

OUR REF: 5941
YOUR REF: MIN/2019/762

21 February 2020

City Development
Council of the City of Gold Coast
PO Box 5042
GOLD COAST MAIL CENTRE QLD 9729

Attention: Sue Wilkinson

Dear Sue,

RE: RESPONSE TO INFORMATION REQUEST MINOR CHANGE APPLICATION TO DEVELOPMENT APPLICATION FOR MATERIAL CHANGE OF USE – PRELIMINARY APPROVAL TO OVERRIDE THE PLANNING SCHEME FOR INDUSTRY USES

AT: 60 STAPYLTON JACOBS WELL ROAD, 82 CHRISTENSEN ROAD AND 31 YELLOWWOOD ROAD, STAPYLTON QLD 4207 (LOT 500 AND 501 ON SP295994 AND LOT 4 ON RP6843 (FORMALLY LOT 1 ON RP6882, LOT 240 ON W31320 & LOT 4 ON RP6843))

We act on behalf of the Applicant, Frasers Property Pty Ltd, and provide the following response to Council's Information Request emailed 3 February 2020. The Applicant considers this a partial response to the information requested, and requests Council to proceed with their assessment of the development application.

A detailed response to each item is provided below.

Planning Assessment

1. M38 Industrial Estate Place Code

The applicant has advised that - The proposed changes are proposed to allow an alternate lot layout and road network to that already approved, in addition to minor amendments to the approved staging layout. The new layout will not change the location, extent or development provisions of any precinct. Notably, 24 hour operations are proposed within Precinct A.

Planning Assessment officers have concerns about the amenity impacts of the proposed 24 hour operation in Precinct A.

The Acoustic Report is addressed below by Council's Health and Regulatory Services and the landscape buffer is addressed below by Landscape Assessment. However, the

applicant is advised that Planning Assessment officers are not supportive of the amended hours of operation given the proximity of Precinct A to residential land uses. Precinct A is positioned to provide a buffer between adjacent sensitive receivers to the west and the more intensive industrial uses in Precinct B.

Applicant response:

Following consideration of the comments and concerns raised by Council in relation to Precinct A, it can be confirmed that there is no longer an intent to provide 24 hour operations within this precinct.

It is expected that Council will amend any conditions accordingly to limit the ability for 24 hour operations within this precinct.

Transport Assessment

2. Condition 9 - Land use Classification and Staging Plan

The applicant has requested to amend approval condition 9 to reflect the updated Land use Classification and Staging Plan date, drawing number and version.

The applicant is requested to:

- a. Relocate the intersection of Road 7 and Christensen Road in the same location as shown on the approved M38 Industrial Estate Land Use Classification and Staging Plan, drawing 5738 P 001, Revision D, dated 07 August 2018 prepared by Gassman Development Perspectives. The intersection as proposed, is located very close to the vehicle crossing of the existing business to the south and in a location where sight distance looking south appears to be limited by a crest in the road.*
- b. Delete notes 2 and 3 on the plan. The timing of roadworks and land dedication is specified in the existing conditions. This will prevent the need for any updates due to staging with any subsequent change application.*

Applicant response:

In response to this item raised by Council, namely the relocation of the Road 7 intersection, further detailed technical assessment has been undertaken to review the safety and suitability of the intended relocation of the Road 7 intersection.

Whilst this detailed technical assessment does note that the revised location of the Road 7 intersection is closer to an existing crossover, it does confirm that all required Council separation distances between road intersections and private driveways are complied with having regard to the revised location. Furthermore, this additional technical assessment also confirms that sight distance requirements of Council are compliant in relation to the revised location of the Road 7 intersection.

In this respect, it has been determined not to relocate the intersection of Road 7 as requested by Council as the revised location proposed is compliant with all relevant Council design and safety provisions.

For further information in relation to this aspect, please refer to **Attachment 1**.

Health & Regulatory Services

3. Amended Statement of Landscape Intent

Landscape officers have reviewed the amended Statement of Landscape Intent (dated 18 December 2019) and identified that some required amendments, as follows:

- a. The submitted Landscape Intent (page 01 of 03) does not clearly identify the 20 metre landscape buffer along the eastern boundary that is required by Condition 15 of MIN/2019/27 (Decision Notice dated 20 February 2019) and identified on the submitted Land Use Classification and Staging Plan. The applicant is requested to amend the Statement of Landscape Intent to clearly identify this buffer*
- b. The Landscape Intent does not align with the proposed amended layout of Stage 1. Resultantly, numerous elements of the design are incorrectly located including streets, bio-retention basins, detention basins. The applicant is requested to ensure that the Statement of Landscape Intent aligns with the most recent site layout.*

Applicant response:

In accordance with this request from Council, the Statement of Landscape Intent has been amended to include both the 20 metre eastern boundary buffer landscape and the current lot configuration.

For further information in relation to this aspect, please refer to **Attachment 2**.

Health and Regulatory Services

4. Amended acoustic report required

Submission of the acoustic report prepared by Acoustic Works dated 18 December 19 (reference: 2019338 R01B) is acknowledged. Following review of the report, the applicant is requested to address the following further acoustic information via the submission of an amended report:

- a. The development application to which this application seeks to change references an approved acoustic report prepared by TTM Consulting dated April 2011. The acoustic report is to be amended to reflect the background noise levels specified within the approved acoustic report prepared by TTM Consulting dated April 2011. Note - The background noise levels from the 2011 report are as follows:*

Time period	Measured Level dB(A) L ₉₀
Day (7am – 6pm)	47
Evening (6pm – 10pm)	47
Night (10pm – 7am)	46

- b. *Figure 3 of the acoustic report illustrates a noise contour map for the development. The amended report to specify all noise source levels and tabulated assumptions used within the modelling.*
- c. *Detail the required control measures to achieve compliance with the applicable legislation and standards.*

Applicant response:

In response to this item raised by Council, namely the request for an amended acoustic report, it has been determined not to provide an amended acoustic report as it is not considered necessary in this particular instance.

Specifically, the request from Council to use background noise monitoring data from over 10 years ago and amend the report has been done. It is not clear or understood why Council would want such outdated base data to be used as this is not reflective of current site conditions and will result in an inaccurate current assessment being undertaken. Furthermore, it is noted that typically Council generally only accept noise monitoring data of up to 2 years old, with the historical 10 year old data being well and truly beyond this range.

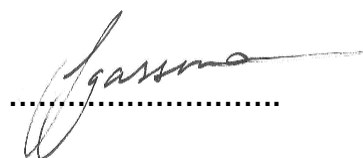
For further information in relation to this aspect, please refer to **Attachment 3**.

We feel that the above information satisfactorily responds and addresses all the matters raised as part of the Information Request and we look forward to a timely and favourable determination of the application.

If you require any further information or have any queries, please contact the undersigned.

Yours faithfully,

GASSMAN DEVELOPMENT PERSPECTIVES



FRASER GASSMAN

TOWN PLANNER

Enclosed: Attachment 1 – Transport and Traffic Matters Information Request Response
 Attachment 2 – Amended Statement of Landscape Intent
 Attachment 3 – Acoustic Matters Information Request Response