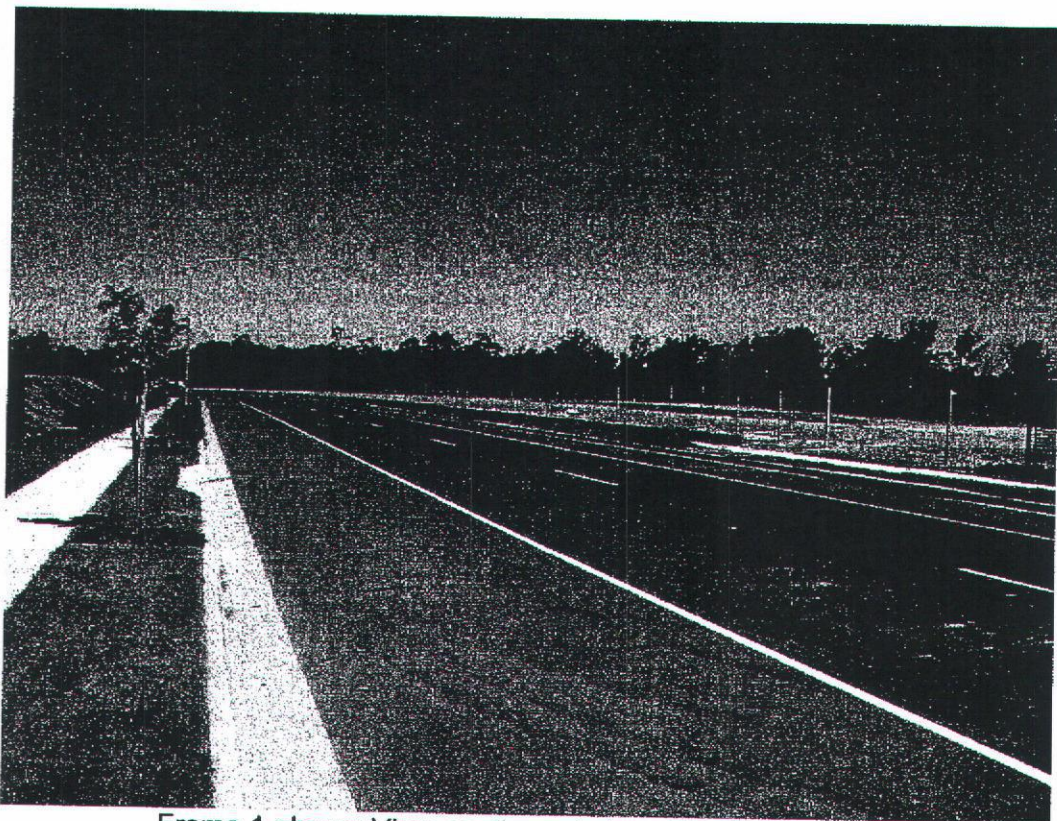
- 4.1.29** (1) An advice agency may, within the limits of its jurisdiction, appeal to the court about the giving of a development approval for a development application if –
- (a) the development application involves impact assessment; and
 - (b) the advice agency told the applicant and the assessment manager to treat its response to the application as a submission for an appeal.
- (2) The appeal must be started within 20 business days after the day the decision notice or negotiated decision notice is given to the advice agency as a submitter.

Appeal for matters arising after approval given (co-respondents)

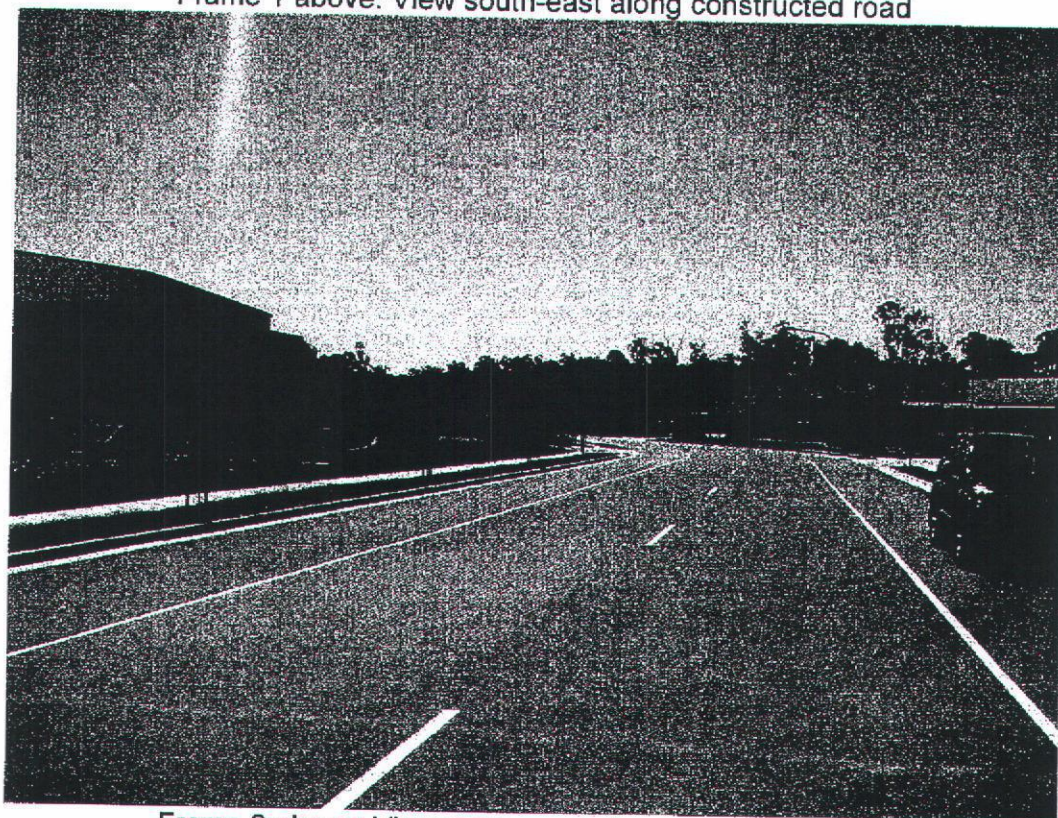
- 4.1.30 (1)** For a development approval given for a development application, a person to whom any of the following notices have been given may appeal to the court against the decision in the notice –
- (a) a notice giving a decision on a request for an extension of the currency period for an approval;
 - (b) a notice giving a decision on a request to make a minor change to an approval.
- (2)** The appeal must be started within 20 business days after the day the notice of the decision is given to the person.
- (3)** Subsection (1)(a) does not apply if the approval resulted from a development application (superseded planning scheme) that was assessed as if it were an application made under a superseded planning scheme.

APPENDIX C

PHOTOGRAPHS OF CONSTRUCTED ROAD



Frame 1 above: View south-east along constructed road



Frame 2 above: View north-west along constructed road.



Bank of Queensland Limited ABN 32 003 656 740
259 Queen Street, Brisbane QLD 4000
(Centralised Accounting Office)

PAY Gold Coast City Council or bearer
AMOUNT Two hundred and ninety six
dollar only

DEVELOPMENT PERSPECTIVES PTY LTD
ACN 010 396 095

NOT NEGOTIABLE

010669
DATE 6 / 12 / 06

\$296.00

⑈010669 ⑈124⑈057⑈ 11465377⑈