

Date: 28 March 2018
Contact: Thalia Allsop
Location: City Development
Telephone: 07 5582 8866
Your reference: 5738:BC
Our reference: PN163781/23/DA2
ROL201800079

KS8 Pty Ltd
C/- Gassman Development Perspectives
PO BOX 392
BEENLEIGH QLD 4207

Dear Sir/Madam

INFORMATION REQUEST

I refer to the development application lodged by:

KS8 Pty Ltd
C/- Gassman Development Perspectives
PO BOX 392
BEENLEIGH QLD 4207

In relation to development of land/premises described as:

L4 RP6843 : 31 Yellowwood Road Stapylton
L1 RP6882 : 60 Stapylton Jacobs Well Road Stapylton
BAL L240 W31320 : 82 Christensen Road Stapylton

Council of the City of Gold Coast (Council) officers have reviewed the development application and supporting information and determined that further information is required to properly assess the application.

Pursuant to [sections 13.2 and 13.3 of the Development Assessment Rules under the Planning Act 2016](#), the applicant may respond to this information request by giving to the assessing authority:

- 1 all of the information requested below; or
- 2 part of the information requested below; or
- 3 part of the information requested below together with a notice advising the assessing authority that it must proceed with the assessment of the application; or
- 4 a notice stating that none of the information requested below will be provided; or
- 5 a notice stating that none of the information requested below will be provided together with a notice advising the assessing authority that it must proceed with the assessment of the application.

You are advised that pursuant to [section 13.1 of the Development Assessment Rules](#), the period for the applicant to respond to this information request is [three \(3\) months](#) of the

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date of this letter.

If no response is provided or only part of the information is provided to this request within the three (3) month period, Council will continue its assessment of the application based on the information submitted.

It would be in the applicant's best interest to address all of the information requested.

Please note that the provision of sufficient information to properly assess an application is a requirement for a favourable decision.

INFORMATION REQUEST

The proposed development presents a number of conflicts with Preliminary Approval MCU201701550, dated 23 November 2017, in relation to conditions of approval and the stamped approved plans. The applicant is encouraged to arrange a meeting with officers to discuss the development and potential options prior to making a response to this request.

It is noted that the applicant is to read the information request items in conjunction with one another, particularly where they relate to the amenity and the impact of the bulk earthworks across the site, including but not limited to operational works, geotechnical, stormwater and landscaping requirements, to ensure an acceptable solution to all requirements is provided.

Town Planning

1 Preliminary approval

- a The applicant is requested to provide a detailed assessment against the conditions of the Preliminary approval (MCU201701550), dated 23 November 2017.
- b The proposed development presents a number of conflicts with the Preliminary approval (MCU201701550), dated 23 November 2017. The applicant is requested to either:
 - i Amend the proposed application to be in accordance with the Preliminary approval, including the approved plans, documents and conditions of approval; or
 - ii Prepare and submit to Council for approval a Change application to the Preliminary approval, with particular regard to the approved staging plan and associated conditions of approval. which addresses all conflicts

2 Bulk Earthworks / Retaining structures

Council officers have significant concerns with the extent of earthworks proposed especially the height and steepness of proposed batters to adjoining boundaries and frontages. In its current format, Council officers do not support the design of these retaining structures both from a visual amenity and design perspective. The applicant is requested to reconsider the overall design of bulk earthworks across the site taking into consideration the other information request items below to ensure an appropriate outcome is achieved both from a visual amenity and design perspective.

3 Easements

The "Proposed Staged Reconfiguration of Land STAGE ONE" proposes three (3) easements, entitled 'Emt A', Emt B', and Emt C', however the application material has not included the proposed easements. The applicant is requested to amend the application material, including the DA Forms to include the proposed easements.

4 Amended plans

The applicant is requested to provide amended 'Finished earthworks surface cross-section', sheets 1 to 4, drawn to scale to accurately illustrate the proposed change to surface levels.

5 Open space provision

It is acknowledged that Precinct D, as illustrated within the approved "Landuse Classification and Staging Plan", dated 23/01/2018, is classified as open space/reserve and that the applicant has addressed AS36.1 of the Generations Industrial Park Place Code stating that the provision of open space is provided within Precinct D and the covenant/buffer areas.

Officers request that the applicant provide further information in addressing AS36.1, with particular regard to the requirement of including pathways and/or recreational facilities within open space, which demonstrates compliance with PC36. The applicant is requested to include details of the provision of pedestrian/cycle linkages between Precinct D and additional open space areas as part of the development within Precincts A, B and C.

6 Cycle network

The Generations Industrial Park Code identifies that the intent of the development is to be designed to support the functional operation of the cycle network. The applicant is requested to address PC56 and AS56 of the Generations Industrial Park code.

The applicant is to include indicative plans illustrating the proposed local cycle ways within the proposed development and the connection to any regional cycle way system.

Subdivision Engineer

7 Conceptual plan for overall site

- a The applicant is requested to provide an overall conceptual plan for the total site showing the proposed road layout. This information is required to enable Council to determine the appropriate classification of the proposed roads (industrial access streets and industrial collector streets).
- b The applicant is requested to particularly consider the area identified as "Lease B", on plan titled "Proposed Staged Reconfiguration of Land STAGE ONE", dated 09/02/2018, in the design of the above overall conceptual plan and road layout.

It is noted the indicative road layout as shown on the approved "Land-use Classification and staging plan" dated 23/01/2018 shows a possible future road adjacent to or within lot 1 connecting to Christensen Road.

Environmental and Landscape Assessment

8 Ecological Assessment

The Generations Industrial park code details that the Natural Wetland Areas and Natural Waterways Code and the Nature Conservation Code are applicable to the development.

Lot 4 on RP6843 contains an 'other natural waterway', in addition the provided vegetation management plan titled "Vegetation Management Plan, Lot 1 on RP6882, Lot 240 on WD31320, Lot 4 on RP 6843", prepared by Gassman Development Solutions, dated January 2018, details the removal of over 200 hollows from the site. This area is considered ecologically significant. The nature conservation code requires protection and management of ecologically significant areas. The applicant is requested to provide details of mitigation measures including:

- i Rehabilitation of buffers to the Albert River and the onsite waterway within Lot 4 on RP6843.

- ii Compensatory rehabilitation and habitat creation within areas of Lot 1 on RP6882 and Lot 240 on W31320.

9 Preparation of a Fauna management Plan

The provided vegetation management plan details removal of over 200 hollows as part of works. The applicant is requested to provide a fauna management plan prepared by a suitably qualified professional and include in particular:

- i Provide a list of fauna species present or potentially present in the study area.
- ii Identify the direction of vegetation clearing with consideration to fauna self-dispersal opportunities (where appropriate, i.e. avian species)
- iii Identify where temporary fauna exclusion fencing is required to mitigate vehicle strike.
- iv Provide detail of compensatory habitat to be provided within the site.
- v Provide contingency methods in the case that clearing works discover fauna at the site – including capture and release methods and locations.
- vi Identification of known and potential habitat trees (displaying values such as hollows, fissures, nests, drays, arboreal termitaria used as nests).
- vii Details for demarking areas that are of high habitat value to be disturbed (e.g. habitat trees, disturbance in sensitive areas).
- viii Information on how trees are to be inspected for denning or nesting animals including constraints for inspecting trees (to provide acceptable alternative methods).
- ix Identify methods/timing for reinspecting felled tree piles prior to mulching.
- x Considerations relating to time periods for when fauna is to be removed/flushed prior to clearing.
- xi Methods for moving denning or nesting animals and/or capture or flushing of ground dwelling animals.
- xii Summary of removal and relocation methods for each faunal group (including observed species and species likely to occur in the area to be disturbed). Faunal groups that have specialist habitats that differ from the general faunal group (for example ground dwelling birds) further descriptions are required.
- xiii Details of special equipment required (such as chainsaws, cameras etc).
- xiv Identification of general locations that wildlife will be relocated/translocated to if required (based on habitat requirements).
- xv Information on how the animal is to be protected once relocated.
- xvi Methods to euthanise injured animals as well as contact details (including telephone number) and location of the closest vets (and others close by).
- xvii Detailed methods for the translocation and protection of significant fauna species known and likely to occur at the site (where appropriate).
- xviii Special considerations for nesting times.

10 Amended Vegetation Management Plan

The submitted vegetation management plan being “Vegetation Management Plan, lot 1 on RP6882, Lot 240 on WD31320, Lot 4 on RP 6843”, prepared by Gassman Development Solutions, dated January 2018, is requested to be amended as follows;

- i Section 4.2 is to be amended to remove any reference to damage to retained vegetation. No damage to retained vegetation is permitted.

- ii Reference to spotter catcher inspecting stockpiles left for longer than 8 hours must states, spotter catchers are to inspect stockpiles immediately prior to mulching and must be present for works.
- iii Detail sediment fencing to be in place prior to the commencement of any tree works.
- iv Provide a tree survey for all boundary vegetation including Tree protection zones of all retained trees adjacent earthworks.

11 Amended acid sulfate soil management plan

The applicant has referred to the approved acid sulfate soils management plan being "Acid Sulfate Soil investigation, Lot 1 on RP 6882 and Lot 240 on W31320 Stapylton Jacobs well road and Christensen road, Stapylton. Queensland", prepared by ADG consulting, dated August 2011. This plan fails to refer to the compensatory cut and fill for flood storage within Lot 4 on RP 6843. The applicant is requested to provide an amended plan incorporating the compensatory flood storage works.

12 Buffer to neighbouring residential area

It is noted that the proposed buffer area to the adjoining residential area is proposed largely within cut batter areas with a grade up to 1 in 1. It is considered that if approved as submitted, the buffer area will have exceptionally poor growing conditions due to the batter face consisting of exposed rock; additionally the proposed grade will make the importation of sufficient topsoil depth to these batters very difficult. Accordingly, the applicant is requested to provide amended plans demonstrating the following in relation to this buffer area:

- a It is requested that the grade of the batter within the buffer area is no steeper than 1 in 3, consistent with the figure provided in Section 2 of Planning Scheme Policy 13 – Landscape Work Documentation Manual.
- b It is requested that the plans demonstrate how sufficient topsoil will be provided to the buffer area in order to achieve healthy, long term tree growth to establish an effective buffer as required by conditions of the Preliminary Approval and the relevant Codes. It is requested that a minimum 600mm topsoil depth is provided in order to ensure this.

13 Frontage buffer

- a It is noted that the required 6m buffer along Stapylton Jacobs Well Rd is proposed to be provided partly within a stormwater treatment area being dedicated to Council. The applicant is requested to demonstrate that the growing conditions suitable for establishing an effective landscape buffer will be able to be provided within this stormwater treatment area. It is important that the effectiveness of the buffer is not diminished by the stormwater treatment function and vice versa.
- b It is noted that the 6m buffer to Stapylton Jacobs Well Rd within proposed lot 241 is largely within a cut batter. The above comments provided regarding the buffer to the western boundary in relation to growing conditions apply to this portion of the buffer also, and the applicant is requested to utilise a grade no steeper than 1 in 3 for this buffer. The applicant is also requested to demonstrate how sufficient topsoil (minimum 600mm topsoil depth) will be provided to the buffer area in order to achieve healthy, long term tree growth.

14 Frontage fencing

The applicant is requested to provide details of any proposed frontage fencing, demonstrating compliance with PC5 of the Generations Industrial Park Place Code and the associated Acceptable Solution.

Engineering and Hydraulic Assessment

15 Request for a geotechnical report

The submitted drawings depict significant bulk earthworks including deep cut batters exceeding 7m depth with a slope of 1V:1.2H. The submitted geotechnical report titled: "Broad Geotechnical Assessment, Proposed Industrial Development, Lot 1 on RP6882 and Lot 240 on W31320, Stapylton Jacobs Well Road & Christensen Road, Stapylton", prepared by Morrison Geotechnic Pty Ltd, Job No. GE11/002, dated February 2011, does not provide any detail stability assessment for the proposed deep cut/fill batters.

Due to the proposed deep cut batters are in close proximity to adjoining residential/industrial lots, Council engineers require a detailed stability assessment for the proposed batters in order to ensure they achieve a long-term factor of safety of at least 1.5 and they do not adversely affect any adjacent properties/structures. As such, the applicant is requested to provide an amended geotechnical report from a Registered Professional Engineer of Queensland (RPEQ) specialising in geotechnical engineering addressing the following issues in accordance with the guideline: "*Geotechnical Stability Assessment Guidelines, City of Gold Coast, March 2016*" (http://www.goldcoast.qld.gov.au/documents/bf/geotechnical_stability_guidelines.pdf):

- a The amended report should provide a detailed stability assessment for the proposed batters. The risk assessment should be based on surface and subsurface geotechnical information of the site. The amended report should demonstrate that the designed batters achieve a long term factor of safety greater than or equal to 1.5 against failure. If the designed batters cannot achieve a long term factor of safety of at least 1.5, the proposed batters need to be amended in accordance with the engineer's recommendation. The report should demonstrate that the amended batters or any supporting retaining structures achieve a long term factor of safety greater than or equal to 1.5 against geotechnical failure;
- b The amended report should include certification from a Registered Professional Engineer of Queensland (RPEQ) specialising in geotechnical engineering confirming that all designed batters associated with the proposed development achieve a long term factor of safety greater than or equal to 1.5 against failure; and
- c The amended report should provide appropriate and adequate engineering recommendations in order to achieve and maintain long-term stability of the proposed earthworks.

16 Revised stormwater management plan

The applicant has submitted a stormwater management plan, being "Site Based Stormwater Management Plan – Development Application for Reconfiguration of Lot, Rev. No. 1" dated 9 February 2018 prepared by Gassman Development Perspectives. The plan has proposed a combined bioretention and detention basin with a batter slope of 1 in 1.5 and height of approximately 5 metres which is not acceptable to Council. Therefore, the applicant is requested to submit a revised stormwater management plan addressing the following (but not limited) issues:

- a Redesign the basin to achieve a batter slope not steeper than 1 in 2.
- b Reduce the height incorporating appropriate benching.

Open Space Assessment

17 Amended Statement of Landscape Intent

- a The applicant is requested to amend the Statement of Landscape Intent titled: Landscape Intent Plan – M38 Industrial Park, dated February 2018, prepared by Gassman Development Perspectives to include the following:
 - i All amendments required by Town Planning, Engineering and Hydraulic Assessment and Environmental and Landscape Assessment information request items with respect to batter steepness and buffer widths adjacent to or within areas to be dedicated as public open space.
 - ii Demonstrate that all batters steeper than or equal to 1:4 within proposed public open space areas can be stabilised in accordance with SC6.9 – Land Development Guidelines.

Advisory Note

Submit an Open Space Management Plan

In accordance with condition 25 of PN163781/01/DA1 MCU201701550 dated 23 November 2017 (original application being MCU201100650) the applicant will be requested to submit an Open Space Management Plan with any operational works application for Stage 4.

18 Amended plans

The applicant is requested to amend plans to clearly illustrate all areas to be dedicated as public open space including:

- i Park area (m² or Ha)
- ii Park type (Conservation, Waterway/drainage) in accordance with SC6.9 – Land Development Guidelines.

Gold Coast Water

19 Sewer schematic plan and connection point

Water and Waste notes that the applicant has submitted a sewer schematic plan with the subject application. Water and Waste is presently in the process of reviewing this information and determining how the proposed connection arrangement relates, or does not relate to the greater sewer catchment/infrastructure planning for the site's locality.

Water and Waste note that Condition 54 and 55 of the Preliminary Approval (MCU201701550) dated 23 November 2017 state that the applicant must obtain approval for a wastewater reticulation schematic plan and connection point, "*prior to making any development application for a Development Permit or Building Work*". This is also reflected in the conditions of approval relating to a water schematic plan and analysis.

The applicant has not obtained such an approval and has lodged this information concurrently with this application. It is also noted that Water and Waste has communicated complexities of a sewer connection arrangement of this site prior to the applicant lodging the subject application.

Water and Waste therefore requests and expects that the applicant afford officers additional time to address this matter. Given the scale of the development and the information received Water and Waste require more time to address the sewer and water servicing strategy and to produce any information request items accordingly.

Operational Works

20 Bulk earthworks

a Cut /fill batters

The applicant is requested to demonstrate that all proposed batters comply with City Plan Land Development Guidelines SC6.9.2.1.7.4 (1) Batters Table SC6.9.2-12 "Batters within private property", where

- i Must be to a maximum slope of 1 in 2.
- ii The absolute maximum height of any freestanding cut/fill batter with benching is 5 metres.

The bulk earthworks plans shall be amended to reflect the above requirements.

b Benching requirement

The applicant is requested to amend the proposed earthworks plan to reflect the following requirements:

- i Benching is required for any cut greater than 2.5 metres. The applicant must provide minimum 1 metre horizontal benching for total batters height up to maximum of 5 metres.
- ii Batters cut greater than 5 metres require geotechnical analysis to confirm the required benching width considering appropriate planting requirements and erosion and sediment control.

21 Future retaining structure and setback

- #### a
- The applicant is requested to provide a typical cross section of future retaining structures showing that the setback of retaining structures from private property boundaries are measured from behind the filter media of retaining walls not from the face of future retaining walls. Particularly for retaining walls greater than 1.5m where wider filter media maybe required for drainage purpose.

This information is required to determine setback requirement that may affect the future building pad and appropriate sizing of allotments.

- #### b
- The typical cross section of retaining walls shall include dimensions (proposed maximum heights) and the drawings must be certified by an RPEQ specialised in Geotechnical Engineering to confirm that such future retaining structure can be constructed as per relevant Australian Standard (i.e AS4678).

22 Portable Long Service Levy payment

In accordance with section 77(2) of the Building and Construction Industry (Portable Long Service Leave) Act 1991, Council cannot issue a development permit for Operational Works unless it has sighted -

- #### a
- An approved form issued by the Authority that clearly shows –

- i That the levy or the first instalment of the levy has been paid; or
- ii That an exemption from payment of the levy exists in relation to the work; or
- iii That an exemption from immediate payment of the levy exists in relation to the work; or

- #### b
- Written advice from the Authority stating something mentioned in paragraph (a).

The applicant is requested to provide evidence that section 75 of the Act with respect to payment of the levy has been complied with.

As this application was lodged electronically, please direct all future correspondence regarding this application in the required PDF format (ie)

- **Forms** (combine as one single PDF)
- **Supporting documents** (combine as one single PDF)
- **Plans** (combine as one single PDF)
- **Specialist reports** (combine as one single PDF)

The electronic response should be forwarded to mail@goldcoast.qld.gov.au

Contacting us

Should you wish to clarify any issues contained in this letter, please do not hesitate to contact Planning Assessment on 07 5582 8866.

Yours faithfully

Richard Webber
Supervising Planner
For the Chief Executive Officer
Council of the City of Gold Coast
TA