

Change application form

Planning Act Form 5 (version 1.1 effective 22 JUNE 2018) made under Section 282 of the Planning Act 2016.

This form is to be used for a change application made under section 78 of the *Planning Act 2016*. It is important when making a change application to be aware of whether the application is for a minor change that will be assessed under section 81 of the *Planning Act 2016* or for an 'other' change that will be assessed under section 82 of the *Planning Act 2016*.

An applicant must complete all parts of this form, and provide any supporting information that the form identifies as being required to accompany the change application, unless stated otherwise. Additional pages may be attached if there is insufficient space on the form to complete any part.

Note: All terms used in this form have the meaning given under the *Planning Act 2016*, the *Planning Regulation 2017*, or the *Development Assessment Rules (DA Rules)*.

PART 1 – APPLICANT DETAILS

1) Applicant details

Applicant name(s) (individual or company full name)	KS8 Pty Ltd
Contact name (only applicable for companies)	C/ Gassman Development Perspectives
Postal address (P.O. Box or street address)	PO Box 392
Suburb	Beenleigh
State	Queensland
Postcode	4207
Country	Australia
Email address (non-mandatory)	bcraddock@gassman.com.au
Mobile number (non-mandatory)	-
Applicant's reference number(s) (if applicable)	5738

2) Owner's consent - Is written consent of the owner required for this change application?

Note: section 79(1A) of the *Planning Act 2016* states the requirements in relation to owner's consent.

- ☒ Yes – the written consent of the owner(s) is attached to this change application
☐ No

PART 2 – LOCATION DETAILS

3) Location of the premises (complete 3.1) or 3.2), and 3.3) as applicable)

3.1) Street address and lot on plan

- ☒ Street address **AND** lot on plan (all lots must be listed), **or**
☐ Street address **AND** lot on plan for an adjoining or adjacent property of the premises (appropriate for development in water but adjoining or adjacent to land e.g. jetty, pontoon; all lots must be listed).

a)	Unit No.	Street No.	Street Name and Type	Suburb
		60	Stapylton Jacobs Well Road	Stapylton
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)
	4207	501	SP295994	Gold Coast
b)	Unit No.	Street No.	Street Name and Type	Suburb
		1	Yellowwood Road	Stapylton
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)
	4207	4	RP6843	Gold Coast

3.2) Coordinates of premises (appropriate for development in remote areas, over part of a lot or in water not adjoining or adjacent to land e.g. channel dredging in Moreton Bay)

Note: Place each set of coordinates in a separate

☐ Coordinates of premises by longitude and latitude

Longitude(s)	Latitude(s)	Datum	Local Government Area(s) (if applicable)
		☐ WGS84	
		☐ GDA94	
		☐ Other:	

☐ Coordinates of premises by easting and northing



**Queensland
Government**

Easting(s)	Northing(s)	Zone Ref.	Datum	Local Government Area(s) (if applicable)
		☐ 54 ☐ 55 ☐ 56	☐ WGS84 ☐ GDA94 ☐ Other:	

3.3) Additional premises

- ☐ Additional premises relevant to the original development approval and their details have been attached in a schedule to this application
☐ Not required

PART 3 – RESPONSIBLE ENTITY DETAILS

4) Identify the responsible entity that will be assessing this change application

Note: see section 78(3) of the Planning Act 2016

Gold Coast City Council

PART 4 – CHANGE DETAILS

5) Provide details of the existing development approval subject to this change application

Approval type	Reference number	Date issued	Assessment manager/approval entity
☐ Development permit ☒ Preliminary approval	MCU201800656 PN163781/01/DA1	27 November 2018	Gold Coast City Council
☐ Development permit ☐ Preliminary approval			

6) Type of change proposed

6.1) Provide a brief description of the changes proposed to the development approval (e.g. changing a development approval for a five unit apartment building to provide for a six unit apartment building):

Changing an application approval to amend the conditions for a Preliminary Approval for making a Material Change of Use to override the Planning Scheme for industry uses.

6.2) What type of change does this application propose?

- ☒ Minor change application – proceed to Part 5
☐ Other change application – proceed to Part 6

PART 5 – MINOR CHANGE APPLICATION REQUIREMENTS

7) Are there any affected entities for this change application

- ☒ No – proceed to Part 7
☐ Yes – list all affected entities below and proceed to Part 7

Note: section 80(1) of the Planning Act 2016 states that the person making the change application must give notice of the proposal and the details of the change to each affected entity as identified in section 80(2) of the Planning Act 2016.

Affected entity	Pre-request response provided? (where a pre-request response notice for the application has been given, a copy of the notice must accompany this change application)	Date notice given (where no pre-request response provided)
	☐ No ☐ Yes – pre-request response is attached to this change application	
	☐ No ☐ Yes – pre-request response is attached to this change application	
	☐ No ☐ Yes – pre-request response is attached to this change application	

PART 6 – OTHER CHANGE APPLICATION REQUIREMENTS

Note: to complete this part it will be necessary for you to complete parts of DA Form 1 and in some instances parts of DA Form 2, as mentioned below. These forms are available at <https://planning.dsdmip.qld.gov.au>

8) Location details - Are there any additional premises included in this change application that were not part of the original development approval?

☐ No

☐ Yes – complete Part 2 (Location details) of DA Form 1 as it relates to the additional premises is completed and provided with this application.

9) Development details

9.1) Is there any change to the type of development, approval type, or level of assessment in this change application?

☐ No – proceed to 11)

☐ Yes – the completed Sections 1 and 2 of Part 3 (Development details) of DA Form 1 as these sections relate to the new or changed aspects of development are provided with this application.

9.2) Does the change application involve building work?

☐ No

☐ Yes – the completed Part 5 (Building work details) of DA Form 2 as it relates to the change application is provided with this application.

10) Referral details – Does the change application require referral for any referral requirements?

Note: The application must be referred to each referral agency triggered by the change application as if the change application was the original development application including the proposed change.

☐ No

☐ Yes – the completed Part 5 (Referral details) of DA Form 1 as it relates to the change application is provided with this application. Where referral is required for matters relating to building work the [Referral checklist for building work](#) is also completed.

11) Information request under Part 3 of the DA Rules

☐ I agree to receive an information request if determined necessary for this change application

☐ I do not agree to accept an information request for this change application

Note: By not agreeing to accept an information request I, the applicant, acknowledge:

that this change application will be assessed and decided based on the information provided when making this change application and the assessment manager and any referral agencies relevant to the change application are not obligated under the DA Rules to accept any additional information provided by the applicant for the change application unless agreed to by the relevant parties. Part 3 of the DA Rules will still apply if the application is an application listed under section 11.3 of the DA Rules.

Further advice about information requests is contained in the [DA Forms Guide: Forms 1 and 2](#).

12) Further details

☐ Part 7 of DA Form 1 is completed as if the change application was a development application and is provided with this application.

PART 7 – CHECKLIST AND APPLICANT DECLARATION

13) change application checklist

I have identified the:

responsible entity in 4); and

for a minor change, any affected entities; and

for an 'other' change all relevant referral requirement(s) in 10)

Note: See the *Planning Regulation 2017* for referral requirements

☒ Yes

For an 'other' change application, the relevant sections of [DA Form 1 – Development application details](#) have been completed and is attached to this application

☒ Yes

☐ Not applicable

For an 'other' change application, where building work is associated with the change application, the relevant sections of [DA Form 2 – Building work details](#) have been completed and is attached to this application

☐ Yes

☒ Not applicable

Supporting information addressing any applicable assessment benchmarks is attached to this application

Note: This includes any templates provided under 23.6 and 23.7 of DA Form 1 that are relevant as a result of the change application, a planning report and any technical reports required by the relevant categorising instrument(s) (e.g. the local government planning scheme, State Planning Policy, State Development Assessment Provisions). For further information, see [DA Forms Guide: Planning report template](#).

☒ Yes

Relevant plans of the development are attached to this development application

Note: Relevant plans are required to be submitted for all relevant aspects of this change application. For further information, see [DA Forms Guide: Relevant plans](#).

☒ Yes

14) Applicant declaration

☒ By making this change application, I declare that all information in this change application is true and correct.

☒ Where an email address is provided in Part 1 of this form, I consent to receive future electronic communications from the responsible entity and any relevant affected entity or referral agency for the change application where written information is required or permitted pursuant to sections 11 and 12 of the *Electronic Transactions Act 2001*.

Note: It is unlawful to intentionally provide false or misleading information.

Privacy – personal information collected in this form will be used by the responsible entity and/or chosen assessment manager, any relevant affected entity or referral agency and/or building certifier (including any professional advisers which may be engaged by those entities) while processing, assessing and deciding the change application.

All information relating to this change application may be available for inspection and purchase, and/or published on the assessment manager's and/or referral agency's website.

Personal information will not be disclosed for a purpose unrelated to the *Planning Act 2016*, Planning Regulation 2017 and the DA Rules except where:

such disclosure is in accordance with the provisions about public access to documents contained in the *Planning Act 2016* and the Planning Regulation 2017, and the access rules made under the *Planning Act 2016* and Planning Regulation 2017; or

required by other legislation (including the *Right to Information Act 2009*); or

otherwise required by law.

This information may be stored in relevant databases. The information collected will be retained as required by the *Public Records Act 2002*.

PART 8 – FOR OFFICE USE ONLY

Date
received:

Reference number(s):

QLeave notification and payment

Note: For completion by assessment manager if applicable

Description of the work	
QLeave project number	
Amount paid (\$)	
Date paid	
Date receipted form sighted by assessment manager	
Name of officer who sighted the form	

Request to make a change application

Economy, Planning & Environment
Planning Assessment
City Development

PO Box 5042 GOLD COAST MC QLD 9726

P 07 5582 8866 F 07 5596 3653

W cityofgoldcoast.com.au

Please use **BLOCK LETTERS** and complete all details in full

Privacy statement

Council of the City of Gold Coast (Council) is collecting your personal information in order to provide the services requested, perform associated Council functions and services, and to update and maintain Council's customer information records. Your information is handled in accordance with the **Information Privacy Act (Qld) 2009** and may only be accessed by Councillors, Council employees and authorised contractors. Unless authorised or required by law, we will not provide your personal information to any other person or agency. For further information go to cityofgoldcoast.com.au/privacy

Council may also use your personal information in order to contact you to provide you with information regarding Council functions and services. If you do not wish to receive such information please opt out using the unsubscribe link in the communication material sent to you.

For more information to assist with your application and to submit online, please visit cityofgoldcoast.com.au/lodgeda

Note: A request to make a change application may lead to a change in the relevant infrastructure charges.

* Indicates the field is mandatory

Request type (Please select)*

Minor change to the development approval (<i>Planning Act 2016</i>)	☒
Minor change to development approval (<i>Planning Act 2016</i>) (Reconfiguring a lot – up to 3 lots)	☐
Other change	☐
A pre-request notice	☐

Applicant*

Name	KS8 Pty Ltd C/ Gassman Development Perspectives
Postal address	PO Box 392
	Beenleigh QLD 4207
Phone	07 3807 3333
Email	bcraddock@gassman.com.au

Contact person

Where a 'Contact' is required, provide details of the primary contact person for this application.

Name	Barry Craddock
Postal address	PO Box 392
	Beenleigh QLD 4207
Phone	07 3807 3333
Email	bcraddock@gassman.com.au

Owner

Name	Refer attached Owners Consent
Postal address	
Phone	
Email	

Property details*

Lot number*	501 & 4	Registered plan number*	SP295994 & RP6843
Property address*	60 Stapylton Jacobs Well Road, Stapylton & 1 Yellowwood Road, Stapylton QLD 4207		
Existing approval number*	MCU201800656 (PN163781/01/DA1)		

Office use only

Date received		Fee paid	
Received by		Receipt number	
Business partner name		Account number	
Business partner number		System code	(if applicable)

City's reference file number	PN163781/01/DA1
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Details of existing approval (Please select)

Development permit	☐	Environmentally relevant activity	☐	Material change of use	☐
Operational works	☐	Preliminary approval	☒	Reconfiguration of lot	☐

Fees

The fees for this application can be found on the last page of this form.

These fees are in accordance with Council's regulatory fees and non-regulatory charges. A copy of these fees and charges can be found on Council's website cityofgoldcoast.com.au

Payment Options

Business partner account (BP)

Business partner name		Business partner number	
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Cash, cheque or credit card at any of Council's branch offices. For branch office locations and operating hours, please refer to Council's website.

Please be advised that payment by credit card will incur a surcharge.

Cheque or money order may be posted to Council's post office box address as above. Please ensure that you provide adequate reference details or attachments to allow the cheque to be appropriately received.

Details of the request*

Condition number	C 2 (a)(ii)
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Description of requested change to condition	Staged construction of development
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Justification for change

The Landuse Classification and Staging Plan referred to should refer to the plan date of **07 August 2018**, not 23/08/18.

Condition number	C 9
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Description of requested change to condition	Staged development
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Justification for change

The Landuse Classification and Staging Plan referred to should refer to the plan date of **07 August 2018**, not 23/08/18

Condition number	C 15(f)(v)
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Description of requested change to condition	Detailed landscape plan to be submitted for approval relating to landscape buffers within Stage 1, 2 and 4
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Justification for change

The reference to when the batter is within cut is to be at 1V:3H, is not consistent with Council's Land Development Guidelines and should be amended to reflect **1V:2H** accordingly.

Condition number	C 24(a)
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Description of requested change to condition	Transfer of open space
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Justification for change

The Landuse Classification and Staging Plan referred to should refer to the plan date of **07 August 2018**, not 23/08/18

Condition number	C 70
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Description of requested change to condition	Relocation of active Wedge-tailed eagles nest within Precinct C
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Justification for change

Reference has been made to inclusion of an amended condition, refer Page 16 of 38 Decision Notice, however Condition has not incorporated approved change and has original condition.

Details of the request

Please provide any relevant history of the application

- MCU201100650, Dated: 6 May 2013 - Preliminary Approval for Making a Material Change of Use (Impact Assessment) to Override The Planning Scheme for Industry Uses
- MCU201601390, Dated: 1 November 2016 - Request to Change an Existing Approval (Extended 3 May 2023)
- MCU201701550, Dated: 23 November 2017 - Change Application approval including amended suite of development conditions for MCU201100650
- MCU201701550, Dated: 6 March 2018 - Submission to satisfy conditions of approval (Landuse Classification and Staging Plan, and Generations Industrial Park Place Code)
- MCU201800656; Dated 27 November 2018 - Change Application approval including amended suite of development conditions for MCU201100650

Resource owners agreement

If the existing approval was lodged now would the application involve taking/interfering with State-owned resources?

☐ Yes ☐ No

If yes written agreement of Chief Executive must be attached

Referral agencies

Were there one or more referral agencies involved in the original approval?

☐ Yes ☐ No
If Yes

Referral Agencies

(Use a separate row for each agency)

NOT APPLICABLE

Has the applicant sent a copy of the request to the referral agency?

☐ Yes ☐ No

Yes – please attach evidence of referral

Details are pre-request response noticeHas a pre-request response notice been issued from a referral agency in relation to this application in accordance with the *Planning Act 2016*
☐ Yes ☐ No
If Yes

Details of pre-request response notice

NOT APPLICABLE

Date of Notice

Development InfrastructureIs there any development infrastructure (refer to Chapter 4 of the *Planning Act 2016*) proposed?
☐ Yes ☐ No
Is the subject site inside the **Priority Infrastructure Area** refer to Council's Local Government Infrastructure Plan (LGIP) cityofgoldcoast.com.au/lgip
☐ Yes ☐ No
Is the proposed trunk infrastructure identified as trunk infrastructure in the LGIP (under the *Planning Act 2016*)?
☐ Yes ☐ No

If the proposed infrastructure is in the LGIP please identify the development infrastructure type and relevant LGIP infrastructure map:

Is the new and/or upgraded development infrastructure not identified within the LGIP but proposed as trunk infrastructure?

☐ Yes ☐ No

Identify which type/s of new and/or upgraded trunk infrastructure is proposed:

☐ Water
☐ Sewerage
☐ Transport
☐ Stormwater
☐ Recreation/Park Facilities

Provide a description of the proposed trunk infrastructure (and provide any available plans):

Is there an existing Infrastructure Agreement/or similar agreement related to the land subject to this application?

☐ Yes ☐ No

If yes, provide comments:

Specialist Reports

Where relevant to the provision of new or the upgrading of trunk or proposed trunk infrastructure, this request must ensure the following is clearly identified;

The type of infrastructure proposed (that is necessary trunk, additional trunk, and/or non-trunk proposed to become trunk infrastructure) and whether it is included in <i>Gold Coast City Council's Local Government Infrastructure Plan</i>	☐	Yes	☐	No
An estimate of the establishment costs to deliver the infrastructure calculated in accordance with Statutory Guideline 03/14 <i>Local Government Infrastructure Plan</i> and <i>Gold Coast City Council's Local Government Infrastructure Plan</i>	☐	Yes	☐	No

Supporting documents

Submission of all documentation is required before we can commence the assessment of this application.

What attachments and supporting documents accompany this application?

Description of the attachment or information

(e.g. notice to referral agencies, owners consent declaration, specialist reports, any other documents to support the request)

PA Change application form 5

Covering Letter dated 23 January 2019

Owners Consent

Decision Notice MCU201800656

Declaration*I acknowledge that under Section 8.5 of the *Local Government (Planning & Environment) Act 1990* (the Act), a person who furnishes a document that is false or misleading in a material particular, whether by way of a statement in or omission from the document commits an offence against the Act.

Authority is granted for Council to reproduce and/or copy any documents and plans.

I understand and acknowledge that:

- by making this application, I the applicant, declare that the owner has given written consent to the making of this application/s.
- the information provided in this application is true and complete to the best of my knowledge
- Council may refuse this application if it becomes evident that any information or supporting documents provided is incomplete or false
- I approve of the information that has been provided in this application
- I acknowledge Queensland State Laws will accept this communication as containing my signature within the meaning of the *Electronic Transactions (Queensland) Act 2001*

Signature



Date

23 January 2019

Fees

Fee name [√] please tick applicable fee(s)

Amount

Material Change of Use and Reconfiguration of a Lot applications

	Request to change development application – minor change (as defined <i>Schedule 2, Planning Act 2016</i>)	\$639.00
	Minor change to the conditions imposed by Council as referral agency in relation to building work (referral agency assessment for amended siting variations)	Fee amount is 50% of current variation - siting fee (\$458.50)
	Request for other change	POA
	Request to change applications	Fee amount is 20% of current application fee (up to a maximum of \$14,949.00).
	Affected entity response notice (When Council is an affected entity)	POA (based on a minimum fee of \$623.00)
X	Request to make a change - minor change • Change that affects up to three contiguous lots within a ROL approval • Change to conditions based on plan references • Amendment to a building envelope (up to three lots)	\$1,028.00

Operational Works Application		
	Request to change approved operational works civil engineering drawings	20% of current operational works application fee (up to a maximum of \$908.00).
	Request to change approved operational works associated building works	
	Request to change approved operational works change to ground level	
	Amendment to approved Landscaping plan (Includes request to change development approval); Request to change/cancel conditions	20% of current landscaping application fee
	Request to change operational works prescribed tidal works	20% of current fee (up to a maximum of \$865.00).
	Request to change operational works vehicular crossing or driveway	\$163.00