

OUR REF: 5738:BC
COUNCIL REF: OPW201801218/OPW201801219
PN163842/03/DA4

10 January 2019

Gold Coast City Council
PO Box 5042
GOLD COAST MC QLD 9729

via email: mail@goldcoast.qld.gov.au

Attention: Sanjib Bhowmick

Dear Sanjib

RE: SUSPEND APPLICANTS APPEAL PERIOD (SECTION 75 PLANNING ACT 2016) – WRITTEN REPRESENTATIONS

DEVELOPMENT PERMITS FOR A OF USE FOR OPERATIONAL WORK FOR CHANGE TO GROUND LEVEL, AND OPERATIONAL WORK FOR TREE WORKS AT 60 STAPYLTON JACOBS WELL ROAD, STAPYLTON (LOT 1 ON RP6882)

I refer to our correspondence to suspend the appeal period for the above Development Permits for 60 Stapylton Jacobs Well Road, Stapylton, and seek a meeting on behalf of the Applicant to discuss the written representations in relation to the conditions referred to in the below Table (Council Ref: OPW201801218/OPW201801219 - PN163842/03/DA4).

Table 1 – Summary of Requested Condition Changes

Condition No.	Condition Aspect	Requested Change	Justification
2a	Approved drawings	Amend condition	Request to amend wording to read <i>'amend location of all batters and basins to achieve an off-set of 10 metres of no disturbance from the external boundary'</i> .
2c	Approved drawings	Clarify condition	Council to clarify the specific drawings requiring amendment by this condition
7	Fauna management	Amend condition	Delete reference top SC6.9 and replace with current <i>Planning Scheme Policy 11 – Land Development Guidelines</i>
11	Relocation of active Wedge-tailed eagles nest within Precinct C	Amend condition	Amend condition to be consistent with the Preliminary Approval condition 70 that reads as follows: <i>70 - Relocation of active Wedge-tailed eagles nest within Precinct C</i> <i>Prior to any clearing within Precinct C, a relocation program shall be developed by the applicant, lodged with</i>

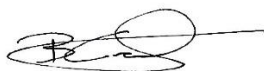


			<i>Council and approved by Council for the relocation of the active wedge-tailed eagles nest (Aquila audax). The program shall detail the specific requirements for the location of the nest. All works shall occur in accordance with the requirements of the relocation program and in liaison with Council's Environmental Planning Section.</i> <i>Please note, a relocation pole of similar height and dimension to the existing nesting tree will be required.</i>
12a – (i) and (ii)	Nest boxes to be installed prior to pre-start meeting	Amend condition	Condition 12a)(i) does not prescribe the description and quantity of nest boxes to be installed, and should be amended to reflect this aspect Condition 12a)(ii) Reference should be made to include <i>Sandy Creek (open space area)</i> for the location, and be amended accordingly.
14	Pre-clearance report	Amend condition	The requirement to submit a pre-clearance report one (1) week prior to the pre-start meeting is considered unreasonable, and be amended as follows: delete the wording "and approval at least one (1) week prior to" and replace with the wording '<i>prior to booking</i>'.
29	Bond	Amend condition	This current condition requires a bond of \$400,000 to be paid. The bond amount is considered unreasonable and that a realistic amount for the performance bond would be \$100,000 for the entire development site which would be rolled across from the existing \$100,000 performance bond conditioned as part of the Stage 1 ROL and change to Ground Level OPW approval. It is recommended that the below wording is accepted, that will provide clarity for the reasoning and purpose of the performance bond for Operational

			Works pertaining to sediment and erosion control. Amend condition to read as follows: 24 Performance bond <i>Provide security to Council in the form of an unconditional and irrevocable bank guarantee or cash in the amount of \$100,000.00 to secure the Performance Bond for sediment and erosion control purposes prior to the commencement of works. Where a performance bond is in place with Council for previous stages within the development for sediment and erosion control purposes, this bond can be rolled over to Stage 2 so that the total performance bond value over the subject site is maintained at \$100,000.00 whilst operational works for a change to ground level is being undertaken over the subject site.</i> <i>The Performance Bond will not be released until:</i> (i) <i>practical completion of the bulk earthworks associated with the development is achieved.</i>
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If you have any questions or require any further information regarding this matter, please do not hesitate to contact the undersigned.

Yours faithfully,
GASSMAN DEVELOPMENT PERSPECTIVES PTY LTD



Barry Craddock
Senior Town Planner